



City of
LA HABRA

AGENDA

**LA HABRA
PLANNING COMMISSION**

**REGULAR MEETING
MONDAY, May 11, 2020
6:30 P.M.**

COUNCIL CHAMBER
100 EAST LA HABRA BOULEVARD
LA HABRA, CALIFORNIA 90631

**PUBLIC ADVISORY:
THE COUNCIL CHAMBER WILL NOT BE OPEN TO THE PUBLIC.**

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the Regular Meeting of the City of La Habra Planning Commission will be conducted telephonically through Zoom. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, The Council Chamber will not be open for the meeting. Planning Commissioners will be participating telephonically and will not be physically present in the Council Chamber.

In accordance with executive order N-25-20, guidance from the California Department of Public Health on gatherings, and in an effort to slow the spread of COVID-19 and to ensure the health and safety of our community, remote public participation can be done as follows:

1. If you would like to participate via Zoom, you may access the meeting remotely by calling **1-301-715-8592** and entering **Meeting ID: 876-7668-6335**. Please note, you will enter the meeting muted, but if you want to comment during the public comment portions of the agenda, press *9, at the appropriate time indicated by the Planning Commission Chair during the meeting, and your call will be selected from the meeting cue. Please note that speakers must limit their comments to three minutes each and that the total time period for public comment is 30 minutes.
2. Public comments will also be accepted by email to planningcommission@lahabra.ca.gov no later than 5:15 p.m. the on date of the meeting with the subject line "CITY OF LA HABRA MEETING CORRESPONDENCE – ITEM #" (insert item number relevant to your comment) or "NON-AGENDA ITEM". If an email is received prior to the close of a public comment period, it will be read by staff into the record. Please note that lengthy public comments may be summarized in the interest of time, and will not exceed three minutes in total length per comment. In the interest of time, we encourage the public to email or mail in their public comments prior to the Planning Commission meeting.

CALL TO ORDER: Council Chamber

PLEDGE OF ALLEGIANCE:

ROLL CALL: Chair Bernier
 Vice Chair Fernandez
 Commissioner Manley
 Commissioner Nigsarian
 Commissioner Powell

PUBLIC COMMENTS: Email or phone in by using the information provided above.

This is the time for the public to address any item of interest to the public that is within the subject matter jurisdiction of the City NOT appearing on this Agenda. Speakers must limit their comments to three (3) minutes each. The total time period for public comment is 30 minutes. Per Government Code Section 54954.3(a), the Commission cannot take action or express a consensus of approval or disapproval on any public comments regarding matters which do not appear on the printed agenda.

CONSENT CALENDAR:

All matters on Consent Calendar are considered to be routine and will be enacted by one motion unless a Commissioner or member of the audience requests separate action or removal of an item. Removed items will be considered following the Consent Calendar portion of this agenda. Members of the audience will have the opportunity to address the Commission on removed items at that time. Speakers must limit their comments to three (3) minutes each.

1. Approve Planning Commission Meeting Minutes of April 27, 2020.

Recommendation: That the Planning Commission approve the meeting minutes of April 27, 2020.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

PUBLIC HEARINGS:

- 1) [Consideration of a request for Planned Unit Development 18-02, for an addition at 1340 South Beach Boulevard \(Walmart’s online grocery pickup service\).](#)

This project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorical Exempt pursuant to Section 15303(c), Class 3: “New Construction or Conversion of Small Structures” of the California Environmental Quality Act Guidelines. The project consists of an addition not exceeding 10,000 square feet.

Recommendation

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA RECOMMENDING THAT THE CITY COUNCIL APPROVE PLANNED

UNIT DEVELOPMENT PRECISE PLAN 18-02 FOR AN ADDITION AT 1340 SOUTH BEACH BOULEVARD, MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.

- 2) [Consideration of a request for Conditional Use Permit 20-05 for a restaurant \(Pita Pit\) at 1901 West Imperial Highway, Suite C.](#)

This project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorically Exempt pursuant to Section 15301(a), Class 1: "Existing Facilities" of the California Environmental Quality Act Guidelines. The project consists of a tenant improvement.

Recommendation

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING CONDITIONAL USE PERMIT 20-05 TO OPERATE A RESTAURANT AT 1901 WEST IMPERIAL HIGHWAY, SUITE C, MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.

- 3) [Consideration of Zone Change 20-02 for an Ordinance modifying La Habra Municipal Code Title 18 \(Zoning\), Chapter 18.22 \(Commercial Cannabis Activity\) to reduce the number of permitted commercial cannabis distribution facilities, prohibit cannabis testing laboratories, and modifications to existing development standards.](#)

The proposed modifications to Chapter 18.22 are exempt from the California Environmental Quality Act pursuant to Business and Professions Code Section 26055(h), "Without limiting any other statutory exemption or categorical exemption, Division 13 (commencing with Section 21000) of the Public Resources Code does not apply to the adoption of an ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity. To qualify for this exemption, the discretionary review in any such law, ordinance, rule, or regulation shall include any applicable environmental review pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code. This subdivision shall become inoperative to July 1, 2021."

Recommendation

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA RECOMMENDING THAT THE CITY COUNCIL DENY ZONE CHANGE 20-02 FOR AN ORDINANCE AMENDING CHAPTER 18.22 ("COMMERCIAL CANNABIS ACTIVITY") TO REDUCE THE NUMBER OF PERMITTED COMMERCIAL DISTRIBUTION FACILITIES, PROHIBIT CANNABIS TESTING LABORATORIES, AND MODIFICATIONS TO EXISTING DEVELOPMENT STANDARDS AS PER EXHIBIT "A".

or

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CHANGE 20-02 FOR AN ORDINANCE AMENDING CHAPTER 18.22 (“COMMERCIAL CANNABIS ACTIVITY”) TO REDUCE THE NUMBER OF PERMITTED COMMERCIAL DISTRIBUTION FACILITIES, PROHIBIT CANNABIS TESTING LABORATORIES, AND MODIFICATIONS TO EXISTING DEVELOPMENT STANDARDS AS PER EXHIBIT “A”.

CONSIDERATION ITEMS:

Any member of the audience may request to address the Commission on any Consideration Item, prior to the Commission taking a final vote on the Item. The Chair will invite interested persons to speak as each Item is called. Speakers must limit their comments to three (3) minutes each.

COMMENTS FROM STAFF:

COMMENTS FROM COMMISSIONERS:

ADJOURNMENT: Adjourned to Monday, May 25, 2020, at 6:30 p.m. in the Council Chamber, 100 East La Habra Boulevard.

Except as otherwise provided by law, no action shall be taken on any item not appearing in the foregoing agenda. A copy of the full agenda packet is available for public review at the Community Development Department during regular business hours, and on the City’s webpage at <http://www.lahabraca.gov/>.

Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection on the City’s website at: <http://lahabracity.com/AgendaCenter/Planning-Commission-10>

In accordance with the Federal Americans with Disabilities Act of 1990, should you require a disability-related modification or accommodation, including auxiliary aids or services to participate in the meeting due to a disability, please contact the Community and Economic Development Department at (562) 383-4100.

DECLARATION: This agenda was posted on the Bulletin Board outside of the south entrance of City Hall and on the Council Chamber Bulletin Board, where completely accessible to the public, at least 72 hours in advance of the Commission Meeting.

Carmen Gonzalez Avila, Planning Commission Secretary