



# Placentia Planning Commission Agenda

Regular Meeting

June 10, 2025

6:30 p.m.

City Council Chambers

401 E. Chapman Avenue, Placentia, CA

**Frank Perez**  
Chair

**Matthew Roche**  
Vice Chair

**Brandon Evans**  
Commissioner

**Thomas Ingalls**  
Commissioner

**Juan Guerrero**  
Commissioner

**Juan Navarro**  
Commissioner

**David Smith**  
Commissioner

**City of Placentia**  
401 E Chapman Avenue  
Placentia, CA 92870

**Phone: (714) 993-8124**  
**Fax: (714) 528-4640**  
**Website: [www.placentia.org](http://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](http://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 with 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

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**CALL TO ORDER:**

**ROLL CALL:**

Commissioner Evans  
Commissioner Guerrero  
Commissioner Ingalls  
Commissioner Navarro  
Commissioner Smith  
Vice Chair Rocke  
Chair Perez

**PLEDGE OF ALLEGIANCE:**

**ORAL COMMUNICATIONS:**

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.

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**CONSENT CALENDAR:**

1. **Planning Commission Regular Meeting Minutes – May 13, 2025**

**RECOMMENDATION:** Approve

**PUBLIC HEARINGS:**

1. **Applicant:** TAE JIN LEE (SCHOLAR ATHLETE BLACK BELT CENTER)

**Project Location:** 628 W. CHAPMAN AVENUE, (PLACENTIA PLAZA SHOPPING CENTER) APN: 339-371-07350

**Request:** USE PERMIT NO. UP 2025-01. A REQUEST TO PERMIT THE ESTABLISHMENT AND OPERATION OF A 1,400-SQUARE FOOT MARTIAL ARTS TEACHING STUDIO LOCATED AT 628 W. CHAPMAN AVENUE, IN THE NEIGHBORHOOD COMMERCIAL (C-1) ZONING DISTRICT.

**RECOMMENDATION**

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

1. Open the public hearing concerning Use Permit No. UP 2025-01; and

2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2025-06, a Resolution of the Planning Commission of the City of Placentia, 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 and making findings to permit the establishment and operation of a 1,400-square foot martial arts teaching studio located at 628 W. Chapman Avenue, in the Neighborhood Commercial (C-1) Zoning District, approving Use Permit No. 2025-01

**2. Applicant: CITY OF PLACENTIA**

**Project Location: CITYWIDE**

**Request: ZONING CODE AMENDMENT NO. ZCA 2025-01 REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS IN ACCORDANCE WITH STATE LAW.**

**RECOMMENDATION**

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

1. Open the Public Hearing, concerning Zoning Code Amendment No. ZCA 2025-01, receive the staff report and consider all public testimony, and close the public hearing; and
2. Adopt Resolution No. PC-2025-04, A Resolution of the Planning Commission of the City of Placentia, recommending that City Council find that adoption of the Zoning Code Amendment No. ZCA 2025-01 is exempt from CEQA pursuant to CEQA Guidelines Section 15282(h) and is categorically exempt under the common sense exemption of CEQA Guidelines section 15061(b)(3); and, recommending that City Council approve Zoning Code Amendment No. 2025-01, whereby development standards and regulatory requirements in Title 23 (“Zoning”) of the Placentia Municipal Code relating to Accessory Dwelling Units and Junior Accessory Dwelling Units would be amended to refine the City’s development standards accordance with State Law.

**3. Applicant: CITY OF PLACENTIA**

**Project Location: CITYWIDE**

**Request: ZONING CODE AMENDMENT NO. ZCA 2025-02 REGARDING URBAN LOT SPLITS, TWO-UNIT HOUSING,**

**GENERAL REGULATIONS, AND EXCEPTIONS OF THE  
PLACENTIA MUNICIPAL CODE IN ACCORDANCE WITH  
STATE LAW.**

**RECOMMENDATION**

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

1. Open the Public Hearing, concerning Zoning Code Amendment No. ZCA 2025-02, receive the staff report and consider all public testimony, and close the public hearing; and
2. Adopt Resolution No. PC-2025-05, A Resolution of the Planning Commission of the City of Placentia, recommending that City Council find that adoption of the Zoning Code Amendment related to updating development standards and regulatory requirements regarding two-unit housing developments and urban lot splits is not a “project” under the California Environmental Quality Act; and, recommending that City Council approve Zoning Code Amendment No. 2025-02, whereby development standards and regulatory requirements in Title 22 (“Subdivisions”) and Title 23 (“Zoning”) of the Placentia Municipal Code would be amended to refine the City’s development standards in accordance with State Law.

**REGULAR AGENDA:**

1. **Applicant:** CITY OF PLACENTIA

**Project Location:** CITYWIDE

**Request:** GUIDELINES AND PROCEDURES FOR IMPLEMENTING  
THE PROVISIONS OF THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT FOR PROJECTS IN THE  
CITY OF PLACENTIA

**RECOMMENDATION:**

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

1. Adopt Resolution No. PC-2025-07, a Resolution of the Planning Commission of the City of Placentia, recommending that City Council find that adoption of CEQA Guidelines is not a project under State CEQA Guidelines Section 15378(b)(5) because it involves an administrative activity and would not result in any environmental impacts; and, recommending that City Council adopt Guidelines and Procedures for implementing the provisions of the California Environmental Quality Act for projects in the City of Placentia.

**OLD BUSINESS:**

**NEW BUSINESS:**

**DEVELOPMENT REPORT:**

**DIRECTOR'S REPORT:**

**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.

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**ADJOURNMENT**

The Planning Commissioners ADJOURN to the next regular meeting on July 8, 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 June 10, 2025, Regular Meeting of the Planning Commission of the City of Placentia was posted on June 5, 2025.



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Joseph M. Lambert, Secretary

**PLACENTIA PLANNING COMMISSION  
MINUTES  
REGULAR MEETING  
May 13, 2025  
6:30 p.m. – City Council Chambers  
401 E. Chapman Avenue, Placentia, CA**

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**CALL TO ORDER:** Commissioner/Chair Perez called the meeting to order at 6:35 p.m.

**ROLL CALL:**

PRESENT: Commissioner Navarro, Smith, Rocke, Perez  
ABSENT: Commissioner Evans, Guerrero, Ingalls

**STAFF PRESENT:**

Assistant City Attorney Kristi J. Smith, Director of Development Services Joseph Lambert, Planning Manager Andrew Gonzales, Associate Planner Lesley Whitaker, Deputy Director of Public Works, Gabe Guerrero-Gabany, Administrative Assistant Margie McCoy

**PLEDGE OF ALLEGIANCE:** Commissioner Rocke

Director Lambert welcomed new Commissioner David Smith to the Planning Commission highlighting his legal career in land use law and his family's long-term residence in Placentia. Commissioner Smith expressed his excitement about focusing on hometown issues.

**ORAL COMMUNICATIONS:** None

**CONSENT CALENDAR:**

1. **Minutes  
Placentia Planning Commission Regular Meeting of:  
March 11, 2025**

Recommended Action: Approve  
**(Approved 3-0-1-3 as recommended)**

**Motion by Rocke second by Navarro and carried on a (3-0-1-3) vote to approve the Consent Calendar.**

Ayes: Navarro, Rocke, Perez  
Noes: None  
Abstain: Smith  
Absent: Evans, Guerrero, Ingalls

**REGULAR AGENDA:**

1. **Applicant: City of Placentia**

**Project Location: Citywide**

**General Plan Conformance Finding for Fiscal Year 2025-26 Capital Improvement Program**

**Recommended Action:**

**Adopt a Resolution of the Planning Commission of the City of Placentia, California, finding that the Fiscal Year 2025-26 Capital Improvement Program is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061 (B)(3), and finding that the Fiscal Year 2025-26 Capital Improvement Program conforms to the adopted General Plan and recommending the City Council to approve the Capital Improvement Program.**

Recommended Action: Approve  
**(Approved 4-0-0-3 as recommended)**

Director Lambert stated that every year as part of the City’s budget process, City Council approves an annual budget and also approves an annual Capital Improvement Projects (CIP) budget, and the CIP is the Capital Improvement Program. These are larger projects, usually Public Works or projects around City Hall that are larger in nature. Director Lambert provided an update on the General Plan Conformity finding request for Fiscal Year 2025-26 and stated that the Planning Commission’s task is to make a finding of conformity, not to approve the projects. Director Lambert explained some of the various projects, including underground fuel tank removal, Old Town streetscape improvements, and residential street rehabilitation. Director Lambert detailed how each project is consistent with the General Plan.

Commissioner’s Rocke and Navarro asked clarifying questions about the definition of Capital Improvement Projects (CIP), the specifics of each project and asked about the inclusion of specific infrastructure related projects.

Deputy Director of Public Works, Gabe Guerrero-Gabany explained that CIP includes City facilities, streets, sewers, storm drains, and other infrastructure improvements. Commissioner Navarro mentioned the Golden Avenue Bridge replacement and the sustainability element of the General Plan.

**Motion by Rocke second by Navarro and carried on a (4-0-0-3) vote that the Fiscal Year 2025-26 Capital Improvement Program is exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15061 (B)(3) and finding that the Fiscal Year 2025-26 Capital Improvement Program conforms to the adopted General Plan and to approve the Capital Improvement Program.**

Ayes: Navarro, Rocke, Smith, Perez  
Noes: None  
Abstain: None  
Absent: Evans, Guerrero, Ingalls

**2. Applicant: City of Placentia**

**Project Location: Citywide**

**Study Session to Review Chapman Corridor Revitalization Plan Progress**

**Recommended Action:** It is recommended that the Planning Commission receive and file the attached City Council Staff Report and staff presentation and ask any questions of staff as appropriate.

Director Lambert introduced the Chapman Corridor Revitalization Plan, which includes creating a Specific Plan with design review guidelines and development standards. The plan aims to promote Community and Economic Development, consistent with the City Council's Strategic Plan and consistent with the General Plan. Director Lambert outlined the history and process of the plan, including public workshops and City Council Study Sessions. There are at least six goals in the General Plan that the Chapman Corridor Revitalization Plan is consistent with. The plan includes sub-areas like Gateway West, Gateway Core, Gateway Neighborhood, and Gateway East, with flexible land use districts to incentivize redevelopment. With the addition of bike lanes and streetscape improvements, the plan includes the potential removal of street parking. Also highlighted were proposed setbacks, height limitations and mobility improvements as well as the proposed landscaping along the Corridor.

Director Lambert discussed the community outreach and stakeholder engagement process which includes public workshops and online surveys. The Specific Plan will feature zoning changes to allow future development flexibility. Commissioners mentioned the impact of bike lanes on traffic flow and the potential need for looking closer at traffic flow. Director Lambert stated that there will be a Streetscape Master Plan, which is a guiding document for mobility and public facing landscaping. Also mentioned by Commissioners was the possible need for a parking structure to accommodate future development and more walk-in restaurants as opposed to drive-through's.

**A roll call vote was taken to receive and file the Chapman Corridor Revitalization Plan Progress as follows:**

Ayes: Navarro, Rocke, Smith, Perez  
Noes: None  
Abstain: None  
Absent: Evans, Guerrero, Ingalls

**OLD BUSINESS: None**

**NEW BUSINESS: None**

**DEVELOPMENT REPORT: None**

**DIRECTOR'S REPORT:**

Director Lambert gave a brief update on various projects, including Chick-fil-A, Toll Brothers and other residential projects. He also stated that an update on the Residential Development Standards would likely be presented at the next meeting.

**PLANNING COMMISSION REQUESTS:**

Commissioners asked for a clear definition of Capital Improvement Projects (CIPs) for next year. Commissioners would like to explore reducing the number of drive-through businesses in the Chapman Corridor area.

**ADJOURNMENT:**

Chair Perez adjourned the Regular Meeting of the Planning Commission at 8:00 p.m. to the regular meeting of Tuesday, June 10, 2025, at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia, CA.

**Submitted by,**

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Joseph M. Lambert,  
Secretary to the Planning Commission



# Placentia Planning Commission

## AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: SENULA LIYANAGE, PLANNING TECHNICIAN

DATE: JUNE 10, 2025

SUBJECT: **USE PERMIT NO. UP 2025-01; 628 W. CHAPMAN AVENUE (SCHOLAR ATHLETE BLACK BELT CENTER)**

### **RECOMMENDATION:**

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

1. Open the public hearing concerning Use Permit No. UP 2025-01; and
2. Receive the staff report and consider all public testimony; and
3. Close the public hearing; and
4. Adopt Resolution PC-2025-06, a Resolution of the Planning Commission of the City of Placentia, making findings that the project is Categorical 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 and making findings to permit the establishment and operation of a 1,400-square foot martial arts teaching studio located at 628 W. Chapman Avenue, in the Neighborhood Commercial (C-1) Zoning District, approving Use Permit No. 2025-01

### **REQUEST:**

The applicant, Tae Jin Lee, representing Scholar Athlete Black Belt Center, is requesting a Use Permit for a martial arts studio in an existing 1,400 sq. ft. commercial tenant space located at 628 W. Chapman Avenue, within the C-1 (Neighborhood Commercial) Zoning District.

### **STRATEGIC PLAN STATEMENT:**

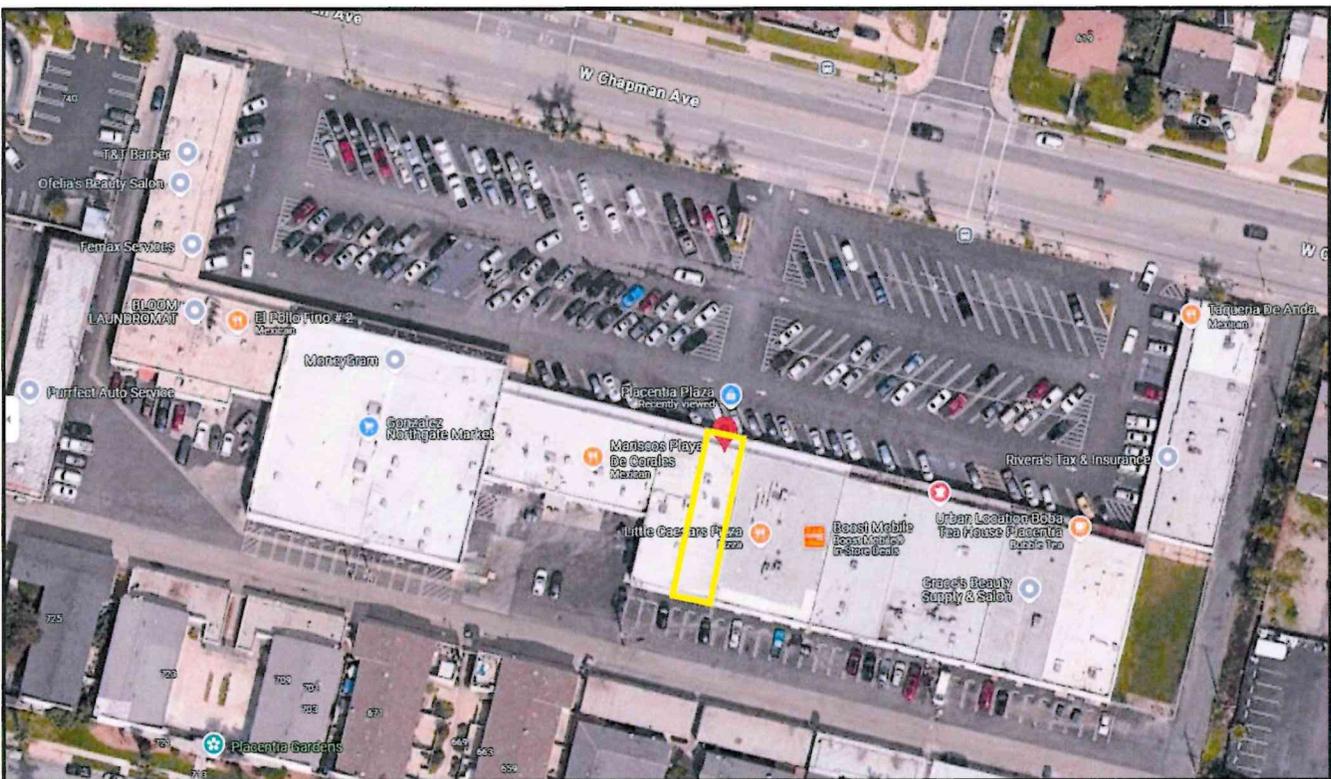
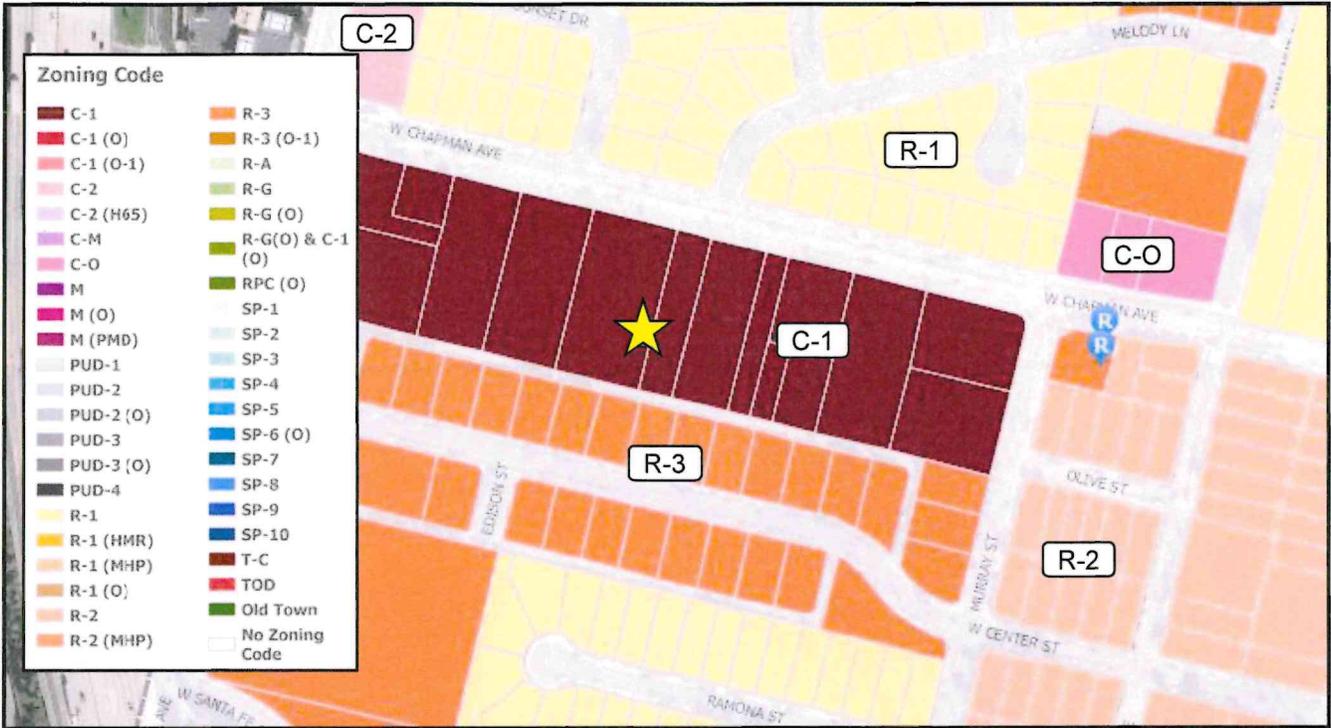
The item is consistent with the City Council-approved 5-Year Strategic Goal to achieve:

*Continue seeking ways to diversify the City's revenue sources to prevent over-reliance on any one source (Measure U/Property Tax).*

### **PROJECT BACKGROUND AND DESCRIPTION:**

The subject property is a 1,400-square foot suite within a one-story multi-tenant building located in the Placentia Plaza shopping mall east of S. Placentia Avenue and south of W. Chapman Avenue.

The site is zoned C-1 (Neighborhood Commercial) with a General Plan land use designation of Commercial.



The business will provide martial arts instruction to individuals of ages five and older, focusing on physical activity, self-defense, discipline, respect, listening, and overall well-being. Scholar Athlete Black Belt Center was originally established in 2005 and has been serving the Placentia community for nearly 20 years.

The proposed location will allow the business to continue offering its services in a new setting while maintaining its commitment to safety, student development, and community engagement. The studio will operate during the hours listed in the table below. A total of four classes will be held per day on weekdays, three classes on Fridays, and two classes on Saturdays, with each session ranging from 45 to 60 minutes. Class sizes will range from approximately 6 to 13 students per session. The studio will be staffed by one full-time employee and one part-time employee, including the owner. Operational equipment will consist of practice mats, mirrors, and training targets. The applicant anticipates minimal vehicle traffic associated with the business, with only two personal vehicles used on-site. The request for the Use Permit is to ensure compatibility and compliance with the City's zoning regulations for commercial tenant spaces within this district and to support the continued provision of specialized athletic services that contribute to the health, character, and vitality of the community.

<b>Proposed Operating Hours</b>	
Monday - Thursday	4:30 PM – 8:30 PM
Friday	4:30 PM – 7:15 PM
Saturday	10:00 AM – 11:50 AM



**Applicable Code Section: Placentia Municipal Code**

The subject property is within the Neighborhood Commercial (C-1) Zoning District and is required to comply with the development standards and use requirements set forth in the Placentia Municipal Code (PMC 23.33, “C-1” – Neighborhood Commercial District).

**Subject Site and Surrounding Land Uses:**

The proposed martial arts studio is located in the Placentia Plaza Shopping Center south of W. Chapman Avenue and east of S. Placentia Avenue. The table below shows surrounding existing land uses, zones, and General Plan Land Use Designations:

<b>Location</b>	<b>Existing Land Use</b>	<b>Land Use Element General Plan Designation</b>	<b>Zoning Map Designation</b>
<b>Subject Site</b>	Tenant space in an existing shopping center	Commercial	C-1 (Neighborhood Commercial)
<b>North (across Chapman Avenue)</b>	Low-Density Residential	Low Density Residential	R-1 (Single-Family Residential)
<b>South</b>	High Density Residential	High Density Residential	R-3 (High-Density Residential)
<b>East</b>	Commercial	Commercial	C-1 (Neighborhood Commercial)
<b>West</b>	Commercial	Commercial	C-1 (Neighborhood Commercial)

**ZONING COMPLIANCE ANALYSIS**

**Site Development Standards**

The project is located within the C-1 Zoning District. No changes to the building footprint and overall building envelope will occur from the project.

**Other Departments Concerns and Requirements**

The Divisions of Planning and Building, the Police Department, as well as the Fire and Life Safety Department have reviewed the application, with no major concerns raised with the project proposal. The Planning Division identified comments and applicable code requirements that have been incorporated as conditions of approval into a draft resolution for consideration by the Planning Commission.

**ISSUES ANALYSIS:**

**General Plan Consistency**

In an overall review of the General Plan, the proposed martial arts teaching studio is consistent with all the policies, programs, and goals. General Plan policies advocate to: (a) increase the tax base of the City by supporting revenue producing businesses that provide residents with basic and enhanced services; and (b) create a more vibrant business community that benefits both residents and existing businesses. The proposed project will fulfill these policies by offering services and employment opportunities to surrounding residents, thereby protecting and ensuring its long-term success. This will assist in maintaining a wide array and variety of symbiotic commercial uses to help facilitate greater patronage and shopping activity for the shopping center, thereby helping to maintain a steady revenue stream as encouraged by the General Plan. Increased patronage will assist and stimulate further investment in the community and strengthen the City's economic vitality. The proposed martial arts teaching studio will fill a vacant tenant space, which was previously occupied by Pack N Ship, a commercial mailing/shipping and copy/fax service establishment. The proposed use will provide needed services for the community. In addition, the business is situated within an established commercial shopping center where its operations will not impact sensitive land use receptors and may result in increased sales and commercial activity in the shopping center.

### **PMC Consistency**

Adoption of the recommended conditions of approval will result in a project that complies with the provisions of the C-1 Zoning District. The proposed project, with incorporation of the recommended conditions of approval, will meet or exceed the requirements of the C-1 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 martial arts teaching studio brings an additional service within an established commercial shopping center district containing primarily complementary community commercial uses. The city of Placentia has one other martial arts studio, so the area is not oversaturated with this type of use. The nature of the use will not have adverse impacts on adjacent business and properties as there are no significant noise or safety concerns.

### **Parking**

The commercial shopping center was developed with a sufficient quantity of parking spaces to accommodate the intended commercial use of the plaza. Based on the age of the shopping center, it is undetermined how many parking spaces the center was originally developed with, however, the intended use has not changed since its development.

The parking code has changed since this center was built, and today commercial uses generally require a parking ratio of 4 parking spaces per 1,000 square feet of gross-floor area. In accordance with the Placentia Municipal Code (PMC) Chapter 23.78, the required number of parking spaces based on the estimated floor area of the center is 243 spaces and the subject tenant space is 6 spaces. The site currently provides a total of 268 spaces, providing more than the necessary amount of parking.

Based upon multiple site visits by City staff during the establishment's proposed hours of operation, it was observed that enough vacant parking are readily available in the plaza. The applicant has also indicated that most students typically get dropped off and picked up after the class concludes which further reduces parking demand.

To prevent an overlap in parking, the applicant is conditioned to have 10-minute breaks between classes to allow time for students and parents to come-and-go between sessions.

Additionally, staff is requiring, as an extra measure, that employees park behind the building. This will increase the number of available parking spaces for customers and help ensure smoother traffic flow and accessibility.

\*Note: The number of required parking spaces for the center is an estimation as the accurate floor space data cannot be obtained.

### **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 2025-01 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 May 29, 2025, and legal notices were sent to property owners and tenants of record within a 300-foot radius of the subject property and posted at the Civic Center on May 29, 2025 pursuant to all applicable provisions of the PMC. As of June 5, 2025, 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 martial arts studio in an 1,400 square-foot existing commercial tenant space 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-2025-06 recommending approval of UP 2025-01 and finding that it is exempt from further CEQA review pursuant to Section 15301 of the State CEQA Guidelines.

**Prepared by:**



Senula Liyanage  
Planning Technician

**Reviewed and approved by:**



Lesley Whittaker  
Associate Planner



Andrew Gonzales  
Planning Manager



Joseph Lambert  
Director of Development Services

**Attachments:**

1. Resolution No. PC-2025-06
2. Project Plans Dated and Received April 03, 2025
3. Statement of Use Submitted by the Applicant Dated and Received April 03, 2025
4. Site Photos
5. Signed Affidavit of Mailing, Legal Hearing Notice, Radius Map, and Mailing List

**RESOLUTION NO. PC-2025-06**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA 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 AND MAKING FINDINGS TO PERMIT THE ESTABLISHMENT AND OPERATION OF A 1,400-SQUARE FOOT MARTIAL ARTS TEACHING STUDIO LOCATED AT 628 W. CHAPMAN AVENUE, IN THE NEIGHBORHOOD COMEMRCIAL (C-1) ZONING DISTRICT AND APPROVING USE PERMIT NO. 2025-01.**

**A. Recitals.**

**WHEREAS** Tae Jin Lee representing Scholar Athlete Black Belt Center (“Applicant” hereinafter), located at 628 W. Chapman Avenue, filed an application for approval of Use Permit No. UP 2025-01, 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 June 10, 2025, 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 2025-01; 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 2025-01 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 1,400-square foot martial arts teaching studio 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 martial arts teaching 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 operation of a martial arts teaching studio is consistent with the City's General Plan. The subject site is located within the Neighborhood Commercial (C-1) Zoning District, which is compatible with the site's General Plan Land Use designation of Commercial. This designation supports uses that provide services to the general public. A martial arts studio is permitted in the C-1 Zone as a studio use via Use Permit, pursuant to PMC 23.33.040 (15).

c. The proposed request for the establishment and operation of a martial arts teaching 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 operation of a martial arts teaching studio is a conditionally permitted use in the C-1 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 2025-01 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 2025-01 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, and no expansion of the use is contemplated.

**SECTION NO. 4:** The Planning Commission hereby directs that, upon approval of UP 2025-01 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 2025-01, subject to the Conditions of approval contained in Attachment A hereto.

**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 10<sup>TH</sup> DAY OF JUNE 2025

\_\_\_\_\_  
FRANK PEREZ, 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 10<sup>th</sup> day of June, 2025, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 10<sup>th</sup> day of June, 2025, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAINED:	COMMISSION MEMBERS:

ATTEST:

\_\_\_\_\_  
JOSEPH M. LAMBERT,  
SECRETARY TO THE PLANNING COMMISSION

APPROVED AS TO FORM

\_\_\_\_\_  
CITY ATTORNEY

**Attachment A: Conditions of Approval for Use Permit No. 2025-01**

**Attachment A**  
**Special Conditions of Approval and Standard Development Requirements for**  
**Use Permit No. UP 2025-01**  
**628 W. Chapman Avenue**

**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 TO CONTINUE IN GOOD STANDING TO PERMIT THE USE PERMIT TO ALLOW THE ESTABLISHMENT AND OPERATION OF A MARTIAL ARTS TEACHING STUDIO, ON PROPERTY LOCATED AT 628 W. CHAPMAN AVENUE.**

**DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION:**

1. UP 2025-01 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. UP 2025-01 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 UP 2025-01 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. Any modifications to the approved floor plan or changes to the business operation hours, which do not expand or intensify the present use shall be reviewed by the Director of Development Services and may be modified administratively. Modifications to the approved floor plan or changes to the business operation hours, which expand or intensify the present use may be brought to the Planning Commission for modification at the discretion of the Director of Development Services.
7. 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.
8. The use shall comply with all provisions of the PMC, including Chapter 23.76 Noise Control.
9. All permanent and temporary signage shall comply with all applicable provisions of the Placentia Municipal Code (PMC).
10. 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.
11. The applicant, current business owner, and/or property owner shall obtain approval of a Building and Zoning Compliance Application and shall obtain 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.

- 12. 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.
- 13. 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.
- 14. The use shall comply with the following:
  - a. Prior to any changes to the permitted 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 permitted days and hours of operation:
    - Monday through Thursday: 3:30 PM to 9:30 PM
    - Friday: 3:30 PM to 8:30 PM
    - Saturday: 9:00 AM to 1:00 PM
  - b. A minimum 10-minute break shall be scheduled between classes to allow for the circulation of customers and the safe pickup and drop-off of students.
  - c. Employees of the establishment shall park in the back (south side) of the building during operating hours.
  - d. No vending machines of any kind shall be installed outdoors within the project site.
  - e. There shall be no public pay phones installed within or upon any portion of the premises.

**DEVELOPMENT SERVICES DEPARTMENT – BUILDING DIVISION:**

- 15. The applicant shall apply for a change of occupancy with the Building Division prior to initiating operations as a martial arts studio.
- 16. The proposed project shall be in complete compliance with the latest City of Placentia adopted Building Codes including but not limited to the 2022 CBC, CEC, CMC, CPC, CALGreen, & California Energy Standards Code.

**CITY OF PLACENTIA LIFE AND SAFETY DEPARTMENT:**

17. The Placentia Fire & Life Safety Department at time of plan or permit submission will charge certain fees for plan review and inspections. Fees will be determined at the time of plan review and/or inspections.

17. The proposed project shall comply with the applicable codes and standards of Title 24, Part 1-12.

### **Prior to Construction**

18. Present fire protection systems, if applicable, shall not be modified without prior written approval from the Placentia Fire and Life Safety Department. A separate submittal and permit are required to modify or alter fire protection systems.

### **Prior to Occupancy**

19. The occupant load is not identified on the submittal documents. Any increase to 50 or above requires prior approval from the Building Official and would require additional fire and life safety features.

20. A 2A:10BC fire extinguisher is required to be installed prior to occupancy.

21. An inspection is required prior to occupancy. Inspection requests shall be made to [FireCRR@placentia.org](mailto:FireCRR@placentia.org).

22. Provide plans as a PDF file for pre-fire planning use by the fire department. Information shall include locations of fire hydrants, fire department connections, post indicator valves, backflow prevention, gas, electrical, water, fire sprinkler risers and standpipe valves and shutoffs. The symbols used for the pre-fire plan must be obtained from Placentia Fire & Life Safety Department.

CUP for Scholar Athlete Black Belt Center  
628 West Chapman Ave. Placentia, CA 92870

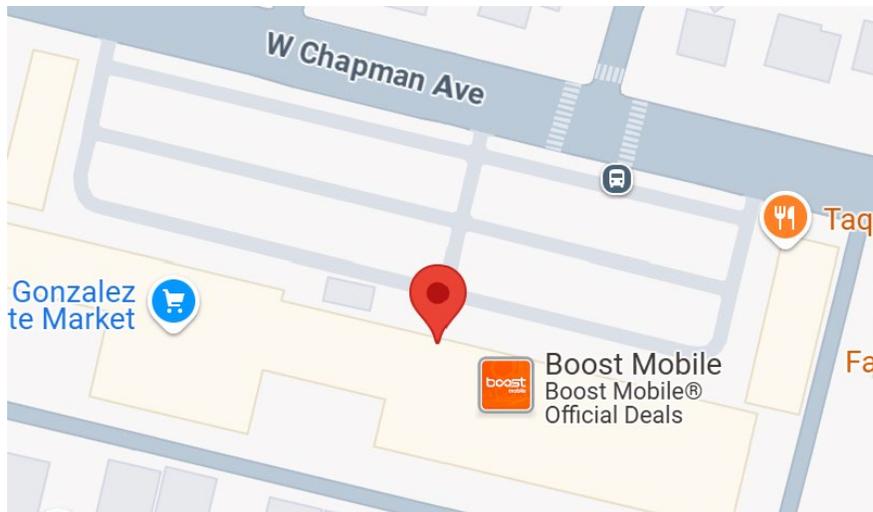
General Information/Title Sheet

<b>Scope of Work:</b> Apply CUP for Martial Arts Studio
--

Sheet Index:
A1 = General information/Title sheet
A2 = Floor Plan
A3 = Site Plan

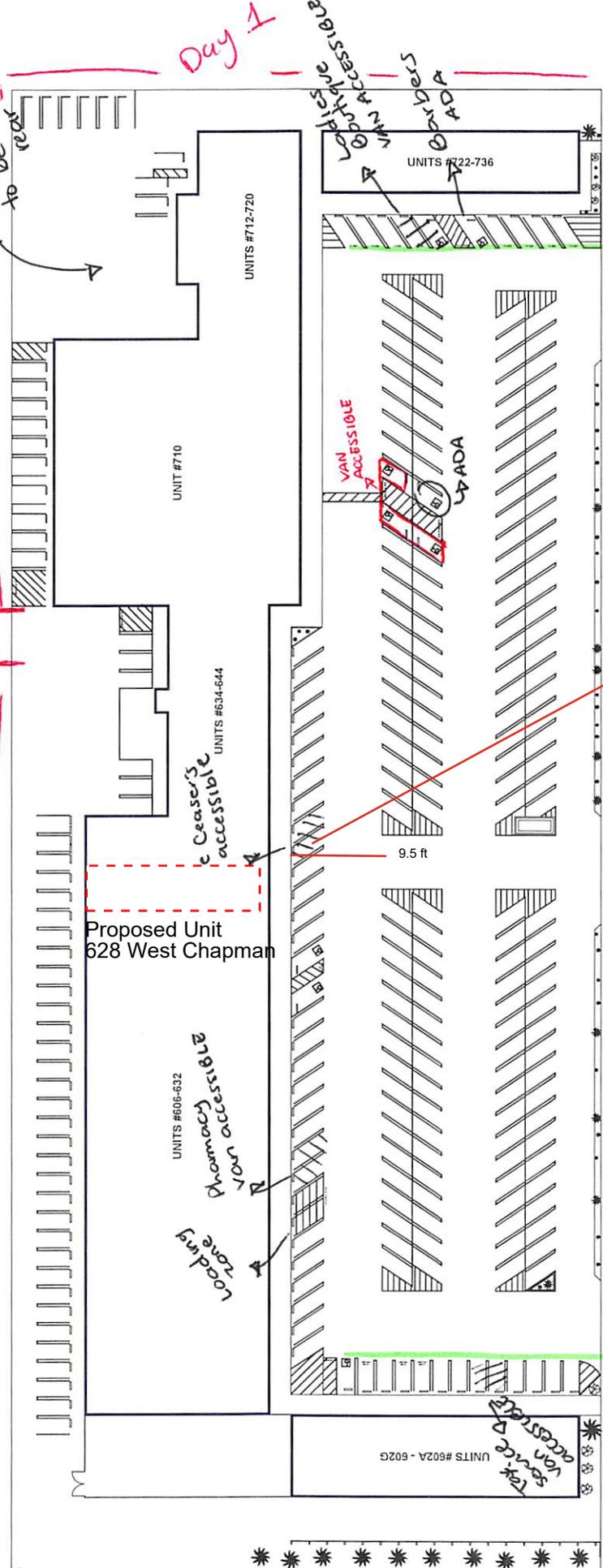
628 West Chapman Ave Placentia, CA 92870 Owner: TaeJin Lee Phone Number: 714-993-7777 Property Owner: Placentia II LLC. Contact Information: 714-274-3632 Apn#: 339-371-07 Zone: C-1 Sq ft: 1400ft <sup>2</sup>
---

Vicinity Map



Day 1  
 Day 2  
 Day 3

Scale: 1/2" = 15'



15 min parking

15 min parking

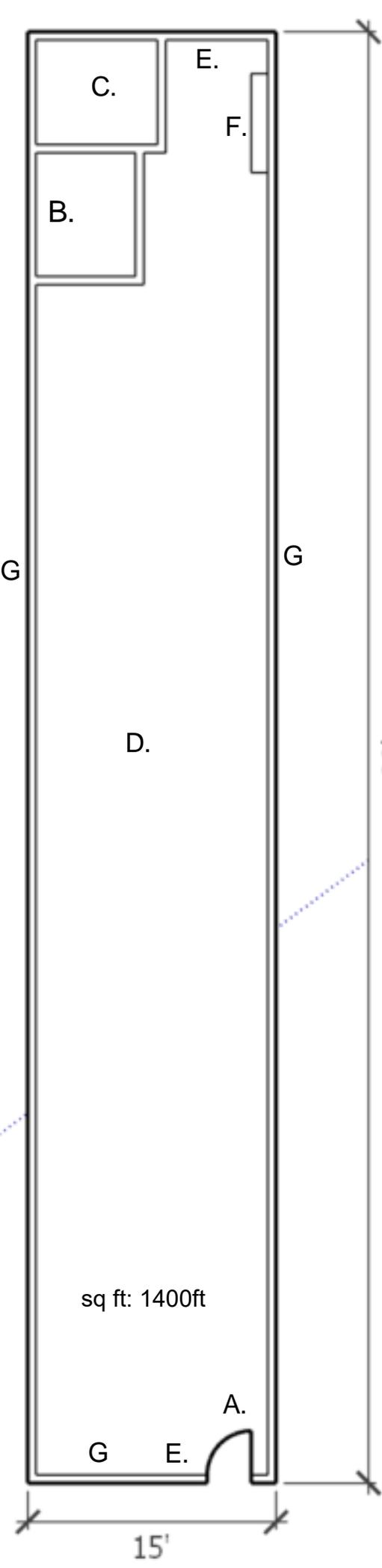


Sheet A3

Property Owner: Placentia II LLC  
 Contact: 714-274-3632

Owner: Scholar Athlete Black Belt Center Inc.  
 Address: 628 West Chapman Ave  
 Placentia, CA 92870

Day 1



Legend

- A. entrance/door
- B. Office
- C. bathroom/unisex
- D. main floor
- E. Exit sign
- F. Emergency exit/shutter door
- G. existing walls

Scale: 1/4" = 2'

sq ft: 1400ft

Property Owner: Placentia II LLC.  
 Contact: 714-274-3632

Scholar Athlete Black Belt Center Inc.  
 628 West Chapman Ave.  
 Placentia, CA 92870  
 714-993-7777

## Statement of Use for (Scholar Athlete Black Belt Center)

To City of Placentia Planning Department

We are writing to provide a detailed description of our business operation as part of our application for the Use Permit.

Our business specializes in teaching Martial Arts to any person from ages 5 and older. Not only do we teach Martial Arts, but also other forms of self-defense and good discipline, respect, listening, strong body and well-being. We also take care of our students as safety is our number one policy.

Scholar Athlete Black Belt Center was established in 2005. I am a 2<sup>nd</sup> Generation Master taught by my father since the age of 3. I have over 25 year experience teaching martial arts and have been teaching in Placentia for almost 20 years now. I am very excited to start in a new location with many new people.

Days of Operation: We are open Monday – Thursday from 4:30pm - 8:30pm (4 hours), Friday 4:30 – 7:15 (2hours 45 minutes) and Saturday 10 am to 11:50 am (2 hours 50 minutes) . There are a total of 4 classes Monday – Thursday, 3 classes on Friday and 2 classes on Saturday. Each class ranges between 45 – 60 minutes with about 6–13 students on average.

Number of Full time and Part-employees: 1 part time and 1 Full time employees including the owner

Number of the vehicles: 2 vehicles (personal)

Machines and equipment: Equipment used for operations include targets, mirrors, and mats for practice.

Please feel free to contact us should you require any further information.

Sincerely,

Tae Jin Lee

Owner of

Scholar Athlete Black Belt Center



**SCHOLAR**  
ATHLETE  
BLACK BELT CENTER

**SCHOLAR - ATHLETE**

Beginner Trial Package  
8 classes Activity  
Free Uniform  
White Belt  
Breaking Board

**\$69**



Tel. 714.993.7777

- New Merchandise New Uniforms
- New Merchandise Belts
- New Merchandise Rubber Nee-chucks
- New Merchandise Arm pads/ Shin pads
- New Merchandise Chest Gear

Multiple small promotional flyers and notices posted on the right side of the window.

U.S. Mail  
628

**OPEN**



**AFFIDAVIT OF MAILING NOTICE OF PUBLIC HEARING**

STATE OF CALIFORNIA    )  
County of Orange        )    ss

I, Senula Liyanage say that on the 29th day of May 2025 a copy of the notice attached hereto was mailed to each of the persons whose name and address appears on the attached list. Said mailings was done at the City of Placentia City Hall, Planning Division, located at 401 E. Chapman Avenue, Placentia, California

Project Address:        628 W. Chapman Avenue  
Case No.:                UP 2025-01  
Meeting Date:          June 10, 2025

I declare, under penalty of perjury, that the foregoing is true and correct.

  
\_\_\_\_\_

Executed at Placentia, California on this 5th day of June, 2025.



## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the Planning Commission of the City of Placentia will hold a public hearing in the **Council Chambers** of the Placentia City Hall, 401 E. Chapman Avenue on **Tuesday, June 10, 2025, at 6:30 p.m.**, or as soon thereafter as the matter may be heard, to consider the following item:

**APPLICANT:** Tae Jin Lee DBA Scholar Athlete Black Belt Center

**PROJECT LOCATION:** 628 W. Chapman Avenue, (Placentia Plaza Shopping Center)  
APN: 339-371-07

**CASE NO.:** Use Permit No. UP 2025-01

**REQUEST:** A request to permit the establishment and operation of a Martial Arts teaching studio within an existing commercial tenant space, located at 628 W. Chapman Ave, in the Neighborhood Commercial (C-1) Zoning District.

**ENVIRONMENTAL DETERMINATION (CEQA):** The proposed development is not expected to create a negative impact on the physical environment and, therefore, staff is recommending a categorical exemption pursuant to the California Environmental Quality Act (CEQA) Guideline § 15301 (Class 1 -Existing Facilities) and City of Placentia Environmental Guidelines.

**ALL INTERESTED PERSONS** are invited to attend this hearing and express opinions upon the items listed above.

**ANY WRITTEN MATERIALS** to be submitted to the Planning Commission should be submitted to the Planning Division at least twenty-four (24) hours prior to the hearing. Ten (10) copies are requested.

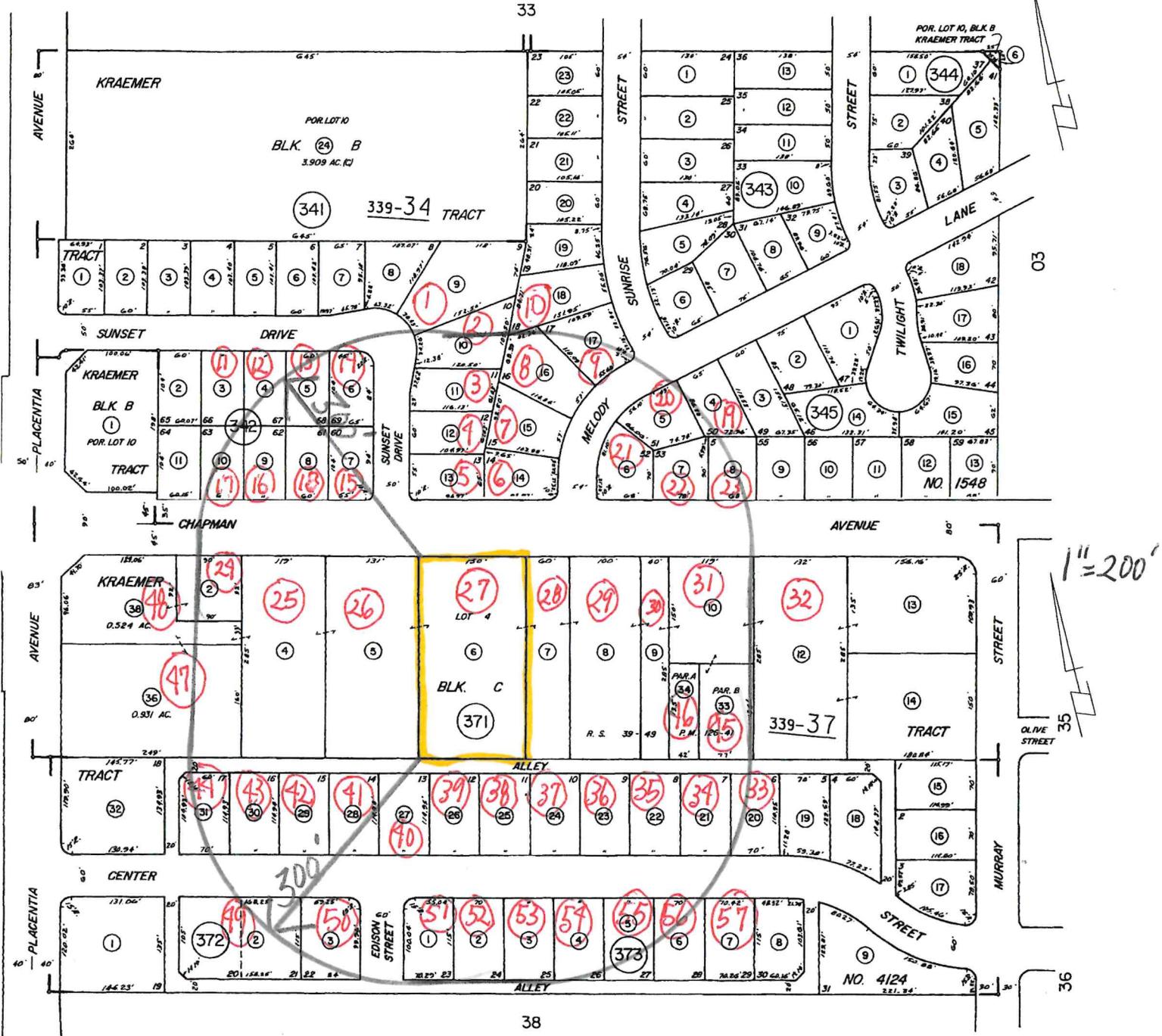
**IF YOU CHALLENGE** this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice or written correspondence delivered to the Planning Commission.

**FURTHER INFORMATION** on these items may be obtained at the Development Services Department, Planning Division, or by telephone: (714) 993-8124.

*Joseph Lambert*

SECRETARY TO THE PLACENTIA PLANNING COMMISSION

PUBLISHED: May 29, 2025  
POSTED: May 29, 2025  
MAILED: May 29, 2025



1978

KRAEMER TRACT  
 TRACT NO. 4124  
 PARCEL MAP

L.A. 1-111,112  
 M.L. 145-20  
 P.M. 126-41

NOTE - ASSESSOR'S BLOCK &  
 PARCEL NUMBERS  
 SHOWN IN CIRCLES

ASSESSOR'S MAP  
 BOOK 339 PAGE 37  
 COUNTY OF ORANGE

DONNA'S RADIUS MAPS  
 DATE: 2-22-25  
 684 S GENTRY LANE  
 ANAHEIM CA 92807  
 (714) 921-2921

339-341-09	1	339-341-10	2	339-341-11	3
NORMA MURPHY 128 SUNSET DR PLACENTIA CA 92870		FERNANDO VELEZ 122 SUNSET DR PLACENTIA CA 92870		WANSLOVE LLC 20425 VIA TALAVERA YORBA LINDA CA 92887	
339-341-12	4	339-341-13	5	339-341-14	6
CROWN INVESTMENTS 6528 UNIVERSITY WAY BUENA PARK CA 90620		MARTIN & SILVIA AGUIRRE 104 SUNSET DR PLACENTIA CA 92870		BARBARA AUSTIN 637 MELODY LN PLACENTIA CA 92870	
339-341-15	7	339-341-16	8	339-341-17	9
CONCEPCION FOLEY 631 MELODY LN PLACENTIA CA 92870		LETICIA TORRES 625 MELODY LN PLACENTIA CA 92870		JUDI M LATHROP 619 MELODY LN PLACENTIA CA 92870	
339-341-18	10	339-342-03	11	339-342-04	12
JOSE & RITA MUNOZ 207 SUNRISE ST PLACENTIA CA 92870		WANSLOVE LLC 20425 VIA TALAVERA YORBA LINDA CA 92887		ANA BEATRIZ URQUIZA 802 SUNSET DR PLACENTIA CA 92870	
339-342-05	13	339-342-06	14	339-342-07,09,10	15-17
ZOILA PERFECTO 724 SUNSET DR PLACENTIA CA 92870		BERNICE MARIE PEREZ 718 SUNSET DR PLACENTIA CA 92870		MARCO SANDOVAL 443 E COLEMAN PL PLACENTIA CA 92870	
339-342-08	18	339-345-04	19	339-345-05	20
AARON & MARIA GARCIA 723 CHAPMAN AVE PLACENTIA CA 92870		YESENIA BALTIERRA 610 MELODY LN PLACENTIA CA 92870		WANNS LLC 20425 VIA TALAVERA YORBA LINDA CA 92887	
339-345-06	21	339-345-07	22	339-345-08	23
OSCAR F CORTEZ 619 W CHAPMAN AVE PLACENTIA CA 92870		HELEN GARDEA 611 W CHAPMAN AVE PLACENTIA CA 92870		RAYMOND CHAVEZ 603 CHAPMAN AVE PLACENTIA CA 92870	
339-371-02	24	339-371-04	25	339-371-05	26
HEINZ INVESTMENTS 1060 ORTEGA WAY #A PLACENTIA CA 92870		II PLACENTIA 2973 HARBOR BLVD #150 COSTA MESA CA 92626		BASIL & SANNY LEE 5126 VIA ANGELINA YORBA LINDA CA 92886	
339-371-06	27	339-371-07	28	339-371-08	29
UHL LLC 2973 HARBOR BLVD #150 COSTA MESA CA 92626		SIU MAN WONG 20347 RIMVIEW PL WALNUT CA 91789		M KAZEMAINI 6255 CARDENO DR LA JOLLA CA 92037	
339-371-09	30	339-371-10	31	339-371-12	32
GARY M FAINBARG 19531 ROCKING HORSE RD SANTA ANA CA 92705		5930 W COAST HIGHWAY 5149 E GREENSBORO LN ANAHEIM CA 92807		PLACENTIA HOSPITALITY INC 17871 PARK PLAZA DR #225 CERRITOS CA 90703	

339-371-20 ADRIAN Q DANG 3881 HAMILTON ST IRVINE CA 92614	33	339-371-21 BFFRJM LLC PO BOX 7368 FULLERTON CA 92834	34	339-371-22 & 23 KEITH CHAN 2999 BLACKWOOD CT FULLERTON CA 92835	35-36
339-371-24 & 25 JOHN CHAN TRAN 354 ELMHURST PL FULLERTON CA 92835	37-38	339-371-26 & 27 DAVID O RAHN 118 VIA PALERMO NEWPORT BEACH CA 92663	39-40	339-371-28 & 29 HARBINDER S HEYER PO BOX 8400 LAVERNE CA 91750	41-42
339-371-30 & 31 LA CENTER VILLA 1605 S 6TH ST ALHAMBRA CA 91803	43-44	339-371-33 EAGLE CHAPMAN 604 2040 SPYGLASS HILL CT LA HABBRA CA 90637	45	339-371-34 CAPITAL LLC QLD 4035 HUMBOLDT LN YORBA LINDA CA 92886	46
339-371-36 & 38 STEVEN E ROSS 120 S PLACENTIA AVE PLACENTIA CA 92870	47-48	339-372-02 HENRY K WU 3857 BIRCH ST #590 NEWPORT BEACH CA 92660	49	339-372-03 EDWARD D WAITE 1330 N HOLLYDALE DR FULLERTON CA 92831	50
339-373-01-07 STEPHANIE RILEY 5171 MUIR AVE SAN DIEGO CA 92107	51				

339-371-06  
OCCUPANT  
602 W CHAPMAN AVE #A  
PLACENTIA CA 92870

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OCCUPANT  
602 W CHAPMAN AVE #B  
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734 W CHAPMAN AVE  
PLACENTIA CA 92870

339-371-06  
OCCUPANT  
736 W CHAPMAN AVE  
PLACENTIA CA 92870



# Placentia Planning Commission

## AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: JOSEPH M. LAMBERT, DIRECTOR OF DEVELOPMENT SERVICES

DATE: JUNE 10, 2025

SUBJECT: **ZONING CODE AMENDMENT NO. ZCA 2025-01 REGARDING ACCESSORY AND JUNIOR ACCESSORY DWELLING UNITS**

### **RECOMMENDATION**

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

1. Open the Public Hearing, concerning Zoning Code Amendment No. ZCA 2025-01, receive the staff report and consider all public testimony, and close the public hearing; and
2. Adopt Resolution No. PC-2025-04, A Resolution of the Planning Commission of the City of Placentia, recommending that City Council find that adoption of the Zoning Code Amendment No. ZCA 2025-01 is exempt from CEQA pursuant to CEQA Guidelines Section 15282(h) and is categorically exempt under the common sense exemption of CEQA Guidelines section 15061(b)(3); and, recommending that City Council approve Zoning Code Amendment No. 2025-01, amending development standards and regulatory requirements in Title 23 ("Zoning") of the Placentia Municipal Code relating to Accessory Dwelling Units and Junior Accessory Dwelling Units to be in compliance with State law.

### **BACKGROUND**

#### **Previous City Council Action Related to Accessory Dwelling Units (ADUs)**

In 2016, the State Legislature passed Assembly Bill No. 2299 and Senate Bill No. 1069 amending California Government Code Section 65852.2 related to ADUs, which took effect on January 1, 2017. On October 8, 2017, Senate Bill 229 and Assembly Bill 494 were passed, which further amended Government Code Section 65852.2 and clarified language regarding ADUs which took effect on January 1, 2018. City of Placentia Ordinance No. O-2019-01 adopted amended City regulations relating to ADUs in conformance with those State regulations.

The City's regulations related to ADUs were last updated in February 2020 in response to 2019 State legislative actions. The ADU regulations currently in effect were evaluated by the Planning Commission in December 2019 and were adopted by City Council in February 2020 subsequent to Planning Commission recommendation. Since the adoption of Ordinance O-2019-01, the legislature has adopted several bills amending ADU and Junior ADU regulations. If a city does not have an ADU ordinance that is compliant with state law, then any applications submitted will be processed under the State law requirements without any local standards.

## **DISCUSSION**

### **Contemplated Updates to the Placentia Municipal Code (PMC) in compliance with State law**

The proposed zoning amendments are required to be in compliance with current State laws. The proposed amendments are listed below.

PMC Chapter 23.73 Accessory and Junior Accessory Dwelling Units, major amendments are as follows:

- PMC 23.73.030 clarifying language regarding ministerial review procedures of applications
- PMC 23.73.040 clarifying definitions of ADUs and zones/designations they are permitted in
- PMC 23.73.060 amending development standards, including maximum size of ADUs, height limits, setbacks, locational requirements
- PMC 23.73.070 eliminating onsite property owner requirements for ADUs, clarifying restrictions related to properties with ADUs, adding language related to addressing previously unpermitted ADUs/JADUs.
- PMC 23.73.080 clarifying mandatory approvals
- PMC 23.73.090 clarifying JADU regulations

## **CEQA:**

The proposed Zoning Code Amendment was reviewed by staff in accordance with the requirements of the California Environmental Quality Act ("CEQA"). Based on that review, staff is recommending that the Planning Commission recommend that the City Council find that adoption of ZCA 2025-01 is exempt from CEQA pursuant to CEQA Guidelines section 15282(h) which provides a statutory exemption for the adoption of an ordinance regarding accessory dwelling units to implement the provisions of the Government Code. Regardless of whether the City adopts this Ordinance, accessory dwelling units and junior accessory dwelling units must be allowed in the City in accordance with the standards set forth in the Government Code. Therefore, this Ordinance is categorically exempt under the common sense exemption of CEQA Guidelines section 15061(b)(3) which provides that CEQA does not apply where it can be seen with certainty that the project will not have any significant impacts on the environment.

## **CONCLUSION:**

This Zoning Code Amendment provides further refinements and development standards to the City regulations last adopted in 2020 regarding Accessory Dwelling Units and Junior Accessory Dwelling Units and to be in compliance with State law.

**Prepared, submitted and approved by:**



---

Joseph M. Lambert  
Director of Development Services

Attachments:

1. Resolution No. PC-2025-04 and Attachment 1.a. thereto (Draft Ordinance)
- 1.a. Draft Ordinance with Exhibit A

**RESOLUTION NO. PC-2025-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA, RECOMMENDING THAT CITY COUNCIL FIND THAT ADOPTION OF THE ZONING CODE AMENDMENT NO. ZCA 2025-01 IS EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTION 15282(H) AND IS CATEGORICALLY EXEMPT UNDER THE COMMON SENSE EXEMPTION OF CEQA GUIDELINES SECTION 15061(B)(3); AND, RECOMMENDING THAT CITY COUNCIL APPROVE ZONING CODE AMENDMENT NO. 2025-01, AMENDING DEVELOPMENT STANDARDS AND REGULATORY REQUIREMENTS IN TITLE 23 (“ZONING”) OF THE PLACENTIA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS IN COMPLIANCE WITH STATE LAW**

**A. Recitals.**

WHEREAS, the City, pursuant to its police power granted by Cal. Const. art. XI, § 7 and Cal. Govt. Code § 37100, may adopt regulations to protect the health, safety and welfare of the public, and thereby is authorized to declare what use and condition constitutes a public nuisance; and

WHEREAS, pursuant to Article XI, § 5 of the California Constitution and the City Charter, the City of Placentia may make and enforce all regulations and ordinances in respect to municipal affairs; and

WHEREAS, A duly noticed public hearing was conducted, and concluded, with respect to the Ordinance hereby recommended for adoption; and

WHEREAS, All legal prerequisites to the adoption of this Resolution have occurred; and

**B. Resolution.**

NOW, THEREFORE, BE IT 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, Zoning Code Amendment No. ZCA 2025-01 is hereby found to be consistent with the Placentia General Plan and the implementation thereof.

**SECTION NO. 2:** This Commission hereby specifically finds that all the facts as set forth in the Recitals, Part A, of this Resolution are true and correct.

**SECTION NO. 3:** The City of Placentia has a substantial interest in promoting the public health, safety, and welfare of the community.

**SECTION NO. 4:** The Planning Commission of the City of Placentia recommends that the City Council approve the Ordinance, attached hereto as Attachment “A” (Zoning Code Amendment 2025-01) and incorporated herein by this reference, whereby development standards and regulatory requirements in Title 23 (“Zoning”) of the Placentia Municipal Code relating to Accessory Dwelling Units and Junior Accessory Dwelling Units would be amended to in compliance with State Law.

**SECTION NO. 5:** The Planning Commission hereby recommends that the City Council find and certify, that the amendments set forth in Zoning Code Amendment No. 2025-01 have been reviewed and considered in accordance with the provisions of the California Environmental Quality Act of 1970, as amended, the Guidelines promulgated thereunder and City Guidelines and, further, the proposed Code Amendments will not have an impact on the environment, as it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment and Zoning Code Amendment No. 2025-01 is exempt from CEQA pursuant to CEQA Guidelines Section 15282(h) and is categorically exempt under the common sense exemption of CEQA Guidelines section 15061(b)(3).

**SECTION NO. 6:** The Secretary is instructed to forward a copy of this Resolution to the City Council for their attention in the manner as prescribed by law.

[signatures on next page]

ADOPTED AND APPROVED this 10<sup>th</sup> day of June, 2025.

\_\_\_\_\_  
FRANK PEREZ, 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 10<sup>th</sup> day of June, 2025, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 10<sup>th</sup> day of June, 2025, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAINED:	COMMISSION MEMBERS:

ATTEST:

\_\_\_\_\_  
JOSEPH M. LAMBERT,  
SECRETARY TO THE PLANNING COMMISSION

APPROVED AS TO FORM

\_\_\_\_\_  
CITY ATTORNEY

**ATTACHMENT "A"**

**DRAFT ORDINANCE AMENDING PLACENTIA MUNICIPAL  
CODE TITLE 23 ("ZONING"), CHAPTER 23.73  
ACCESSORY AND JUNIOR ACCESSORY DWELLING  
UNITS**

## ORDINANCE NO. O-2025-XX

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA AMENDING CHAPTER 23.73 OF THE PLACENTIA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS IN ACCORDANCE WITH STATE LAW

#### City Attorney's Summary

This Ordinance amends Chapter 23.73 of Title 23 (Zoning) of the Placentia Municipal Code regarding Accessory Dwelling Units and Junior Accessory Dwelling Units to be in compliance with changes to state law.

**WHEREAS**, on February 19, 2019, the City Council adopted Ordinance No. O-2019-01, creating regulations for accessory dwelling units in accordance with state law; and

**WHEREAS**, in 2019 the State Legislature adopted more than eighteen bills related to housing, many of which provided additional amendments to state accessory dwelling unit and junior dwelling unit regulations; and

**WHEREAS**, on February 4, 2020, the City Council adopted Ordinance No. O-2020-01 to be in compliance with the recent amendments to the Government Code regarding accessory dwelling unit and junior accessory dwelling unit; and

**WHEREAS**, since the time of the adoption of Ordinance No. O-2020-01, the state has made additional amendments to the Government Code relating to accessory dwelling units and junior accessory dwelling units; and

**WHEREAS**, this Ordinance is amending Chapter 23.73, Accessory and Junior Accessory Dwelling Units, of the Placentia to Municipal Code to be in compliance with all of the changes made to state law regarding accessory dwelling units and junior accessory dwelling units; and

**WHEREAS**, on \_\_\_\_\_, 2025, the Planning Commission of the City of Placentia held a duly noticed public hearing at which time it considered all evidence presented, whether written or oral; and

**WHEREAS**, after the close of the public hearing the Planning Commission recommended that the City Council adopt this Ordinance; and

**WHEREAS**, on \_\_\_\_\_, 2025, the City Council of the City of Placentia held a duly noticed public hearing at which time it considered all evidence presented, whether written or oral; and

**WHEREAS**, the City desires to amend its regulations to comply with State law.

**NOW, THEREFORE, THE CITY OF PLACENTIA DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. Amendment. Chapter 23.73 of the Placentia Municipal Code is hereby amended in its entirety as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2. CEQA. This Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15282(h) which provides a statutory exemption for the adoption of an ordinance regarding accessory dwelling units to implement the provisions of the Government Code. Regardless of whether the City adopts this Ordinance, accessory dwelling units and junior accessory dwelling units must be allowed in the City in accordance with the standards set forth in the Government Code. Therefore, this Ordinance is categorically exempt under the common sense exemption of CEQA Guidelines section 15061(b)(3) which provides that CEQA does not apply where it can be seen with certainty that the project will not have any significant impacts on the environment.

SECTION 3. Effective Date. This Ordinance shall take effect on the 31<sup>st</sup> day after adoption.

SECTION 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional.

SECTION 5. Certification. The City Clerk shall certify the passage of this Ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

SECTION 6. Transmission to HCD. The Director of Development Services shall send a copy of this Ordinance to the Department of Housing and Community Development as required by State law.

INTRODUCED at a regular meeting of the City Council of the City of Placentia held on the \_\_\_\_ day of \_\_\_\_\_ 2025.

.....  
PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
Kevin Kirwin, Mayor

ATTEST:

\_\_\_\_\_  
Robert S. McKinnell, City Clerk

I, Robert S. McKinnell, City Clerk of the City of Placentia, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City

of Placentia, held on the \_\_\_\_ day of \_\_\_\_ 2025 and adopted at a regular meeting of the City Council of the City of Placentia, held on the \_\_\_\_ day of \_\_\_\_\_ 2025 by the following vote:

AYES: Councilmembers:  
NOES: Councilmembers:  
ABSENT: Councilmembers:  
ABSTAIN: Councilmembers:

---

Robert S. McKinnell, City Clerk

APPROVED AS TO FORM:

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Christian L. Bettenhausen, City Attorney

**EXHIBIT "A"**

**CHAPTER 23.73 ACCESSORY AND JUNIOR  
ACCESSORY DWELLING UNITS**

CHAPTER 23.73  
ACCESSORY AND JUNIOR ACCESSORY DWELLING UNITS

**§ 23.73.010. Purpose.**

This chapter is intended to establish ministerial regulations consistent with Government Code Sections ~~65852.2 and 65852.22~~**66310 through 66342** in a manner which properly balances the city's goals of: (1) expanding the mix of housing opportunities in the city by encouraging the establishment of accessory dwelling units within the city; and (2) maintaining the character of residential neighborhoods by regulating ~~when and~~ how accessory dwelling units may be built ~~and operated~~. If there is any inconsistency between the terms of this chapter and mandatory requirements of state law, the mandatory requirements of state law shall control, but only to the extent legally required.

**§ 23.73.020. Definitions.**

**For purposes of this chapter, words and phrases defined in Government Code Sections 66310 through 66342 shall have the same meaning when used in this chapter. For purposes of this chapter the following definitions shall apply:**

~~“Accessory dwelling unit” means a residential dwelling unit which is attached, detached, or located within a single family residence, which provides complete independent living facilities for one (1) or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the residential dwelling is situated. An accessory dwelling unit also includes the following: (1) an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code; (2) a manufactured home, as defined in Section 18007 of the Health and Safety Code.~~

~~“Junior accessory dwelling unit” shall mean a unit that is no more than five hundred (500) square feet and contained entirely within a single family residence.~~

**§ 23.73.030. Ministerial review for junior and accessory dwelling units.**

Applications for junior and accessory dwelling units shall be ministerially processed within sixty (60) days of receipt of a complete application and approved if they meet the requirements of this chapter.

- (1) The city shall grant a delay if requested by the applicant.**
- (2) If the application is submitted in conjunction with an application for a new single-family or multi-family residential dwelling, the application for the junior or accessory dwelling unit shall not be acted upon until the application for the new single-family or multi-family residential dwelling is approved, but thereafter shall be ministerially approved if it meets all requirements within sixty (60) days if it meets all requirements of this chapter.**
- (3) If the application is denied, the city shall return a full set of comments in writing to the applicant with a list of items that are defective or deficient with a description of how the application can be remedied by the applicant. These comments shall be provided to the applicant within sixty (60) days of a complete application.**
- (4) If a detached garage is to be replaced with an accessory dwelling unit, the demolition permit shall be reviewed with the application for the accessory dwelling unit and issued at the same time.**

- (5) Notwithstanding the above, if the applicant uses a plan for an accessory dwelling unit that has been preapproved by the city or a plan that is identical to a plan used in an application for a detached accessory dwelling unit approved by the city within the current triennial California Building Standards Code cycle, the application shall be approved or denied within 30 days from the date of a complete application.

§ 23.73.040. Accessory dwelling units permitted use.

- (1) An accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, including detached garages, carports, covered parking or uncovered parking spaces. Notwithstanding any other provision of this title to the contrary, accessory dwelling units and ~~junior accessory dwelling units~~ are a ministerially permitted use in the following zones when developed in accordance with the provisions of this chapter: **any single family, multi-family, and mixed-use zones, and in areas of Specific Plans and other areas that allow for residential uses, subject to development in accordance with this chapter. Junior accessory dwelling units are a ministerially permitted use only in a single-family zone.** ~~Chapter 23.10 Residential Agricultural (R-A);~~
- ~~(2) Chapter 23.12 Single Family Residential (R-1);~~
- ~~(3) Chapter 23.15 Low Medium Density Multiple Family (R-2);~~
- ~~(4) Chapter 23.18 Medium Density Multiple Family (R-G);~~
- ~~(5) Chapter 23.21 High Density Multiple Family (R-3);~~
- ~~(6) Chapter 23.25 Residential Planned Community (RPC);~~
- ~~(7) Chapter 23.72 Planned Unit Development (PUD);~~
- ~~(8) Chapter 23.101 Specific Plan 1, in areas where residential use is allowed;~~
- ~~(9) Chapter 23.102 Specific Plan 2, in areas where residential use is allowed;~~
- ~~(10) Chapter 23.104 Specific Plan 4, in areas where residential use is allowed;~~
- ~~(11) Chapter 23.106 Specific Plan 6, in areas where residential use is allowed;~~
- ~~(12) Chapter 23.107 Specific Plan 7, in areas where residential use is allowed;~~
- ~~(13) Chapter 23.108 Specific Plan 8, in areas where residential use is allowed;~~
- ~~(14) Chapter 23.109 Specific Plan 9, in areas where residential use is allowed;~~
- ~~(15) Chapter 23.110 Specific Plan 10, in areas where residential use is allowed;~~
- ~~(16) Chapter 23.111 Transit Oriented Development Packing House, in areas where residential use is allowed;~~
- ~~(17) Chapter 23.112 Old Town Placentia Revitalization Plan, in areas where residential use is allowed.~~

### § 23.73.050. Submittal requirements.

Each application for an accessory dwelling unit shall comply with the following requirements:

- (1) Fees. The applicant must pay all required fees which may be set by the city council by resolution, including, but not limited to, fees for staff to review the project, permit and inspection fees.
- (2) Application Contents. The application shall include the following documents, which shall be reviewed and approved by the director of development services or designee:
  - (A) Plot Plan (Drawn to Scale). Three (3) sets of plans, including plot plans, elevations and landscape plans. The plans shall be drawn to scale and shall indicate clearly, and with full dimensioning, the following information:
    - (i) Lots;
    - (ii) Setbacks;
    - (iii) Rights-of-way;
    - (iv) Building envelopes of current and proposed buildings and structures;
    - (v) Paved areas;
    - (vi) Location, size, height, materials, colors, and proposed use of buildings and structures;
    - (vii) Yards and space between buildings;
    - (viii) Walls and fences; location, height, materials and color;
    - (ix) Off-street parking delineated as to: location, number of spaces and dimensions of parking area;
    - (x) Grading and drainage plans.
  - (B) Floor Plans. Complete floor plans of both existing and proposed conditions. The dimensions of each room shall be provided, along with the resulting floor area calculation. The use of each room shall be labeled. The size and location of all doors, closets, walls and cooking facilities shall be clearly depicted.
  - (C) Elevations. North, south, east, and west elevations that show all exterior structure dimensions, all architectural projections, and all openings for both the existing residence and the proposed accessory dwelling unit.

### § 23.73.060. Development standards.

- (1) Underlying Zoning. Accessory dwelling units shall comply with all of the development standards for a new residential dwelling unit in the zone in which the accessory dwelling unit is to be located, including, but not limited to, setbacks, height, and lot coverage unless otherwise addressed by this chapter, **or contrary to state law**.
- (2) The following standards shall also apply:
  - (A) Floorspace.

- (i) The total area of floorspace of an attached accessory dwelling unit shall not exceed fifty (50) percent of the ~~proposed or existing primary dwelling living area or one thousand two hundred (1,200) square feet, whichever is less unit.~~ **For a new construction primary dwelling unit, an attached accessory dwelling unit shall not exceed eight hundred fifty (850) square feet for a zero to one bedroom unit, or one thousand (1,000) square feet for a two or more-bedroom unit.**
  - (ii) The total area of floorspace of a detached accessory dwelling unit shall not exceed one thousand two hundred (1,200) square feet.
  - (iii) The minimum floorspace requirements shall allow an efficiency unit, as defined in Health and Safety Code Section 17958.1.
- (B) Setbacks.
  - (i) Front yard setbacks shall comply with the requirement of the zone in which the accessory dwelling unit is to be located, **unless doing so would prohibit the construction of at least an eight hundred (800) square foot accessory dwelling unit. The first priority placement shall be in the rear of the property, developed in compliance with the setbacks in this chapter. If proposed at the front of the property, the front setback shall be maximized to the extent allowed by these requirements.**
  - (ii) Side and rear yard setback requirements shall be four (4) feet.
  - (iii) ~~If an existing garage or other accessory structure is converted to an accessory dwelling unit, or an accessory dwelling unit is built in the same location and to the same~~ **dimensions as an existing garage or other accessory structure**, then no setback is required beyond that which exists for the existing garage or accessory structure.
- (C) Distance Between Buildings. The minimum required distance between a detached secondary dwelling unit and the primary dwelling unit, and all other structures, including garages, on the property, shall be ten (10) feet, **unless it would prohibit the construction of an up to eight hundred (800) square foot accessory dwelling unit. The distance separation does not apply to existing structures converted to an accessory dwelling unit.**
- (D) Height. ~~Detached accessory dwelling units shall not exceed twenty (20) feet in height. Attached~~ **An accessory dwelling unit shall comply with all height requirements applicable to the primary structure the following height requirements:**
  - (i) **A height of sixteen feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit.**
  - (ii) **A height of eighteen feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multi-family dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. An additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch**

of the primary dwelling unit shall be allowed.

(iii) A height of eighteen feet for a detached accessory dwelling unit on a lot with an existing or proposed multi-family, multistory dwelling.

(iv) A height of twenty-five feet or the height limitation in the zone that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. If the existing primary dwelling is a two-story structure, the attached accessory dwelling unit may also be two-stories, subject to the height limitations herein.

~~(E) Notwithstanding the requirements above, an applicant shall be entitled to build an eight hundred (800) square foot accessory dwelling unit behind the front yard setback provided that it is no more than twenty (20) feet in height with at least four (4) foot side and rear yard setbacks.~~

(E) Architecture. The accessory dwelling unit shall be ~~of the same~~ **compatible with and complement the** architectural style as of the primary dwelling. ~~The building materials, colors and exterior finishes shall be substantially the same as the primary dwelling.~~ The entrance to the accessory dwelling unit shall not be clearly visible from the street adjacent to the property or on the same side as the entrance to the primary dwelling unit, **unless it would prohibit the construction of an eight hundred (800) square foot accessory dwelling unit.**

(F) Parking. In general, one (1) off-street parking space shall be provided for the accessory dwelling unit in addition to the existing parking for the primary residence. This required parking space may be covered or uncovered and shall meet all parking space location, dimension, and surfacing requirements as outlined in Chapter 23.78, except as modified herein. The space may be provided as tandem parking on an existing driveway, provided the parking space blocks no more than one (1) other required parking space and may be provided in other setback areas. When a garage, carport, ~~or~~ covered parking structure **or uncovered parking space** is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, no replacement parking for the primary structure shall be required. A parking space for an accessory dwelling unit shall not be required in any of the following instances:

(i) The accessory dwelling unit is located within one-half (1/2) mile walking distance of public transit. For these purposes, “public transit” means a location, including but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(ii) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(iii) The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.

(iv) When on-street parking permits are required but not offered to the occupants of the accessory dwelling unit.

(v) When there is a car share vehicle located within one (1) block of the

accessory dwelling unit. For these purposes, “car share vehicle” means a motor vehicle that is to park in parking spaces designated for the exclusive use of car share vehicles, operated as part of a regional fleet by a public or private car sharing company or organization, and provides hourly or daily service.

- (vi) **When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this chapter.**
- (G) Entrances. No more than one (1) exterior entrance on any one (1) side of the accessory dwelling unit is allowed.
- (H) Stairways. No exterior stairways to the accessory dwelling unit may be clearly visible from any street immediately adjacent to the property.
- (I) Primary Unit Development Standards. The primary unit shall continue to comply with the minimum standards applicable to the primary dwelling unit in the zone, except as may be modified by this chapter.
- (J) Utilities.
  - (i) All utility installations shall be placed underground.
  - (ii) Water and sewer service to the site and the accessory dwelling unit shall be adequate.
  - (iii) For an accessory dwelling unit contained within an existing single-family home or an existing accessory structure meeting the requirements of Section 23.73.080(a)(1)~~23.73.080(a)(1)~~ below, the city shall not require the installation of a new or separate utility connection between the accessory dwelling unit and the utility or impose a connection fee or capacity charge. Such requirements may be imposed when the accessory dwelling unit is being proposed ~~with~~ **within** a new single-family home.
  - (iv) For all other accessory dwelling units other than those described in subsection (C) above, the city shall require a new or separate utility connection between the accessory dwelling unit and the utility and shall charge a connection fee or capacity charge that is proportionate to the burden of the proposed accessory dwelling unit based on the **size square foot** or **the number of plumbing drainage fixture units**.
- (K) Legal Lot. The accessory dwelling unit will be on a lot that has been legally ~~subdivided~~**created**.
- (L) ~~One (1) Accessory Dwelling Unit~~. Except as otherwise allowed in this chapter, only one **attached** accessory dwelling unit **and one junior accessory dwelling** shall be allowed per **single-family residential lot**~~unit~~.
- (M) Accessory dwelling units shall comply with all applicable building standards code requirements. However, fire sprinklers shall not be required in any accessory

dwelling unit if they were not required in the primary unit. **Creation of an accessory dwelling unit shall not trigger fire sprinklers to be installed in existing multi-family dwelling units.**

- (N) Exception for an ADU Within an Existing Structure. If the following requirements of this subsection are met, then an accessory dwelling unit need not comply with lot coverage requirements, maximum height requirements, the requirement to provide a parking space, and the setback requirement shall be only the minimum required to comply with applicable fire safety standards. All other code requirements continue to apply:
  - (i) The proposed accessory dwelling unit is proposed to be entirely within a lawfully existing accessory structure;
  - (ii) The accessory dwelling has exterior access which is independent from the existing residence.
- (O) ADU Does Not Exceed Density. When determining whether a lot exceeds the maximum permissible number of dwelling units on the lot, an accessory dwelling unit that conforms to the standards of this chapter shall not be considered a dwelling unit for purposes of that calculation. Additionally, the accessory dwelling unit shall be considered to be consistent with the existing general plan and zoning for the lot.

#### **§ 23.73.070. Additional requirements.**

Accessory dwelling units shall also be subject to the following requirements:

- ~~(1) Property Owner On Site. If different families reside in a single family residential unit and the accessory dwelling unit, one (1) of the families must include the property owner. This requirement shall not apply to any accessory dwelling unit approved between January 1, 2020 and January 1, 2025.~~
- (1) Additions. Any additions to an accessory dwelling unit shall meet the requirements of this chapter.
- (2) Impact Fees. Notwithstanding any fee resolution to the contrary:
  - (A) No impact fee shall be imposed on any accessory dwelling unit less than 750 square feet in size.
  - (B) For accessory dwelling units seven hundred fifty (750) square feet or greater, impact fees shall be charged proportionately in relation to the square footage of the primary dwelling.
  - (C) All applicable public service and recreation impact fees shall be paid prior to occupancy in accordance with Government Code Sections 66000 et seq. and 66012 et seq.
  - (D) For purposes of this section, “impact fee” shall have the same meaning as set forth in Government Code Section ~~65852.2(f)~~**66324(c)(2)**.
- (3) Deed Restrictions. ~~Before obtaining a permit for an accessory dwelling unit, the property owner shall file with the county recorder a declaration or agreement of restrictions, which has been approved by the city attorney as to its form and content,~~

~~describing restrictions~~ **The following restrictions shall apply to all accessory units:**

- (A) The accessory dwelling unit shall not be sold separately from the primary residence **unless constructed pursuant to Government Code Sections 66340 and 66341.**
  - (B) Rentals of the accessory dwelling unit and the primary unit shall have a contract length of at least thirty-one (31) days.
  - (C) The restrictions shall be binding upon any successor in ownership of the property, and lack of compliance shall result in legal action against the property owner for compliance with the requirements for an accessory dwelling unit.
  - ~~(D) If subsection (1) of this section applies, the covenant shall also state that if different families reside in the primary unit and the accessory dwelling unit, one (1) of the families must include the property owner.~~
- (4) **Building Code Violations.**
- (A) **No application or permit shall be denied for an accessory dwelling unit or junior accessory dwelling unit that was constructed prior to January 1, 2020, based on either of the following:**
    - (i) **The ADU is in violation of building standards pursuant to Article 1 of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code (commencing with Section 17960); or**
    - (ii) **The ADU does not comply with state law or the provisions of this chapter.**
  - (B) **The provisions of subsection A shall not apply if the city makes a finding that correcting the violation is necessary to comply with the standards specified in Health and Safety Code Section 17920.3 or if the building is deemed substandard pursuant to Health and Safety Code Section 17920.3.**
  - (C) **Before submitting an application for a permit, the homeowner may obtain a confidential third-party code inspection from a licensed contractor to determine the unit's existing condition or potential scope of building improvements before submitting an application for a permit.**
  - (D) **Upon receiving an application to permit a previously unpermitted accessory dwelling unit or junior accessory dwelling unit constructed before January 1, 2020, an inspector from the city may inspect the unit for compliance with health and safety standards and provide recommendations to comply with such standards in order to obtain a permit. The city shall not penalize an applicant for having the unpermitted junior or accessory dwelling unit and shall approve necessary permits to correct noncompliance with health and safety standards.**
  - (E) **No impact fees or connection or capacity charges shall be imposed on a homeowner applying for a permit for a previously unpermitted junior or**

**accessory dwelling unit built before January 1, 2020, except when the utility infrastructure is required to comply with Health and Safety Code Section 17920.3 and authorized by Government Code Section 66324(e).**

- (5) Enforcement. Until January 1, 2030, the city shall issue a statement along with a notice to correct a violation of any provision of any building standard relating to an accessory dwelling unit that provides substantially as follows:

You have been issued an order to correct violations or abate nuisances relating to your accessory dwelling unit. If you believe that this correction or abatement is not necessary to protect the public health and safety you may file an application with the city development services department. If the city determines that enforcement is not required to protect the health and safety, enforcement shall be delayed for a period of five (5) years from the date of the original notice.

- (6) **A demolition permit for a detached garage that is to be replaced with an accessory dwelling unit shall be reviewed with the application for the accessory dwelling unit and issued at the same time.**

**§ 23.73.080. Mandatory approvals.**

- (1) Notwithstanding any other provision of this chapter, the city shall ministerially approve an application for any of the following accessory dwelling units within a residential or mixed-use zone:
- (A) A junior or accessory dwelling unit within the existing or proposed space of a single-family dwelling or accessory structure.
- (i) An expansion of up to one hundred fifty (150) square feet shall be allowed in an accessory structure solely for the purposes of accommodating ingress and egress.
- (ii) The junior or accessory dwelling unit shall have exterior access separate from the existing or proposed single-family dwelling.
- (iii) The side and rear setbacks shall be sufficient for fire and safety.
- (iv) If the unit is a junior accessory dwelling unit, it shall comply with the requirements of Section 23.73.090 below.
- (B) One detached accessory dwelling unit that does not exceed four (4) foot side and rear yard setbacks on a lot with an existing or proposed single-family dwelling, provided that the unit shall not be more than eight hundred (800) square feet and shall **comply with the height limitation as set forth in section 23.73.060(2)(D) above.** ~~not exceed sixteen (16) feet in height~~ A junior accessory dwelling unit may be developed with this type of detached accessory dwelling unit **and** ~~it~~ shall comply with all requirements of Section 23.73.090 below.
- (C) On a lot with a multifamily dwelling structure, up to twenty-five (25) percent of the total multifamily dwelling units, but no less than one (1) unit, shall be allowed within the portions of the existing structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, provided that each unit complies with state building

standards for dwellings.

- (D) On a lot with **an existing or proposed** multifamily dwelling structure, **detached accessory dwelling units as set forth in (A) and (B) below** ~~up to two detached units~~, provided that ~~neither unit is greater than sixteen (16) feet in height~~ **complies with the height limitations in section 23.73.060(2)(D) above** and has at least four (4) foot side and rear yard setbacks. **If the existing multifamily dwelling has a rear or side setback of less than four (4) feet, the city shall not require any modification of the existing multifamily dwelling as a condition of approval.**
- (i) **On a lot with an existing multifamily dwelling, not more than eight (8) detached accessory dwelling units. The total number of detached accessory dwelling units shall not exceed the number of existing units on the lot.**
- (ii) **On a lot with a proposed multifamily dwelling, not more than two (2) detached accessory dwelling units.**

For those accessory dwelling units which require mandatory approval, the city shall not require the correction of legal, nonconforming zoning conditions.

#### **§ 23.73.090. Junior accessory dwelling units.**

- (1) One junior accessory dwelling unit shall be allowed in ~~the a~~ single-family residential zone ~~in conjunction~~ **within the footprint of** with an existing or proposed single-family dwelling, **including attached garage, not exceeding five hundred (500) square feet.** ~~A junior accessory dwelling unit may be allowed on the same lot as a detached accessory dwelling unit where the detached accessory dwelling unit is no larger than eight hundred (800) square feet and no taller than sixteen (16) feet.~~
- (2) The junior accessory dwelling unit shall be required to contain at least an efficiency kitchen which includes cooking appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the junior accessory dwelling unit.
- (3) The junior accessory dwelling unit shall be required to have a separate entrance from the primary residence.
- (4) The junior accessory dwelling unit may, but is not required to, include separate sanitation facilities. If separate sanitation facilities are not provided, the junior accessory dwelling unit shall share sanitation facilities with the single-family residence and shall have direct access to the single-family residence from the interior of the junior accessory dwelling unit.
- (5) No additional parking shall be required for a junior accessory dwelling unit.
- (6) A junior accessory dwelling unit shall be required to comply with applicable building standards.
- (7) The owner of property on which a junior accessory dwelling unit is constructed shall be required to record a deed restriction which shall run with the land and shall provide for the following:
- (A) A prohibition on the sale of the junior accessory dwelling unit separate from the

sale of the single-family residence.

- (B) A restriction that prohibits the junior accessory dwelling unit from being enlarged beyond five hundred (500) square feet.
  - (C) A restriction from renting the junior accessory dwelling unit or the primary residence for less than thirty (31) consecutive, calendar days.
  - (D) A restriction that the owner resides in either the primary residence or the junior accessory dwelling unit. Notwithstanding the foregoing:
    - (i) The owner may rent both the primary residence and junior accessory dwelling unit to one party with a restriction in the lease that that such party may not further sublease any unit or portion thereof; and
    - (ii) This restriction shall not apply if the owner of the single-family residence is a governmental agency, land trust, or housing organization.~~;~~~~and~~
  - (E) A statement that the deed restrictions may be enforced against future purchasers. A copy of the **recorded** deed restriction shall be filed with the community development department.
- (2) For the purposes of applying any fire or life protection ordinance or regulation, or providing service water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered to be a separate or new dwelling unit.
- (3) For those accessory dwelling units which require mandatory approval, the City shall not require the correction of legal, nonconforming zoning conditions, **including building code violations or unpermitted structures unless the structure falls within 23.73.070(4)**.
- (4) Fees. The applicant must pay all required fees which may be set by the city council by resolution, including, but not limited to, fees for staff to review the project, permit and inspection fees.



# Placentia Planning Commission

## AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: JOSEPH M. LAMBERT, DIRECTOR OF DEVELOPMENT SERVICES

DATE: JUNE 10, 2025

SUBJECT: **ZONING CODE AMENDMENT NO. ZCA 2025-02 REGARDING TWO-UNIT HOUSING DEVELOPMENTS AND URBAN LOT SPLITS**

### **RECOMMENDATION**

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

1. Open the Public Hearing, concerning Zoning Code Amendment No. ZCA 2025-02, receive the staff report and consider all public testimony, and close the public hearing; and
2. Adopt Resolution No. PC-2025-05, A Resolution of the Planning Commission of the City of Placentia, recommending that City Council find that adoption of the Zoning Code Amendment related to updating development standards and regulatory requirements regarding two-unit housing developments and urban lot splits is not a "project" under the California Environmental Quality Act; and, recommending that City Council approve Zoning Code Amendment No. 2025-02, whereby development standards and regulatory requirements in Title 22 ("Subdivisions") and Title 23 ("Zoning") of the Placentia Municipal Code would be amended in accordance with State Law.

### **BACKGROUND**

#### **Previous City Council and Planning Commission Actions Related to two-unit housing developments and urban lot splits**

On January 18, 2022, Urgency Ordinance No. O-2022-01 was adopted by City Council amending Title 22 (Subdivisions) to create a ministerial urban lot split process and amending Title 23 (Zoning) of the Placentia Municipal Code to create a process for the construction of two residential units per lot pursuant to the implementation of State Senate Bill 9 (SB 9) (Government Code Sections 65852.21 and 66411.7). At that time, Staff was directed to return to the Planning Commission to consider a possible recommendation to the City Council of a non-urgency version of an ordinance designed to comply with Senate Bill 9.

The Planning Commission conducted study sessions regarding the subject draft Ordinance on April 12, 2022 and May 10, 2022. Based on input received at those meetings, Staff prepared a final draft SB9 Ordinance that was presented to the Planning Commission on June 14, 2022. At that meeting, the Planning Commission reviewed the draft ordinance and recommended approval to the Council. City Council adopted the currently effective SB 9 Ordinance on July 19, 2022.

## **DISCUSSION**

### **Contemplated Updates to the Placentia Municipal Code (PMC) in compliance with State law**

Since the time of the adoption of Ordinance No. O-2022-07 by the City Council, the state has made additional amendments to the Government Code Sections 65852.21 and 66411.7 relating to two-unit housing developments and urban lot splits. In order to comply with State law, Section 22.80.021 and Chapter 23.13 of the Placentia Municipal Code need to be amended. The proposed amendments are listed below.

PMC Chapter 22.80.021 Urban lot split requirements, major amendments are as follows:

- PMC 22.80.021(b)(5)(D) clarifying language regarding a very high fire severity zone
- PMC 22.80.021(b)(5)(G and H) clarifying language that constitutes flood plain and floodway
- PMC 22.80.021(b)(5)(I) clarifying lands identified for conservation
- PMC 22.80.021(b)(7) clarifying residential real property exercised rights under Government Code Section 7060 et seq.
- PMC 22.80.021(k) clarifying time limits for project processing

PMC Chapter 23.13 Two-unit housing development, major amendments are as follows:

- PMC 23.13.010(b)(3)(D) clarifying language regarding a very high fire severity zone
- PMC 23.13.010(b)(3)(G and H) clarifying language that constitutes flood plain and floodway
- PMC 23.13.010(b)(3)(I) clarifying lands identified for conservation
- PMC 23.13.010(b)(5) clarifying residential real property exercised rights under Government Code Section 7060 et seq.
- PMC 23.13.010(c)(18 and 19) related to landscape and open space regulations
- PMC 23.13.010(c)(20) clarifying time limits for residential rentals
- PMC 23.13.010(e) related to required affidavits to be recorded against a property related to owner occupancy
- PMC 23.13.010(h) clarifying time limits for project processing

State law requires that the city can only impose objective standards as are applied to other single-family residences. Currently, though not in the existing regulations for single-family residences, staff requires imposes development standards for water heaters and HVAC systems. The amendment below, serves to codify current practice and standards.

PMC Chapter 23.81 General Regulations and Exceptions, as follows:

- PMC Chapter 23.81.180 adding development standards related to the location of water heaters and HVAC systems

### **CEQA:**

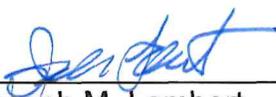
The proposed Zoning Code Amendment was reviewed by staff in accordance with the requirements of the California Environmental Quality Act ("CEQA"). Further, pursuant to Government Code

Sections 65852.21(k) and 66411.7(n), the adoption of an ordinance to comply with the provisions of those code sections is not a “project” under the California Environmental Quality Act and therefore, the proposed Ordinance is not subject to CEQA review.

**CONCLUSION:**

This zoning code amendment provides further refinements and development standards to the City Ordinances adopted in 2022 regarding two-unit housing developments and urban lot splits. Certain development standards and regulatory requirements in Title 22 (“Subdivisions”) and Title 23 (“Zoning”) of the Placentia Municipal Code would be amended to refine the City’s development standards in accordance with State Law.

**Prepared, submitted and approved by:**

  
\_\_\_\_\_  
Joseph M. Lambert  
Director of Development Services

**Attachments:**

1. Resolution No. PC-2025-05 and Attachment 1.a. thereto (Draft Ordinance)
- 1.a. Draft Ordinance with Exhibits A, B, and C

**RESOLUTION NO. PC-2025-05**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA, RECOMMENDING THAT CITY COUNCIL FIND THAT ADOPTION OF THE ZONING CODE AMENDMENT RELATED TO UPDATING DEVELOPMENT STANDARDS AND REGULATORY REQUIREMENTS REGARDING TWO-UNIT HOUSING DEVELOPMENTS AND URBAN LOT SPLITS IS NOT A “PROJECT” UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND, RECOMMENDING THAT CITY COUNCIL APPROVE ZONING CODE AMENDMENT NO. 2025-02, WHEREBY DEVELOPMENT STANDARDS AND REGULATORY REQUIREMENTS IN TITLE 22 (“SUBDIVISIONS”) AND TITLE 23 (“ZONING”) OF THE PLACENTIA MUNICIPAL CODE WOULD BE AMENDED IN ACCORDANCE WITH STATE LAW**

**A. Recitals.**

WHEREAS, the City, pursuant to its police power granted by Cal. Const. art. XI, § 7 and Cal. Govt. Code § 37100, may adopt regulations to protect the health, safety and welfare of the public, and thereby is authorized to declare what use and condition constitutes a public nuisance; and

WHEREAS, pursuant to Article XI, § 5 of the California Constitution and the City Charter, the City of Placentia may make and enforce all regulations and ordinances in respect to municipal affairs; and

WHEREAS, A duly noticed public hearing was conducted, and concluded, with respect to the Ordinance hereby recommended for adoption; and

WHEREAS, All legal prerequisites to the adoption of this Resolution have occurred; and

**B. Resolution.**

NOW, THEREFORE, BE IT 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, Zoning Code Amendment No. ZCA 2025-02 is hereby found to be consistent with the Placentia General Plan and the implementation thereof.

**SECTION NO. 2:** This Commission hereby specifically finds that all the facts as set forth in the Recitals, Part A, of this Resolution are true and correct.

**SECTION NO. 3:** The City of Placentia has a substantial interest in promoting the public health, safety, and welfare of the community.

**SECTION NO. 4:** The Planning Commission of the City of Placentia recommends that the City Council approve the Ordinance, attached hereto as Attachment “A” (Zoning Code Amendment 2025-02) and incorporated herein by this reference, whereby development standards and regulatory requirements in Chapter 22.80 (Urban Lot Splits), Chapter 23.13 (Two-Unit Housing) and Chapter 23.81 (General Regulations And Exceptions) will be amended in accordance with State law.

**SECTION NO. 5:** The Planning Commission hereby recommends that the City Council find and certify, that the amendments set forth in Zoning Code Amendment No. 2025-02 have been reviewed and considered in accordance with the provisions of the California Environmental Quality Act of 1970, as amended, the Guidelines promulgated thereunder and City Guidelines and, further, pursuant to Government Code Sections 65852.21(k) and 66411.7(n), the adoption of an ordinance to comply with the provisions of those code sections is not a “project” under the California Environmental Quality Act and therefore, the proposed Ordinance is not subject to CEQA review

**SECTION NO. 6:** The Secretary is instructed to forward a copy of this Resolution to the City Council for their attention in the manner as prescribed by law.

[signatures on next page]

ADOPTED AND APPROVED this 10<sup>th</sup> day of June, 2025.

\_\_\_\_\_  
FRANK PEREZ, 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 10th day of June, 2025, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 10th day of June, 2025, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAINED:	COMMISSION MEMBERS:

ATTEST:

\_\_\_\_\_  
JOSEPH M. LAMBERT,  
SECRETARY TO THE PLANNING COMMISSION

APPROVED AS TO FORM

\_\_\_\_\_  
CITY ATTORNEY

**ATTACHMENT "A"**

**DRAFT ORDINANCE AMENDING SECTION 22.28.021  
(URBAN LOT SPLIT), CHAPTER 23.13 (TWO-UNIT  
HOUSING DEVELOPMENT) AND CHAPTER 23.81  
(GENERAL REGULATIONS AND EXCEPTIONS) TO  
INCORPORATE OBJECTIVE STANDARDS**

**ORDINANCE NO. O-2025-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA AMENDING CHAPTER 22.80 (URBAN LOT SPLITS), CHAPTER 23.13 (TWO-UNIT HOUSING) AND CHAPTER 23.81 (GENERAL REGULATIONS AND EXCEPTIONS) OF THE PLACENTIA MUNICIPAL CODE IN ACCORDANCE WITH STATE LAW**

City Attorney's Summary

This Ordinance amends Chapter 22.80 of Title 22 (Subdivisions) and Chapters 23.13 and 23.81 of Title 23 (Zoning) of the Placentia Municipal Code regarding Urban Lot Splits and Two-Unit Developments to be in compliance with changes to state law.

**WHEREAS**, on July 19, 2022, the City Council adopted Ordinance No. O-2022-07, creating regulations for two-unit housing developments and urban lot splits in accordance with state law; and

**WHEREAS**, since the time of the adoption of Ordinance No. O-2022-07, the state has made additional amendments to the Government Code relating to two-unit housing developments and urban lot splits; and

**WHEREAS**, this Ordinance is amending Chapter 22.80, Subdivisions of Four Parcels or Less, Chapter 23.13, Two-Unit Housing Developments, and Chapter 23.81, General Regulations and Exceptions of the Placentia to Municipal Code to be in compliance with all of the changes made to state law regarding two-unit housing developments and urban lot splits; and

**WHEREAS**, on June 10, 2025, the Planning Commission of the City of Placentia held a duly noticed public hearing at which time it considered all evidence presented, whether written or oral; and

**WHEREAS**, after the close of the public hearing the Planning Commission recommended that the City Council adopt this Ordinance; and

**WHEREAS**, on \_\_\_\_\_, 2025, the City Council of the City of Placentia held a duly noticed public hearing at which time it considered all evidence presented, whether written or oral; and

**WHEREAS**, the City desires to amend its regulations to comply with State law.

**NOW, THEREFORE, THE CITY OF PLACENTIA DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. Amendment. Chapter 22.80, Section 22.80.021 of the Placentia Municipal Code is hereby amended in its entirety as set forth in Exhibit “A” attached hereto and incorporated herein by reference.

SECTION 2. Amendment. Chapter 23.13 of the Placentia Municipal Code is hereby amended in its entirety as set forth in Exhibit “B” attached hereto and incorporated herein by reference.

SECTION 3. Amendment. Chapter 23.81 of the Placentia Municipal Code is hereby amended to add new section 23.81.180 as set forth in Exhibit “C” attached hereto and incorporated herein by reference.

SECTION 4. CEQA. Pursuant to Government Code Sections 65852.21(k) and 66411.7(n) the adoption of an ordinance relating to two-unit housing developments and urban lot splits are not considered a project under CEQA.

SECTION 5. Effective Date. This Ordinance shall take effect on the 31<sup>st</sup> day after adoption.

SECTION 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional.

SECTION 7. Certification. The City Clerk shall certify the passage of this Ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

INTRODUCED at a regular meeting of the City Council of the City of Placentia held on the \_\_\_\_ day of \_\_\_\_\_ 2025.

.....  
PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
Kevin Kirwin, Mayor

ATTEST:

\_\_\_\_\_  
Robert S. McKinnell, City Clerk

I, Robert S. McKinnell, City Clerk of the City of Placentia, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Placentia, held on the \_\_\_\_ day of \_\_\_\_ 2025 and adopted at a regular meeting of the City Council of the City of Placentia, held on the \_\_\_\_ day of \_\_\_\_\_ 2025 by the following vote:

AYES: Councilmembers:  
NOES: Councilmembers:  
ABSENT: Councilmembers:  
ABSTAIN: Councilmembers:

\_\_\_\_\_  
Robert S. McKinnell, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Christian L. Bettenhausen, City Attorney

EXHIBIT "A"  
CHAPTER 22.80

**EXHIBIT "A"**  
**CHAPTER 22.80**

**§ 22.80.021. Urban lot split requirements.**

- (a) Definitions. For purposes of this section, the following definition shall apply:
- "Urban lot split" means a lot split of a single-family residential lot into two parcels that meets the requirements of this section.
- (b) The city shall ministerially approve a parcel map for a lot split that meets the following requirements:
- (1) The parcel is located within a single-family residential zone.
  - (2) The parcel is located at least partially in an urbanized area or urban cluster as designated by the United States Census Bureau.
  - (3) The parcel map divides an existing parcel to create no more than two new parcels of approximately equal lot area, provided that one parcel shall not be smaller than 40% of the lot area of the original parcel.
  - (4) Both newly created parcels are no smaller than 1,200 square feet.
  - (5) The parcel is not located in any of the following areas and does not fall within any of the following categories:
    - (A) A historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
    - (B) Prime farmland or farmland of statewide importance as further defined in Government Code Section 65913.4(a)(6)(B).
    - (C) Wetlands as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
    - (D) A very high fire hazard severity zone as **determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code.** This does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
    - (E) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the ~~State Department of Public Health, State Water Resources Control Board, or~~ Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

- (F) A delineated earthquake fault zone as determined by the state geologist in any official maps published by the state geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.
  - (G) **Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.**
  - (H) **Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.**
  - (I) **Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec.1531 et seq.), or other adopted natural resource protection plan.**
  - (J) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
  - (K) Lands under a conservation easement.
- (6) The proposed lot split would not require demolition or alteration of any of the following types of housing:
- (A) Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
  - (B) Housing that is subject to any form of rent or price control by the city; or
  - ~~(D)~~(C) Housing that has been occupied by a tenant in the last three years.
- (7) **A parcel or parcels on which an owner of residential real property exercised rights under Government Code Section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date of the application.**
- ~~(7)~~(8) The lot split does not create more than two units on a parcel, including any

accessory dwelling units or junior accessory dwelling units.

~~(8)~~(9) Flag lots are not permitted, unless necessary to comply with this section.

(c) Standards and Requirements. The following requirements shall apply:

- (1) The lot split must conform to all applicable objective requirements of the California Subdivision Map Act (Government Code Sections 66410, et seq.) and Title 22 of the Placentia Municipal Code, except as the same are modified by this section.
- (2) No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.
- (3) Except for those circumstances described in subsection (c)(2) above, the setback for side and rear lot lines for units 800 square feet or less shall be four feet. For units 801 square feet and larger, the side and rear set back shall be the same as set forth in the single-family residential zone or applicable single-family residential specific plan land use designation. The front setback shall be as set forth in the applicable single-family residential zone or applicable single-family residential specific plan land use designation.
- (4) The applicant shall provide easements for the provision of public services and facilities as required to service the newly created lots.
- (5) All lots shall have a minimum street frontage of 10 feet to provide for vehicular access and shall comply with driveway requirements of Title 23.
- (6) Off-street parking shall be limited to one space per unit and follow the standards in Title 23, unless they conflict with this section, in which case this section will prevail. Notwithstanding the above, no parking requirements shall be imposed in either of the following circumstances:
  - (A) The parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code Section 21155(b) or a major transit stop as defined in Public Resources Code Section 21064.3; or
  - (B) There is a car share vehicle located within one block of the parcel.
- (7) Lot coverage shall be the same as set forth in the single-family residential zone, so long as it does not prevent the construction of two 800 square foot units.
- (8) All grading shall comply with Chapter 20.40 (Grading and Excavating) of this code.
- (9) Each resulting property must adjoin the public right of way or have vehicular access to the public right of way through a fee interest or perpetual access easement.
- (10) Driveway locations are subject to public works standards and requirements in place at the time of the application. All driveways shall comply with the driveway development standards set forth in Section 23.04.010 of this code.
- (11) Properties must have an approved route for firefighter access and hose pull to all existing or potential structures within 150 feet of the fire apparatus. All properties

shall comply with all fire protection requirements set forth in the California Fire Code and Title 18 of this code.

- (12) Each resulting lot (properties) must have dedicated wet (water, sewer, storm drain) and dry (gas and electric) utilities which shall meet the following standards:
  - (A) Location and size shall be determined in accordance with city standards.
  - (B) Water shall include domestic, irrigation, and fire water systems.
  - (C) Property shall be responsible to install new or upsized connections to city facilities in accordance with city standards.
  - (D) Unused connections shall be abandoned per city standards.
- (d) In connection with an application under this section, the city shall not:
  - (1) Require dedications of rights-of-way or the construction of off-site improvements for the parcels being created as a condition of issuing a parcel map.
  - (2) Impose any objective zoning, subdivision, or design review standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet.
  - (3) Require the correction of nonconforming zoning provisions as a condition for the lot split.
  - (4) Deny an application solely because it proposes adjacent or connected structures provided ~~that~~ that all building code safety standards are met and they are sufficient to allow a separate conveyance.
- (e) An applicant for an urban lot split shall be required to sign an affidavit in a form approved by the **City Attorney** to be recorded against the property stating the following:
  - (1) That applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval. This requirement does not apply when the applicant is a "community land trust" or a "qualified nonprofit corporation" as the same are defined in the Revenue and Taxation Code.
  - (2) That the uses shall be limited to residential uses.
  - (3) That any rental of any unit created by the lot split shall be for a minimum of 31 days.
  - (4) That the maximum number of units to be allowed on the parcels is two, including, but not limited to, units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, and junior accessory dwelling units.
  - (5) That prohibits the separate fee interest conveyance of any unit on the parcel.
  - (6) That the parcel is formed by an urban lot split and is subject to the city's urban lot split regulations, including all applicable limits on dwelling size and development.

- (f) The city may deny the lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code Section 65589.5(d)(2), upon the public health and safety for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
- (g) This section shall not apply to:
- (1) Any parcel which has been established pursuant to a lot split in accordance with this section; or
  - (2) Any parcel where the owner of the parcel being subdivided or any person acting in concert with the owner has previously subdivided an adjacent parcel in accordance with this section. For purposes of this section, it will be assumed that where a lot owner purchased the property from an adjacent owner who subdivided his property pursuant to this division within five years of the lot split, the owner is acting in concert with the then owner of the adjacent lot. Acting in concert shall also include where the owner of a property proposed for an urban lot split is the same, related to, or connected by partnership to the owner, buyer or seller (if transferred within the previous three years) of an adjacent lot. However, acting in concert is not limited to these situations.
- (h) Any unit constructed must be compatible in design to the existing primary structure and must also comply with the existing accessory dwelling unit standards and requirements set forth in Chapter 23.73 of this code unless those standards and requirements conflict with this section or state law, in which case this section and state law apply.
- (i) The provisions of this section supersede any provisions of Titles 22 and 23 of the municipal code to the contrary.
- (j) An existing nonconforming or unpermitted dwelling unit may be legalized if it meets or can be improved to meet all requirements of Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code relating to enforcing building code standards. Nothing in this subsection shall be construed as a requirement for the correction of nonconforming zoning conditions as a condition of approval for a ~~two~~ **unit two-unit** housing development.
- (k) **(1) An application pursuant to this section shall be considered and approved or denied within 60 days from the date the city receives a completed application. If the city has not approved or denied the completed application within 60 days, the application shall be deemed approved.**
- (2) If the city denies an application under this section, the city shall, within the time period described in paragraph (1), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.**

EXHIBIT "B"  
CHAPTER 23.13

CHAPTER 23.13  
TWO UNIT HOUSING DEVELOPMENTS

**§ 23.13.010. ~~Two-unit~~Two-unit housing development.**

- (a) For purposes of this chapter, the following definition shall apply:
- (1) “Housing development” shall mean no more than two (2) residential units within a single-family zone that meets the requirements of this section. The two (2) units may consist of two (2) new units or one (1) new unit and one (1) existing unit.
- (b) The city shall ministerially approve a housing development containing no more than two (2) residential units if it meets the following requirements:
- (1) The parcel is located within a single-family residential zone.
  - (2) The parcel is located at least partially in an urbanized area or urban cluster as designated by the United States Census Bureau.
  - (3) The parcel is not located in any of the following areas and does not fall within any of the following categories:
    - (A) A historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
    - (B) Prime farmland or farmland of statewide importance as further defined in Government Code Section 65913.4(a)(6)(B).
    - (C) Wetlands as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
    - (D) A very high fire hazard severity zone as **determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code.**~~further defined in Government Code Section 65913.4(a)(6)(D).~~ This does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
    - (E) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the ~~State Department of Public Health, State Water Resources Control Board, or~~ Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
    - (F) A delineated earthquake fault zone as determined by the state geologist in any official maps published by the state geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building

Standards Law and by the city's building department.

- (G) **Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.** ~~A special flood hazard area subject to inundation by the one (1) percent annual chance flood (one hundred (100) year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following is met:  
The site has been subject to a letter of map revision prepared by FEMA and issued to the city; or  
The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program as further spelled out in Government Code Section 65913.4(a)(6)(G)(ii).~~
- (H) **Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.** ~~A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.~~
- (I) **Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec.1531 et seq.), or other adopted natural resource protection plan.** ~~Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan as further spelled out in Government Code Section 65913.4(a)(6)(I).~~
- (J) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the Federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game

Code).

(K) Lands under a conservation easement.

(4) The proposed housing development would not require demolition or alteration of any of the following types of housing:

(A) Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;

(B) Housing that is subject to any form of rent or price control by the city; or

~~(C) A parcel or parcels on which an owner of residential real property exercised rights under Government Code Section 7060 et seq. to withdraw accommodations from rent or lease within fifteen (15) years before the date of the application; or~~

(C) Housing that has been occupied by a tenant in the last three (3) years.

**(5) A parcel or parcels on which an owner of residential real property exercised rights under Government Code Section 7060 et seq. to withdraw accommodations from rent or lease within fifteen (15) years before the date of the application.**

~~(5) Demolition of an existing unit shall not exceed more than twenty five (25) percent of the existing exterior structural walls unless the site has not been occupied by a tenant in the last three (3) years.~~

(c) Standards and Requirements. The following requirements shall apply in addition to all other objective standards pertaining to the single-family residential zone or applicable single-family residential specific plan land use designation, unless they conflict with state law:

(1) No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(2) Except for those circumstances described in section ~~(C)~~(1) above, for units eight hundred (800) square feet or less, the setback for side and rear lot lines shall be four feet. For units eight hundred and one (801) square feet and larger, the side and rear set back shall be the same as set forth in the applicable single-family residential zone or applicable specific plan designation. The front setback shall be as set forth in the single-family residential zone or applicable single family residential specific plan designation.

(3) The applicant shall provide easements for the provision of public services and facilities as required.

(4) All lots shall have a minimum street frontage of ten feet to provide for vehicular access and shall comply with driveway requirements of Title 23.

(5) Off-street parking shall be limited to one space per unit and follow the standards in Title 23, unless they conflict with state law or this chapter, in which case state law and this chapter shall prevail. Notwithstanding the above, no parking requirements shall be imposed in either of the following circumstances:

(A) The parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code Section 21155(b) or a major transit stop as defined in Public Resources Code Section 21064.3; or

- (B) There is a car share vehicle located within one block of the parcel.
- (6) For residential units connected to an onsite wastewater treatment system (septic tank), the applicant provides a percolation test completed within the last five (5) years, or if the percolation test has been recertified, within the last ten (10) years, which shows that the system meets acceptable infiltration rates.
  - (7) The front setback shall be twenty (20) feet on a lot that fronts on a street.
  - (8) The height of the structure shall be same as set forth in the single-family zone or applicable specific plan designation. However, any unit within the four feet rear set back shall be limited to one story. If the second structure meets the rear set back requirements of the single-family zone or applicable single-family residential specific plan land use designation, the height may be the same as required in said zone or land use designation, however, any second story must be stepped back a minimum of five (5) feet from the first-floor wall plane. Decks and balconies are prohibited.
  - (9) Lot coverage shall be the same as set forth in the single-family residential zone or applicable single-family residential specific plan land use designation, so long as it does not prevent the construction of two (2) eight hundred (800) square foot units.
  - (10) All grading shall comply with Chapter 20.40 of this code.
  - (11) Each resulting property must adjoin the public right of way or have vehicular access to the public right of way through a fee interest or perpetual access easement.
  - (12) Driveway locations are subject to public works standards and requirements in place at the time of the application. All driveways shall comply with the driveway development standards set forth in Section 23.04.010 of this code.
  - (13) Properties must have an approved route for firefighter access and hose pull to all existing or potential structures within one hundred fifty (150) feet of the fire apparatus. All properties shall comply with all fire protection requirements set forth in the California Fire Code and Title 18 of this code.
  - (14) Each resulting lot (properties) must have dedicated wet (water, sewer, storm drain) and dry (gas and electric) utilities which shall meet the following standards:
    - (A) Location and size shall be determined in accordance with city standards.
    - (B) Water shall include domestic, irrigation, and fire water systems.
    - (C) Property shall be responsible to install new or upsized connections to city facilities in accordance with City standards.
    - (D) Unused connections shall be abandoned per city standard.
  - (15) Water heaters (excluding tank less) and laundry facilities (washer and dryer) may not be located on the exterior of a dwelling unit, **unless within an enclosed structure**. Tank less water heaters, when installed on the exterior of structure may only be installed on the first floor, must not be installed on any street facing elevation, and must not be installed on the same elevation as the entrance to the dwelling.

- (16) HVAC units must not be installed on any street facing elevation, and must not be installed on the same elevation as the entrance to the dwelling.
- (17) The total floor area of each primary dwelling unit built pursuant to this section may be less than eight hundred (800) square feet and also consistent with the minimum standards required by state law (generally two hundred twenty (220) square foot minimum). A primary dwelling unit that was legally established on the subject site prior to the two (2) unit project that is smaller than eight hundred (800) square feet may be expanded to eight hundred (800) square feet or larger after or as part of the two (2) unit project pursuant to the development standards enforced in this chapter. A primary dwelling unit that was previously legally established on the subject site that is larger than eight hundred (800) square feet is limited to the lawful floor area at the time of the two (2) unit project approval and may not be expanded.
- (18) ~~In addition to complying~~**All landscaping shall comply** with the ~~single family~~**single-family** residential zone landscape provisions of this code, ~~all developments shall plant mature landscaping consisting of (but not limited to) a minimum size thirty six (36) inch box trees, fifteen (15) gal shrubs, or a combination of both.~~
- (19) All development shall comply with the ~~single family~~**single-family** residential zone open space provisions of this code, to the extent that it does not prevent two (2) primary dwelling units on the subject property of eight hundred (800) square feet each.
- (20) **The rental of any unit created pursuant to this section shall be for a minimum of thirty-one (31) days.**

(d) The city shall not:

- (1) Impose any objective zoning, subdivision, or design review standards that would have the effect of physically precluding the construction of two (2) units ~~on either of the resulting parcels~~ or that would result in a unit size of less than eight hundred (800) square feet.
  - (2) Deny an application solely because it proposes adjacent or connected structures provided ~~that~~ that all building code safety standards are met and they are sufficient to allow a separate conveyance.
- (e) An applicant **that also proposes** ~~for~~ an urban lot split **under Chapter 22.80** shall be required to sign an affidavit in a form approved by the ~~city~~ **City attorney Attorney** to be recorded against the property stating the following:
- (1) That the uses shall be limited to residential uses.
  - (2) That the rental of any unit created pursuant to this section shall be for a minimum of thirty-one (31) days.
  - (3) ~~For an urban lot split, that~~**That** the parcel is formed by an urban lot split and is subject to the city's urban lot split regulations, including all applicable limits on dwelling size and development.
  - (4) **That the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the urban**

**lot split.**

- (f) The city may deny the housing development if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code Section 65589.5(d)(2), upon the public health and safety ~~or the physical environment~~ and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
- (g) Any unit constructed must be compatible in design to the existing primary structure and must also comply with the existing accessory dwelling unit standards and requirements set forth in Chapter 23.73 of this code unless those standards and requirements conflict with this section or state law, in which case this section and state law apply.
- (h) **(1) An application pursuant to this section shall be considered and approved or denied within 60 days from the date the city receives a completed application. If the city has not approved or denied the completed application within 60 days, the application shall be deemed approved.**  
  
**(2) If the city denies an application under this section, the city shall, within the time period described in paragraph (1), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.**
- (i) The provisions of this section supersede any provisions in ~~the~~ Titles 22 and 23 of the Municipal Code to the contrary.

EXHIBIT "C"

SECTION 23.81.180

**§ 23.81.180 Water heaters and HVAC systems**

(a) Water heaters (excluding tank less) and laundry facilities (washer and dryer) may not be located on the exterior of a dwelling unit, unless within an enclosed structure. Tank less water heaters, when installed on the exterior of structure may only be installed on the first floor, must not be installed on any street facing elevation, and must not be installed on the same elevation as the entrance to the dwelling.

(b) HVAC units must not be installed on any street facing elevation, and must not be installed on the same elevation as the entrance to the dwelling.



# Placentia Planning Commission

## AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: JOSEPH M. LAMBERT, DIRECTOR OF DEVELOPMENT SERVICES

DATE: JUNE 10, 2025

SUBJECT: **GUIDELINES AND PROCEDURES FOR IMPLEMENTING THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR PROJECTS IN THE CITY OF PLACENTIA**

### **RECOMMENDATION**

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

1. Adopt Resolution No. PC-2025-07, a Resolution of the Planning Commission of the City of Placentia, recommending that City Council find that adoption of CEQA Guidelines is not a project under State CEQA Guidelines Section 15378(b)(5) because it involves an administrative activity and would not result in any environmental impacts; and, recommending that City Council adopt Guidelines and Procedures for implementing the provisions of the California Environmental Quality Act for projects in the City of Placentia.

### **BACKGROUND**

The California Environmental Quality Act ("CEQA"), codified at Public Resources Code section 21000, et seq., is California's most comprehensive environmental law. It generally requires public agencies to evaluate the environmental effects of their actions before they are taken. CEQA also aims to disclose significant environmental effects of projects and prevent significant environmental effects from occurring as a result of agency actions by requiring agencies to avoid or reduce, when feasible, the significant environmental impacts of their decisions. Under CEQA Guidelines have been established for the implementation of the act. They can be found in the California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.,

### **DISCUSSION**

Pursuant to Public Resources Section 21082 and CEQA Guidelines Section 15022, public agencies are required to adopt specific objectives, criteria, and procedures for evaluating public and private projects that are undertaken or approved by such agencies. The City's current Local Guidelines are from 1991 and have not been updated since that time. As such, staff, in connection with the City Attorney's Office, has prepared a new set of Local CEQA Guidelines in compliance with CEQA's requirements. The new Local Guidelines are more streamlined and provide step-by-step procedures for evaluating and processing projects including:

- Approving Authority
- Time Limits

- Initial Study
- Exemptions
- Negative Declarations/Mitigated Negative Declarations
- EIR's
- Appeals

**CEQA:**

No environmental impact is anticipated from amending the Local CEQA Guidelines. The City of Placentia adopting local CEQA Guidelines is not a project under State CEQA Guidelines Section 15378(b)(5) because it involves an administrative activity and would not result in any environmental impacts.

**CONCLUSION:**

The new Local CEQA Guidelines are developed in compliance with the State CEQA Guidelines and implement procedures not only as provided for under CEQA and the Guidelines, but that are specific to the City.

**Prepared, submitted and approved by:**



\_\_\_\_\_  
Joseph M. Lambert  
Director of Development Services

**Attachments:**

1. Resolution No. PC-2025-07 and Attachment A (1.a.) thereto (Guidelines and Procedures for implementing the provisions of the California Environmental Quality Act for projects in the City of Placentia)

**RESOLUTION NO. PC-2025-07**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA, RECOMMENDING THAT CITY COUNCIL FIND THAT ADOPTION OF CEQA GUIDELINES IS NOT A PROJECT UNDER STATE CEQA GUIDELINES SECTION 15378(B)(5) BECAUSE IT INVOLVES AN ADMINISTRATIVE ACTIVITY AND WOULD NOT RESULT IN ANY ENVIRONMENTAL IMPACTS; AND, RECOMMENDING THAT CITY COUNCIL ADOPT GUIDELINES AND PROCEDURES FOR IMPLEMENTING THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR PROJECTS IN THE CITY OF PLACENTIA**

**A. Recitals.**

WHEREAS, the California has adopted the California Environmental Quality Act (“CEQA”) (Pub. Resources Code, § 21000 et seq and the State CEQA Guidelines (Cal. Code Regs, tit. 14, § 15000 et seq.); and

WHEREAS, Public Resources Code section 21082 and CEQA Guidelines Section 15022 requires all public agencies to adopt objectives, criteria and procedures for (1) the evaluation of public and private projects undertaken or approved by such public agencies, and (2) the preparation, if required, of environmental impact reports and negative declarations in connection with that evaluation; and

WHEREAS, the City of Placentia has current local guidelines from 1991 implementing CEQA the State CEQA Guidelines; and

WHEREAS, the City of Placentia is updating and revising the 1991 guidelines to be more streamlined and to be consistent with the current provisions and interpretations of CEQA and the CEQA Guidelines; and

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

**B. Resolution.**

NOW, THEREFORE, BE IT 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, adoption of Guidelines and Procedures for implementing the provisions of the California Environmental Quality Act for projects in the City of Placentia is hereby found to be consistent with the Placentia General Plan and the implementation thereof.

**SECTION NO. 2:** This Commission hereby specifically finds that all the facts as set forth in the Recitals, Part A, of this Resolution are true and correct.

**SECTION NO. 3:** The City of Placentia has a substantial interest in promoting the public health, safety, and welfare of the community.

**SECTION NO. 4:** The Planning Commission hereby recommends that the City Council find that adoption of CEQA Guidelines is not a project under State CEQA Guidelines section 15378(b)(5) because it involves an administrative activity and would not result in any environmental impacts.

**SECTION NO. 5:** The Planning Commission of the City of Placentia recommends that the City Council adopt Guidelines and Procedures for implementing the provisions of the California Environmental Quality Act for projects in the City of Placentia, attached hereto as Attachment "A" and incorporated herein by this reference.

**SECTION NO. 6:** The Secretary is instructed to forward a copy of this Resolution to the City Council for their attention in the manner as prescribed by law.

[signatures on next page]

ADOPTED AND APPROVED this 10<sup>th</sup> day of June, 2025.

\_\_\_\_\_  
FRANK PEREZ, 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 10<sup>th</sup> day of June, 2025, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 10<sup>th</sup> day of June, 2025, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAINED:	COMMISSION MEMBERS:

ATTEST:

\_\_\_\_\_  
JOSEPH M. LAMBERT,  
SECRETARY TO THE PLANNING COMMISSION

APPROVED AS TO FORM

\_\_\_\_\_  
CITY ATTORNEY

**ATTACHMENT "A"**

**GUIDELINES AND PROCEDURES FOR IMPLEMENTING  
THE PROVISIONS OF THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT FOR PROJECTS IN THE  
CITY OF PLACENTIA**

**GUIDELINES AND PROCEDURES FOR  
IMPLEMENTING THE PROVISIONS OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
FOR PROJECTS IN THE CITY OF PLACENTIA**

**SECTION 1 PURPOSE**

These Guidelines and Procedures are adopted to implement the California Environmental Quality Act (“CEQA”), Public Resources Code Section 21000 et seq., and the State CEQA Guidelines (“State Guidelines”), California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq., as the same may be amended from time to time, and may be referred to as the Placentia CEQA Procedures or Procedures.

**SECTION 2 RELATIONSHIP TO STATE GUIDELINES**

The State Guidelines are hereby incorporated by reference. These Procedures are not meant to replace the State Guidelines but to implement, supplement and tailor the general provisions of the State Guidelines to the specific operations of the City of Placentia (“City”). The City Council is the governing board of the City. The City may administer its responsibilities under CEQA in any manner which meets the requirements of CEQA, notwithstanding the specific procedures and provisions set forth in these Procedures; provided, however, that when such procedures and provision are not followed, the City Council, shall, by minute action, find that extraordinary circumstances exist and that such procedures and provisions are waived. The City Council shall be the only CEQA decision-making body as specified in these Procedures with the ability to waive the procedures and provisions contained herein. If any Sections of these Procedures are in conflict with or contrary to any provision of the State Guidelines as they now exist or may be amended hereafter, the State Guidelines shall control.

**SECTION 3 DEFINITIONS**

The definitions set forth in the Public Resources Code section 21060 et. seq. and the State Guidelines shall govern and are the applicable definitions except as modified and/or supplemented herein.

Advisory Body - The person, committee, or commission, which has authority by law or ordinance to comment upon or give an advisory decision on the Project at issue. For the City the Advisory Body may include but is not limited to the Director and/or the City Planning Commission.

Approval - A decision by the Director, Planning Commission or City Council as appropriate, or other authorized body or officer of the City, which commits the City to a definite course of action with regard to a Project. With regard to any Project to be undertaken directly by the City, approval shall be deemed to occur on the date when the City Council adopts a motion or resolution determining to proceed with the Project which

in no event shall be later than the date of adoption of plans and specifications. As to private Projects, approval shall be deemed to have occurred upon the issuance by the City of a discretionary action or other entitlement for the Project.

CEQA - The California Environmental Act as set forth in California Public Resources Code § 21000 et seq.

CEQA Documents – The CEQA Documents prepared for a particular Project which can include but is not limited to a Notice of Exemption, a Negative Declaration, a Mitigated Negative Declaration, or an Environmental Impact Report and any necessary studies.

City - The City of Placentia, a California charter city and municipal corporation.

City Council – The Legislative Body for the City of Placentia and the final Decision-Making Body as set forth in these Procedures.

City Planning Commission – A commission of the City Council created pursuant to § 905 of the City Charter and § 2.11.010 of the Placentia Municipal Code.

Decision-Making Body – The person, commission, or council which has the authority by law or ordinance to make a final decision to approve or disapprove a Project at issue. The Decision-Making Body, depending on the CEQA document, is the Director, the City Planning Commission, and/or the City Council.

Department – The department in the City that is carrying out a Project.

Director – The Director of Development Services or his/her designee.

Discretionary Project - A Project for which approval requires the exercise of independent judgment, deliberation or decision making by the City.

Guidelines - The whole of this document is intended to provide the City's criteria for implementation of CEQA and the State Guidelines.

Lead Agency – The City of Placentia.

Ministerial Project – A Project for which approval does not require the exercise of independent judgement, deliberation, or decision making by the City.

Person - Includes any person, firm, association, organization, partnership, business, trust, corporation, or company.

Private Project – A Project which will be carried out by a Person which will require discretionary approval from the City.

Project – Any action as defined by State Guidelines §15378.

Public Agency - Any state agency, board, or commission, any County, City, regional agency, public district, or other political subdivision.

Responsible Agency – A Public Agency as defined by State Guidelines § 15381.

Staff - The personnel in the Development Services Department and/or contracted personnel representing the City.

State Guidelines – The regulations as set forth in California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq. for the implementation of CEQA.

Trustee Agency – A state agency as defined by State Guidelines § 15386.

#### **SECTION 4 RESPONSIBILITY OF DEPARTMENTS AND DIRECTOR**

A. Private Projects. For all Private Projects the Development Services Department shall be responsible for the handling and processing of all CEQA Documents as follows:

1. Prepare the CEQA Documents or retain, at the applicants expense, outside consultants to prepare the CEQA Documents, including any necessary studies. Applicants expense includes, but is not limited to, peer review of the CEQA Documents and any related studies.
2. Upon completion of the CEQA Documents submit to the appropriate Decision-Making Body for final action.

B. Public Agency Projects. Each Department shall each be responsible for the preparation, review and/or processing of CEQA Documents as follows:

1. The Directors of the Department for which a Project is undertaken shall:
  - a. Conduct the environmental review process in conjunction with these Procedures and the Development Services Department including the preparation of the CEQA Documents; and, if necessary
  - b. Retain the services of an outside consultant to perform the environmental review, subject to these Procedures.
2. Upon completion of the CEQA Document, submit to the appropriate Decision-Making Body as set forth in these Procedures.

C. For All Projects. The Director, in consultation with the Director of Public Works, or his/her designee, shall ensure that all Projects are in compliance with the City Council

adopted Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment, as may be amended from time to time.

## **SECTION 5 INITIAL PROCESS**

A. Purpose. The CEQA process is an informational process involving a series of procedural and substantive steps to determine if CEQA applies to a given activity, and if CEQA applies, to identify potential environmental impacts and methods of mitigating such impacts.

B. Steps.

1. Determine if an activity, proposal, or action meets the definition of a “Project” pursuant to CEQA (Guidelines §15378). If it does not meet the definition of a Project no further action under CEQA is required.
2. If the activity is a Project, determine if the Project is either statutorily or categorically exempt from further CEQA review, or is deemed ministerial and not subject to further CEQA review.
3. If the Project is exempt, no further CEQA review is required and a Notice of Exemption is prepared and filed pursuant to State Guidelines (Guidelines §15062).
4. If a Project is not exempt then an Initial Study shall be prepared to describe and evaluate the potential environmental impacts of the Project.
5. The Initial Study will lead to either the preparation of a Negative Declaration, a Mitigated Negative Declaration, or an Environmental Impact Report.

## **SECTION 6 EXEMPTIONS**

A. Exemptions Generally. Projects that are ministerial in nature, meet general rule findings, are statutorily exempt, are categorically exempt, or are denied do not require the preparation of an Initial Study, Negative/Mitigated Negative Declaration, or an Environmental Impact Report.

B. Ministerial Projects. A ministerial Project involves little or no personal judgement by the City and involves only the use of fixed standards or objective measurements and no personal, subjective judgement can be used in deciding if a Project can be carried out (State CEQA Guidelines §15269). Appendix “A” attached hereto and incorporated herein by reference, contains the list of Projects in the City that the City Council has found to be ministerial in nature. However, when a Project involves elements, some of which are ministerial in nature and some of which are discretionary, the overall Project will be deemed discretionary and subject to CEQA review.

C. General Rule. CEQA does not apply to a Project where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (State Guidelines §15061(b)(3)).

D. Statutory Exemptions. Those exemptions granted by the State legislature and are listed in State Guidelines §§ 15260 through 15285, as may be amended from time to time.

E. Categorical Exemptions. Those classes of Projects which the State Guidelines have determined typically do not have a significant impact on the environment (State Guidelines §§ 15300-15333). In addition, pursuant to § 15300.4 of the State Guidelines, the City hereby adds the activities and permits listed in Appendix “B” attached hereto and incorporated herein by reference, to the list of Class Numbers 1, 3, 4, and 5 activities that are categorically exempt in the City.

F. Categorical Exemption Limitation. A categorical exemption shall not be used if the conditions in State Guidelines § 15300.2 apply.

G. Notice of Exemption. If a Project is exempt under one of the categories listed above, then a Notice of Exemption may be filed following the procedures and requirements of California Public Resources Code § 21152 and State Guidelines § 15062, and as follows:

1. The Notice shall include a brief description of the Project, the location of the Project, a finding that the Project is exempt citing to the sections or statutes of the exemptions and the justifications for the exemptions, the applicant’s name and the identity of the person undertaking the Project.
2. The Notice shall be filled with the State Clearinghouse and County Clerk, after approval of the Project.
3. The Notice should be filed within five (5) working days after approval of the Project.
4. For Private Projects, the person or entity proposing the carry out the Project shall pay all filing fees.

## **SECTION 7 INITIAL STUDIES**

A. Determination that an Initial Study should be Prepared. If a Project is subject to the requirements of CEQA and not exempt under the State Guidelines, within thirty (30) days of deeming an application complete, the Director shall initiate an Initial Study to determine if the Project may have a significant effect on the environment. The Director may extend the determination by an additional fifteen (15) days upon consent of the applicant. If the Director determines that an Environmental Impact Report will be required for the Project, an Initial Study is not required but may still be made if determined to be desirable. If it is determined that an Initial Study is required for a Project, all phases of

Project planning, implementation, and operation shall be considered. An Initial Study or similar analysis prepared pursuant to NEPA may be used to meet the requirements of this Section.

B. Early Consultation with other Agencies and Native American Tribes. When one or more public agencies will be involved in approving a Project, Staff shall consult with all Responsible and any Trustee Agencies. Pursuant to AB 52 and SB 18, Staff shall follow the procedures in connection the consultation with Native American Tribes. Such consultation shall be undertaken as part of the Initial Study process but need not be completed within the Initial Study time frame.

C. Elements. The elements of an Initial Study shall follow Appendix G of the State Guidelines.

D. Results of Initial Study. The Initial Study shall be used to provide a written determination of whether a Negative Declaration, Mitigated Negative Declaration or an Environmental Impact Report shall be prepared for a Project.

## **SECTION 8 NEGATIVE DECLARATIONS OR MITIGATED NEGATIVE DECLARATIONS**

A. Determination to Prepare a Negative Declaration or Mitigated Negative Declaration. The Director shall direct the preparation of a Negative Declaration or Mitigated Negative Declaration for a Project based on the following circumstances.

1. Negative Declaration. The Initial Study, in light of the whole record, shows there is no substantial evidence that the Project may have a significant effect on the environment.
2. Mitigated Negative Declaration. The Initial Study identified potentially significant effects but revisions in the Project plans or proposals made by or agreed to by the applicant before the proposed Mitigated Negative Declaration is released for public review would avoid or mitigate the effects to a point where clearly no significant effects would occur, and there is no substantial evidence before the Director that the Project as revised may have a significant effect on the environment.

B. Procedures. A Negative Declaration or Mitigated Negative Declaration shall follow the State Guidelines as to required content (State Guidelines §15071).

C. Standards. A Negative Declaration or Mitigated Negative Declaration should be prepared with a sufficient degree of analysis to provide the Decision-Making Body with information which enables them to make a decision which takes account of environmental consequences. The Director shall make the determination as to adequacy of the Negative Declaration or Mitigated Negative Declaration. The evaluation of environmental effects

need not be exhaustive but must be within the scope of what is reasonably feasible. A good faith effort at completeness is necessary.

D. Time Frame for Completion. For Private Projects a Negative Declaration or Mitigated Negative Declaration shall be completed and a recommendation made by Staff no later than 105 days from the date on which an application is accepted as complete. Completion of a Negative Declaration or Mitigated Negative Declaration within the 105-day period shall include completion of the Initial Study, public review and the preparation of a document(s) ready for approval and adoption by the Decision-Making Body. Completion within the 105-day period does not include the approval or adoption of the Negative Declaration or Mitigated Negative Declaration by the Decision-Making Body. In the event that compelling circumstances justify additional time and the Project applicant consents thereto Staff may provide for a reasonable extension of the time limit for completing and adopting the Negative Declaration or Mitigated Negative Declaration.

Should the Project applicant unreasonably delay in providing information requested by the Staff, the 105-day time frame may be suspended for the length of the unreasonable delay.

E. Notice of Intent to Adopt. Prior to the adoption of a Negative Declaration or Mitigated Negative Declaration, a Notice of Intent to Adopt shall be filed pursuant to State Guidelines §15072. The Notice shall be mailed to responsible agencies, trustee agencies and to those organizations and individuals who have requested, in writing, to receive such notice and in one of the following manners to allow for public review:

1. Publication at least once in the in the paper of general circulation within the Project area.
2. Posting the notice on and off the site in the area where the Project is located.
3. Direct mailing to the owners and occupants of property contiguous to the Project. The owners are identified by the latest equalized assessment roll.

In addition, the Notice shall be filed with the County Clerk. For a Project of statewide, regional or areawide significance, notice is provided to transportation planning agencies and public agencies which have transportation facilities within the jurisdiction which could be affected by the Project. Public transit agencies with facilities within one-half mile of the Project should also receive notice.

If the City has received a written notification by the U.S. Department of Defense or any branch of the U.S. Armed forces of the specific boundaries of a low-level flight path, military impact zone, or special use airspace and they have provided the City with the military contact office and address, then that military office shall be included in the list of organizations to receive notice (State Guideline §15190.5).

F. Public Review. For Projects that do not require submittal to the State Clearinghouse, there is a minimum of 20-day public review and comment period. If

submitted to the State Clearinghouse, then there is a minimum of 30-day public review and comment period (State Guidelines § 15073).

G. Adoption of a Negative Declaration or Mitigated Negative Declaration. Prior to approval of a Project, the Decision-Making Body shall consider the Negative Declaration or Mitigated Negative Declaration together with any comments received during the public review process. After review by the Decision- Making Body, the Project and the Negative Declaration or Mitigated Negative Declaration, and any recommendation thereto, may be adopted, approved or disapproved. If the Director or the Planning Commission is the Decision-Making Body, that decision is final unless appealed.

H. Mitigation Monitoring and Reporting Program/Plan. In conjunction with adoption of a Mitigated Negative Declaration, the Decision-Making Body shall adopt a program of monitoring to ensure that the required mitigation measures are implemented (State Guidelines § 15074), and as set forth in Section 10 below.

I. Notice of Determination. Within five (5) working days after the Decision-Making Body has made a decision to carry out or approve a Project, the Director shall cause to be prepared and filed a Notice of Determination pursuant to Public Resources Code § 21152 and State Guidelines § 15075. The Notice of Determination shall be filed with the State Clearinghouse and the County Clerk.

J. Federal Projects - For Projects where federal involvement might require the preparation of a finding of no significant effect, the State Guidelines shall be followed in addition to the procedures set forth in this Section.

K. Costs – For Private Projects, the Person or entity proposing to carry out the Project shall pay all costs incurred by the City for the preparation of the Negative Declaration or Mitigated Negative Declaration, including all publication costs and filing fees.

## **SECTION 9 ENVIRONMENTAL IMPACT REPORTS**

A. Significant Impacts. When the Director determines that a Project may have a significant impact on the environment, the Director shall direct the preparation of an Environmental Impact Report for the Project. The Project applicant shall provide any information requested for the preparation of an Environmental Impact Report. In connection with the preparation of an Environmental Impact Report, the procedures contained in this Section and the State Guidelines shall be followed (§§15120 – 15132).

B. Preparation of an Environmental Impact Report.

1. One of the following methods or a combination of them may be used for preparing an Environmental Impact Report:
  - a. Contracting with another entity, public or private, to prepare the Environmental Impact Report.

- b. Accepting an Environmental Impact Report prepared by a consultant, and paid by the applicant, or any other person.
  - c. Using a previously prepared Environmental Impact Report.
2. The Environmental Impact Report shall be reviewed and analyzed by Staff before it is sent out for public review to ensure its accuracy, objectivity and completeness. The Environmental Impact Report shall also reflect the independent judgment of the City.
  3. Staff may require the applicant to supply data, technical studies, and information to assist in preparing the Environmental Impact Report. The applicant shall also be required to identify any other public agencies that will have jurisdiction by law over the Project.
  4. The applicant shall pay an Environmental Impact Report processing fee established by City Council resolution and shall pay the actual costs of preparing and printing the Environmental Impact Report.

C. Notice of Preparation. A Notice of Preparation (NOP) (State Guidelines § 15082) notifying responsible and interested agencies about the Project and soliciting their comments on the scope and content of the Environmental Impact Report shall be prepared by Staff or a consultant, if one is retained. This notice shall be sent by certified mail to the applicant, all Responsible and Trustee Agencies, and all federal agencies involved in approving or funding the Project. The NOP shall also be sent to the State Clearinghouse and the County Clerk. Those receiving the NOP have 30 days in which to provide comments regarding the Environmental Impact Report preparation for the Project.

If the City has received a written notification by the U.S. Department of Defense or any branch of the U.S. Armed forces of the specific boundaries of a low-level flight path, military impact zone, or special use airspace and they have provided the City with the military contact office and address, then that military office shall receive notice the NOP (State Guideline §15190.5).

D. Scoping Meeting. The City may decide to hold a scoping meeting prior to the preparation of an Environment Impact Report. However, for Projects of statewide, regional or areawide significance, or that may affect a highway or other facility under the jurisdiction of the Department of Transportation, at least one scoping meeting shall occur. Notice for a scoping meeting shall be given as follows:

1. Any county or city that borders the City.
2. Any responsible agency.
3. Any public agency that has jurisdiction by law with respect to the Project.

4. Any organization or individual who has filed a written request for the notice.
- E. Form and Content of an Environmental Impact Report - The required contents of an Environmental Impact Report as set forth in the State Guidelines §§ 15120 - 15132 shall be followed.
- F. Standards. An Environmental Impact Report should be prepared with a sufficient degree of analysis to provide the Decision-Making Body with information which enables them to make a decision which takes account of environmental consequences. The Director shall make the determination as to adequacy of the Environmental Impact Report. The evaluation of environmental effects need not be exhaustive but must be within the scope of what is reasonably feasible. A good faith effort at completeness is necessary.
- G. Notice of Completion. As soon as an Environmental Impact Report is completed, the Director shall file a Notice of Completion in printed form or electronically with the Office of Planning and Research. The Notice of Completion shall include all required information and be filed pursuant to State Guidelines § 15085. The Notice of Completion shall include:
1. A brief description of the Project.
  2. The location of the Project either by street address and cross street for urban areas, or by attaching a map, as set forth in State Guidelines § 15085.
  3. Address where copies of the draft Environmental Impact Report are available.
  4. The review period during which comments will be received.
- H. Notice of Availability. A Notice of Availability of a completed Environmental Impact Report shall be provided at the same time as the Notice of Completion is sent to the Office of Planning and Research. The Notice of Availability shall be prepared and posted as prescribed in the State Guidelines (§ 15087), shall be mailed to the last known address of all organizations and individuals who had previously requested such notice and shall be provided and in one of the following manners:
1. Publication at least once in the paper of general circulation within the project area.
  2. Posting the notice on and off the site in the area where the Project is located.
  3. Direct mailing to the owners and occupants of property contiguous to the Project. The owners are identified by the latest equalized assessment roll.

The Notice of Availability shall include:

1. Brief description of the Project.
2. Starting and ending dates of the review period.
3. The date, time, and place of any scheduled public meetings or hearings to be held by the lead agency.
4. A list of the significant environmental effects anticipated as a result of the Project.
5. The address where copies of the Environmental Impact Report and all documents incorporated by reference will be available for public review. The location shall be readily accessible during the lead agency's normal working hours. Copies of the draft Environmental Impact Report should be provided to the Placentia Public Library.
6. The presence of the Project site on any lists enumerated under Government Code §65962.5 (hazardous waste sites).

I. Public Review of an Environmental Impact Report. Upon the filing of a Notice of Completion, the Director shall submit copies of the Draft Environmental Impact Report to each responsible agency, trustee agency and any other public agency having jurisdiction by law with respect to the Project. Copies of the Environmental Impact Report shall also be made available for purchase by members of the general public. Any person obtaining a copy of the Draft Environmental Impact Report shall reimburse the Public Agency for its reproduction pursuant to the fees established by City Council resolution. Copies of the Draft Environmental Impact Report shall be available at the Placentia Library District, 411 East Chapman Avenue and at City Hall, 401 East Chapman Avenue. The Draft Environmental Impact Report shall also be available on the City's website under Development Services Department.

The public review period for an Environmental Impact Report shall not be less than 30 days nor should it be longer than 60 days except under unusual circumstances. If the Environmental Impact Report is submitted to the State Clearinghouse for review, the review period shall not be less than 45 days.

J. Responses to Comments. In addition to any and all requirements of the State Guidelines, the Director shall ensure that all comments received regarding the Draft Environmental Impact Report are evaluated and responded to. The Director shall provide a proposed written response to any public agency on comments made by that public agency at least 10 days prior to certifying the Environmental Impact Report (State Guidelines § 15088). Response to Comments on Draft Environmental Impact Report may take the form of a revision of the Draft Environmental Impact Report or may be an attachment to the Draft Environmental Impact Report. The responses of the City must describe the

disposition of any significant environmental issues raised such as any revisions to the proposed Project designed to mitigate anticipated impacts or objections. In particular any major issues raised when the City's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. The responses shall contain recommendations when appropriate to alter the Project as described in the Draft Environmental Impact Report as a result of an analysis of the comments received.

K. City Planning Commission Recommendations on the Draft Environmental Impact Report. At a public hearing, the City Planning Commission shall review the Draft Environmental Impact Report for all Projects (private and public) and shall make recommendations to the City Council regarding the following items:

1. Whether the Draft Environmental Impact Report has been completed in compliance with CEQA, the State Guidelines, and these Procedures.
2. Whether the Environmental Impact Report should be certified.
3. If there is one or more significant environmental effects, written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.

L. Preparation of Final Environmental Impact Report. Prior to the public hearing before the City Council, it shall be the responsibility of the Director to cause to be prepared a Final Environmental Impact Report. The contents of a Final Environmental Impact Report shall consist of:

1. The Draft Environmental Impact Report or a revision of the draft.
2. Comments and recommendations received on the Draft Environmental Impact Report either verbatim or in summary.
3. A list of persons, organizations, and public agencies commenting on the Draft Environmental Impact Report.
4. The responses of the City to significant environmental points raised in the review and consultation process.
5. Responses to comments received on the Draft Environmental Impact Report.
6. Any other information added by the City (State Guidelines § 15132).

M. Certification of a Final Environmental Impact Report. At a public hearing, the City Council shall review the Final Environmental Impact Report. The Final Environmental

Impact Report shall be presented to the City Council, together with the Draft Environmental Impact Report.

Prior to approving the Project, the City Council shall certify that:

1. The Final Environmental Impact Report is complete and adequate and has been completed in compliance with CEQA, the State Guidelines, and these Procedures.
2. The Final Environmental Impact Report was presented to them, and that they reviewed and considered the information contained in the Final Environmental Impact Report prior to approving the Project.
3. The Final Environmental Impact Report reflects the City's independent judgment and analysis.

N. Findings. The City Council, in the certification of the Environmental Impact Report, shall identify one or more significant environmental effects of the Project unless it makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings set forth in the State Guidelines § 15091 include:

1. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final Environmental Impact Report.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the Public Agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the Final Environmental Impact Report.

O. Mitigation Monitoring or Reporting Program - In conjunction with adoption of an Environmental Impact Report, the City Council shall adopt a program of monitoring to ensure that the required mitigation measures are implemented (State Guidelines § 15097) as set forth in Section 10 below.

P. Statement of Overriding Considerations. For any impact that cannot be reduced to less than significant, a Statement of Overriding Consideration shall be adopted pursuant to the State Guidelines § 15093. The City Council shall balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a Project against its unavoidable environmental risks when

determining whether to approve the Project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable. The findings shall be in writing and set forth the specific reasons to support its action based on the Final Environmental Impact Report and/or other information in the record.

Q. Notice of Determination - When the City has decided to carry out or approve a Project, the Director shall cause to be prepared a Notice of Determination and within five (5) working days, shall file the Notice of Determination with the State Clearinghouse and County Clerk. The Notice of Determination shall include those items specified in the State Guidelines § 15094 as follows:

1. Identification of the Project including any Project title used in the Draft Environmental Impact Report.
2. Location of the Project either by street address and cross street for urban areas, or by attaching a map as set forth in State Guidelines § 15085.
3. The State Clearing Housing identification number.
4. A brief description of the Project.
5. The City as the lead agency.
6. The date on which the City approved the Project.
7. The applicant's name.
8. The determination of the lead agency whether the Project, as approved, will have a significant effect on the environment.
9. A statement that the Environmental Impact Report was prepared and certified pursuant to the provisions of CEQA.
10. Whether mitigation measures were made a condition of approval and whether a mitigation monitoring program was adopted.
11. Whether findings were made pursuant to State Guidelines §15091.
12. Whether a statement of overriding considerations was adopted.
13. The address where a copy of the Final Environmental Impact Report and record of Project approval may be examined.

14. If different from the applicant, the identity of the person undertaking the Project.

R. Time Frame for Certification. For Private Projects, the Final Environmental Impact Report shall be completed and certified by the City Council no later than one year from the date on which an application is accepted as complete by the City. The certification of the Final Environmental Impact Report may be extended by not more than ninety (90) days upon the consent of the Project applicant. Should the Project applicant unreasonably delay in providing information requested by the Staff, the time frame stated herein may be suspended for the length of the unreasonable delay.

## **SECTION 10 MITIGATION MONITORING AND REPORTING PROGRAM**

A. Goals of Monitoring. The Mitigation Monitoring and Reporting Program shall provide the City with truthful information for the development and implementation of mitigation measures.

B. Projects Requiring Monitoring. A Mitigation Monitoring and Reporting Program is required for City approved projects, public and private, that include mitigation measures for changes in the Project required in order to mitigate or to avoid significant impacts on the environment. The Decision-Making Body shall, in the process of adopting a Mitigated Negative Declaration or Environmental Impact Report, adopt a Mitigation Monitoring and Reporting Program.

C. General Requirement. The Mitigation Monitoring and Reporting Program shall be specifically designed for each Project that falls under this requirement. The program shall be developed simultaneously with the Project.

D. Specific Requirements. The Mitigation Monitoring and Reporting Program shall contain:

1. A comprehensive listing of all mitigation measures contained in the Mitigated Negative Declaration or the Environmental Impact Report, which shall be clearly worded, detailed and specific.
2. The expected time frame for implementation of mitigation measures.
3. The frequency of monitoring, if required.
4. Individuals, departments or organizations assigned to do the monitoring and reporting.
5. Methods for verification, especially if complex issues are involved.
6. Penalties for non-compliance (withhold permits or certificates of occupancy).

7. A written record for reporting purposes.

E. Enforcement. Failure to comply with the monitoring program's requirements shall result in sanctions which may include but are not limited to, stop work orders, fines, restitutions, withholding of permit issuance and refusal to issue certificates of use and occupancy.

## **SECTION 11 APPEALS**

A. Appeals. - Any decision by the Director or City Planning Commission on a Negative Declaration, or Mitigated Negative Declaration, may be appealed as set forth in Title 23 of the Placentia Municipal Code. All actions of the City Council shall be final.

## **SECTION 12 AMENDMENTS TO THESE PROCEDURES**

These Procedures may be administratively amended by the City Attorney's Office of the City of Placentia without any further approval by the City Council, so as to conform to any changes in CEQA and/or the State Guidelines.

## **APPENDICES**

Appendix A – Ministerially Exempt Projects

Appendix B – Additional Categorical Exempt Projects

## APPENDIX A

### MINISTERIALLY EXEMPT PROJECTS IN THE CITY OF PLACENTIA

Pursuant to Sections 15022 and 15268 of the State Guidelines issuance/approval of the following permits in the City shall be conclusively presumed to be ministerially exempt from the requirements of the CEQA and thus preparation of an environmental document is not required. However, where a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed discretionary and will be subject to the requirements of the CEQA.

#### **Building and Related Permits:**

1. Building and related permits, including driveways up to 300 feet (e.g., demolition, plumbing, electrical, solar panels, swimming pool).
2. Any permits for improvements to or rehabilitation of historic structures, as defined by the Secretary of Interior, are exempt only if the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings are met.
3. Any permits for a single-family residence, accessory dwelling unit, accessory structures, wall/fences or similar uses under the Placentia Municipal Code.

#### **Grading and Related Earth Disturbing Permits:**

4. A grading permit that meets the following criteria:
  - (a) Is not located in an environmentally sensitive area;
  - (b) Involves grading for construction of a single-family residence; and,
  - (c) Does not result in a new driveway over 300 feet in length.
5. A stockpiling/grading permit up to four feet in height.
6. Structural Erosion Control measures and Best Management Plan (BMPs) processed in accordance with the requirements of the National Pollution Discharge Elimination System (NPDES) program and the Placentia Municipal Code.
7. Revegetation plans.

#### **Planning Permits:**

8. Zone clearance application.
9. Short term rentals.
10. Home occupation permit.
11. Sign permit (including directional, identification, temporary off-site and /or agricultural signs, and comprehensive sign plans).
12. Telecommunication facility minor modification application.
13. Time Extension

**Land Divisions:**

14. Final subdivision maps.
15. A parcel map created pursuant to an Urban Lot Split.
16. Minor modifications and amendments to tentative tract and parcel maps.
17. Recorded map technical corrections.
18. Lot line adjustments involving four or fewer parcels, except when processed concurrently with a related application that is discretionary (e.g. variance, use permit).
19. Unconditional certificate of compliance.
20. Voluntary merger of parcels.
21. Record of survey map recording.

## APPENDIX B

### ADDITIONAL CATEGORICALLY EXEMPT PROJECTS IN THE CITY OF PLACENTIA

In addition to the exemptions contained in the State Guidelines, pursuant to Sections 15022(a)(1)(C) and 15300.4 of the State Guidelines the City has found that the following types of projects typically do not have a significant effect on the environment and therefore qualify for a categorical exemption under the class of categorical exemptions listed below:

#### **Class 1: Existing Facilities** [State Guidelines §15301]

1. Existing roads, streets, highways, bicycle and pedestrian paths, and appurtenant facilities. Repair, maintenance, reconstruction, replacement and minor expansion including, but not limited to:
  - (a) Reconstructing, resurfacing and/or seal coating of the pavement;
  - (b) Paving existing unpaved shoulders;
  - (c) Widening the paved roadway by less than 10 feet or adding up to 4-foot-wide unpaved shoulders;
  - (d) Adding short auxiliary lanes when required for localized purposes such as weaving, turning, lane changing or accelerating or decelerating;
  - (e) Adding non-motorized trails and walkways parallel to the existing roadway to separate such non-motorized uses from motorized traffic;
  - (f) Installing landscaping within road rights-of-way that involves minimal earth disturbing activities;
  - (g) Working on clear-span bridge structures, reconstructing existing stream crossings and making minor operational improvements to drainage facilities, provided that the construction of temporary stream bypasses is not involved;
  - (h) Modifying to improve existing roadside safety features such as curbs, pikes, headwalls, slopes and ditches within the right of way, adding or replacing devices such as fencing, guardrails, safety barriers, guideposts, and markers, or installing, removing, or modifying regulatory, warning, or informational signs;
  - (i) Adding, removing and/or replacing distinctive roadway, runway, or taxiway markings such as painted stripes, raised pavement markers thermoplastic, tape or raised bars; **OR**
  - (j) Abandoning dead-end roads when provisions for ongoing, long-term maintenance have been made or the road right-of-way has been returned to a natural state from a hydrologic standpoint.
  
2. Existing telecommunication facilities: Modification and renewal of the permits thereof.

3. Minor modifications to approved plans that do not require Planning Commission review.
4. Existing erosion control plans: Modification thereof when:
  - (a) The footprint of the area disturbed is not expanded;
  - (b) The amount of sediment delivered from the site as calculated by a qualified professional is not increased; **AND**
  - (c) Groundwater use is not increased.
5. Tentative map revisions: Revisions to approved maps, including minor adjustments to access roads, that do not affect existing buildings.
6. Existing wells: Temporary cessation thereof or the lawful abandonment.

**Class 3: New Construction or Conversion of Small Structures** [State Guidelines §15303]

7. Construction and operation of small public/emergency service facilities, including public safety communication towers and power generators and buildings of less than 5,000 feet on less than 30% slopes involving less than 2,000 cubic yards of grading/excavation.
8. Wells: Installation and/or operation thereof pursuant to a groundwater permit when the amount of groundwater proposed to be used in total on the parcel is less than or equal to the amount of groundwater historically used (i.e., during the last 3 years).

**Class 4: Minor Alterations to Land** [State Guidelines §15304]

9. Park Facilities: Installation and operation of new or modification to existing park facilities that would disturb less than 5½ acres of land and have an average slope of 15% or less.
10. New access roads and driveways (longer than 300 feet and resulting in less than 2,000 cubic yards of grading) that would:
  - (a) Not disturb more than 2 acres of land;
  - (b) Not traverse slopes that are steeper than 29.9%; **AND**
  - (c) Not discharge concentrated runoff within a stream setback area.

**Class 5: Minor Alterations in Land Use Limitations** [State Guidelines §15305]

11. Zone Changes and General Plan Amendments: Implementation of Zone Changes and General Plan Amendments that do not increase the maximum intensity of land use allowed.

12. Parcel mergers: Implementation of parcel mergers pursuant to the Subdivision Map Act.
13. Temporary public road closures: Closures for authorized temporary uses and special events.
14. Variances to standards for projects that are allowed by right under zoning.
15. Lot line adjustments involving four or fewer parcels, except when processed with a concurrent discretionary action.