



CITY OF LAGUNA HILLS ORDINANCE SUMMARY CERTIFICATION

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

I, MELISSA AU-YEUNG, City Clerk of the City of Laguna Hills, California,
DO HEREBY CERTIFY that the attached is a true and correct copy of:

ORDINANCE 2016-6

AN ORDINANCE OF THE CITY OF LAGUNA HILLS,
CALIFORNIA, ADOPTING ZONING CODE TEXT
AMENDMENT NO. 9-16-3648, AMENDING CHAPTER 9-04
(DEFINITIONS) BY AMENDING VARIOUS DEFINITIONS IN
THE LAGUNA HILLS MUNICIPAL CODE RELATING TO
BOARDING HOUSE USES IN RESIDENTIAL ZONES,
INCLUDING AN EXEMPTION FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT (CEQA).

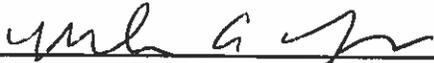
This Ordinance was adopted by the City Council of the City of Laguna
Hills, California, at a regular meeting thereof on the 13th day of December 2016, by the
following vote:

AYES: Council Members Gilbert, Heft, Kogerman, Mayor Pro
Tempore Carruth, and Mayor Sedgwick

NOES: None

ABSENT: None

ABSTAIN: None


MELISSA AU-YEUNG, CITY CLERK

Dated this 14th day of December 2016.

ORDINANCE NO. 2016-6

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT NO. 9-16-3648, AMENDING CHAPTER 9-04 (DEFINITIONS) BY AMENDING VARIOUS DEFINITIONS IN THE LAGUNA HILLS MUNICIPAL CODE RELATING TO BOARDING HOUSE USES IN RESIDENTIAL ZONES, INCLUDING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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

WHEREAS, the purpose of this Ordinance is to update existing defined terms in the City of Laguna Hills Zoning Code to comport with case law and further the original intent of the Zoning Code to minimize the impact of boarding house uses on the residential character of neighborhoods in the City in order to protect and promote the public health, safety, and general welfare; and

WHEREAS, in furtherance of this objective, the City Council of the City of Laguna Hills hereby finds and determines that:

(a) The City of Laguna Hills has for a long time regulated boarding house type uses in residential neighborhoods due to negative secondary impacts arising out of these non-typical residential uses, prohibiting them in some residential neighborhoods, while permitting them with a conditional use permit in other residential neighborhoods. In some non-residential zones boarding houses are permitted with a site development permit. Over the years the City's definitions relating to the regulation of boarding house uses have become outdated and potentially difficult to enforce due to subsequently adopted state and federal laws, as well as case law decisions, relating to a local agency's regulation of boarding house uses.

(b) The purposes and intent of this Ordinance are to update the Zoning Code's definitions relating to boarding house uses to comport with these legal trends and to ensure that the original intent of the Zoning Code relating to boarding house uses can be enforced. The Ordinance will not alter permissible land uses or their density or change the manner in which boarding houses are regulated.

(c) This Ordinance furthers the City of Laguna Hills General Plan including, Policy LU-2.4: Protect existing neighborhoods from the encroachment of incompatible activities and land uses.

(d) This Ordinance is enacted pursuant to the City's valid exercise of its police power pursuant to Article 11, Section 7 of the California Constitution; and

WHEREAS, This Ordinance is a City-initiated zoning text amendment subject to Chapter 9-90 of the Laguna Hills Municipal Code; and

WHEREAS, The City Council of the City of Laguna Hills has 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 at a public hearing held on November 22, 2016.

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

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference.

SECTION 2. The City Council of the City of Laguna Hills hereby finds and determines that environmental review is not required under the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Chapter 3, Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change to the environment, directly or indirectly. Title 14, Chapter 3, Section 15305 also applies (minor alterations in land use limitations) since the Ordinance will not result in any changes to land use or density. Zoning Code Text Amendment No. 9-16-2648 will not result in any changes to the environment but merely modifies definitions pertaining to boarding houses in the zoning code.

SECTION 3. Title 9 of the Laguna Hills Municipal Code (Zoning and Subdivisions) is hereby amended by revising Chapter 9-04 (Definitions) by revising the following definitions to read as follows:

“Boarding house” means a residence other than hotel or single family housekeeping unit, wherein three or more rooms are rented under three or more separate written or oral rental agreements, leases or subleases or combination thereof, whether or not the owner, agent or rental manager resides within the residence. Meals and lodging may be provided as part of the compensation paid by the tenants, as well as personal and financial services.”

“Community care facility” means any state licensed facility, place or building that is maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services for children and/or adults including but not limited to the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children. A Community care facility may also include Family Day Care Homes and Day care centers. Chapter 9-64 of this title contains a list of such facilities.”

“Dwelling unit” means one or more rooms, designed, occupied, or intended for occupancy as a separate living quarter with cooking, sleeping, and sanitary facilities

provided within the dwelling unit for the exclusive use of a single family housekeeping unit.”

““Supportive housing” shall have the same definition as provided in Health and Safety Code Section 50675.14 and as it may be amended, wherein it means housing with no limit on length of stay that is occupied by the target population, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live, and when possible, work in the community.”

““Transitional housing” and/or “transitional housing development” shall have the same definitions as provided in Health and Safety Code Section 50675.2 and as it may be amended, wherein it means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.”

SECTION 4. Title 9 of the Laguna Hills Municipal Code (Zoning and Subdivisions) is hereby amended by adding the following definition to Chapter 9-04 (Definitions) to read as follows:

““Single Family Housekeeping Unit” means two or more occupants of a dwelling unit wherein the occupants have established ties and familiarity with each other, jointly use common areas, interact with each other, travel together, share meals, household activities, expenses and responsibilities, occupancy of the dwelling unit is stable as opposed to transient, adult occupants of the dwelling unit have control over who becomes an occupant in the dwelling unit, the adult occupants of the dwelling unit set their own rules for dwelling therein and have chosen to jointly occupy the entire premise of the dwelling unit.”

SECTION 5. Title 9 of the Laguna Hills Municipal Code (Zoning and Subdivisions) is hereby amended by revising Chapter 9-04 (Definitions) by deleting the definition of “Household” in its entirety.

SECTION 6. This Ordinance shall take effect on January 13, 2017, the 31st day following the adoption of this Ordinance by the City Council.

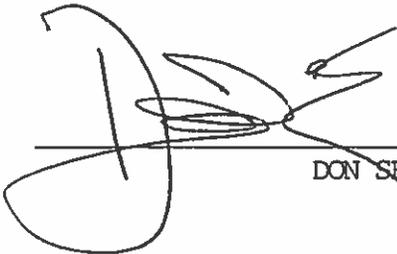
SECTION 7. Upon the effective date of this Ordinance, the provisions hereof shall supersede any inconsistent or conflicting provisions of the Laguna Hills Municipal Code.

SECTION 8. 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 9. 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 13th day of December 2016.



DON SEDGWICK , MAYOR

ATTEST:



MELISSA AU-YEUNG, CITY CLERK

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

I, Melissa Au-Yeung, City Clerk of the City of Laguna Hills, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 2016-6 was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the 22nd day of November 2016, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council held on the 13th day of December 2016, by the following vote, to wit:

AYES: Council Members Gilbert, Heft, Kogerman, Mayor Pro Tempore Carruth, and Mayor Sedgwick

NOES: None

ABSENT: None

ABSTAIN: None

(SEAL)



MELISSA AU-YEUNG, CITY CLERK

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

AFFIDAVIT OF POSTING
AND PUBLICATION

MELISSA AU-YEUNG, 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. 2016-6, being:

AN ORDINANCE OF THE CITY OF LAGUNA HILLS, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT NO. 9-16-3648, AMENDING CHAPTER 9-04 (DEFINITIONS) BY AMENDING VARIOUS DEFINITIONS IN THE LAGUNA HILLS MUNICIPAL CODE RELATING TO BOARDING HOUSE USES IN RESIDENTIAL ZONES, INCLUDING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

on the 2nd day of December 2016, was published in summary in the Saddleback Valley News and on the 23rd day of December 2016, was published in summary in the Saddleback Valley News; and was, in compliance with City Resolution No. 2004-05-25-2, on the 23rd day of November 2016, and the 14th day of December 2016, 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



MELISSA AU-YEUNG, CITY CLERK
Laguna Hills, California