



Placentia Planning Commission Agenda

Regular Meeting
January 11, 2022
City Council Chambers
401 E. Chapman Avenue, Placentia, CA 92870

SPECIAL PROCEDURES NOTICE DURING COVID-19 EMERGENCY

On March 4, 2020, Governor Newsom proclaimed a State of Emergency as a result of the threat of the COVID-19 virus. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which temporarily suspends requirements of the Brown Act allowing Planning Commission Members to hold public meetings via teleconferencing and make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the Planning Commission.

Given the health risks associated with COVID-19, please be advised that while the City Council Chambers are open to the public, some or all of the Placentia Planning Commission Members may attend this meeting via teleconference. Those locations are not listed on the agenda and are not accessible to the public. Seating in the Council Chambers will be limited.

How to Observe the Meeting

To maximize public safety while maintaining transparency and public access in addition to being open to the public, all Planning Commission meetings are available to view live on AT&T U-verse (Channel 99), Spectrum (Channel 3), and online at www.placentia.org/pctv.

Join Zoom Meeting

<https://us02web.zoom.us/j/83486066932?pwd=aW1GNlBtOHNCZDd5eXVxWVE5dEFuZz09>

Meeting ID: 834 8606 6932 Passcode: 597113

or dial +16699006833, 83486066932#

How to Submit Public Comment

Members of the public may provide public comment in person in a safe and socially distanced manner. Masks are mandatory. Comments may also be sent for Planning Commission consideration by email to Sylvia Minjares at sminjares@placentia.org. Please limit submitted comments to 200 words or less. Comments received before or during a Planning Commission meeting, until the close of the **Oral Communications** portion of the agenda, may not be read during the Planning Commission meeting but will be summarized in the public record, subject to the regular time limitations per speaker. Longer submittals will be included in the public record. If you are unable to provide your comments in writing, please contact the Development Services Department for assistance at (714) 993-8124.

Americans with Disabilities Act Accommodation

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at cityclerk@placentia.org or by calling (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City Staff to make reasonable arrangements to ensure accessibility while maintaining public safety. (28 CFR 35.102.35.104 ADA Title II)

Until further notice the City will implement the guidelines of the California Department of Public Health in regards to social distancing.

The City of Placentia thanks you in advance for taking all precautions to prevent the spread of the COVID-19 virus. The City will return to normal Planning Commission meeting procedures as soon as the emergency has ended.



Placentia Planning Commission Agenda

Regular Meeting

January 11, 2022

City Council Chambers

401 E. Chapman Avenue, Placentia, CA 92870

Christine J. Schaefer
Chair

Frank Perez
Vice Chair

Brandon Evans
Commissioner

Claudia Keller
Commissioner

Dennis Lee
Commissioner

Nick Polichetti
Commissioner

Matthew Roche
Commissioner

City of Placentia
401 E Chapman Avenue
Placentia, CA 92870

Phone: (714) 993-8124
Fax: (714) 528-4640
Website: www.placentia.org

Procedures for Addressing the Commission

Any person who wishes to speak regarding an item on the agenda or on a subject within the Planning Commission's jurisdiction during the "Oral Communications" portion of the agenda should fill out a "Speaker Request Form" and give it to the Commission Secretary BEFORE that portion of the agenda is called. Testimony for Public Hearings will only be taken at the time of the hearing.

The Commission encourages free expression of all points of view. To allow all persons the opportunity to speak, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of an entire group. To encourage all views, the Commission discourages clapping, booing or shouts of approval or disagreement from the audience.

**PLEASE SILENCE CELL PHONES AND OTHER ELECTRONIC
EQUIPMENT WHILE THE COMMISSION IS IN SESSION.**

Special Accommodations

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City staff to make reasonable arrangements to ensure accessibility.
(28 CFR 35.102.35.104 ADA Title II)

Copies of all agenda materials are available for public review in the Office of the City Clerk, City Planning Division Counter, Placentia Library Reference Desk and the internet at www.placentia.org under the Planning Commission page. Persons who have questions concerning any agenda item may call the City Planning Division at (714) 993-8124 to make inquiry concerning the nature of the item described on the agenda.

In compliance California Government Code Section 54957.5, any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda that are not exempt from disclosure under the Public Records Act will be made available for public inspection at the City Clerk's Office at City Hall, 401 East Chapman Avenue, Placentia, during normal business hours.

Study Sessions are open to the public and held in the City Council Chambers or City Hall Community Room.

REGULAR MEETING
6:30 p.m. – City Council Chambers

CALL TO ORDER:

ROLL CALL:

Commissioner Evans
Commissioner Keller
Commissioner Lee
Commissioner Polichetti
Commissioner Rocke
Vice Chair Perez
Chair Schaefer

PLEDGE OF ALLEGIANCE:

ORAL COMMUNICATIONS: (PLEASE SEE PAGE ONE FOR SPECIAL INSTRUCTIONS ON SUBMITTING PUBLIC COMMENT DURING THE COVID-19 CRISIS)

At this time the public may address the Planning Commission concerning any agenda item, which is not a public hearing item, or on matters within the jurisdiction of the Planning Commission. There is a five (5) minute time limit for each individual addressing the Planning Commission.

CONSENT CALENDAR:

1. **Planning Commission Meeting Minutes – October 12, 2021**
Recommended Actions: Approve

REGULAR AGENDA: None

PUBLIC HEARING:

1. **Applicant:** Paul Romero, dba Wolf Pack Sports Therapy

Project Location: 620 N. Rose Drive, Suite 134

Use Permit (UP) 2021-06: A request to permit a massage therapy studio in an existing 105 square-foot unit within the 6,148-square foot Phoenix Salon, at a multi-tenant commercial shopping center located at 620 N. Rose Drive, within the SP-7 (Specific Plan 7) Zoning District.

Recommended Actions: It is recommended that the Planning Commission take the following actions:

1. Open the public hearing concerning Use Permit (UP) 2021-06; and

2. Receive the staff report and consider all public testimony **(PLEASE SEE PAGE ONE FOR SPECIAL INSTRUCTIONS ON SUBMITTING PUBLIC COMMENT DURING THE COVID-19 CRISIS)**; and
3. Close the public hearing; and
4. Adopt Resolution PC-2022-01, a resolution of the Planning Commission of the City of Placentia, approving UP 2021-06 and making findings to permit the establishment and operation of a massage therapy studio in an 105 square-foot unit located inside the existing 6,148-square foot Phoenix Salon Suites which is located in a multi-tenant commercial shopping center within the SP-7 (Specific Plan 7) Zoning District at 620 N. Rose Drive; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

2. Applicant: City of Placentia

Project Location: Citywide

General Plan Amendment No. GPA 2021-01, 2021-2029 Housing Element Update

Recommended Actions: It is recommended that the Planning Commission take the following actions:

1. Open the public hearing concerning General Plan Amendment (GPA) 2021-01; and
2. Receive the staff report and consider all public testimony **(PLEASE SEE PAGE ONE FOR SPECIAL INSTRUCTIONS ON SUBMITTING PUBLIC COMMENT DURING THE COVID-19 CRISIS)**; and
3. Provide direction to staff and recommendations to City Council regarding strategies for creating additional housing capacity to accommodate the RHNA over the next 8 years; and
4. Continue the public hearing regarding General Plan Amendment No. GPA 2021-01 to March 8, 2022.

OLD BUSINESS: None

NEW BUSINESS: None

DEVELOPMENT REPORT:

DIRECTOR'S REPORT: None

PLANNING COMMISSION REQUESTS

Commission members may make requests or ask questions of Staff. If a Commission member would like to have formal action taken on a requested matter, it will be placed on a future Commission Agenda.

ADJOURNMENT

The Planning Commissioners CLOSE to the regular Planning Commission meeting on January 11, 2022 at 6:30 p.m. in the City Council Chambers located at 401 East Chapman Avenue, Placentia CA, 92870.

CERTIFICATION OF POSTING

I, Joseph M. Lambert, Secretary to the Planning Commission of the City of Placentia, hereby certify that the Agenda for the January 11, 2022 Regular Meeting of the Planning Commission of the City of Placentia was posted on January 6, 2022.


Joseph M. Lambert, Secretary

**PLACENTIA PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING**

October 12, 2021

The regular meeting of the Placentia Planning Commission of October 12, 2021 was called to order at 6:32 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, by Vice Chair Perez.

ROLL CALL:

PRESENT (VIDEO CONFERENCE): Commissioners Evans, Lee, Polichetti, Perez, Rocke

ABSENT: Keller, Schaefer

OTHERS PRESENT: Kathya Firlik, Assistant City Attorney
Joseph M. Lambert, Director of Development Services
Andrew Gonzales, Senior Planner
Lesley Whittaker, Associate Planner
Sylvia Minjares, Office Assistant

Vice Chair Perez excused Chair Schaefer and Commissioner Keller for due cause.

PLEDGE OF ALLEGIANCE: Commissioner Evans

ORAL COMMUNICATIONS: None

CONSENT CALENDAR:

1. **Planning Commission Meeting Minutes – September 14, 2021**

Recommended Actions: Approve

Motion by Rocke, second by Lee carried on a (5-0-2-0) vote to approve the recommended actions.

Ayes: Evans, Lee, Perez, Polichetti, Rocke

Noes: None

Absent: Keller, Schaefer

Abstain: None

PUBLIC HEARING:

1. **Applicant:** Shahin Jahanvash, dba Red Dragon Karate

Project Location: 1073 E. Imperial Highway

Use Permit (UP) 2021-05: A request to permit a 1,733-square foot martial arts studio within an existing multi-tenant commercial shopping center located at 1073 E. Imperial Hwy. in the Imperial Rose Shopping Center.

Recommended Actions: It is recommended that the Planning Commission take the following actions:

1. Open the public hearing concerning Use Permit (UP) 2021-05; and
2. Receive the staff report and consider all public testimony and
3. Close the public hearing; and
4. Adopt Resolution PC-2021-16, a Resolution of the Planning Commission of the City of Placentia, approving UP 2021-05 and making findings to permit the establishment and operation of a 1,733 square foot martial arts studio located within an existing multi-tenant commercial shopping center within the C-2 (Community Commercial) Zoning District on property located at 1073 E. Imperial Hwy.; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

Vice Chair Perez opened the public hearing.

Associate Planner Lesley Whittaker presented the staff report and provided an overview of the proposed project to the Commission.

Ms. Whittaker provided the proposed hours of operation, number of employees, and surrounding uses.

Ms. Whittaker also provided a project site plan, floor plan, and zoning map of the site.

In response to Commissioner Polichetti's question, Ms. Whittaker stated that no public comments were received for or against the proposed project.

The Applicant, Shahin Jahanvash, owner of Red Dragon Karate provided a brief overview of the proposed business operations and the number of employees that would be working at the establishment.

The Commissioners did not have any questions for the Applicant.

Vice Chair Perez closed the public hearing.

Motion by Polichetti, second by Evans carried on a (5-0-2-0) vote to approve the recommended actions.

Ayes:	Evans, Lee, Perez, Polichetti, Rocke
Noes:	None
Absent:	Keller, Schaefer
Abstain:	None

REGULAR AGENDA:

1. **Applicant:** City of Placentia
Project Location: Citywide

Draft 2021 Housing Element Update

Recommended Actions: It is recommended that the Planning Commission take the following actions:

1. Receive the staff report regarding the draft 2021 Housing Element update; and
2. Receive all public comments; and
3. Review the draft updated 2021 Housing Element, provide any input to staff, and subsequently, that the Planning Commission recommend to City Council that staff transmit the draft 2021 Housing Element to the State for review.

Director of Development Services Joseph Lambert presented the staff report and provided a slide presentation covering the required components of the Housing Element for the 6th planning cycle.

Mr. Lambert also described RHNA requirements, key points, and sites inventory that could accommodate additional housing. He also discussed lower income housing and the next steps in the process.

Mr. Lambert responded to the Commissioners' questions regarding whether any site shortfalls were noted in the previous 5th cycle Housing Element, and whether other cities are in a similar situation.

Mr. Lambert also addressed Commissioner Rocke's comments regarding Sections 3-1, 3-3, and 3-4 of the draft Housing Element.

No public comments were received during the meeting.

Motion by Perez, second by Evans carried on a (5-0-2-0) vote to approve the recommended actions with Commissioner's comments incorporated.

Ayes: Evans, Lee, Perez, Polichetti, Rocke
Noes: None
Absent: Keller, Schaefer
Abstain: None

OLD BUSINESS: None

NEW BUSINESS: None

DEVELOPMENT REPORT:

Mr. Lambert provided updates regarding The Herald, JPI Development, Shea Homes, Brandywine Homes, and Village Plaza Phase 2.

DIRECTOR'S REPORT: **None**

PLANNING COMMISSION REQUESTS: **None**

ADJOURNMENT:

Vice Chair Perez closed the Planning Commission Regular Meeting at 7:25 p.m. to the regular meeting of Tuesday, November 9, 2021 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia, CA.

Submitted by,

Joseph M. Lambert,
Secretary to the Planning Commission



Placentia Planning Commission

AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: LESLEY WHITTAKER, ASSOCIATE PLANNER

DATE: JANUARY 11, 2022

SUBJECT: **USE PERMIT (UP) 2021-06; 620 N. ROSE DR., SUITE 134 (WOLF PACK SPORTS THERAPY) INSIDE PHOENIX SALON SUITES.**

RECOMMENDATION:

It is recommended that the Planning Commission take the following actions:

1. Open the public hearing concerning Use Permit No. (UP) 2021-06; and
2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2022-01, a resolution of the Planning Commission of the City of Placentia, approving UP 2021-06 and making findings to permit the establishment and operation of a massage therapy studio in an 105 square-foot unit located inside the existing 6,148-square foot Phoenix Salon Suites which is located in a multi-tenant commercial shopping center within the SP-7 (Specific Plan 7) Zoning District at 620 N. Rose Drive; and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15301 (Class 1 – Existing Facilities) and the City of Placentia Environmental Guidelines.

REQUEST:

The applicant, Paul Romero, dba Wolf Pack Sports Therapy, is requesting a Use Permit for a massage therapy studio in an existing 105 square-foot unit within the 6,148-square foot Phoenix Salon, at a multi-tenant commercial shopping center located at 620 N. Rose Drive, within the SP-7 (Specific Plan 7) Zoning District.

PROJECT BACKGROUND AND DESCRIPTION:

The subject property is an existing one-story, multi-tenant commercial shopping center located north of Alta Vista Street and east of N. Rose Drive. A variety of commercial uses such as a nail salon, beauty salon, dental office, and restaurants occupy the shopping center. The property is presently accessible from two driveways located along N. Rose Drive and two driveways located along Alta Vista Street. There is onsite parking within the shopping center provided for the units. Commercial uses are located to the north and west in the same shopping center. Chase Bank is located to the west of the subject site, and Ralphs is located to the north of the subject site. There is a residential community, Shea Homes, to the south (across Alta Vista Street).

Wolf Pack Sports Therapy will offer deep tissue massage therapy treatments to alleviate pain from sports injuries, repetitive motion muscle stress, extreme tension, and other conditions. Paul Romero, the business owner, has been a licensed Advanced Neuromuscular Massage Therapist (ANMT) for 3 years, and he is also a member of the American Massage Therapy Association. He has volunteered as a massage therapist at the UCI Medical Center, and he also works with personal injury and chiropractic patients at Atlas Chiropractic and Wellness Center.

There will be no additional full or part-time employees, vehicles, or equipment at this facility. The massage therapy sessions will have not more than 1 person at a time. The proposed hours of operation are Tuesday from 11:00 AM to 3:00 PM and Wednesday to Saturday from 2:00 PM to 9:00 PM. To allow for flexibility, the applicant will have the option to operate from 11:00 AM to 9:00 PM daily.

Applicable Code Section – Placentia Municipal Code

The subject property is currently zoned Specific Plan 7 (SP-7). The project will be required to comply with the development standards and use requirements set forth in the Placentia Municipal Code (PMC 23.107, “SP-7” – Specific Plan 7) for projects within the SP-7 Zoning District. The purpose of the SP-7 Zoning District is to assure the consistent development of the East Placentia specific plan area in a manner which meets the growing housing needs of Placentia while adapting to the special characteristics of the land available for residential and commercial development. Pursuant to PMC Section 23.107.050 (4), one of the uses permitted subject to obtaining a Use Permit is commercial.

Subject Site and Surrounding Land Uses

The proposed massage therapy studio is located in the 6,148-square foot Phoenix Salon in an existing commercial shopping center north of Alta Vista Street and east of N. Rose Drive. The chart below shows surrounding existing land uses, zones, and General Plan Land Use Designations:

Surrounding Land Uses:

Location	Existing Land Use	Land Use Element General Plan Designation	Zoning Map Designation
Subject Site	Multi-tenant Commercial Shopping Center	Specific Plan	“SP-7” – Specific Plan 7
North	Ralphs	Specific Plan	“SP-7” – Specific Plan 7
South (across Alta Vista St.)	Single Family Residences (Shea Homes)	Specific Plan	“SP-7” – Specific Plan 7
East	Vacant	Specific Plan	“SP-7” – Specific Plan 7

West	Chase Bank	Specific Plan	“SP-7” – Specific Plan 7

ZONING COMPLIANCE ANALYSIS

Site Development Standards

The project is located within the SP-7 Zoning District. No changes to the overall building envelope will occur as a result of this project.

Other Departments Concerns and Requirements

The Divisions of Planning and Building, as well as the City’s Police Department have reviewed the application, with no major concerns raised with the project proposal. The Planning Division has identified comments and applicable code requirements that have been incorporated as conditions of approval into a draft resolution for consideration by the Planning Commission (Attachment No. 1).

ISSUES ANALYSIS:

General Plan Consistency

In an overall review of the General Plan, the proposed massage therapy studio center is consistent with all of the policies, programs, and goals. More specifically, it is a goal of the General Plan Economic Development Element under Policy 7.2 to “Increase job opportunities by attracting new businesses to the City.” The proposed project will fulfill these policies by offering services and creating part-time employment opportunities to surrounding residents, thereby protecting and ensuring its long-term success. This will assist in maintaining a wide array and variety of commercial uses to help facilitate greater patronage for the surrounding commercial offices, thereby helping to maintain a steady revenue stream, which will stimulate further investment in the community and strengthen the City’s economic vitality.

PMC Consistency

Adoption of the recommended conditions of approval will result in a project that complies with the provisions of the SP-7 Zoning District. The proposed project, with incorporation of the recommended conditions of approval, will meet or exceed the requirements of the SP-7 Zoning District and other applicable provisions of the PMC.

Land Use Compatibility

The project will be compatible with the land uses of the surrounding area because the proposed fitness center brings an additional service within an established commercial district containing primarily complementary commercial office uses. The nature of the use will not have adverse impacts on adjacent business and properties as there are no significant noise or safety concerns.

CEQA:

The proposed application was reviewed by staff in accordance with the requirements of the California Environmental Quality Act (“CEQA”), Public Resources Code §§ 21000 *et seq.*, the State CEQA Guidelines, 14 C.C.R. §§ 15000 *et seq.*, and the Environmental Guidelines of the City of Placentia. Staff recommends that the Planning Commission exercise its independent judgment and find that UP 2021-06 is exempt from CEQA pursuant to State CEQA Guidelines § 15301 Class 1-Existing Facilities as it applies to the operation, repair, leasing or minor alteration of existing public or private structures, of facilities or features involving “negligible or no expansion of use”.

PUBLIC NOTIFICATION:

Legal notice was published in the Placentia News Times on December 30, 2021 and legal notices were sent to property owners of record within a 300-foot radius of the subject property on December 16, 2021 pursuant to all applicable provisions of the PMC. As of January 6, staff has received no comments in support or opposition of the request.

CONCLUSION:

The proposed project is consistent with the City’s General Plan and meets the minimum development standards of the PMC. With the recommended conditions of approval, the proposed establishment and operation of a massage therapy studio in a 105 square-foot unit inside an existing Phoenix Salon Suites within an existing multi-tenant commercial shopping center will be compatible with adjacent land uses and will not result in any significant adverse impacts to the surrounding area.

RECOMMENDATION:

The Planning Division recommends that the Planning Commission of the City of Placentia adopt Resolution PC-2022-01 recommending approval of UP 2021-06 and finding that it is exempt from further CEQA review pursuant to Section 15301 of the State CEQA Guidelines.

Prepared and submitted by:


Kathrine Kuo
Planning Intern


Lesley Whittaker
Associate Planner

Reviewed and approved by:


Joseph M. Lambert
Director of Development Services

Attachments:

1. Resolution No. PC-2022-01
2. Vicinity Map
3. Project Plans Dated and Received November 3, 2021
4. Statement of Use Submitted by the Applicant Dated and Received November 3, 2021

RESOLUTION NO. PC-2022-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING USE PERMIT NO. 2021-06 AND MAKING FINDINGS TO PERMIT THE ESTABLISHMENT AND OPEATION OF A MASSAGE THERAPY STUDIO IN A 105 SQUARE-FOOT UNIT WITHIN THE EXISTING 6,148 SQUARE-FOOT PHOENIX SALON, AT A MULTI-TENANT COMMERCIAL SHOPPING CENTER, LOCATED AT 620 N. ROSE DRIVE, SUITE 134, WITHIN SPECIFIC PLAN 7 (SP-7) ZONING DISTRICT.

A. Recitals.

WHEREAS, Paul Romero (“Applicant” hereinafter), located at 620 N. Rose Drive, Suite 134, filed an application for approval of Use Permit (UP) No. 2021-06 as described in the title of this Resolution. Hereinafter, in this Resolution, the subject Use Permit request is referred to as the “Application”;

WHEREAS, on January 11, 2022, the Planning Commission conducted a duly noticed public hearing, as required by law, and after careful consideration of all pertinent testimony and the staff report offered in the case, the Planning Commission voted to approve UP 2021-06; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Placentia as follows:

SECTION NO. 1: Based on the evidence presented and the findings set forth, UP 2021-06 is hereby found to be consistent with the Placentia General Plan and the implementation thereof.

SECTION NO. 2: Based upon the evidence presented to this Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony and development plans, this Commission hereby specifically finds as follows:

a. The proposed request for the establishment and operation of a fitness center will not be: (1) detrimental to the health, safety or general welfare of the persons residing or working within the neighborhood of the proposed use or within the city, or (2) injurious to the property or improvements within the neighborhood or within the City. Subject to compliance with the attached Conditions of Approval and Standard Development Requirements (Attachment “A”), this use complies with all applicable code requirements and development standards of the C-1 zoning district and (3) it is not anticipated that the proposed Wolf Pack Sports Therapy massage therapy studio will generate any negative impacts onto adjacent properties and businesses. All primary

activities shall be conducted within the enclosed building, while maintaining an environment free from objectionable noise, odor, or other nuisances, subject to compliance with the attached Special Conditions of Approval and Standard Development Requirements.

b. The proposed request for the establishment and operation of a massage therapy studio is consistent with the City's General Plan. The General Plan Land Use designation for the subject site is Commercial.

c. The proposed request for the establishment and operation of a massage therapy studio, subject to the attached Conditions of Approval and Standard Development Requirements (Attachment "A"), is consistent with the provisions of the Zoning Ordinance, or regulations applicable to the property. The proposed request for the establishment and operation of a massage therapy studio is a conditionally permitted use in the SP-7 Zoning District in the City of Placentia. Approval of the Use Permit for the proposed request will be consistent with the zoning as the site can accommodate the use, and other similar uses have been conditionally permitted within other similar commercial districts.

d. Conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions are made part of the UP approval. Attachment "A" contains Conditions of Approval and Standard Development Requirements specific to UP 2021-06 to ensure compliance with the Placentia Municipal Code (PMC).

SECTION NO. 3: Based upon the environmental review of the project, the Planning Commission finds that UP 2021-06 is exempt from the California Environmental Quality Act ("CEQA"), Public Resources Code §§ 21000 *et seq.*, the State CEQA Guidelines, 14 C.C.R. §§ 15000 *et seq.*, and the Environmental Guidelines of the City of Placentia pursuant to the State CEQA Guidelines § 15301 (Class 1 – Existing Facilities) as the permit would be issued to an existing structure or facility.

SECTION NO. 4: The Planning Commission hereby directs that, upon approval of UP 2021-06, that a Notice of Exemption shall be filed with the Orange County Clerk/Recorder.

SECTION NO. 5: Based upon the findings and conclusions set forth herein, this Planning Commission hereby approves UP 2021-06.

SECTION NO. 6: The Secretary to the Planning Commission shall:

- a. Certify to the adoption of this Resolution; and
- b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED THIS 11TH DAY OF JANUARY, 2022

CHRISTINE J. SCHAEFER, CHAIR

I, Joseph M. Lambert, Secretary to the Planning Commission of the City of Placentia, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Placentia held on the 11th day of January, 2022, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 11th day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

JOSEPH M. LAMBERT,
SECRETARY TO THE PLANNING COMMISSION

APPROVED AS TO FORM

KATHYA FIRLIK,
ASSISTANT CITY ATTORNEY

Attachment A: Conditions of Approval for Use Permit 2021-06

Attachment A
Special Conditions of Approval and Standard Development Requirements for
Use Permit 2021-06
620 N. Rose Drive, Suite 134

SPECIAL CONDITIONS

If the above referenced application is approved, applicant and/or property owner shall comply with the Special Conditions listed below and the Standard Development Requirements attached.

ALL OF THE FOLLOWING SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE FULLY COMPLIED WITH FOR THE USE PERMIT TO CONTINUE IN GOOD STANDING.

DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION:

1. Use Permit (UP) 2021-06 is valid for a period of one (1) year from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall be terminated and shall be null and void, unless an extension is applied for and approved by the Director of Development Services.
2. Use Permit (UP) 2021-06 shall expire and be of no further force or effect if the use is discontinued or abandoned for a period of one (1) year.
3. Failure to abide by and faithfully comply with any and all conditions attached to this action shall constitute grounds for revocation of said action by the City of Placentia Planning Commission.
4. The applicant shall, as a condition of approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, proceeding, liability or judgment against the City, its officers, employees, agents and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body or City staff action concerning applicant's project. The applicant shall pay the City's defense costs, including attorney fees and all other litigation-related expenses, and shall reimburse the City for any and all court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award which may be issued against the City including but not limited to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein. The City agrees to promptly notify the applicant of any such claim filed against the City and to fully cooperate in the defense of any such action.

5. Any changes or modifications to Use Permit (UP) 2021-06 shall be subject to review and approval by the Director of Development Services or designee, with substantial changes or modifications subject to Planning Commission review and approval.
6. There shall be no additional modifications to the approved plans with approval from the Director of Development Services or his/her designee. Any additional changes to the approved plans, which has the effect of expanding or intensifying the present use, shall require a new Use Permit.
7. Any temporary signs or permanent signs shall be reviewed and approved by the City prior to fabrication and installation.
8. If at any time in the future, the Director of Development Services determines that a parking/circulation study is necessary to address parking and/or circulation issues relative to the use, the applicant, current business owner, and/or property owner, shall be responsible for the cost of a parking and/or circulation study prepared by a consultant selected by the City. The applicant, current business owner, and/or property owner shall also be responsible for the implementation costs of any mitigation measures deemed appropriate by the City based upon the findings of this study.
9. The applicant, current business owner, and/or property owner shall be responsible for maintaining the property, including the landscaped areas, walkways, and all paved surfaces, free from graffiti, debris and litter. Graffiti shall be removed by the applicant, current business owner, and/or property owner within 48 hours of defacement and/or upon notification by the City. The paint utilized to cover the graffiti must substantially match the existing structure. In the event that the paint finish of the abated area is noticeably distinguishable from the rest of the structure, the property owner shall paint additional portions of the building to minimize the disparity, subject to the approval of the Director of Development Services.
10. The applicant, current business owner, and/or property owner shall obtain approval of a Building and Zoning Compliance Application and shall obtain approval of a City Business License. The applicant, current business owner, and/or property owner shall maintain a valid City Business License at all times during operation of the business.
11. Change of ownership, to include new general partners, shall be noticed to the City of Placentia at least thirty (30) days prior to a legal change taking effect. Once legal change of ownership has occurred, new owner(s) shall obtain a Building and Zoning Compliance Application and shall obtain a valid City Business License prior to operating the business.
12. This site shall be permitted to operate as a massage therapy facility at all times. All activities shall be conducted within the enclosed tenant space, while maintaining an environment free from objectionable noise, odor or other nuisances.

13. There shall be no deliveries to or from the premises before 7:00 a.m. and after 10:00 p.m., seven days a week.
14. This Use Permit may be reviewed at the discretion of the Director of Development Services in order to determine if the business is operating in compliance with all required Special Conditions of Approval and Standard Development Requirements.
15. There shall be no special promotional events held on the property unless a written request for such is received and approved by the City of Placentia Development Services Director and the Police Department's Administrative Lieutenant at least 14 days in advance.
16. There shall be no change in the therapy room design, which removes windows or involves the addition of walls without a modification of the Use Permit and/or a building permit.
17. If at any time the applicant desires to change suite spaces within the 620 N. Rose Drive location, the Director of Development Services will determine whether such change requires an administrative or Planning Commission modification. Any increase to the square footage of the area used for massage will require some form of Use Permit Modification.
18. The use shall comply with the following:
 - a. Prior to any changes to the days and hours of operation, the applicant shall obtain written approval from the Director of Development Services or his/her designee. The following are the specified days and hours of operation:

Monday through Sunday: 11:00 AM to 9:00 PM
 - b. No vending machines of any kind shall be installed outdoors within the project site.
 - c. There shall be no public pay phones installed within or upon any portion of the premises.
 - d. No outside storage, including the display of vehicles within the parking lot area or displays shall be permitted at any time.
 - e. The use shall comply with all provisions of the PMC, including Chapter 23.76 Noise Control.

DEVELOPMENT SERVICES DEPARTMENT – BUILDING DIVISION:

19. Approval of the plans by Orange County Health Agency is required. Two copies of the approval letter from Health Agency shall be part of plans resubmittal for building plan check and permit issuance.

20. Approval of the plans by the City Fire Authority is required. Two copies of the City Fire Authority approval letter shall be part of plans resubmittal for building plan check and permit issuance.
21. The plans for Plan Check and Permit issuance shall be prepared based on 2019 California Building Codes.
22. Complete site and interior accessibilities per CBC 2019 Chapter 11-B shall be addressed on plans. Please note the Building Division of the City is not authorized to check the accessibility of ADA requirements or perform any ADA accessibility inspection. All ADA requirements are the sole responsibility of the owner and the architect/engineer of record.
23. On the first sheet of plans shall specify complete scope of all works to be performed under the required permit application.
24. On the first sheet of plans shall address complete project data, which should include but not limited to Group Occupancy, Type of Construction, Occupant Load, & if the building is equipped with Fire Sprinkler System or not.

CITY OF PLACENTIA LIFE AND SAFETY DEPARTMENT:

25. All building plans shall be submitted to the City's contracted Fire Department for review and approval. Approval of building plans by the Placentia Fire and Life Safety Department shall be obtained prior to issuance of any building or demolition permits.

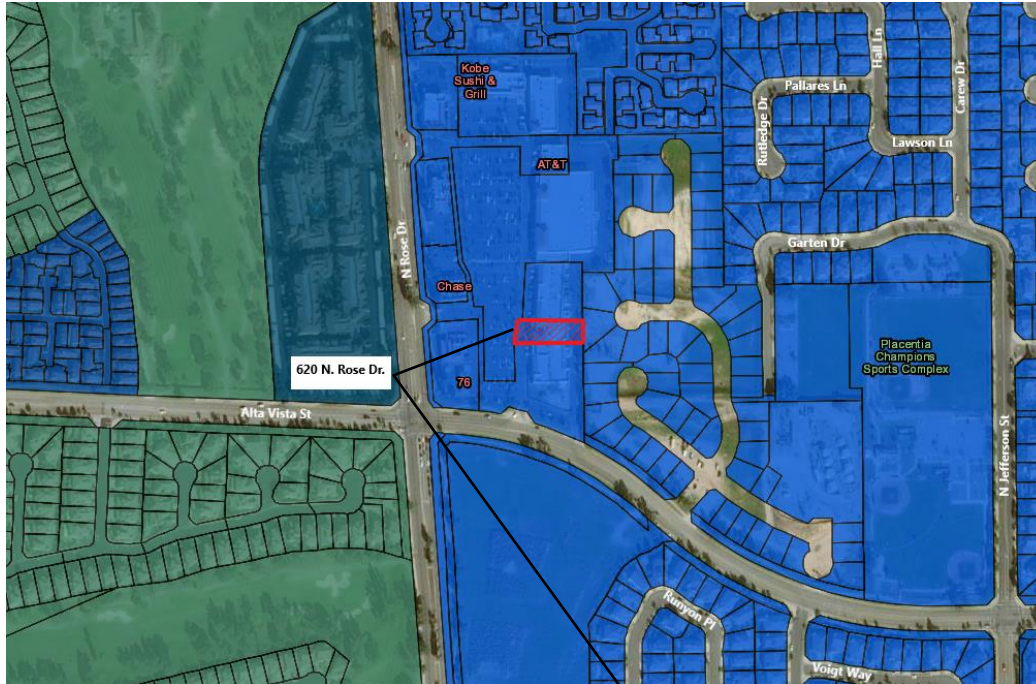
CITY OF PLACENTIA POLICE DEPARTMENT:

26. There shall be no tinted or "one-way" glass in any room or office used for therapy.
27. There shall be no door-viewer or peephole designed to look through a door or wall into a therapy room.
28. There shall be no locking mechanisms on any interior door that would impede inspection to massage treatment rooms, including but not limited to a locking mechanism on any treatment room door, unless there is no person on staff who is available to assure the security for clients and massage staff that are behind closed doors.
29. Minimum lighting shall be provided using at least one artificial LED light, unobstructed, of not less than 15 watts in each massage treatment room.



ATTACHMENT 2. VICINITY ZONING MAP

UP 2021-06; 620 N. ROSE, SUITE 134



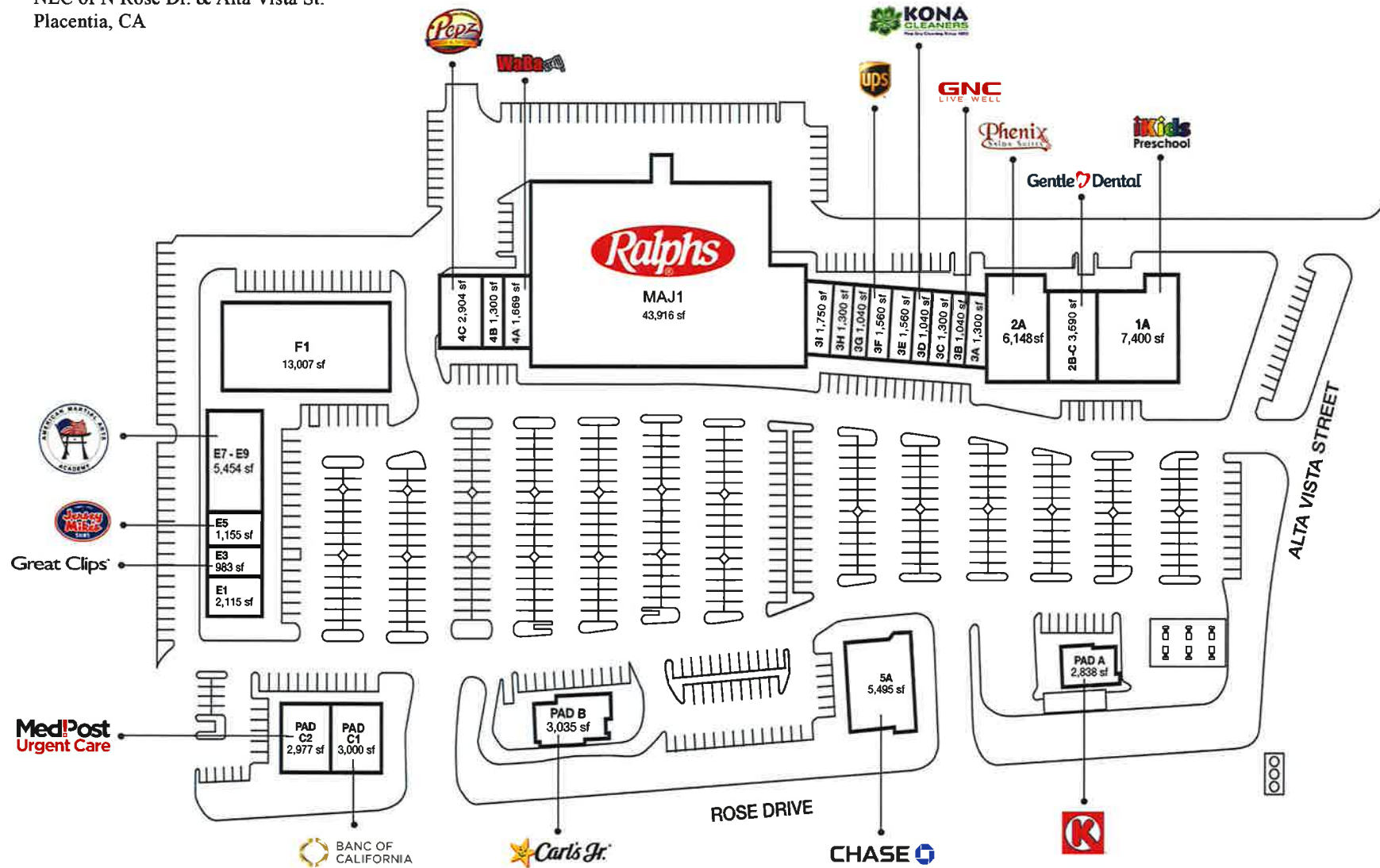
Aerial A.

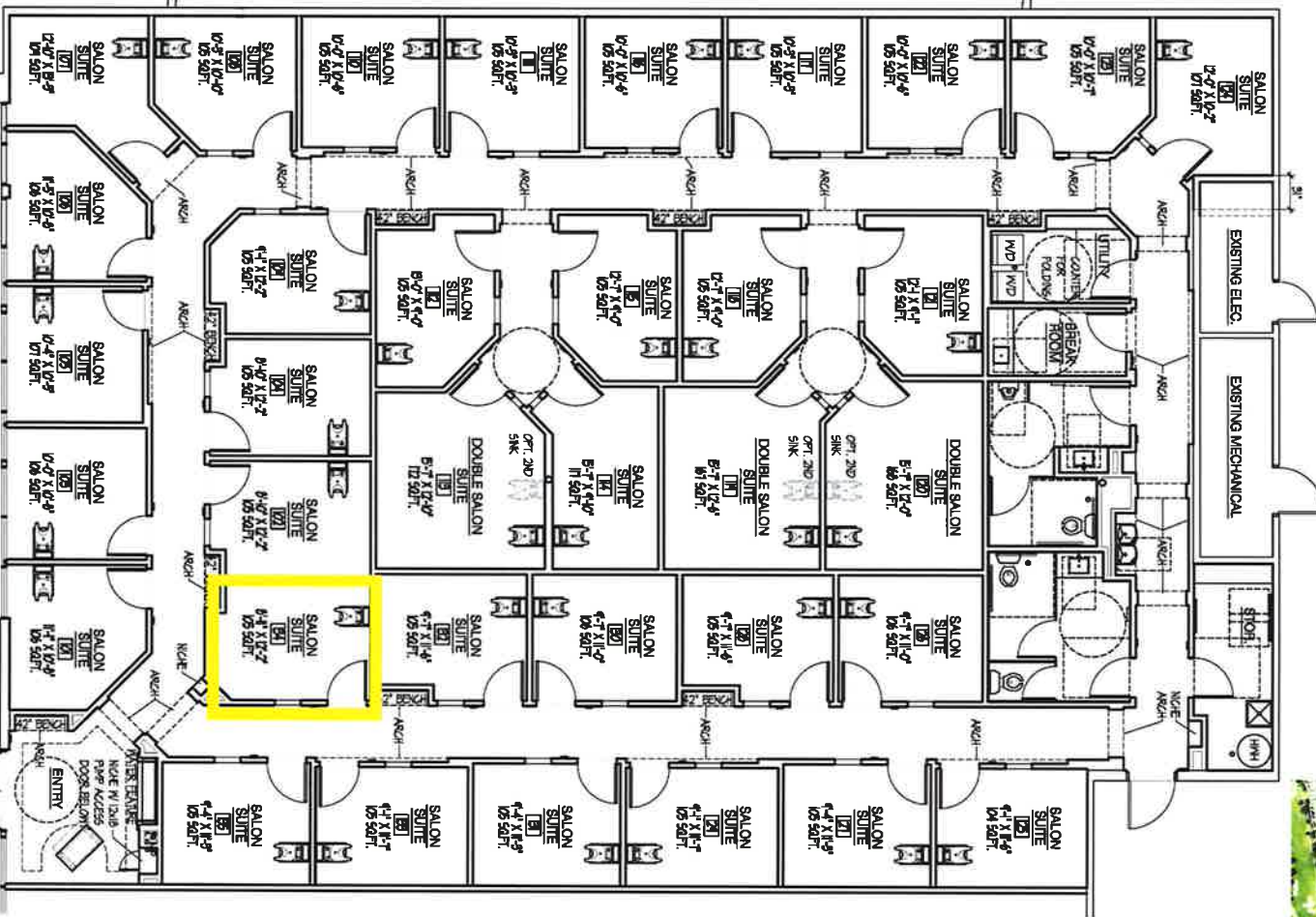
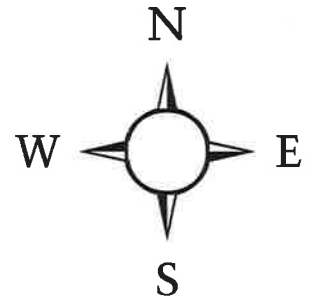
Zoning Code	
C-1	R-3
C-1 (O)	R-3 (O-1)
C-1 (O-1)	R-A
C-2	R-G
C-2-H65	R-G (O)
C-M	R-G(O) & C-1 (O)
C-O	RPC (O)
M	SP-1
M (O)	SP-2
M (PMD)	SP-3
PUD-1	SP-4
PUD-2	SP-5
PUD-2 (O)	SP-6 (O)
PUD-3	SP-7
PUD-3 (O)	SP-8
PUD-4	SP-9
R-1	SP-10
R-1 (MHP)	T-C
R-1 (O)	Old Town
R-2	TOD
R-2 (MHP)	N/A



Aerial B.

VILLAGE CENTER AT ROSE
 NEC of N Rose Dr. & Alta Vista St.
 Placentia, CA





Wolf Pack Sports Therapy
 Paul Romero
 620 N. Rose Drive Suite 134
 Placentia, CA 9870
 (657) 272-3316

PLACENTIA, CALIFORNIA - REVISED SPACE PLAN

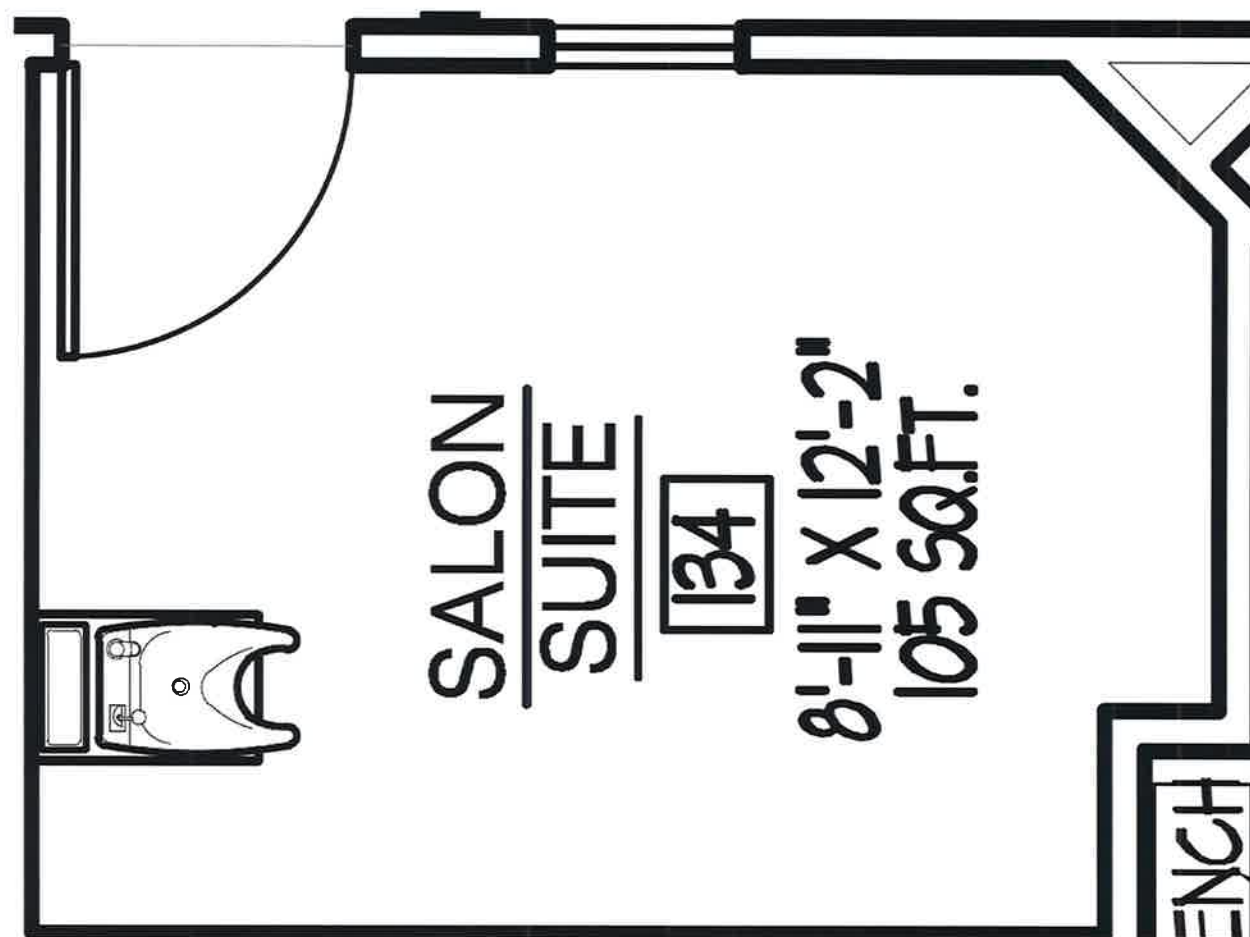
01/14
 6205 94

203 ARCHITECT, P.C. 30 SUITE 10 AS DOCK 10N

REV 02/13 02/13



Wolf Pack Sports Therapy
Paul Romero
620 N. Rose Drive Suite 134
Placentia, CA 9870
(657) 272-3316





Wolf Pack
SPORTS THERAPY

620 N. Rose Drive Suite 134
Placentia, CA 92870
(657) 272-3316

Statement of Use

Description of Operation:

Advanced Neuromuscular Therapy that specializes in deep tissue massage therapy to alleviate pain from sports injuries, fatigue related injuries, repetitive motion muscle stress, extreme tension and many other conditions.

Interesting Facts About Business:

I have been a licensed Advanced Neuromuscular Massage Therapist (ANMT) for 3 years, I attended the National Holistic Institute in Santa Ana, CA as part of my training. I started in the core program, and afterwards attended advanced training to further my skills. I have volunteered as a massage therapist at UCI Medical Center and for Disney's 5K Run. I am member of the American Massage Therapy Association. I have worked with MMA fighters alongside Dr. Kessler aka the "OC Fight Doctor" to help in recovery and maintenance. I also work with personal injury and chiropractic patients at Atlas Chiropractic & Wellness Center.

Days and Hours of Operation:

Tuesday: 11am-3pm
Wednesday: 2pm-9pm
Thursday: 2pm-9pm
Friday: 2pm-9pm
Saturday: 2pm- 9pm

Number of full/part-time employees:

None.

Number of vehicles:

None

Machines/Equipment:

None

A handwritten signature in black ink, appearing to read "Paul Romero".

Paul Romero



Placentia Planning Commission

AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: JOSEPH M. LAMBERT, DIRECTOR OF DEVELOPMENT SERVICES

DATE: JANUARY 11, 2022

SUBJECT: **GENERAL PLAN AMENDMENT NO. GPA 2021-01, 2021-2029 HOUSING ELEMENT UPDATE**

RECOMMENDATION:

It is recommended that the Planning Commission take the following actions:

1. Open the public hearing concerning General Plan Amendment No. GPA 2021-01; and
2. Receive the staff report, staff presentation, and consider all public testimony; and
3. Provide direction to staff and recommendations to City Council regarding strategies for creating additional housing capacity to accommodate the RHNA over the next 8 years; and
4. Continue the public hearing regarding General Plan Amendment No. GPA 2021-01 to March 8, 2022.

BACKGROUND:

Every 8 years, each city within the Southern California Association of Governments ("SCAG") region is required to prepare an update to the Housing Element of the City's General Plan. The current update is referred to as the "6th planning cycle" which spans the 2021-2029 period. The City commenced the 6th cycle Housing Element update effort last year, and the following previous public meetings have been conducted to review Housing Element requirements and housing issues in Placentia:

- June 8, 2021 Planning Commission meeting
- August 24, 2021 Public workshop
- September 14, 2021 Planning Commission meeting
- September 16, 2021 Public workshop
- September 21, 2021 City Council meeting
- October 12, 2021 Planning Commission meeting
- October 19, 2021 City Council meeting

An important difference between the Housing Element and other elements of the General Plan is the extent of State oversight. Under California law, land use and development is generally within the authority of cities through the adoption of policies and regulations in General Plans and

municipal codes. However, State law establishes many specific limitations and requirements on city land use authority with regard to housing.

The State legislature has also declared an adequate supply of housing to be a matter of statewide importance and has delegated authority to the California Department of Housing and Community Development (“HCD”) to review local government Housing Elements and issue opinions regarding their compliance with State law. Cities must submit Housing Elements to HCD for review both prior to and after final adoption by the City Council. A finding of Housing Element compliance by HCD is referred to as “certification” of the Housing Element. Certification is important to enhance cities’ eligibility for grant funds and also to support local land use authority. Recent amendments to State law allow HCD and the California Attorney General to file litigation against cities on the grounds of Housing Element non-compliance, and courts are also authorized to impose fines on non-compliant cities.

On October 21, 2021 the draft Housing Element was submitted to HCD for review, and on December 20, 2021 HCD issued its review letter (Attachment 1) finding that the draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law.

The purpose of this public hearing is to provide the Planning Commission and community stakeholders an opportunity to review HCD comments on the draft Housing Element, and discuss how the City will address HCD’s comments, with emphasis on how Placentia will accommodate the future housing need that has been assigned through the Regional Housing Needs Assessment (RHNA) process. Additional background information regarding the RHNA is provided in the Frequently Asked Questions and the staff reports for previous meetings, which are posted on the City’s Housing Element website at: <https://placentia.org/943/2021-2029-Housing-Element-Update>

HCD FINDINGS

All cities are receiving lengthy Housing Element comment letters from HCD, reflecting the high level of State concern related to the “housing crisis.” Some HCD comments can be addressed through clerical or technical revisions to the Housing Element, while other comments involve fundamental land use policy issues. Staff is currently working on proposed revisions to the Draft Housing Element to address HCD’s comments.

Some of the most important comments from HCD involve how the City will accommodate future housing needs as assigned through the RHNA process. Because of the exceptionally high RHNA allocations in this Housing Element cycle, many if not most Orange County cities do not currently have sufficient land zoned for housing to fully accommodate the RHNA. As noted in previous meetings, Placentia’s 6th cycle RHNA allocation is 4,398 units compared to 492 units in the prior cycle. Under State law, if a city’s land use plans and zoning do not demonstrate adequate capacity to accommodate the RHNA, zoning must be amended to create additional capacity.

LAND USE POLICY OPTIONS

The Draft Housing Element (Table B-1, below) estimated that there is currently a shortfall of approximately 1,000 potential housing units as compared to the RHNA based upon current zoning.

The Housing Element must identify land use strategies and potential sites that could be rezoned to bridge this shortfall.

Table B-1: Residential Sites Summary

Income Category	Very Low	Low	Moderate	Above Moderate
Approved Projects (Table B-2)	-	187	-	774
Vacant Sites (Table B-3)	-	-	496	69
Underutilized Sites (Table B-4)	786	469	257	384
ADUs	14	24	17	1
Total Capacity	800	680	770	1,228
RHNA	1,231	680	770	1,693
Surplus (Shortfall)	(431)	-	-	(465)

Source: City of Placentia, 2021

A key Housing Element policy question for the Planning Commission and City Council is to identify the most appropriate land use strategies for increasing housing capacity. In previous meetings staff has discussed some possible options for expanding housing opportunities. The following table summarizes potential strategies for Planning Commission consideration. The primary objective of this meeting is to consider the relative advantages and disadvantages of these various options, or alternative land use strategies, and identify those that would be most appropriate for creating additional housing capacity to accommodate the RHNA over the next 8 years.

Strategy	Description	Est. Potential Units
1. Chapman Corridor	Allow mixed-use and higher densities along the Chapman Ave. corridor	400-600
2. Expansion of Higher Density Adjacent to Old Town Placentia	The Old Town zoning district currently allows up to 65 units/acre in some subareas. This strategy would expand the boundaries of the Old Town district to some adjacent properties.	200-300
3. TOD Expansion	The TOD zoning district currently allows up to 95 units/acre in some subareas. This strategy would expand the boundaries of the TOD district to some adjacent properties.	200-300
4. Higher density in Atwood neighborhood	The Atwood neighborhood is currently zoned R-1 and contains a substantial amount of vacant or underutilized land.	100-200
5. Increase R3 density	The current R-3 maximum density is 25 units/acre. Under State law, a density of 30 units/acre is considered necessary to accommodate lower-income housing. Increasing the allowable density from 25 to at least 30 units/acre would accomplish 2 things: 1) create additional housing capacity; and 2) allow R3 properties to accommodate lower-income housing for RHNA purposes.	200-400

CEQA COMPLIANCE:

No formal actions are proposed at this meeting; therefore, no CEQA documentation is necessary at this time. Appropriate environmental analysis will be prepared for review by the Planning Commission and City Council prior to consideration and approval of the final Housing Element.

NEXT STEPS:

Staff will compile Planning Commission comments from this hearing for review by the City Council at a public hearing scheduled for January 18, 2022. City Council direction will then be incorporated into the revised draft Housing Element for subsequent review by the Planning Commission and City Council at subsequent public hearings.

Prepared and approved by:



Joseph M. Lambert
Director of Development Services

Attachments:

1. HCD letter dated December 20, 2021
2. Land use strategy maps

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



December 20, 2021

Joe Lambert, Director
Development Services Department
City of Placentia
401 East Chapman Avenue
Placentia, CA 92870

Dear Joe Lambert:

RE: City of Placentia's 6th Cycle (2021-2029) Draft Housing Element

Thank you for submitting the City of Placentia's (City) draft housing element received for review on October 21, 2021. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD considered comments from the Campaign for Fair Housing Elements; Kennedy Commission; and People for Housing Orange County, pursuant to Government Code section 65585, subdivision (c).

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The enclosed Appendix describes the revisions needed to comply with State Housing Element Law.

As a reminder, the City's 6th cycle housing element was due October 15, 2021. As of today, the City has not completed the housing element process for the 6th cycle. The City's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the City to revise the element as described above, adopt, and submit to HCD to regain housing element compliance.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (October 15, 2021), then any rezoning to accommodate the regional housing needs allocation (RHNA), including for lower-income households, shall be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at:

http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf and
http://opr.ca.gov/docs/Final_6.26.15.pdf.

HCD appreciates your efforts in the preparation of your draft element. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Chelsea Lee, of our staff, at Chelsea.Lee@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

Enclosure

APPENDIX CITY OF PLACENTIA

The following changes are necessary to bring the City's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>. Among other resources, the housing element section contains HCD's latest technical assistance tool, Building Blocks for Effective Housing Elements (Building Blocks), available at <http://www.hcd.ca.gov/community-development/building-blocks/index.shtml> and includes the Government Code addressing State Housing Element Law and other resources.

A. Review and Revision

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)

As part of the evaluation of programs in the past cycle, the element must provide an explanation of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female headed households, farmworkers and persons experiencing homelessness).

B. Housing Needs, Resources, and Constraints

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

The element provides a general overview of affirmatively furthering fair housing (AFFH), beginning on page 2-22, including general information on outreach and segregation and integration. However, it generally does not address this requirement. The element, among other things, must include outreach, an assessment of fair housing, analysis of the sites inventory, identification, and prioritization of contributing factors to fair housing issues and goals and actions sufficient to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity. For further guidance, please visit HCD's AFFH in California webpage at <https://www.hcd.ca.gov/community-development/affh/index.shtml>.

2. *Include an analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected needs for all*

income levels, including extremely low-income households. (Gov. Code, § 65583, subd. (a)(1).)

Extremely Low-Income (ELI) Households: While the element quantifies existing and projected ELI households, it must also analyze their housing needs. For example, the element should analyze tenure, cost burden and other household characteristics then examine the availability of resources to determine gaps in housing needs. To assist the analysis, see the enclosed data and sample analysis at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/extremely-low-income-housing-needs.shtml>.

3. *Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)*

Overpayment: While the element includes some general information on overpayment, it must also quantify and analyze the total number of households overpaying by tenure, including lower-income households. For additional information and sample analysis, see the Building Blocks at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>.

Housing Stock Condition: The element estimates over 200 units need rehabilitation (p. 2-8). However, the element should clarify the data sources utilized in arriving at the City's estimation. For example, the analysis could include estimates from a recent windshield survey or sampling, estimates from the code enforcement agency, or information from knowledgeable organizations. In addition, the element should include an estimate of the number of units in need of replacement. For additional information, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/housing-stock-characteristics.shtml>.

Housing Costs: While the element identifies housing price trends and median home sales prices on page 2-10, it must also identify median rental prices to reflect current market conditions.

4. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Regional Housing Need Allocation (RHNA): The element's identified RHNA, dated March 4, 2021 and prior to HCD approval, is incorrect (p. 2-21). This RHNA does not reflect changes made to the City's RHNA and approved on July 1, 2021. For additional information, see <https://scag.ca.gov/sites/main/files/file-attachments/6th-cycle-rhna-final-allocation-plan.pdf?1625161899>.

Sites Inventory: The sites inventory lists the existing uses for nonvacant sites. However, these descriptions are generic (e.g., residential, industrial) and should be sufficiently detailed to facilitate an analysis that the use will likely discontinue in the planning period.

Realistic Capacity: While the element provides assumptions of buildout for sites included in the inventory, it must also provide support for these assumptions. For example, the element should demonstrate what specific trends, factors, and other evidence led to the assumptions. The estimate of the number of units for each site must be adjusted as necessary, based on the land use controls and site improvements, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities. In addition, the estimate must also account for land use controls such as allowing 100 percent nonresidential uses. To demonstrate the likelihood for residential development in nonresidential zones, the element could describe any performance standards mandating a specified portion of residential and any factors increasing the potential for residential development such as incentives for residential use, and residential development trends in the same nonresidential zoning districts.

Suitability of Nonvacant Sites: While the element identifies nonvacant sites to accommodate the regional housing need for lower-income households, it provides no methodology or description of their potential for redevelopment. The element must describe the methodology used to determine the additional development potential within the planning period. The methodology must consider factors including the extent to which existing uses may impede additional residential development, development trends, market conditions, any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, and regulatory or other incentives or standards to encourage additional residential development on these sites. (Gov. Code, § 65583.2, subd. (g).)

In addition, the housing element appears to rely upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households. For your information, the housing element must demonstrate existing uses are not an impediment to additional residential development and will likely discontinue in the planning period. (Gov. Code, § 65583.2, subd. (g)(2).) Absent findings (e.g., adoption resolution) based on substantial evidence, the existing uses will be presumed to impede additional residential development and will not be utilized toward demonstrating adequate sites to accommodate the regional housing need allocation.

Finally, if element utilizes sites with existing residential uses. Absent a replacement housing policy, these sites are not adequate sites to accommodate lower-income households. The replacement housing policy has the same requirements as set forth in Government Code section 65915, subdivision (c) (3).

Sites Identified in Prior Planning Periods: Sites identified in prior planning periods shall not be deemed adequate to accommodate the housing needs for lower-income households unless a program, meeting statutory requirements, requires rezoning within

three years. The element should clarify if sites were identified in prior planning periods and if so, which sites and include a program if utilizing previously identified sites in the current planning period. For more information on program requirements, please see HCD's Housing Element Sites Inventory Guidebook at <https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>.

Availability of Infrastructure: The element describes the availability of water capacity but must also demonstrate sufficient existing or planned total sewer and dry utilities capacity to accommodate the RHNA.

For your information, water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) Local governments are required to immediately deliver the housing element to water and sewer service providers. HCD recommends including a cover memo describing the City housing element, including RHNA, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/other-requirements/priority-for-water-sewer.shtml>.

Environmental Constraints: While the element generally describes a few environmental conditions within the City (pp. 3-17 to 3-20), it must also describe any known environmental constraints or other conditions on identified sites that could impact housing development in the planning period. In addition, the element notes consolidation or other factors may impact development on sites identified to accommodate housing for moderate and above moderate-income households and as a result, it should include analysis, adjustments and policies and programs to demonstrate the feasibility of these sites in the planning period.

Affirmatively Furthering Fair Housing: The element must demonstrate the sites inventory AFFH. For more information, see HCD's guidance at <https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>.

Sites Map: The element does not address this requirement. The element must include a general map of identified sites. For additional information, see the sites inventory analysis section of the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/inventory-of-land-suitable.shtml>.

Electronic Sites Inventory: For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/community-development/housing-element/index.shtml#element> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

Accessory Dwelling Units (ADU): The element projects 56 ADUs over the planning period or approximately seven ADUs per year over the eight-year planning period. According to HCD records, 2 units were permitted in 2018, two were permitted in 2019, and five permitted in 2020. These trends do not support an assumption of seven ADUs per year. To support assumptions for ADUs in the planning period, the element should reconcile trends with HCD records, adjust assumptions as appropriate and include additional information such as more recent permitted units and inquiries, resources and incentives, other relevant factors and modify policies and programs as appropriate.

Zoning for a Variety of Housing Types: The element must demonstrate zoning to encourage and facilitate a variety of housing types, as follows:

- *Emergency Shelters*: The element must demonstrate the M (Manufacturing) zone still has sufficient capacity to accommodate the identified housing need for emergency shelters. For example, the element should identify acreage, typical parcels sizes, whether the sites are nonvacant, and the potential capacity for adaptive reuse. In addition, Municipal Code Section 23.47.130, subdivision (5) appears to constrain the development of emergency shelters by imposing spacing requirements of at least 300 feet from any residential use or residentially zoned property, public or private park, or school. The element should analyze spacing requirements for as potential constraints on emergency shelter and add a program as necessary. For additional information and a sample analysis, see the Building Blocks at http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb2_memo050708.pdf.
- *Employee Housing*: The Employee Housing Act (Health and Safety Code, § 17000 et seq.), specifically, sections 17021.5 and 17021.6. Section 17021.5 requires employee housing for six or fewer employees to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone. Section 17021.6 requires employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as other agricultural uses in the same zone. The element should demonstrate consistency with these requirements and include programs if necessary.
- *Manufactured Housing*: The element did not address this requirement. The element must demonstrate zoning permits manufactured housing in compliance with Government Code section 65852.3, similar to single family uses.
- *Permanent Supportive Housing*: Supportive housing shall be a use by-right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses pursuant to Government Code section 65651. The element must demonstrate compliance with this requirement and include programs as appropriate.
- *Accessory Dwelling Units*: This housing type appears to be excluded from several residential zones, inconsistent with state law. The element should evaluate compliance with state ADU law and include programs as appropriate.

5. *An analysis of potential and actual governmental constraints upon the maintenance,*

improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)

Land Use Controls: The element must also analyze all relevant land use controls impacts as potential constraints on a variety of housing types (e.g., multifamily rental housing, mobilehomes, transitional housing). The analysis must also evaluate the cumulative impacts of land use controls on the cost and supply of housing, including the ability to achieve maximum densities and cost and supply of housing. Specifically, the analysis should address multifamily height and parking requirements, including requirements for garages and impacts on one-bedroom and studio units. In addition, the analysis should identify and analyze the standards for the Old Town (OT) and Transit Oriented Development (TOD) zones, including all subdistricts. The element should include programs to address and remove or mitigate identified constraints.

Development Plan Review (DPR): The element notes multifamily uses are subject to a DPR by the Planning Commission but should also analyze this process. The analysis should address typical number of hearings, approval findings and timing and evaluate impacts on housing cost, timing, supply and approval certainty.

Fees and Exactions: While the element includes a summary of total fees for typical single family and multifamily, it should also list and analyze planning fees (e.g., DPR, rezone, general plan amendment, variance, conditional use permit).

Housing for Persons with Disabilities: The element states the City has a reasonable accommodation procedure (p. 3-11), but it should also analyze the procedure for potential constraints. The analysis should address the process, application requirements and approval findings. In addition, the element indicates group homes for six or fewer persons are permitted in residential zones but should also address whether group homes for seven or more persons are permitted, how and where they permitted and include programs as appropriate. For additional information and a sample program and ordinance, see the Building Blocks at http://www.hcd.ca.gov/hpd/housing_element2/PRO_mitigate.php.

Codes and Enforcement: Although the element mentions it follows the California Building Code, it also indicates it processes local amendments to “further define requirements based on the unique local conditions” (p. 3-15). The element must describe the City’s building and zoning code enforcement processes and procedures and identify and analyze any local amendments to the building code for impact as potential constraints on housing cost and supply. For additional information and a sample analysis, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/constraints/codes-and-enforcement-on-offsite-improvement-standards.shtml>.

Local Ordinances: The element must specifically analyze locally adopted ordinances such as inclusionary ordinances or short-term rental ordinances that directly impact the cost and supply of residential development. The analysis should demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters.

SB 35 Streamlined Ministerial Approval Process: The element must identify and analyze whether the City has written procedures to implement the SB 35 Streamlined Ministerial Approval Process and include a program if necessary.

Zoning, Development Standards and Fees: The element must clarify its compliance with new transparency requirements for posting all zoning, development standards and fees for each parcel on the jurisdictions' website and add a program to address these requirements if necessary.

6. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584. The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the construction of that housing. (Gov. Code, § 65583, subd. (a)(6).)*

Identified Densities and Approval Times: The element did not address these requirements. The element must address requests to develop housing at densities below those anticipated in the sites inventory and the length of time between receiving approval for housing development and submittal of application for building permits. The analysis must address any hinderances on housing development and programs should be added as appropriate.

7. *Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)*

While the element quantifies several of the City's special needs populations, it must analyze the special housing needs of each of these groups. For a complete analysis of each population group, the element should discuss challenges faced by the population, the existing resources to meet those needs (availability of senior housing units, percent of large units, percent of deed restricted units, etc.), an assessment of any gaps in resources and proposed policies, programs, and funding to help address those gaps.

In addition, the element indicates there are approximately 136 total jobs and 80 full-time year-round jobs in the agricultural industry within the City (p. 2-18); however, the analysis does not consider the regional context. Farmworkers from the broader area and those employed seasonally may have housing needs that are not currently reflected in the analysis. As a result, the element should at least acknowledge the housing needs of farmworkers at a county level (e.g. USDA county-level farmworker data) and include programs as appropriate.

C. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (Gov. Code, § 65583, subd. (c).)*

To address the program requirements of Government Code section 65583, subdivisions (c) (1-6), and to facilitate implementation, several programs should be revised to include more discrete timing, rather than “ongoing” or in “process.” Examples include actions under Programs 1.8 (Adequate Sites for Housing Development), 1.14 (Housing for Persons with Special Needs), 1.15 (Transit-Oriented Development), 3.1 (Community Based Neighborhood Rehabilitation), 3.3 (Placentia Rehabilitation Grant Program), 4.1 (Partnerships with the Housing Industry), and 4.2 (Participation in Continuum of Care Forum). In addition, many programs do not contain specific and clear commitments to complete a deliverable or action that will have a tangible and beneficial impact in the planning period and, as a result, should be revised. For example, actions under Programs 1.1 (Manufactured Housing and Mobile Homes), 1.2 (Locate Housing Near Transportation, Employment and Services), 1.3 (Pursue County, State, and Federal Housing Funds), and 1.15 (Transit-Oriented Development) commit to “preserve,” “encourage,” and “increase,” which does not result in any tangible outcomes.

2. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city’s or county’s share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)*

As noted in Finding B4, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.

Shortfall of Sites: The element describes a shortfall of sites, particularly for the moderate and above moderate income RHNA, and indicates rezoning will occur to accommodate the RHNA. While the element includes Program 1.8 (Adequate Sites for Housing Development), it must specifically commit to acreage, allowable densities, and anticipated units. In addition, if necessary, to accommodate the housing needs of lower-income households, the program should specifically commit to rezoning pursuant to Government Code section 65583.2, subdivisions (h) and (i).

Sites Identified in Multiple Planning Periods: If identifying sites utilized in prior planning periods, the element must include a program for vacant sites identified in two of more consecutive planning periods' housing elements or nonvacant sites identified in a prior housing element, that are currently identified to accommodate housing for lower-income households. The program must be implemented within the first three years of the planning period and commit to zoning that will meet the density requirements for housing for lower-income households and allow by-right approval for housing developments that include 20 percent or more of its units affordable to lower-income households. (Gov. Code, § 65583.2, subd. (c).)

Replacement Provisions: The element should include a policy replacing units on sites with existing residential uses pursuant to Government Code section 65583.2, subdivision (g).

Program 1.5 (Infrastructure Provision): Because the element indicates that the City's future housing needs would place greater demands on its sewage infrastructure (pg. 3-20), the program could identify additional funding sources, such as CDBG, IBank, and USDA funds, to address infrastructure constraints and prioritize identified areas with infrastructure constraints for improvement. For a list of funding opportunities, see HCD's Financial Assistance Program Directory at http://hcd.ca.gov/fa/LG_program_directory.pdf. Other resources include the California Financing Coordinating Committee (CFCC).

3. *The housing element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*

While the element includes Programs 1.3 (Pursue Funding), 1.8 (Adequate Sites) and 1.14 (Housing for Persons with Special Needs), these programs should be revised with specific and proactive outreach efforts with developers of affordable housing on an annual basis.

4. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Findings B5 and B6, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

5. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. (c)(5).)*

As noted in Finding B1, the element must include a complete analysis of AFFH . Based on the outcome of that analysis, the element must add or modify programs. For more information, please see HCD's guidance at <https://www.hcd.ca.gov/community-development/affh/index.shtm>.

6. *The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance. (Gov. Code, § 65583, subd. (c)(6).)*

The element identifies the Imperial Villas project, with 58 units at-risk, of converting to market-rate uses in the planning period. Program 3.5 (Monitoring At-Risk Units) should be revised to comply with noticing requirements, provide education and assistance to tenants, assist with funding, and promptly reach out to qualified entities to preserve at-risk housing units.

7. *Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this paragraph, "accessory dwelling units" has the same meaning as "accessory dwelling unit" as defined in paragraph (4) of subdivision (i) of Section 65852.2. (Gov. Code, § 65583, subd. (c)(7).)*

As indicated in Finding B4, the element may need to include a program to amend the City's ADU ordinance. In addition, programs must be expanded to include incentives to promote the creation and affordability of ADUs. Examples include exploring and pursuing funding, modifying development standards and reducing fees beyond state law, increasing awareness, pre-approved plans and homeowner/applicant assistance tools. Finally, given the City's assumptions for ADUs exceed recent trends, the element should include a program to monitor permitted ADUs and affordability every other year and take appropriate action such as adjusting assumptions or rezoning within a specified time period (e.g., 6 months).

D. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd. (c)(8).)

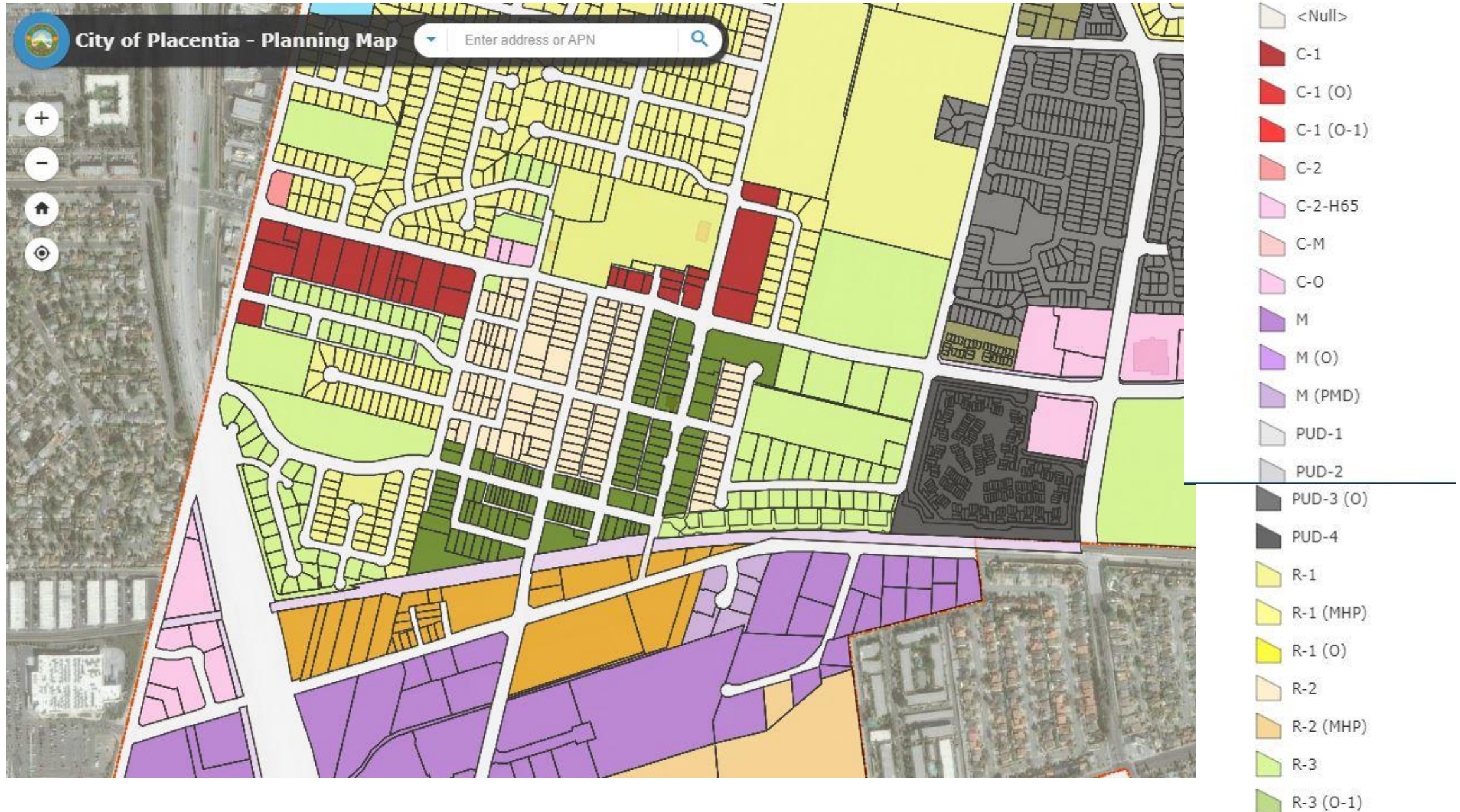
Although the element includes a general summary of the public participation process (p. 1-4 and in Appendix A), HCD has received public comments from groups concerned that the City has not demonstrated diligent efforts were made to involve all economic segments of the community in the development of the housing element. The element should address public comments received, could describe the efforts to circulate the housing element among low- and moderate-income households and organizations that represent them and involve such groups and persons in the element throughout the process. In addition, the element should also summarize the public comments and describe how they were considered and incorporated into the element. For additional information, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/getting-started/public-participation.shtml>.

In addition, it is unclear when the City made the element available to the public prior to submitting to HCD. The availability of the document to the public and opportunity for public comment prior to submittal to HCD is essential to the public process and HCD's review. The City must proactively make future revisions available to the public, including any commenters, prior to submitting any revisions to HCD and diligently consider and address comments, including revising the document where appropriate. HCD's future review will consider the extent to which the revised element documents how the City solicited, considered, and addressed public comments in the element. The City's consideration of public comments must not be limited by HCD's findings in this review letter.

1. Chapman Corridor Potential Boundaries and Districts

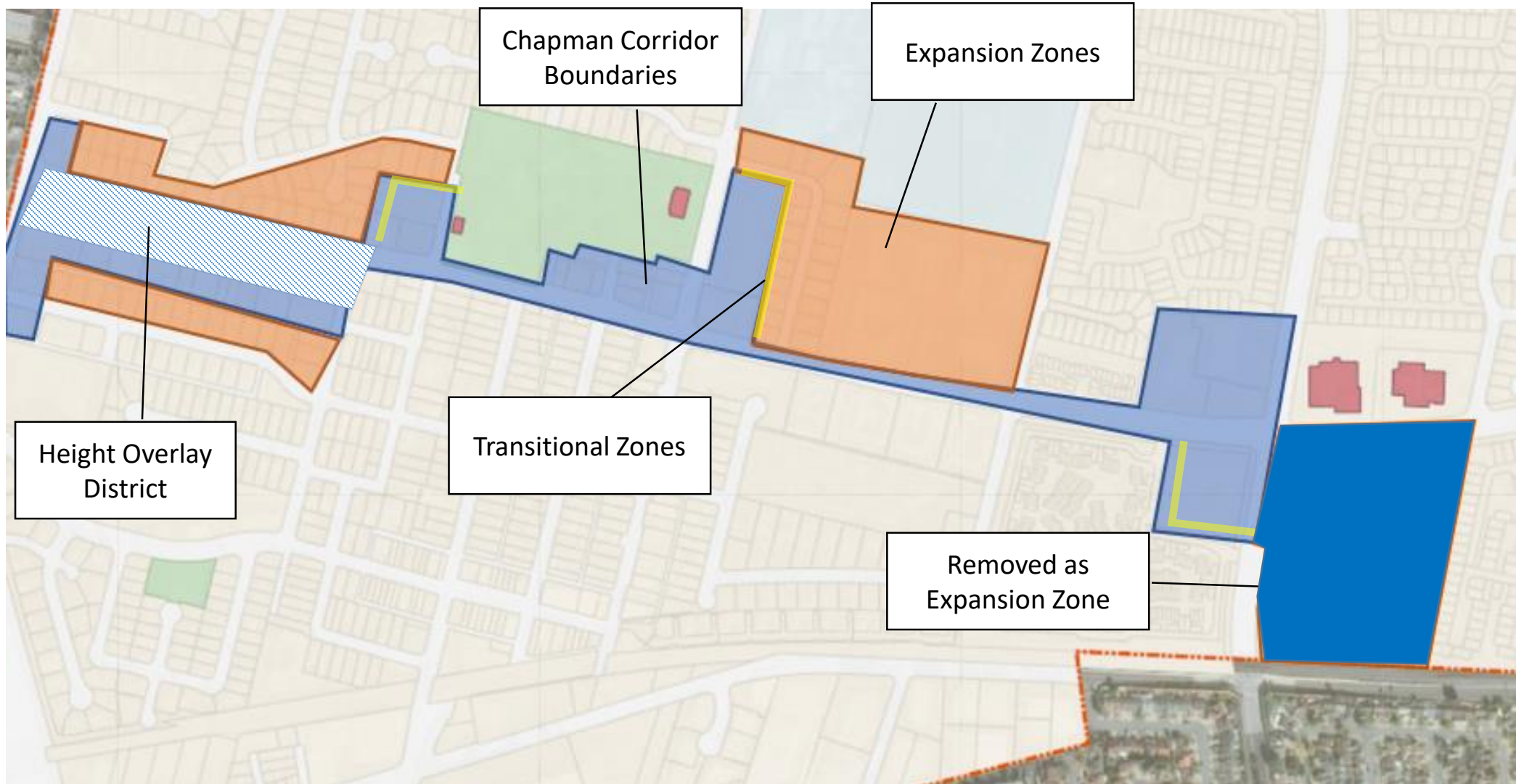


1. Chapman Corridor Current Zoning



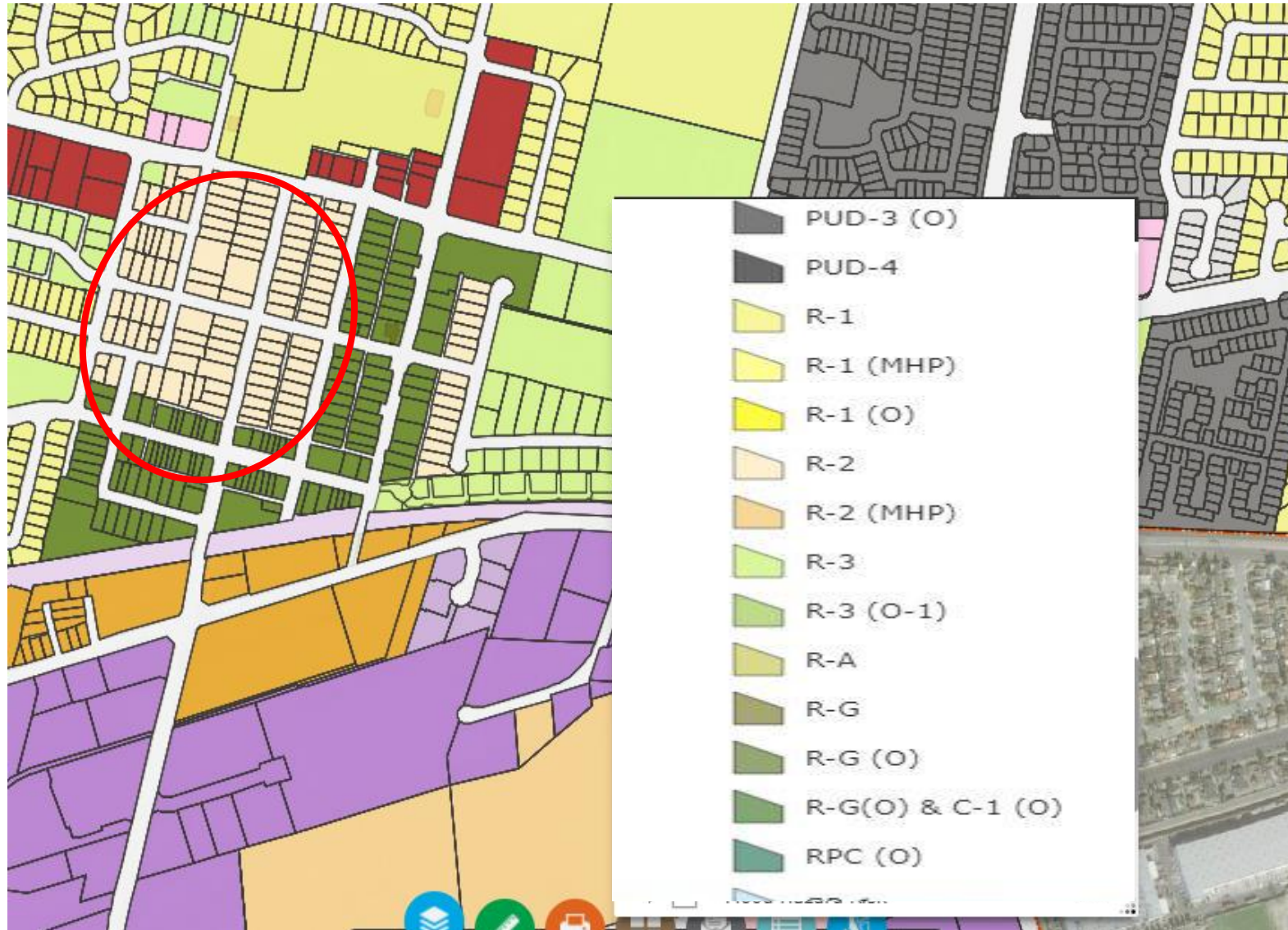
1. Chapman Corridor Potential Boundaries and Districts

Potential: 400-600 additional units in the “blue areas”



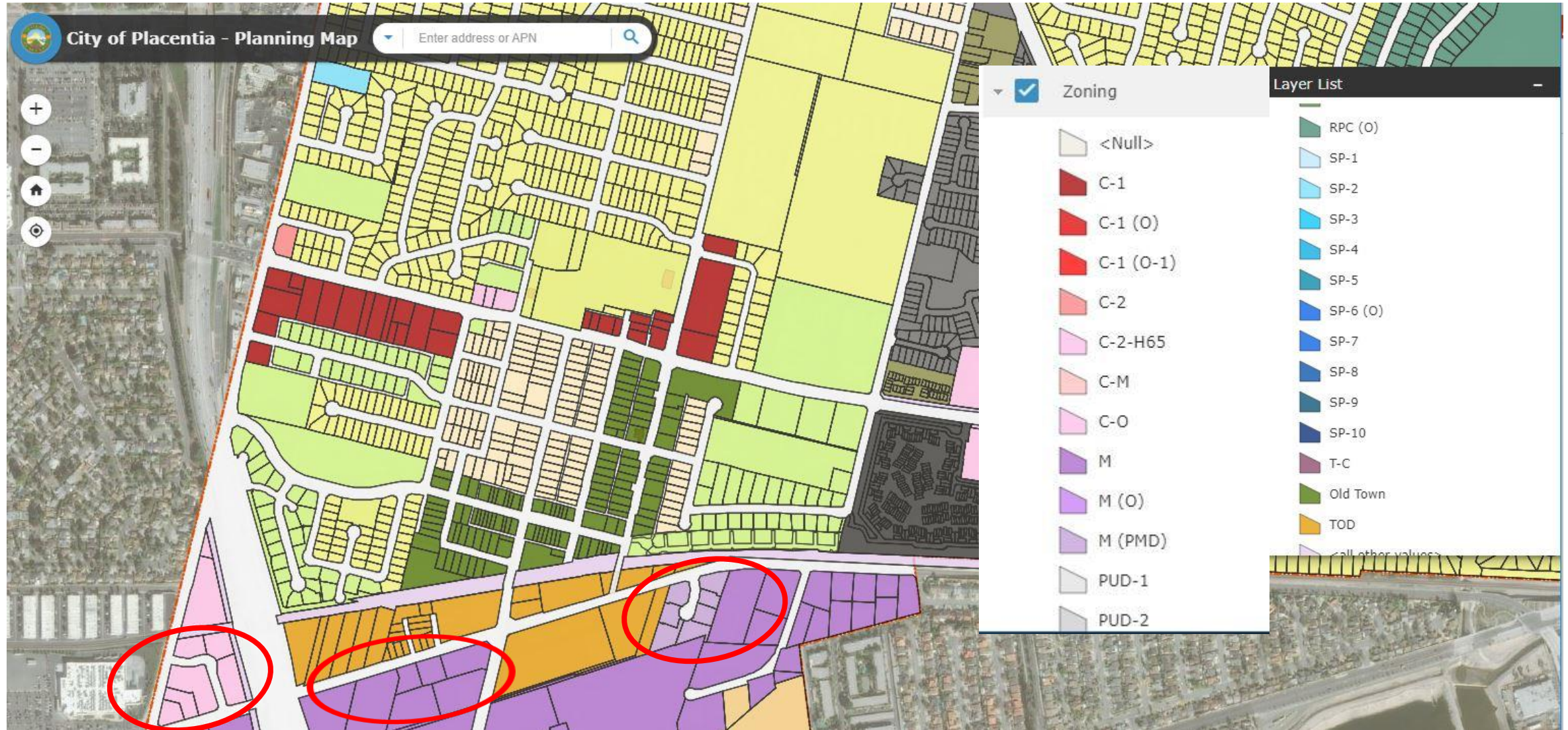
2. Expansion of Higher Density Adjacent to Old Town Placentia

Potential: 200-300 additional units in the “Old Town” Zone



3. Expansion of TOD Zone

Potential: 200-300 additional units in an expansion of the “TOD” Zone



4. Expansion of Higher Density Adjacent to Atwood Neighborhood

Potential: 100-200 additional units

