

## **ORDINANCE NO. 24-06**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING SECTION 13.04.020 OF CHAPTER 13.04 (ESTABLISHMENT OF ZONING DISTRICTS) OF TITLE 13 (ZONING) OF THE LAGUNA WOODS MUNICIPAL CODE AND ADDING SECTION 13.08.050 TO CHAPTER 13.08 (RESIDENTIAL DISTRICTS) OF TITLE 13 (ZONING) OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO THE ESTABLISHMENT OF NEW RESIDENTIAL OVERLAY ZONING DISTRICTS, AND DETERMINING AND CERTIFYING THAT SUCH ACTIONS ARE CONSISTENT WITH THE PROGRAM ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE LAGUNA WOODS GENERAL PLAN AND ZONING CODE UPDATE, STATE CLEARINGHOUSE NUMBER 2022080022

**WHEREAS**, the Laguna Woods General Plan and Zoning Code Update, State Clearinghouse Number 2022080022, includes proposed amendments to Section 13.04.020 of Chapter 13.04 (Establishment of Zoning Districts) of Title 13 (Zoning) of the Laguna Woods Municipal Code and the proposed addition of Section 13.08.050 to Chapter 13.08 (Residential Districts) of Title 13 (Zoning) of the Laguna Woods Municipal Code pertaining to the establishment of new residential overlay zoning districts (“Code Amendments”); and

**WHEREAS**, staff has recommended that the City Council adopt the Code Amendments in order to complete General Plan Housing Element Program H-1.1.1; and

**WHEREAS**, on August 21, 2024, the City Council adopted a resolution certifying the Final Program Environmental Impact Report for the Laguna Woods General Plan and Zoning Code Update, State Clearinghouse Number 2022080022, including adoption of a statement of overriding considerations per California Code of Regulations, Title 14, Section 15093, and adoption of a mitigation monitoring and reporting program per California Code of Regulations, Title 14, Section 15091 (“PEIR”); and

**WHEREAS**, on August 21, 2024, the City Council held a duly noticed public hearing on this Ordinance at which the members of the City Council, utilizing their independent judgement, reviewed and considered all of the information, evidence, and testimony presented, both written and oral.

**THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS,  
CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

SECTION 1. The City Council hereby finds and determines that (i) each of the recitals to this Ordinance are true and correct, and are adopted herein as findings; (ii) the Code Amendments comply with all applicable requirements of State law; (iii) the Code Amendments will not adversely affect the health, safety, or welfare of the residents within the community; (iv) the Code Amendments are in the public interest of the City of Laguna Woods; and, (v) the Code Amendments are consistent with the Laguna Woods General Plan and its various elements.

SECTION 2. After reviewing the entire project record, the City Council hereby determines and certifies that this Ordinance is consistent with the PEIR prepared for the Laguna Woods General Plan and Zoning Code Update, State Clearinghouse Number 2022080022.

SECTION 3. Section 13.04.020 of Title 13 (Zoning) of the Laguna Woods Municipal Code is hereby amended to read as set forth in Exhibit A, attached to this Ordinance and incorporated herein by this reference.

Section 13.08.050 is hereby added to Title 13 (Zoning) of the Laguna Woods Municipal Code, to read as set forth in Exhibit A, attached to this Ordinance and incorporated herein by this reference.

SECTION 4. This Ordinance shall take effect and be in full force and operation thirty (30) calendar days after adoption.

SECTION 5. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 6. The Mayor shall sign this Ordinance.

SECTION 7. The City Clerk shall certify to the passage of this Ordinance and


shall cause this Ordinance to be published or posted as required by law.

SECTION 8. All of the above-referenced documents and information have been and are on file with the City Clerk of the City.

PASSED, APPROVED AND ADOPTED this 18<sup>th</sup> day of September 2024.

  
\_\_\_\_\_  
NOEL HATCH, Mayor

ATTEST:

  
\_\_\_\_\_  
YOLIE TRIPPY, CMC, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
ALISHA PATTERSON, City Attorney

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

I, YOLIE TRIPPY, City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 24-06** was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 21<sup>st</sup> day of August 2024, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 18<sup>th</sup> day of September 2024 by the following vote to wit:

AYES:           COUNCILMEMBERS: Hatch, Horne, Conners, McCary, Moore  
NOES:           COUNCILMEMBERS: -  
ABSTAIN:       COUNCILMEMBERS: -  
ABSENT:        COUNCILMEMBERS: -

  
\_\_\_\_\_  
YOLIE TRIPPY, CMC, City Clerk

**EXHIBIT A  
CODE AMENDMENTS**

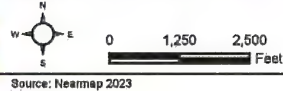
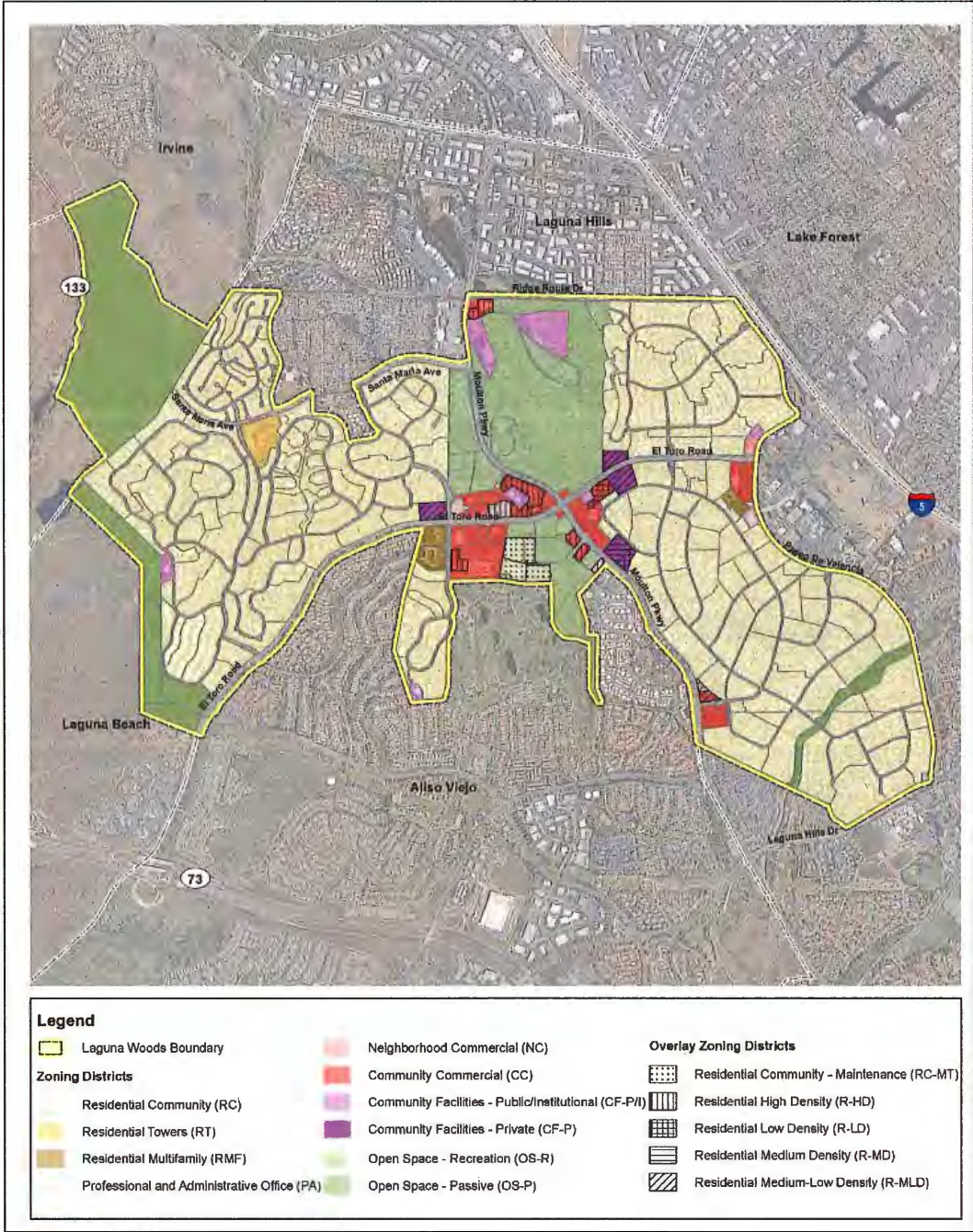
*Section 13.04.020 (“Establishment of Districts”) of Chapter 13.04 (“Establishment of Zoning Districts”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code is amended to read as follows (additions shown with underlining and deletions shown with ~~strike through~~):*

**Sec. 13.04.020. - Establishment of districts.**

(a) The incorporated territory of the City of Laguna Woods is hereby divided into zones or districts, as set forth in this title, as determined and defined by officially adopted zoning map. The zoning district map showing the classifications and boundaries of the districts shall, upon adoption in the manner required by the Planning and Zoning Law, be a part of this chapter. The following districts are established:

<u>Zoning Districts</u>	
RC	Residential Community District
RMF	Residential Multifamily District
RT	Residential Towers District
NC	Neighborhood Commercial District
CC	Community Commercial District
PA	Professional and Administrative Office District
CF <del>--</del> P	Community Facilities <del>--</del> Private District
CF <del>--</del> P/I	Community Facilities <del>--</del> Public/Institutional <u>District</u>
OS-P	Open Space <del>--</del> Passive District
OS-R	Open Space <del>--</del> Recreation District
<u>Overlay Zoning Districts</u>	
<u>RC-M</u>	<u>Residential Community-Maintenance Overlay Zoning District</u>
<u>R-HD</u>	<u>Residential High Density Overlay Zoning District</u>
<u>R-LD</u>	<u>Residential Low Density Overlay Zoning District</u>
<u>R-MD</u>	<u>Residential Medium Density Overlay Zoning District</u>
<u>R-MLD</u>	<u>Residential Medium-Low Density Overlay Zoning District</u>

(b) Map exhibit. The following map exhibit designates areas to which each of the zoning districts and overlay zoning districts established by this section are applied:



CITY OF LAGUNA WOODS • MUNICIPAL CODE  
**Zoning Map**

***Section 13.08.050 (“Residential overlays for housing element compliance”) is hereby added to Chapter 13.08 (“Residential Districts”) of Title 13 (“Zoning”) of the Laguna Woods Municipal Code to read as follows:***

**Sec. 13.08.050. - Residential overlays for housing element compliance.**

(a) *Purpose, generally.* The purpose of overlay zoning districts is to allow the City to establish special land use regulations, standards, or procedures in areas with unique land use, site planning, building design, or environmental resource issues. Overlay zoning districts are also an appropriate mechanism to implement long-term goals and land use requirements of the City for a specific property or location, or to coordinate land use and design requirements unique to a large tract of land. Overlay zoning districts are intended to be applied only where special circumstances justify the modification of base zoning district regulations to achieve specific land use and design objectives. Overlay zoning districts are established through rezoning and only in conjunction with base zoning districts.

(b) *Establishment and designation, generally.* Except as modified by an overlay zoning district, the provisions of the applicable base zoning district shall apply to all development within the boundary of a designated area. If regulations conflict, the applicable overlay zoning district regulations shall prevail to the extent such overlay zoning district authorizes the principally permitted land use or land uses contemplated. Whenever an overlay zoning district is established, any subsequent application to change the base zoning district of a property or properties shall not be construed to be an application to eliminate the overlay zoning district for those properties. An intent to eliminate the overlay zoning district on a property or properties shall be expressly stated in the application.

(c) *Residential High Density Overlay Zoning District.*

(1) *Purpose, specifically.* The purpose of the Residential High Density (R-HD) overlay zoning district is to provide for the development of housing units of a type and number necessary to support compliance with the General Plan Housing Element. Accordingly, certain housing-related land uses are principally permitted as part of the R-HD overlay zoning district, in addition to the land uses principally permitted in the applicable base zoning district.

(2) *Establishment and designation, specifically.* The designated area to which the R-HD overlay zoning district is applied shall be the properties located within the R-HD overlay zoning district boundary shown on the map exhibit in subsection (h) of this section.

(3) *Principally permitted land uses.* Land uses permitted as a principal use within the R-HD overlay zoning district, subject to all applicable laws and regulations, include the land uses identified in the applicable base zoning district and the following, which shall be permitted as a “use by right” as that term is defined in California Government Code Section 65583.2(i) as amended from time to time or replaced with a successor statute, and subject to the City’s design review:

a. Housing with a density of 30 to 50 dwelling units per acre (du/ac), subject to the following:

1. Housing shall be constructed as 100% residential projects or as mixed-use projects with other land uses identified in the applicable base zoning district provided that, for mixed-use projects, residential use shall occupy at least 50% of the total floor area of the project; and
2. Housing shall be owner-occupied and/or rental multifamily in nature; and
3. 20% or more of the dwelling units constructed in each project shall be affordable for lower income households, with the determination of affordability based on applicable state law.

(d) *Residential Medium Density Overlay Zoning District.*

(1) *Purpose, specifically.* The purpose of the Residential Medium Density (R-MD) overlay zoning district is to provide for the development of housing units of a type and number necessary to support compliance with the General Plan Housing Element. Accordingly, certain housing-related land uses are principally permitted as part of the R-MD overlay zoning district, in addition to

the land uses principally permitted in the applicable base zoning district.

(2) *Establishment and designation, specifically.* The designated area to which the R-MD overlay zoning district is applied shall be the properties located within the R-MD overlay zoning district boundary shown on the map exhibit in subsection (h) of this section.

(3) *Principally permitted land uses.* Land uses permitted as a principal use within the R-MD overlay zoning district, subject to all applicable laws and regulations, include the land uses identified in the applicable base zoning district and the following, which shall be permitted as a “use by right” as that term is defined in California Government Code Section 65583.2(i), as amended from time to time or replaced with a successor statute, and subject to the City’s design review:

a. Housing with a density of 20 to 30 dwelling units per acre (du/ac), subject to the following:

1. Housing shall be constructed as 100% residential projects or as mixed-use projects with other land uses identified in the applicable base zoning district.

(e) *Residential Medium-Low Density Overlay Zoning District.*

(1) *Purpose, specifically.* The purpose of the Residential Medium-Low Density (R-MLD) overlay zoning district is to provide for the development of housing units of a type and number necessary to support compliance with the General Plan Housing Element. Accordingly, certain housing-related land uses are principally permitted as part of the R-MLD overlay zoning district, in addition to the land uses principally permitted in the applicable base zoning district.

(2) *Establishment and designation, specifically.* The designated area to which the R-MLD overlay zoning district is applied shall be the properties located within the R-MLD overlay zoning district boundary shown on the map exhibit in subsection (h) of this section.

(3) *Principally permitted land uses.* Land uses permitted as a principal use within the R-MLD overlay zoning district, subject to all applicable laws and regulations, include the land uses identified in the applicable base zoning district and the following, which shall be permitted as a “use by right” as that term is defined in California Government Code Section 65583.2(i), as amended from time to time or replaced with a successor statute, and subject to the City’s design review:

a. Housing with a density of 15 to 20 dwelling units per acre (du/ac), subject to the following:

1. Housing shall be constructed as 100% residential projects or as mixed-use projects with other land uses identified in the applicable base zoning district.

(f) *Residential Low Density Overlay Zoning District.*

(1) *Purpose, specifically.* The purpose of the Residential Low Density (R-LD) overlay zoning district is to provide for the development of housing units of a type and number necessary to support compliance with the General Plan Housing Element. Accordingly, certain housing-related land uses are principally permitted as part of the R-LD overlay zoning district, in addition to the land uses principally permitted in the applicable base zoning district.

(2) *Establishment and designation, specifically.* The designated area to which the R-LD overlay zoning district is applied shall be the properties located within the R-LD overlay zoning district boundary shown on the map exhibit in subsection (h) of this section.

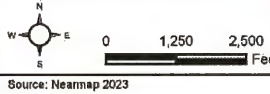
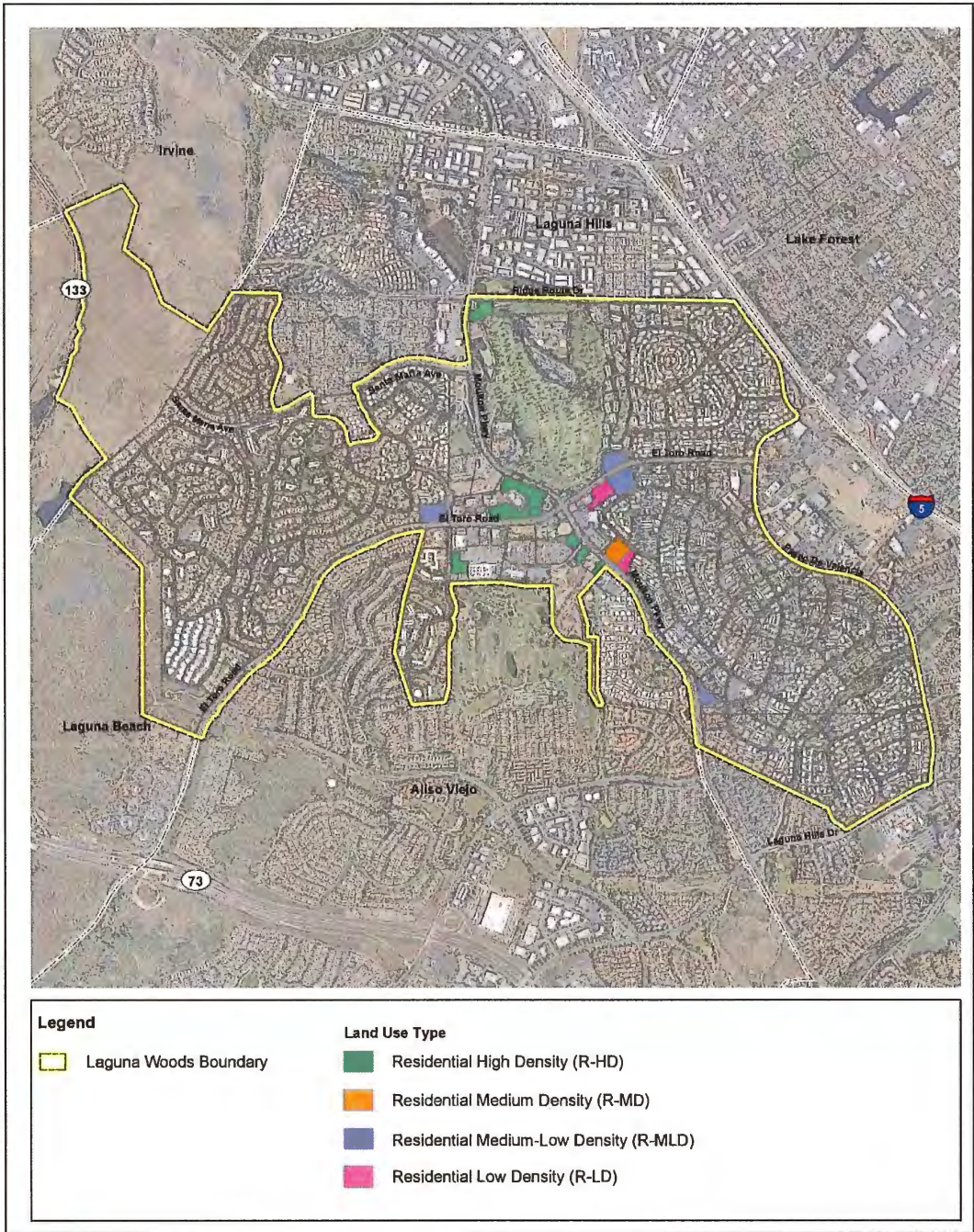
(3) *Principally permitted land uses.* Land uses permitted as a principal use within the R-LD overlay zoning district, subject to all applicable laws and regulations, include the land uses identified in the applicable base zoning district and the following, which shall be permitted as a “use by right” as that term is defined in California Government Code Section 65583.2(i), as amended from time to time or replaced with a successor statute, and subject to the City’s design review:

a. Housing with a density of eight to 10 dwelling units per acre (du/ac), subject to the following:

1. Housing shall be constructed as 100% residential projects or as mixed-use projects with other land uses identified in the applicable base zoning district.

(g) *Housing optional.* Nothing in this section shall be construed as requiring property owners to construct housing or discontinue any existing non-housing use. If a property owner does not wish to construct housing, zoning that allows such construction only presents an option for the future.

(h) *Map exhibit.* The following map exhibit designates areas to which each of the overlay zoning districts established by this section are applied:



CITY OF LAGUNA WOODS • MUNICIPAL CODE  
**Residential Overlays for Housing Element Compliance**