



**LA HABRA  
PLANNING COMMISSION AGENDA**

**REGULAR MEETING  
MONDAY, AUGUST 28, 2023  
6:30 P.M.**

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

Please note that should all business not be concluded by 10:00 p.m., the Chair shall either authorize an extension of time to said meeting or continue all unfinished items to a future meeting, date certain, or date uncertain.

**CALL TO ORDER:** Council Chamber

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:** Chair Rojas  
Vice Chair Surich  
Commissioner Bernier  
Commissioner Mahecha  
Commissioner Manley

**PUBLIC COMMENTS:** When addressing the Commission, please complete a Speaker's Card before leaving the Council Chamber.

Public Comments shall be received at the beginning of the governing body meeting and limited to three (3) minutes per individual, with a total time limit of 30 minutes for all public comments, unless otherwise modified by the Chair. Speaking time may not be granted and/or loaned to another individual for purposes of extending available speaking time, and comments must be kept brief, non-repetitive, and professional in nature.

The general Public Comment portion of the meeting allows the public to address any item of City business not appearing on the scheduled agenda. Per Government Code Section 54954.3(a), such comments shall not be responded to by the governing body during the meeting.

**CONSENT CALENDAR:**

All matters on Consent Calendar are considered to be routine and will be enacted by one motion unless a Commissioner, City staff member, 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. Public comment shall be limited to three (3) minutes per individual, with a total time limit of 30 minutes per item that has been removed for separate discussion, unless otherwise modified by the Chair. Speaking time may not be granted and/or loaned to

another individual for purposes of extending available speaking time, and comments must be kept brief, non-repetitive, and professional in nature.

1. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.
2. PLANNING COMMISSION MEETING MINUTES OF AUGUST 14, 2023

**RECOMMENDATION:**

That the Planning Commission approve the Planning Commission Meeting minutes of:

- August 14, 2023

**CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:**

**PUBLIC HEARINGS:**

Public comments shall be limited to five (5) minutes per individual, with a total time limit of 60 minutes for all public comments, for each individual Public Hearing item on the agenda, unless otherwise modified by the Chair. Comments must be kept brief, non-repetitive, and professional in nature.

1. DULY NOTICED PUBLIC HEARING FOR THE FOLLOWING:
  1. REQUEST FOR APPROVAL OF PLANNED UNIT DEVELOPMENT PRECISE PLAN 22-02 TO CONSTRUCT A 3,875 SQUARE FOOT, DUAL TENANT BUILDING AT 711 EAST IMPERIAL HIGHWAY.
  2. REQUEST FOR APPROVAL OF CONDITIONAL USE PERMIT 22-31 TO OPERATE A DRIVE-THROUGH RESTAURANT (DBA: DUNKIN' DONUTS) WITHIN ONE TENANT SPACE AT 711 EAST IMPERIAL HIGHWAY.

This project was originally noticed and advertised as being consistent with certified Mitigated Negative Declaration 17-02, approved in conjunction with Planned Unit Development Master Plan 17-01, for the purposes of environmental review, pursuant to the California Environmental Quality Act (CEQA). Upon further review, staff has determined that the proposed project is Categorically Exempt from CEQA pursuant to CEQA Guidelines Section 15303, Class 3 "New Construction or Conversion of Small Structures." This exemption class consists of the construction and location of limited numbers of new, small facilities or structures, including commercial uses not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not sensitive. As further described in this staff report, the proposed two-unit commercial building would be 3,875 square feet. In addition, the project is proposed on a parcel that was part of Planned Unit Development Master Plan 17-01. The infrastructure required for the implementation of this Master Plan has been constructed. The proposed project does not meet any of the exceptions described in Section 15300.2 of the CEQA Guidelines. The location of the Project is predominantly urban and not considered a sensitive environment; therefore, the Project will not result in any significant impacts that may otherwise occur in a sensitive environmental area. The cumulative impact of this Project, and the approval of other projects like it in the vicinity, is not expected to have any significant environmental impact. The Project is not located along any state designated scenic highway nor within any designated hazardous waste site. Staff does not expect any significant impacts or unusual circumstances related to the approval and construction of this Project. Therefore, the Project is categorically exempt from CEQA, pursuant to the provision under Section 15061(B)(2) of the California Environmental Quality Act Guidelines.

**RECOMMENDATION:**

That the Planning Commission approve:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING PLANNED UNIT DEVELOPMENT PRECISE PLAN 22-02 FOR THE CONSTRUCTION OF A 3,875 SQUARE FOOT, DUAL TENANT BUILDING AT 711 EAST IMPERIAL HIGHWAY, AS PER THE APPROVED PLANS,

AND SUBJECT TO CONDITIONS, AND RECOMMENDING THAT THE CITY COUNCIL MAKE A DETERMINATION THAT THE REQUEST IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15303, CLASS 3: "NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES" AND SECTION 15061(B)(2) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, MAKING THE REQUIRED FINDINGS AND APPROVING CONDITIONAL USE PERMIT 22-31 TO ALLOW THE OPERATION OF A DRIVE-THROUGH RESTAURANT (DBA: DUNKIN' DONUTS) WITHIN ONE TENANT SPACE AT 711 EAST IMPERIAL HIGHWAY, AS PER THE APPROVED PLANS, AND SUBJECT TO CONDITIONS, AND MAKING A DETERMINATION THAT THE REQUEST IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15303, CLASS 3: "NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES" AND SECTION 15061(B)(2) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES

2. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR ZONE CHANGE 22-03 TO REPEAL CHAPTER 15.40 (OUTDOOR ADVERTISING SIGNS AND STRUCTURES) OF TITLE 15 (BUILDINGS AND CONSTRUCTION), ADD CHAPTER 18.23 (SIGN STANDARDS) TO TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE, AND AMEND VARIOUS SECTIONS OF TITLE 18 (ZONING) FOR CONSISTENCY WITH CHAPTER 18.23

The amendments were reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be exempt pursuant to Section 15061(b)(3) (Common Sense Exception) of the CEQA guidelines because the proposed amendments to the La Habra Municipal Code have no possibility of having a significant effect on the environment.

**RECOMMENDATION:**

That the Planning Commission approve:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING ZONE CHANGE 22-03 TO REPEAL CHAPTER 15.40 (OUTDOOR ADVERTISING SIGNS AND STRUCTURES) OF TITLE 15 (BUILDINGS AND CONSTRUCTION), ADD CHAPTER 18.23 (SIGN STANDARDS) TO TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE, AMENDING VARIOUS SECTIONS OF TITLE 18 (ZONING) FOR CONSISTENCY WITH CHAPTER 18.23 (SIGN STANDARDS) AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15061(B)(3) OF THE CEQA GUIDELINES

**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. Public comment shall be limited to three (3) minutes per individual, with a total time limit of 30 minutes per Consideration Item, unless otherwise modified by the Chair. Speaking time may not be granted and/or loaned to another individual for purposes of extending available speaking time, and comments must be kept brief, non-repetitive, and professional in nature.

**COMMENTS FROM STAFF:**

**COMMENTS FROM COMMISSIONERS:**

**ADJOURNMENT:** Adjourned to Monday, September 11, 2023, at 6:30 p.m. in the City 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 Office of the City Clerk 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 at the Community and Economic Development Department at 110 East La Habra Boulevard, La Habra, during normal business hours.

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 least ninety-six (96) hours in advance of the meeting at (562) 383-4100.

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

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Veronica Lopez, Secretary