

The property and adjacent lands are in the zoned RA (Residential Agriculture) which allows for **Single Family home** development only. For more information on the parcel, please see below:

(Source: Planner of City of La Habra Heights. Webpage:

<https://www.codepublishing.com/CA/LaHabraHeights/#!/LaHabraHeights07/LaHabraHeights0703.html#7.3.20>

Summary below:

7.3.20 R-A Zone (Residential-Agricultural Zone)

This section establishes the land uses that are permitted in the R-A Zone.

A. **Primary Uses.** Property in R-A Zone may be used for the following:

1. *Single-family dwellings.*
2. Agricultural activities, trees, and nursery stock (this does not permit roadside stands, retail sale from the premises, or advertising signs of any nature).
3. Equestrian, pedestrian and bicycle trails.

B. **Accessory Uses.** Property in R-A Zone may be used for accessory uses indicated in this section in conjunction with a lawfully established single-family residence.

1. Keeping of *large animals* and *small animals* with issuance of an *Animal Keeping Permit*. Permit application procedures are identified in Article [8](#).
2. Home occupations pursuant to the requirements of this Chapter. Home occupations require the approval and issuance of a home occupation permit. Permit application procedures are identified in Article [8](#).
3. Personal outdoor entertainment and recreational uses such as swimming pools, barbeque areas, gazebos, Jacuzzis, and other amenities, excluding sports courts.
4. Guest-houses without kitchens are permitted if total floor area is no more than six hundred and forty (640) square feet. In the event the quarters are *detached*, the lot shall contain a minimum of forty-three thousand five hundred sixty (43,560) square feet and the structure shall be located not less than twenty (20) feet from the residence.
5. Nonhabitable structures such as studios, workshops, secondary garages and barns are permitted. These structures shall be located not less than ten (10) feet from the residence.

C. **Conditional Uses.** A *Conditional Use Permit* is required for the following uses and/or activities. Conditional Use Permit requirements are identified in Article [8](#).

1. Residences used for licensed child day care of more than six (6) children.
2. Group care residences for more than six (6) persons used for assisted or unassisted living.
3. Transitional housing and/or personal rehabilitation.
4. Sports courts such as tennis, basketball, racquetball and similar courts.
5. Development on vacant parcels including swimming pools, pool houses (not including living quarters), barbeque areas, gazebos, Jacuzzis, stables, arenas and animal pens if such vacant parcels are under common ownership and located adjacent to a parcel that is occupied by a single-family residence.

D. **Temporary Uses.** A *Temporary Use Permit* is required for the following uses and/or activities. Temporary Use Permit requirements are identified in Article [8](#).

1. Temporary buildings, storage yards or trailers used as part of an approved construction project
2. Yard and garage sales at private residences up to two (2) times in any calendar year.
3. Any other similar use that the Community Development Director determines is temporary in nature and provided that the use is found not to be detrimental to surrounding neighborhood.

E. **Prohibited Uses.** Uses not specifically allowed in the R-A Zone are prohibited. Such uses include, but are not limited to, the following:

1. **Second Units.** Second units on R-A Zoned single-family lots are prohibited within the City for the reasons set forth below:

- a. **Lack of Sewers.** The City of La Habra Heights has no City-wide sanitary sewer system. The sewage effluent of ninety-seven (97) percent of the residential structures in the City is disposed of into cesspools, and leach lines which enter the earth strata and percolate into the soil. The usage of these sewage disposal systems is predicated on the fact that the City has very low density due to the fact that the majority of lots are one (1) acre or larger, which limits the level of risk on the amount of effluent entering the earth strata in the City, but which limit could be exceeded by the addition of second units.

- b. Rural Street Design. The roadways in La Habra Heights are generally curvy and narrow (eighteen (18) feet of paving in many locations), with no curbs, gutters, street lights or sidewalks. Many streets are private and unimproved or not improved to public street standards. In many instances equestrian and pedestrian use is made of shoulders directly adjacent to the roadway paving. Roadways in the City are generally long and narrow with lengthy cul-de-sacs (one way in and out). Virtually all City streets have no provisions for any on-street parking. The current capacity and design of the roadways cannot withstand the increased traffic congestion and parking requirements associated with increased densities.
- c. Public Transportation and Access. There is no means of public transportation within the City and no convenient access to essential shopping facilities. The addition of second units in the City would therefore generate increased traffic beyond the capacity of the City's roadway network.
- d. Utilization of Existing Dwelling Units. The existing dwelling units in La Habra Heights are not underutilized nor overcrowded as is evidenced by the 1980 U.S. Census which indicated that the average number of persons per dwelling unit in the City is three point two (3.2), the average number of bedrooms per dwelling unit is three point two (3.2), and the vacancy rate is four point seven (4.7) percent.

The City of La Habra Heights acknowledges that the preclusion of second units in La Habra Heights may limit housing opportunities in the region. This limitation is justified, however, by the unusual circumstances described in this section. Given the relatively small number of single-family residences located within the City, this preclusion will not significantly affect housing opportunities in the region.

- 2. Gates or guardhouses that restrict access to residential neighborhoods, subdivisions, and multi-lot developments.
- 3. Storage yards for materials, mechanical equipment or vehicles inconsistent with permitted uses in the R-A zone, including, but not limited to the overnight storage of any of the following:
 - a. Construction equipment used for the removal or transport of construction related materials, including, but not limited to, derricks, hoists, bulldozers, dump trucks, water trucks, earth moving equipment, cranes, drills and fork lifts.
 - b. Any commercial vehicle except those that are permitted pursuant to a Home Occupation Permit. Permit application procedures are identified in Article [8](#).

- c. Any farming equipment unless such equipment is used solely for agricultural uses on the parcel(s) under common ownership.
4. Off road recreational equipment uses that may include, but not be limited to, motorcycles, all terrain vehicles, etc.
5. Except as permitted under a home occupation permit, commercial animal-related uses are prohibited.
6. Commercial shipping containers.
7. It is unlawful for any person for whom registration is required pursuant to Section [290](#) of the California Penal Code to reside within two thousand (2,000) feet of any public or private school or instructional facility, public or private park or other location where children regularly gather for educational or recreational purposes. (Ord. 2015-01 § 5; Ord. 2007-02 § 1)