

# A G E N D A PLANNING COMMISSION REGULAR MEETING TUESDAY, FEBRUARY 18, 2025

## 6:00 P.M. PUBLIC MEETING/PUBLIC HEARINGS

## CIVIC CENTER, CITY COUNCIL CHAMBERS 14000 CITY CENTER DRIVE, CHINO HILLS, CALIFORNIA

PLANNING COMMISSION MEMBERS JERRY BLUM, CHAIR MELISSA DEMIRCI, VICE CHAIR PETER PIRRITANO MICHAEL STOVER SHERAN VOIGT

#### NICHOLAS LIGUORI, COMMUNITY DEVELOPMENT DIRECTOR ELIZABETH M. CALCIANO, ASSISTANT CITY ATTORNEY EMILY ORTIZ, SECRETARY

This agenda contains a brief general description of each item to be considered. Except as otherwise provided by law, no action shall be taken on any item not appearing on the agenda unless the Planning Commission makes a determination that an emergency exists or that a need to take immediate action on the item came to the attention of the City subsequent to the posting of the agenda. The Commission Secretary has on file copies of written documentation relating to each item of business on this Agenda available for public inspection in the Community Development Department, in the public binder located at the entrance to the Council Chambers while the meeting is in session, and on the City's website at www.chinohills.org/Agendas. Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Community Development Department at 14000 City Center Drive, Hills. during normal business hours and Chino CA on the City's website at www.chinohills.org/Agendas as soon as practicable.

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in the Planning Commission meeting, please contact the Community Development Department, (909) 364-2740, at least 48 hours prior to the meeting to enable the City to make reasonable arrangements. <u>Click here</u> to view the City's Reasonable Accommodations Policy or contact the City Clerk's office to obtain a copy.

Emails and documents submitted by the public to the City will be considered a public document subject to posting on the City's website and are subject to the Public Records Act.

#### PLEASE SILENCE ALL ELECTRONIC DEVICES WHILE COMMISSION IS IN SESSION.

Speaker Cards - Those persons wishing to address the Planning Commission on any Commission matter, whether or not it appears on the agenda, must complete and submit to the Commission Secretary a "Request to Speak" form available at the entrance to the City Council Chambers. In accordance with the Public Records Act, any information you provide on this form is available to the public. You are not required to provide your name or other personal information in order to speak. The Commission Secretary will explain how you will be called to speak if you decline to provide your name. Comments will be limited to a maximum of three minutes per speaker for agendized items and a maximum of one minute for non-agendized items. Only one speaker card per person per comment period may be submitted. Individuals must submit their own speaker card. Public comment periods will generally be limited to 30 minutes per meeting and/or the maximum time limits for speaking may be reduced, so not all members of the public may have the opportunity to speak at every council meeting. If you want to communicate information to the City, you can also do so via email at planningcommission@chinohills.org. All public comments must address matters within the subject matter jurisdiction of the Planning Commission, which is considered "Commission business." Failure to adhere to the prohibition against public comments on non-Commission business, will result in the speaker losing their opportunity to provide public comments at that meeting.

"Commission business" includes matters over which the Chino Hills Planning Commission has been granted authority pursuant to state law, the Chino Hills Municipal Code and the City Council, subject to state and federal legal and constitutional limitations. These matters include the issuance of Variances, Conditional Use Permits, Site Plan Reviews, subdivision maps and other entitlements granted on real property; overseeing land development except to the extent the City's authority has been pre-empted by federal and state law; making recommendations to the City Council on zoning, land use, and general plan amendments; and reviewing regulations over conduct and activities in the City relative to planning, and zoning in order to protect the health, safety and welfare of the community.

"Signs", banners, flags or other symbolic materials (except those that are emblazoned on clothing) are prohibited within the Council Chambers because they may obstruct the view of other attendees, obstruct the passage of other attendees, create a fire or safety hazard, or otherwise disturb the business of the meeting. However, signs no larger than 12X24 inches are permitted in the overflow community room located in the southeast corner of the Council Chambers. These signs, banners, flags and other symbolic objects must be left in the overflow area when approaching the dais for public comments or otherwise leaving that area except to leave the Council Chambers. Signs with any type of stick, pole or similar object are prohibited in the Council Chambers.

Levine Act Disclosure: Parties to a proceeding are required to disclose if they made contributions over \$500 within the prior 12 months to a Planning Commissioner. If a Commissioner accepted more than \$500 during the 12 months preceding the decision, the Planning Commissioner is required to recuse themselves from the decision. Parties and participants with a financial interest are prohibited from making more than \$500 in contributions to a Planning Commissioner for the 12 months after the final decision is rendered on the proceeding.

#### TIPS FOR PUBLIC SPEAKING AT A COMMISSION MEETING

- If you have filled out a speaker card with or without your name and/or contact information, please hand it to the Commission Secretary.
- A speaker may not relinquish his/her time to another speaker.
- Be prepared to come forward to the speaker's podium when your name is called.
- As you begin to speak, state your name clearly for the record (although this is not required) and city of residence. If you represent a group or organization, please state that information as well.
- Don't be nervous. It may help to take a deep breath and exhale slowly before you speak.
- Please show courtesy to others and direct all comments to the Chairperson and Commission.
- Do not address comments to the audience or staff members.
- Make your position known at the beginning, then present supporting information.
- Identify your main points. Writing them down ahead of time will help you organize your thoughts at the podium.
- Don't repeat yourself. If a previous speaker has already made the point you planned to make, simply refer to that speaker and emphasize your support for that position.
- Handouts summarizing your position may be distributed to the Commission Secretary before or after your presentation.
- Close your comments with an action statement such as, "Adopt this resolution" or "I urge you to vote 'yes' (or 'no') on this item."
- Any person who disrupts the orderly conduct of the Commission's business may be barred from making further comments and shall be subject to removal from the Chambers.

6:00 P.M. - CONVENE MEETING / ROLL CALL

#### PLEDGE OF ALLEGIANCE TO THE FLAG

#### PRESENTATIONS

#### PUBLIC COMMENTS - AGENDIZED ITEMS

1. PUBLIC COMMENTS: At this time, members of the public may address the Planning Commission regarding any item appearing on the agenda, except that testimony on Public Hearing items must be provided during those hearings. Those persons wishing to address the Planning Commission must complete and submit to the Commission Secretary a "Request to Speak" card available at the entrance to the City Council Chambers. Comments will be limited to a maximum of three minutes per speaker. The time allotted per person may vary depending on the total number of speaker cards received. This comment period will generally be limited to 30 minutes per meeting, so not all members of the public may have the opportunity to speak at every Planning Commission meeting.

CONFLICT OF INTEREST / EX PARTE COMMUNICATION ANNOUNCEMENTS:

For conflicts of interest, Commissioner abstentions shall be stated at this time for recordation on the appropriate item. For ex parte communications, Commissioners shall state their intent to report on any ex parte communications applicable to public hearings on the current agenda.

**CONSENT CALENDAR:** All matters listed on the Consent Calendar are considered routine by the Planning Commission and may be enacted by one motion in the form listed below. There will be no separate discussion of these items unless, before the Planning Commission votes on the motion to adopt, Members of the Planning Commission or staff request the matter to be removed from the Consent Calendar for separate action. Removed consent items will be discussed immediately after the adoption of the balance of the Consent Calendar.

2. CONSIDERATION OF THE MINUTES OF THE JANUARY 21, 2025, REGULAR MEETING

RECOMMENDED ACTION: Approve as submitted.

#### DISCUSSION CALENDAR

3. SINGLE-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS AND REVIEW PROCEDURES WORKSHOP

RECOMMENDATION: That the Planning Commission discuss and provide input on updating the City's development standards and review procedures for the development of single-family residential dwellings.

**PUBLIC HEARING** - This portion of the Planning Commission Agenda is for all matters that legally require an opportunity for public input. Please complete and submit a speaker card to the Planning Commission Secretary. Comments will be limited to three minutes per speaker.

None.

## PUBLIC COMMENTS - NON-AGENDIZED ITEMS

4. PUBLIC COMMENTS: At this time, members of the public may address the Planning Commission regarding any items within the subject matter jurisdiction of the Commission that do not appear on the agenda. Please complete and submit to the Commission Secretary a "Request to Speak" card. Comments will be limited to a maximum of one minute per speaker. The time allotted per person may vary depending on the total number of speaker cards received. This comment period will generally be limited to 30 minutes per meeting, so not all members of the public may have the opportunity to speak at every commission meeting.

All Planning Commission decisions may be appealed to the City Council. An appeal of a Planning Commission decision must be filed with the City Clerk within ten (10) working days of the meeting. Please contact the City Clerk at (909) 364-2620 for further information about filing an appeal or obtaining an appeal application.

STAFF INFORMATION AND AGENDA FORECAST

**COMMISSION COMMENTS** 

ADJOURNMENT:

# **MINUTES**

PLANNING COMMISSION CITY OF CHINO HILLS

JANUARY 21, 2025 REGULAR MEETING

## CONVENE MEETING AND ROLL CALL

Chair Blum called the Regular Meeting of the Planning Commission of the City of Chino Hills to order at 6:00 P.M. and requested Commission Secretary Ortiz to call the roll.

PRESENT COMMISSIONERS: JERRY L. BLUM MELISSA DEMIRCI PETER PIRRITANO MICHAEL STOVER SHERAN VOIGT

ALSO PRESENT: NICHOLAS LIGUORI, COMMUNITY DEVELOPMENT DIRECTOR ELIZABETH M. CALCIANO, ASSISTANT CITY ATTORNEY EMILY ORTIZ, COMMISSION SECRETARY

## PLEDGE OF ALLEGIANCE TO THE FLAG

Led by Vice Chair Demirci.

1. PUBLIC COMMENTS – AGENDIZED ITEMS

None.

#### **CONFLICT OF INTEREST / EX PARTE ANNOUNCEMENTS** None.

## CONSENT CALENDAR

## 2. MINUTES OF DECEMBER 3, 2024, REGULAR MEETING - APPROVED

Motion was made by Commissioner Voigt and seconded by Commissioner Pirritano to approve the meeting minutes as submitted.

STOVER, VOIGT

Motion carried by electronic vote as follows:

- AYES: COMMISSIONERS: BLUM, DEMIRCI, PIRRITANO
- NOES: COMMISSIONERS:
- ABSENT: COMMISSIONERS:

## DISCUSSION CALENDAR

## 3. AGENDA FORMAT UPDATE

Community Development Director, Nick Liguori, briefed the Commission on the updated agenda format. He stated that agendas for all Commissions are now consistent with the City Council agenda and that there are now new rules relating to public comments and the time limits allotted for public comments. The first public comments section is for items that appear on the agenda, with the exception of items falling under public hearing, with time limits of 3 minutes per speaker and 30 minutes per meeting. The second public comments section at the end of the agenda is for comments on topics that are not listed on the agenda but do fall under the scope of the subject matter jurisdiction of the Commission, with a time limit of 1 minute per speaker and 30 minutes per meeting.

Commission discussed the following with staff.

- It is unfavorable that the public comments section for non-agendized items would require those speakers to wait until the end of the meeting.
- The Chair has the prerogative, with majority consent of the Commission, to rearrange the agenda items to allow the public comments section for non-agendized items to be heard earlier to be sensitive to the public's needs.
- The Planning Commission should listen to the public and would like to allow everyone the option to speak.
- The new format may create confusion for public speakers since there are now two public comment sections and a public hearing comment section.
- It is under the jurisdiction of the City Council to update the format of City meeting agendas.
- The Chair has responsibility to address a speaker who is speaking on a topic outside the jurisdiction of the Commission but the Assistant City Attorney may advise, if needed.
- The new section on the agenda "Tips for Public Speaking at a Commission Meeting" is helpful.

# 4. DIRECTOR'S AGENDA FORECAST FOR 2025

Community Development Director, Nick Liguori, briefed the Commission on the status of the development projects currently in the queue for staff. He said the General Plan and Draft EIR were released for public review with a 45-day review period that will end on March 3 and will be presented to the Commission in April. He said the update will include the rezoning of the Housing Element RHNA sites as well as the recent code amendments which will likely make development at those sites more attractive.

Director Liguori said he attended a meeting of the Board of Foresty and Fire Prevention in which the City's Safety Element passed with high marks, and a member of the board said that the Chino Hills Safety Element should be a model for other cities to follow.

## STAFF INFORMATION AND AGENDA FORECAST

February 4 – Dark

February 18 March 4
March 4
March 18
Custom Home Design Reviews
Draft Single Family Objective Design Standards Workshop

Canyon Estates and Western Hills projects are both in the application process.

## PUBLIC HEARING

None.

## 5. PUBLIC COMMENTS – NON-AGENDIZED ITEMS

None.

## **COMMISSION COMMENTS**

Chair Blum reiterated that with the slowness of development, there may be dark meetings and suggested that, instead of cancelling, Commission could discuss important development issues. He then asked Commissioners for some ideas to add to a future agenda.

- Unfairness of power shut offs
- Power Sufficiency
- Potential fire issue with outdoor smoking in Carbon Canyon
- Meet with the fire district, building official, and architects to mitigate fire hazards in the canyon for new housing and retrofitting older homes using state/federal funding
- Wildfire prevention plans for new residential developments
- Economic development strategy
- Understanding of the development review process after the Commission approves a project
- Legislative update presentation from Assistant City Attorney Calciano
- An opportunity for all 3 commissions to meet together to discuss the challenges of each commission

Commissioner Stover welcomed the international visitors in the audience.

## ADJOURNMENT

Chair Blum adjourned the meeting at 6:58 p.m.

Respectfully submitted,

Emily Ortiz Commission Secretary

# PLANNING COMMISSION AGENDA STAFF REPORT



Meeting Date: February 18, 2025

Public Hearing:	
Discussion Item:	$\checkmark$
Consent Item:	

Agenda Item No.: 3

TO: CHAIR AND PLANNING COMMISSIONERS

FROM: NICHOLAS LIGUORI, AICP, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: SINGLE-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS AND REVIEW PROCEDURES WORKSHOP

## RECOMMENDATION

That the Planning Commission discuss and provide input on updating the City's development standards and review procedures for the development of single-family residential dwellings.

## BACKGROUND/ANALYSIS

## State Housing Law

Since 1969, California has required that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community. California's local governments are required to include their plan within a Housing Element, which is one of the seven required elements of the General Plan. The Housing Element must be updated approximately every 8 years, and it's the role of the State Department of Housing and Community Development (HCD) to administer and ensure local government compliance with Housing Element law.

In addition to the Housing Element law, income requirements were also added by Assembly Bill 1952. Cities were required to make standards and plans for adequate sites for housing and improvement of housing for all economic groups of the community. Throughout decades of implementing local housing plans to meet future population and housing demands, there was a lack of housing opportunities. Many cities zoned for additional housing; however, builders were not constructing homes due to the stringent regulations, cost, and timing. In response, the state initiated major changes in 2017 when approximately 150 housing bills were proposed during the legislative session, called the 2017 Housing Legislative package. A package of 15 bills was signed by the governor related to funding for housing, streamlining development approvals, and increasing accountability for meeting the requirements of Housing Element law. These included bills

that significantly changed the Regional Housing Needs Allocation (RHNA) process and expanded housing streamline applicability. The remainder of the bills related to housing accountability, furthering fair housing, and no net loss law.

One challenging component of processing housing development is environmental review under the California Environmental Quality Act (CEQA). Major housing developments require some level of CEQA review, which can become costly and time consuming for developers. For example, a major single-family division or multi-family housing project often requires an Environmental Impact Report (EIR). These reports require consultants who have expertise in CEQA, can cost upwards of \$200,000-\$300,000, and take 1-2 years to complete. The 2017 Housing Legislative package included Senate Bill 35 (SB 35), which streamlines multi-family projects which provide affordable housing identified in the RHNA housing plan for the city. Streamlining such projects under SB 35 require ministerial action without CEQA review or public hearings.

Following the 2017 Housing Legislative package, the governor signed the Housing Crisis Act of 2019. This introduced several housing laws including Senate Bills 330, 8, and 9, which further expand the applicability and streamlining requirements. Senate Bill 8 expands the definition of "housing development project" to include projects with single-family dwelling units and Accessory Dwelling Units (ADUs). Senate Bill 9 requires cities to ministerially approve, without discretionary review or hearing, the development of two residential units, either detached or attached, on a single-family lot, and the subdivision of a single-family lot into two parcels. Subject to certain limitations, SB 9 allows jurisdictions to apply objective design standards to help facilitate housing development ministerially. Senate Bill 330 established a new preliminary application process for multifamily and single-family housing projects. The purpose of the process is to make the development review process faster and provide clarity in the requirements of the development, while also locking in development standards, requirements, and fees at the time of application submittal.

Following the Housing Crisis Act of 2019, the city created an SB 330 pre-application form and adopted SB 9 standards and regulations. The SB 9 standards and regulations also include objective design standards to address architectural and site design elements for the proposed housing projects. As part of the General Plan update, city staff will be recommending the adoption of Objective Design Standards and Housing Plan approval process for multi-family housing projects to facilitate and streamline the process. Since the Housing Crisis Act of 2019 and the start of the 6th RHNA housing cycle (2021-2029), the state has passed many additional housing bills expanding streamline requirements and limiting the regulations that local jurisdictions can apply to residential projects. Single-Family housing projects, which are not subject to SB 9, are the last piece of housing development to be addressed regarding objective design standards and streamlining process.

## **Current Development Standards, Design Guidelines, and Review Procedures**

## Development Standards and Design Guidelines

The City's development standards and design guidelines for single-family residential development are primarily set forth in Chapter 16.10 Residential Districts of the Chino Hills Municipal Code (CHMC). Objective, measurable development standards (such as setbacks, lot coverage, and maximum building height) are specified in Section 16.10.030 and apply to all residential development throughout the City, excluding properties within Planned Development areas that provide their own, similar development standards. These development standards are applied to the construction of new homes, additions, and remodels. Section 16.10.040 Minimum Residential Design Standards establishes some required design elements for residential construction projects, including a minimum floor area, siding and roof material requirements, storage areas for trash and recycling containers, and accommodation for indoor laundry facilities. Through the building plan check and/or Design Review processes, staff ensures that all proposed projects comply with these requirements

Section 16.10.050 Residential Design Guidelines establishes design guidelines and principles that apply to projects that are subject to Design Review application approval, as further discussed in this report. Site planning guidelines pertain to the design and development of single-family residential communities and address variation in lot size and dwelling unit placement, provision of neighborhood amenities, use of curvilinear streets, enhanced treatment of walls and drainage courses, and other elements that contribute to an attractive and inviting streetscape. Architectural guidelines address the massing, scale, and size of single-family residences; the ornamentation of facades and variation in wall and roof planes; the use of varied designs and styles throughout a residential community; integration of a variety of materials and finishes to provide a cohesive and attractive appearance; the screening of equipment and utilities; and the design of walls and garage doors. These guidelines are generally subjective in nature, requiring staff and the Planning Commission to evaluate the extent to which projects successfully implement and adhere to the intent of the guidelines.

## **Review Procedures**

Any type of residential construction that requires a building permit is subject to the review and permitting processes established in the Municipal Code, which vary based on the scope of the project. Residential additions that add less than 50 percent of the existing floor area and reconstruction projects that involve less than 50 percent of the existing floor area are reviewed ministerially by the Development Services (Planning) and Building and Safety Divisions. Construction documents for these projects are submitted for plan check to the Building and Safety Division and are reviewed concurrently by both divisions. The Building and Safety Division reviews the plans for adherence to the California Building Code and the Planning Division reviews the project for conformance with the Municipal Code. The focus of this review is ensuring the project complies with the applicable (objective) development standards and is generally compatible with the existing architectural design. Once the review(s) has been completed and the applicant addresses any corrections, building permits are issued and project proceeds into construction and inspections.

The construction of a new single-family residence, construction of an addition with a floor area equal to or exceeding 50 percent of the floor area of an existing single-family residence (and other onsite buildings), and the reconstruction of more than 50 percent of the floor area of an existing single-family residence (and other onsite buildings) are subject to the review and approval of a Design Review application. The Design Review application is an entitlement that must be reviewed and approved before this type of project may proceed into plan check and building permit issuance. Conceptual architectural plans are submitted to the Planning Division and reviewed for conformance with the applicable development standards and adherence to the intent of the design guidelines. Staff reviews the project plans and works with the applicant to address any nonconformities and ensure that the project represents a quality design that is compatible with the surrounding residences. Once the application is deemed complete and the applicant has addressed any corrections or concerns identified during the review, the project is scheduled for review by the Planning Commission and a staff report package is prepared. The Planning Commission then reviews the project and determines whether to approve the project based on its adherence to the development standards, implementation of the design guidelines, guality of design, and its compatibility with the surrounding neighborhood. From application submittal to consideration by the Planning Commission, the typical Design Review is processed in three to nine months (or more) depending on the quality of the design and plans and the responsiveness of the applicant during the review process.

In response to SB 9, the City created the Housing Development application to create a ministerial review process for projects consisting of the development of up to two single-family residences (attached or detached) on a property zoned for single-family residential use. The Housing Development application serves a similar purpose to the Design Review application but is considered for approval by the Community Development Director. Housing Development projects are reviewed for conformance with objective development and design standards stipulated in Section 16.10.150, including reduced setback and parking requirements; the statute precludes the application of subjective design guidelines to these projects. Upon approval of the Housing Development application, the applicant may submit for plan check review and building permit issuance. Staff has not processed enough of these applications to estimate typical processing timeframe, but it is shorter than that of Design Review applications.

## **Potential Update Topics**

As state law continues to direct local agencies to further facilitate housing development and the streamlining of project approvals, the City has been required to allow a greater variety of housing project approvals through ministerial review processes. Properties zoned for single-family residential use can be split into two lots and/or developed with up to two single-family residences through ministerial approvals pursuant to CHMC §16.10.150. Multiple ADUs can be developed on single-family and multi-family properties with only minimal regulatory review by staff (CHMC §16.10.140). Qualifying multi-family projects with affordable housing components are exempt from CEQA and any public hearing process. Additionally, the City is required to process certain subdivisions of up to 10 units ministerially (Gov. Code §66499.41). These types of projects have greater potential to adversely impact the character of existing neighborhoods than the construction of a new single-family residence but require a decreased level of review authority. As such, the City's current Design Review application procedures now appear comparatively burdensome, and staff is seeking the Planning Commission's input and guidance regarding potential updates to streamline and facilitate the review of single-family residential projects.

As previously stated, Design Review applications are required for any new single-family residential development or addition to an existing home over 50% of on-site buildings. Staff is proposing new thresholds which would allow for ministerial review of single-family home development. Homes that would be above these thresholds would be subject to Planning Commission approval, but homes below the threshold could be approved at a staff level. Below outlines potential thresholds based on the average size lot and homes that have been submitted and approved through the Design Review process. Staff is proposing to use the metric of Floor Area Ratio relative to Lot Size for the review threshold. This metric addresses the massing of a proposed structure or addition, which is usually the primary concern when looking at neighborhood compatibility.

Design Review Threshold:

- Lot Size up to 5,000 sq. ft. .6 Floor Area Ratio
- Lot Size up to 10,000 sq. ft. .5 Floor Area Ratio
- Lot Size over 10,000 sq. ft. .4 Floor Area Ratio

The above thresholds would only be applied to new single-family developments which contain one unit. Tract development would still be subject to the Tract Design Review process and Planning Commission approval. Additions would be exempt from the Design Review application provided the addition does not exceed the thresholds above. Property owners proposing to exceed the above thresholds would be required to go through the Design Review process and Planning Commission approval. The limits of building size would still be subject to development standards such as maximum height, setbacks, and lot coverage.

Residential projects not subject to a Design Review application process would still require a ministerial planning application approval. In addition, single-family objective design standards could be established and applied to any proposed single-family home development. The design standards would include, but not be limited to, the following:

- Site Design
- Architectural enhancements
- Single-story element
- Roof and eaves requirements

- Front yard landscaping
- Massing/second story setbacks
- Window trim
- Enhanced base material (stone veneer, brick, etc.)
- Front door location/enhancement
- Equipment screening

The above information is an example of potential changes regarding streamlining singlefamily housing projects for discussion. Staff is seeking Planning Commission guidance regarding the process, thresholds, design standards, and other applicable topics related to the facilitation of single-family home development.

Respectfully submitted,

Nicholas Liguori, AICP Community Development Director