

ORDINANCE NO. 2024-1

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING ZONING TEXT AMENDMENT AND ZONING MAP AMENDMENT NO. RZNE-0011-2024, (1) A TEXT AMENDMENT TO TITLE 9 (ZONING AND SUBDIVISIONS) OF THE LAGUNA HILLS MUNICIPAL CODE TO IMPLEMENT THE GENERAL PLAN HOUSING ELEMENT BY AMENDING CHAPTER 9-30 (MXU MIXED USE DISTRICT) TO MODIFY DEVELOPMENT STANDARDS RELATED TO HIGH DENSITY RESIDENTIAL LAND USES AND CHAPTER 9-11 (OVERLAY DISTRICTS) TO ESTABLISH A NEW HOUSING (H) OVERLAY ZONE AND RELATED PROVISIONS AND DEVELOPMENT STANDARDS; AND (2) AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP TO DESIGNATE SPECIFIC SITES WITHIN THE HOUSING OVERLAY ZONE

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA, HEREBY FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code (LHMC) establishes allowable uses of property and related development standards within all zoning districts in the City; and

WHEREAS, Title 9 (Zoning and Subdivisions) of the Laguna Hills Municipal Code (LHMC) establishes an official Zoning Map portraying the location and extent of the various zoning districts within the City; and

WHEREAS, Government Code Section 65584 requires local jurisdictions to encourage, promote, and facilitate the development of housing to accommodate its regional housing need; and

WHEREAS, the City of Laguna Hills has been assigned an allocation of 1,985 new housing units as its share of the Regional Housing Needs Assessment ("RHNA") in Southern California for the 6th Housing Element cycle covering the 2021-2029 Planning Period; and

WHEREAS, on June 28, 2022, the City Council adopted General Plan Amendment No. RZNE-0003-2020 approving the 2021-2029 Housing Element Update and an update to the General Plan Safety Element, as required in accordance with, and substantially compliant with, State Law; and

WHEREAS, the City of Laguna Hills has concurrently initiated the following actions (collectively, the "Project"): (A) General Plan Amendment No. RZNE-0010-2024 to (1) amend the General Plan Housing Element to incorporate technical changes and clarifications reflected in the Amended 2021-2029 Housing Element Update and (2) amend the General Plan Land Use Element to implement Implementation Program H-11 of the Amended 2021-2029 Housing Element Update by specifying that designated sites may be developed at residential densities between 20 and 50 dwelling units per acre; (B) Zoning Text Amendment and Zoning Map Amendment No. RZNE-0011-2024 to implement Implementation Programs H-7 and H-11 of the Amended 2021-2029 Housing Element Update by (1) modifying the development standards applicable to high density residential uses in the City's Mixed Use (MXU) Zoning District, (2) establishing a Housing (H) Overlay Zone and related provisions and development standards, and (3) modifying the City's official Zoning Map to apply the Housing (H) Overlay Zone to specified properties; and (C) Zoning Text Amendment No. RZNE-0012-2024 to implement Implementation Programs H-7 and H-9 of the Amended 2021-2029 Housing Element Update by establishing citywide objective design standards for multi-family residential and mixed-use projects; and

WHEREAS, this Zoning Text Amendment and Zoning Map Amendment No. RZNE-0011-2024 is a City-initiated zoning text amendment and zoning map amendment subject to Chapter 9-90 of the LHMC. Adoption of an amendment to the LHMC or to the official zoning map is a legislative act of the City Council subject to consideration and approval of an ordinance after a public hearing (LHMC §§ 9-90.050 and 9-90.060); and

WHEREAS, on March 26, 2024, the City Council adopted Resolution No. 2024-03-26-2 adopting the 7th Addendum to the General Plan Program Environmental Impact Report (PEIR) for the Project; and

WHEREAS, on March 26, 2024, the City Council adopted Resolution No. 2024-03-26-3 approving General Plan Amendment General Plan Amendment No. RZNE-0010-2024; and

WHEREAS, Implementation Program H-7 (Zoning Ordinance Update) of the Amended 2021-2029 Housing Element Update commits the City to evaluating and updating development standards, including open space, lot coverage, and height standards, and permit requirements for multifamily development; and

WHEREAS, to meet state law requirements to address the City's RHNA and to ensure a sufficient selection of sites in the City are available for higher density development, Implementation Program H-11 (2021-2029 Regional Housing Need) of the Amended 2021-2029 Housing Element Update commits the City to amending its Zoning and Development Code to "rezone" certain underutilized candidate sites identified in the Housing Element to modify the development standards applicable to

such sites in order to allow multifamily residential uses at an increased allowable density subject to the requirements of Government Code Section 65583.2(h); and

WHEREAS, a notice of the public hearing, describing the project, date, time, and location of hearing was published on March 14, 2024, in the *Saddleback Valley News*, posted to the City's website, emailed to a distribution list of interested parties, mailed via the United States Postal Service to property owners within the Mixed Use (MXU) zoning district, property owners of any Housing (H) Overlay site and property owners within a 300-foot radius of any Housing (H) Overlay Zone site, and was physically posted on March 15, 2024, at Laguna Hills City Hall, Laguna Hills Community Center, and Courtyard at La Paz shopping center; and

WHEREAS, the City Council of the City of Laguna Hills held a duly noticed public hearing and considered public comments and written and oral information and testimony presented by City staff, community residents, and other interested parties regarding the Project at a public hearing held on March 26, 2024; and

WHEREAS, on March 26, 2024, at a duly noticed public hearing, the City Council approved General Plan Amendment No. RZNE-0010-2024 (Resolution No. 2024-03-26-3), adopting the 2021-2029 Housing Element Update and related Land Use Element Amendment.

THE CITY COUNCIL OF THE CITY OF LAGUNA HILLS, CALIFORNIA,
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The foregoing recitals set forth above are true and correct and are incorporated herein by reference.

SECTION 2. In accordance with Section 9-92.080 of the City of Laguna Hills Development Code, the following findings for approving Zoning Text Amendment and Zoning Map Amendment No. RZNE-0011-2024 are made:

1. That the amendment or plan is consistent with the intent of the goals and policies of the General Plan as a whole, and is not inconsistent with any element thereof:

The proposed zoning text and map amendments implement Programs H-7 (Zoning Ordinance Update) and H-11 (2021-2029 Regional Housing Need) of the Amended 2021-2029 Housing Element Update by up-zoning candidate housing sites identified in the housing element and by modifying the residential development standards in the MXU zoning district pertaining to maximum lot coverage, minimum private open space, and minimum landscape coverage, in order to help accommodate the City's Regional Housing Need Allocation (RHNA) of 1,985 new dwelling units during the 6th Cycle Planning Period. The proposed amendments will establish a new Housing (H) Overlay Zone covering the Housing Element candidate sites. As

amended pursuant to General Plan Amendment No. RZNE-0010-2024, the General Plan Land Use Element expressly permits a lot designated with the Housing (H) Overlay Zone in the Laguna Hills Municipal Code to be developed at residential densities between 20 and 50 dwelling units per acre, with no FAR restrictions for residential development, regardless of the underlying land use designation. The proposed zoning text and map amendments are consistent with the goals and objectives, and policies of the General Plan, including the 2021-2029 Housing Element and Land Use Element.

2. That the amendment or plan is necessary to prescribe reasonable controls and standards for affected land uses to ensure compatibility and integrity of those uses with other established uses:

The proposed zoning text and map amendments modify residential densities and development standards to facilitate residential development on sites grouped in specific areas of the City, as identified in the Amended 2021-2029 Housing Element Update, serving to protect and enhance established neighborhoods while helping the City evolve into a more integrated, walkable, and cohesive community, and to help meet the City's RHNA of 1,985 new dwelling units during the 6th Cycle Planning Period (2021-2029).

3. That the amendment or plan is necessary to provide reasonable property development rights while protecting environmentally sensitive land uses and species:

The proposed zoning text and map amendments implement the Amended 2021-2029 Housing Element Update, which provides an eight-year housing plan for the City, as required by state law. Pursuant to the proposed amendments, Housing Overlay Zone designated sites may be developed at residential densities up to 50 dwelling units per acre, thus providing for increased property development rights for the identified sites. The amendments will facilitate densities to be balanced by architectural context, with objective design standards, and transit and pedestrian mobility, facilitating residential design that fosters livable and sustainable communities within the framework of the City's existing built environment, while preserving natural open space areas. As analyzed in the 7th Addendum adopted by the City Council pursuant to Resolution No. 2024-03-26-2, the proposed zoning text and map amendments would not result in new significant environmental impacts that were not analyzed in the 2009 General Plan FEIR or cause a substantial increase in the severity of any previously identified significant impacts on the environment, and therefore are not anticipated to adversely affect sensitive land uses or species.

4. That the plan or amendment is necessary to correct discrepancies in standards or policies within the plan area or land use category:

The proposed zoning text and map amendments are necessary to implement Programs H-7 (Zoning Ordinance Update) and H-11 (2021-2029 Regional Housing Need) of the Amended 2021-2029 Housing Element Update and to be consistent with the amendments made to the General Plan Land Use Element pursuant to General Plan Amendment No. RZNE-0010-2024.

5. That the plan or amendment is necessary to protect the general health, safety, or general welfare of the community as a whole:

The proposed zoning text and map amendments are necessary to implement Programs H-7 (Zoning Ordinance Update) and H-11 (2021-2029 Regional Housing Need) of the Amended 2021-2029 Housing Element Update and to help the City accommodate its Regional Housing Need Allocation (RHNA) of 1,985 new dwelling units during the 6th Cycle Planning Period. Appropriate regulations, including provisions for parking, height, setbacks, lot coverage, open space, and landscaping, will help to ensure that the general health, safety, or general welfare of the City will be preserved. The proposed zoning text and map amendments, in conjunction with objective design standards adopted pursuant to Zoning Text Amendment No. RZNE-0012-2024 will implement the General Plan's goals to create distinctive vibrant spaces that allow for a variety of housing types and a balance of residential, mixed-use, and commercial land uses.

SECTION 3. Resolution No. 2024-03-26-2 adopting a 7th Addendum to the General Plan Program Environmental Impact Report (PEIR) for the Project is hereby incorporated by reference as if set forth fully herein.

SECTION 4. Title 9 of the Laguna Hills Municipal Code (Zoning and Subdivisions), Chapter 9-30 (MXU Mixed Use District), Section 9-30.40 (Development Standards), is hereby amended and restated to read in its entirety as follows:

“Table 9-30.040 provides standards that apply to developments within the mixed use district regardless of the specific use.

Table 9-30.040

MIXED USE DEVELOPMENT STANDARDS

Item	Commercial	Residential (HDR only)
Minimum lot size	10,000 sq. ft.	7200 sq. ft.
Minimum lot width	50 ft.	60 ft.
Minimum lot depth	100 ft.	100 ft.
Maximum lot coverage	50%	70%
Maximum density	.38 FAR	20 DUs/AC
Maximum building height	40 ft.	35 ft.
Minimum setback—front: Parking lot Parking structure Building	10 ft. 20 ft. 20 ft.	20 ft. 20 ft. 20 ft.
Minimum setback—side (interior)	10 ft.	5 ft.
Minimum setback—street side	15 ft. (parking lot 10 ft.)	15 ft.
Minimum setback—rear	15 ft.	20 ft.
Minimum open space: Public Private	N/A N/A	N/A 10%
Minimum landscape coverage	15%	20%
Minimum building separation: Main → Main Main → Accessory Accessory → Accessory	10 ft. 2.5 ft. 2.5 ft.	10 ft. 2.5 ft. 2.5 ft.
Parking	See Chapter <u>9-44</u>	
Signage	See Chapter <u>9-42</u> ”	

SECTION 5. Title 9 of the Laguna Hills Municipal Code (Zoning and Subdivisions), Chapter 9-11 (Overlay Districts), Section 9-11.030 (Denotation/location of overlay districts), is hereby amended and restated to read in its entirety as follows:

“Overlay districts shall be denoted on the zoning map by the base district symbol followed by, as part of the symbol, parenthetically enclosed letters indicating the overlay district. The following overlay districts have been created:

District	Symbol	Location/Description
Vehicle Repair and Vehicle Body Repair/Paint Restoration	VR	23501, 23502, 23512, 23522, 23532, and 23551 Commerce Center Drive, in the North Laguna Hills Business Park
Hospitality Overlay Zone	HOZ	23002 Lake Forest Drive; 23052, 23041, 23046, 23061, and 23175 Avenida de la Carlota; 23421, 23441, and 23461 South Pointe Drive.
Housing Overlay Zone	H	23201, 23212, 23272, 23282, 23330, 23332, 23382, 23422, 24411, and 24461 Mill Creek Drive; 23172 Plaza Pointe Drive; 23441, 23342, and 23421 South Pointe Drive”

SECTION 6. Title 9 of the Laguna Hills Municipal Code (Zoning and Subdivisions), Chapter 9-11 (Overlay Districts), is hereby amended to add Section 9-11.060 (Housing overlay zone) to read in its entirety as follows:

“9.11.060 Housing overlay zone.

- A. Purpose and Intent. The housing (H) overlay zone is established to provide development and land use regulations for the development of housing on specified sites identified in the City of Laguna Hills 2021-2029 Housing Element to accommodate the City’s unmet Regional Housing Needs Allocation (RHNA).
- B. Development Standards. The development standards applicable to residential uses within the housing overlay zone are shown within Table 9-11.060. All other applicable development standards in the underlying zoning district and not in conflict with this section shall apply.

Table 9-11.060

Item	Standard
Minimum density	20 du/ac
Maximum density	50 du/ac
Maximum building height	65 ft

C. **Special Provisions.** The following regulations shall apply to the use of a lot designated with the housing overlay zone, in addition to all applicable provisions of this title. Where there is a conflict, the provisions of this section shall apply.

1. Residential uses shall occupy at least 50 percent of the total gross floor area of a mixed-use development.
2. For developments in which 20 percent or more of the units are affordable to lower income households (income and affordability levels set forth in Sections 50079.5, 50093, and 50105 of the Health and Safety Code shall apply), owner-occupied and rental multifamily uses are considered a use by right pursuant to subdivisions (h) and (i) of Government Code Section 65583.2 and shall be reviewed ministerially by the Director.
3. An applicant for a project pursuant to this Section may apply for a density bonus, incentives or concessions, waivers or reductions in development standards, and reduced parking ratios in accordance with Government Code Section 65915 and Section 9-72.030."

SECTION 7. The official Zoning Map is hereby amended as shown in Exhibit 1 to this Ordinance to denote the Housing (H) Overlay Zone for the applicable properties as referenced in LHMC Section 9-11.030 (Denotation/location of overly districts).

SECTION 8. This Ordinance shall take effect on May 10, 2024, the 31st day following the adoption of this Ordinance by the City Council.

SECTION 9. Upon the effective date of this Ordinance, the provisions hereof shall supersede any inconsistent or conflicting provisions of the Laguna Hills Municipal Code.

SECTION 10. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

SECTION 11. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this 9th day of April 2024.



DAVE WHEELER, MAYOR

ATTEST:



JENNIFER LEE, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

I, Jennifer Lee, City Clerk of the City of Laguna Hills, California, DO
HEREBY CERTIFY that the foregoing Ordinance No. 2024-1 was duly introduced and
placed upon its first reading at a Regular Meeting of the City Council on the 26th day of
March 2024, and that thereafter, said Ordinance was duly adopted and passed at a
Regular Meeting of the City Council held on the 9th day of April 2024, by the following
vote, to wit:

AYES: Council Members Caskey, Heft, Pezold, and Mayor Pro
Tempore Sweeney

NOES: None

ABSENT: None

ABSTAIN: Mayor Wheeler

(SEAL)



JENNIFER LEE, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LAGUNA HILLS)

AFFIDAVIT OF POSTING
AND PUBLICATION

JENNIFER LEE, being first duly sworn, deposes and says:

That she is the duly appointed and qualified City Clerk of the City of
Laguna Hills;

That in compliance with State Laws of the State of California,
ORDINANCE NO. 2024-1, being:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS,
CALIFORNIA, ADOPTING ZONING TEXT AMENDMENT
AND ZONING MAP AMENDMENT NO. RZNE-0011-2024,
(1) A TEXT AMENDMENT TO TITLE 9 (ZONING AND
SUBDIVISIONS) OF THE LAGUNA HILLS MUNICIPAL
CODE TO IMPLEMENT THE GENERAL PLAN HOUSING
ELEMENT BY AMENDING CHAPTER 9-30 (MXU MIXED
USE DISTRICT) TO MODIFY DEVELOPMENT
STANDARDS RELATED TO HIGH DENSITY RESIDENTIAL
LAND USES AND CHAPTER 9-11 (OVERLAY DISTRICTS)
TO ESTABLISH A NEW HOUSING (H) OVERLAY ZONE
AND RELATED PROVISIONS AND DEVELOPMENT
STANDARDS; AND (2) AN AMENDMENT TO THE CITY'S
OFFICIAL ZONING MAP TO DESIGNATE SPECIFIC SITES
WITHIN THE HOUSING OVERLAY ZONE.

on the 4th day of April 2024, and on the 18th day of April 2024, was published in
summary in the Saddleback Valley News; and was, in compliance with City
Resolution No. 2004-05-25-2, by the 4th day of April 2024, and the 18th day of
April 2024, caused to be posted in three places in the City of Laguna Hills, to wit:

Laguna Hills City Hall
Laguna Hills Community Center
La Paz Center



JENNIFER LEE, CITY CLERK
Laguna Hills, California

EXHIBIT 1

OFFICIAL ZONING MAP, AS AMENDED



