



Placentia Planning Commission Agenda

Regular Meeting

June 11, 2019

6:30 p.m.

City Council Chambers

401 E. Chapman Avenue, Placentia, CA 92870

Christine J. Schaefer
Chair

Frank Perez
Vice Chair

Heather Francine
Commissioner

Dennis Lee
Commissioner

Vic Tomazic
Commissioner

Claudia Keller
Commissioner

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. Any person who wishes to speak on a Public Hearing item should fill out a "Speaker Request Form" and give it to the Commission Secretary BEFORE the item is called.

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

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

Special Accommodations

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

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

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

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

City of Placentia
401 E Chapman Avenue
Placentia, CA 92870

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

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

CALL TO ORDER:

ROLL CALL: Commissioner Keller
Commissioner Francine
Commissioner Lee
Commissioner Tomazic
Vice Chair Perez
Chair Schaefer

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.

CONSENT CALENDAR: None

REGULAR AGENDA: None

PUBLIC HEARINGS:

1. **Applicant:** Robert Adams
Project Location: 900 Golden Avenue

Tentative Parcel Map (TPM) 2018-201: To request the subdivision of an approximately 1.58 acre (67,350 square feet) lot into three (3) parcels, and a remainder lot (Lot "A"), located at 900 Golden Avenue at the southeast corner of Golden Avenue and California Street (Assessor's Parcel Number 336-281-01). The requested subdivision will allow for future sales and conveyance.

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

1. Open the public hearing concerning TPM 2018-201; and
2. Receive the Staff Report, consider all public testimony, ask any question of Staff; and
3. Close the public hearing; and

4. Adopt Resolution PC-2019-12, a Resolution of the Planning Commission of the City of Placentia, recommending to the City of Placentia City Council approval of TPM 2018-201 to permit the subdivision of an approximately 1.58 acre (67,350 square feet) parcel into three (3) parcels and a remainder lot (Lot "A") for a property within the R-1 (Single-Family Residential) Zoning District located at 900 Golden Avenue at the southeast corner of Golden Avenue and California Street (Assessor's Parcel Number 336-281-01) and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15315 (Class 15 – Minor Land Divisions) and the City of Placentia Environmental Guidelines.

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

Zone Change Amendment (ZCA) 2019-02: To request a new ordinance recommending City Council adoption of an Ordinance amending the City of Placentia Municipal Code (PMC), by adding Chapter 23.71 (Short-Term Residential Rentals – Licensed Use) and Chapter 6.45 (Short-Term Residential Rentals) relating to Short-Term Residential Rentals and making conforming changes to Chapters 23.10 ("R-A" – Residential Agricultural District), 23.12 ("R-1" – Single Family Residential District), 23.15 ("R-2" – Low-Medium Density Multiple-Family District), 23.18 ("R-G" – Medium Density Multiple-Family), 23.21 ("R-3" – High Density Multiple-Family), 23.25 ("RPC" – Residential Planned Community District), 23.72 ("PUD" – Planned Unit Development District), 23.106 ("SP-6" – Specific Plan 6), 23.107 ("SP-7" – Specific Plan 7), 23.108 ("SP-8" – Specific Plan 8), and 23.110 ("SP-10" – Specific Plan 10, 23.111 ("TOD" – Transit Oriented Development Packing House District), and 23.112 ("OT" – Old Town Placentia Revitalization Plan).

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

1. Open the Public Hearing, Concerning ZCA 2019-02, Receive the Staff Report and Consider All Public Testimony, and Close the Public Hearing; and
2. Adopt Resolution PC-2019-13, a Resolution of the Planning Commission of the City of Placentia, recommending the City Council adoption of an Ordinance amending the PMC, by adding Chapter 23.71 (Short-Term Residential Rentals – Licensed Use) and Chapter 6.45 (Short-Term Residential Rentals) relating to Short-Term Residential Rentals and making conforming changes to Chapters 23.10 ("R-A" – Residential Agricultural District), 23.12 ("R-1" – Single Family Residential District), 23.15 ("R-2" – Low-Medium Density Multiple-Family District), 23.18 ("R-G" – Medium Density Multiple-Family), 23.21 ("R-3" – High Density Multiple-Family), 23.25 ("RPC" – Residential Planned Community District), 23.72 ("PUD" – Planned Unit Development District), 23.106 ("SP-6" – Specific Plan 6), 23.107 ("SP-7" – Specific Plan 7), 23.108 ("SP-8" – Specific Plan 8), and 23.110 ("SP-10" – Specific Plan 10, 23.111 ("TOD" – Transit

Oriented Development Packing House District), and 23.112 (“OT” – Old Town Placentia Revitalization Plan); and

3. Recommend that the Planning Commission find that adoption of ZCA 2019-02 is categorically exempt from environmental review pursuant to Section 15061 (b)(3) in that the proposed code amendments are not expected to create a negative impact on the physical environment, and it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Therefore, staff is recommending that the Planning Commission recommend that the City Council find that adoption of the ordinance is exempt from environmental review.

3. **Applicant:** Brian Chuchua
Project Location: 600 S. Placentia Avenue, 620 S. Placentia Avenue, 640 S. Placentia Avenue, 721 W. Kimberly Avenue, 781 W. Kimberly Avenue, 711 W. Kimberly Avenue, 701 W. Kimberly Avenue, 750 S. Placentia Avenue, 770 S. Placentia Avenue, 710 W. Kimberly Avenue, 700 W. Kimberly Avenue, 774 S. Placentia Avenue, 776 S. Placentia Avenue, 777 W. Orangethorpe Avenue, 797 W. Orangethorpe Avenue, 735 W. Orangethorpe Avenue.

Zone Change Amendment (ZCA) 2019-01 and Specific Plan Amendment (SPA) 2018-01: To request approval of a Zoning Code and Specific Plan Amendment to amend the PMC Chapter 23.105 entitled “Specific Plan 5” (SP-5) to add hospitality uses to the permitted uses for all parcels (including Parcels 9 and 11) and to modify the maximum allowable height to be seventy-five (75) feet within the Specific Plan under Zoning Code Amendment 2019-01. The project would also have a corresponding Specific Plan Amendment 2018-01 for SP-5 to amend the permitted uses within the Specific Plan to add the hospitality uses as permitted uses on all parcels and to modify the maximum height permitted within the Specific Plan from fifty (50) to seventy-five (75) feet.

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

1. Open Public Hearing, concerning ZCA 2019-01 and SPA 2018-01; and
2. Receive the Staff Report and consider all Public Testimony; and
3. Close the Public Hearing; and
4. Adopt Resolution No. PC-2019-14, a Resolution of the Planning Commission of the City of Placentia, recommending that the City Council of the City of Placentia approve ZCA 2019-01 and SPA 2018-01 of the PMC Chapter 23.105 entitled SP-5 to add hospitality uses to the permitted uses for all parcels (including Parcels 9 and 11) and to modify the maximum allowable height to be seventy-five (75) feet within the Specific Plan under ZCA 2019-01. The project

will have a corresponding SPA 2018-01 for SP-5 to amend the permitted uses within the Specific Plan to add the hospitality uses as permitted uses on all parcels and to modify the maximum height permitted within the Specific Plan from fifty (50) to seventy-five (75) feet; and recommending the adoption of Negative Declaration (ND) No. 2019-02 pursuant to the California Environmental Quality Act Guidelines (CEQA) set forth in Title 14 CCR §15074 and the City of Placentia Environmental Guidelines.

4. **Applicant:** Randy Orozco
Project Location: 721 Monroe Way

Development Plan Review (DPR) 2019-01: To request approval of a Development Plan Review (DPR) to allow for the development of an unimproved .37-acre lot, with a new industrial building measuring approximately 6,968 square feet in conjunction with various onsite hardscape and landscape improvements within the M (Manufacturing) Zoning District and generally located west of State Route 57 (SR-57) and north of 721 Monroe Way.

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

1. Staff is recommending that this item be continued to the next regularly scheduled Planning Commission meeting to be held on July 9, 2019.

NEW BUSINESS: None

OLD BUSINESS: Non

DEVELOPMENT REPORT:

DIRECTOR'S REPORT:

PLANNING COMMISSION REQUESTS

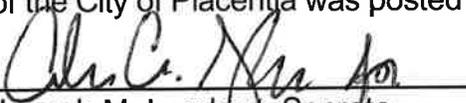
Commission members may make requests or ask questions of Staff. If a Commission member would like to have formal action taken on a requested matter, it will be placed on a future Commission Agenda.

ADJOURNMENT

The Planning Commissioners CLOSE to the regular Planning Commission meeting on July 9, 2019 at 6:30 p.m. in the City Council Chambers located at 401 East Chapman Avenue, Placentia CA, 92870.

CERTIFICATION OF POSTING

I, Joseph M. Lambert, Secretary to the Planning Commission of the City of Placentia, hereby certify that the Agenda for the June 11, 2019 Regular Meeting of the Planning Commission of the City of Placentia was posted on June 6, 2019.


Joseph M. Lambert, Secretary



Placentia Planning Commission

AGENDA STAFF REPORT

TO: PLANNING COMMISSION
FROM: ARLEN BECK, PLANNING TECHNICIAN
DATE: JUNE 11, 2019

SUBJECT: **TENTATIVE PARCEL MAP (TPM) NO. 2018-201 PERTAINING TO THE SUBDIVISION OF AN APPROXIMATELY 1.58 ACRE (67,350 SQUARE FEET) LOT INTO THREE PARCELS AND A REMAINDER LOT (LOT "A") LOCATED AT 900 GOLDEN AVENUE AT THE SOUTHEAST CORNER OF GOLDEN AVENUE AND CALIFORNIA STREET**

RECOMMENDATION:

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

1. Open the public hearing concerning TPM 2018-201; and
2. Receive the Staff Report, consider all public testimony, ask any question of Staff; and
3. Close the public hearing; and
4. Adopt Resolution PC-2019-12, a Resolution of the Planning Commission of the City of Placentia, recommending to the City of Placentia City Council approval of TPM 2018-201 to permit the subdivision of an approximately 1.58 acre (67,350 square feet) parcel into three (3) parcels and a remainder lot (Lot "A") for a property within the R-1 (Single-Family Residential) Zoning District located at 900 Golden Avenue at the southeast corner of Golden Avenue and California Street (Assessor's Parcel Number 336-281-01) and making findings that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) set forth in Title 14 CCR § 15315 (Class 15 – Minor Land Divisions) and the City of Placentia Environmental Guidelines.

REQUEST:

The applicant, Robert Adams, is requesting the subdivision of an approximately 1.58 acre (67,350 square foot) lot into three (3) parcels and a remainder lot (Lot "A") located at 900 Golden Avenue at the southeast corner of Golden Avenue and California Street (Assessor's Parcel Number 336-281-01). The requested subdivision will allow for future sales and conveyance. Placentia Municipal Code (PMC) Section 22.80.010(a) requires a Parcel Map for all subdivisions of four or fewer parcels and Section 22.80.060(c) requires that the Planning Commission take action to recommend to the City Council conditional approval or denial of the map.

DISCUSSION:

The subject site is currently vacant, except for existing oil storage tanks onsite. The following table outlines the size of the individual subdivided parcels.

Parcel No.	Lot Size (square feet)	Lot Size (acres)
1	9,038 square feet	.21 acres
2	8,902 square feet	.20 acres
3	7,657 square feet	.18 acres
Lot "A"	41,753 square feet	.96 acres

Lot "A" runs adjacent to the Carbon Canyon Creek and has existing easements for the benefit of Orange County Flood Control District (OCFCD) and the Yorba Linda Water District (YLWD). No development is intended for Lot "A", and therefore, these easements will remain in place over Lot "A". Lot "A" also abuts the Golden Avenue Bridge, which will be rebuilt in the near future.

Subject Site and Surrounding Land Uses:

The subject site is located within an existing single-family residential district at the southeast corner of Golden Avenue and California Street (Assessor's Parcel Number 336-281-01). The table below shows surrounding existing land uses, zoning, and General Plan Land Use Designations.

Surrounding Land Uses:

Location	Existing Land Use	Land Use Element General Plan Designation	Zoning Map Designation
Subject Site	Single Family Residential	Low Density Residential	R-1 (Single-Family Residential)
North, South, & West	Single Family Residential	Low Density Residential	R-1 (Single-Family Residential)
East	City of Yorba Linda	City of Yorba Linda	City of Yorba Linda

LOT STANDARDS:

Chapter 22.16.020 of the PMC sets forth development standards defining the minimum lot width, lot depth, and lot area for all residential districts. The R-1 development standards require a minimum lot size of 7,000 square feet for all interior lots and a minimum street frontage of 70 feet for interior lots. Corner lots require a minimum area of 7,500 square feet and a minimum 75 feet for street frontage. The proposed subdivision will meet all the standards of PMC Section 22.16.020.

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

TPM 2018-201 is exempt from CEQA pursuant to State CEQA Guidelines §15315 (Class 15 - Minor Land Divisions), as it applies to the division of property in urbanized areas zoned for residential use into four or fewer parcels, the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

PUBLIC NOTIFICATION:

Legal notice was published in the Placentia News Times on May 30, 2019, and notices were sent to property owners of record within a 300-foot radius of the subject property on May 30, 2019. No comments in support or in opposition to the request have been received as of the publication of this staff report.

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 subdivision located within the existing R-1 Zoning District will be compatible with adjacent land uses and will not result in any adverse impacts to the surrounding area.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution PC 2019-12, recommending approval of TPM 2018-201 to the City of Placentia City Council and making the findings to permit the subdivision as contained in said Resolution.

Prepared and submitted by:



Arlen Beck
Planning Technician

Reviewed and approved by:



Joseph M. Lambert
Director of Development Services

Attachments:

1. Resolution No. PC 2019-12 recommending City Council approval of TPM 2018-201
 - 1.a. Conditions of Approval
2. Proposed Tentative Parcel Map

ATTACHMENT 1
RESOLUTION NO. PC-2019-12

RESOLUTION NO. PC-2019-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA APPROVING TENTATIVE PARCEL MAP (TPM) 2018-201 PERTAINING TO THE SUBDIVISION OF AN APPROXIMATELY 1.58 ACRE (67,350 SQUARE FEET) LOT INTO THREE PARCELS AND A REMAINDER LOT (LOT "A") LOCATED AT 900 GOLDEN AVENUE AT THE SOUTHEAST CORNER OF GOLDEN AVENUE AND CALIFORNIA STREET (ASSESSOR'S PARCEL NUMBER 336-281-01) AND MAKING FINDINGS IN SUPPORT THEREOF.

A. Recitals.

(i) Robert Adams, as owner of the property located at 900 Golden Avenue at the southeast corner of Golden Avenue and California Street (Assessor's Parcel Number 336-281-01) ("Applicant" hereinafter) heretofore filed an application for approval of Tentative Parcel Map (TPM) 2018-201, as described in the title of this Resolution. Hereinafter, in this Resolution, the subject Tentative Parcel Map request is referred to as the "Application".

(ii) On June 11, 2019, this Commission conducted a duly noticed public hearing, as required by law, and concluded said hearing prior to the adoption of this Resolution.

(iii) 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:

1. The Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. Based upon substantial 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 project will not be: (1) detrimental to the health, safety or general welfare of the persons residing or working within the neighborhood of the proposed development 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 (Attachments "A"), this development complies with all applicable code requirements and development standards for Zoning of Title 23 Placentia Municipal Code Plan District and Title 22, Building Codes and Regulations of the Placentia Municipal Code.

b. Accepting that the Planning Commission recommends approval of Tentative Parcel Map 2018-201, the proposed use will be consistent with the City's General Plan. The General Plan Land Use designation for the subject site is "R-1 Single-Family", and the proposed use does not involve any change in the land use of the subject site. The proposed project involves the subdivision of an approximately 1.58 acre (67,350 square foot) lot into 3 parcels and a remainder lot located at 900 Golden Avenue at the southeast corner of Golden Avenue and California Street (Assessor's Parcel Number 336-281-01) in the R-1 (Single-Family Residential) which is a development type that is consistent with this designation.

c. The proposed project as presented in the staff report and accompanying plans complies with all requirements of Chapter 22.80 Subdivision of four or less parcels. The proposed Development includes Conditions of Approval and Standard Development Requirements to ensure full compliance with applicable code requirements.

d. Conditions necessary to secure the purposes of this section, including guarantees and evidence of compliance with conditions are made part of this development approval. Attachment "A" contains Conditions of Approval and Standard Development Requirements specific to this development application in order to provide assurances that the proposed subdivision and related on and off-site improvements are in compliance with applicable requirements of the Placentia Municipal Code.

e. That the proposed map is consistent with the General Plan. The proposed Tentative Parcel Map is to subdivide a larger parcel into three smaller parcels. In an overall review of the General Plan, the proposed subdivision is consistent with all of the policies, programs, and goals. More specifically, it is a goal of the General Plan under policy 1.1 that, "continuous vacant or underutilized parcels should be comprehensively planned for development to minimize effects on the City's suburban atmosphere." The subject site is a 1.58-acre site that currently houses 3 tanks for oil storage. The subdivision will allow for the development of three additional single-family homes on the newly created parcels. Furthermore, it is an objective of the City's Housing Element to increase the overall housing stock within the City. This includes providing sufficient housing to meet the City's share of the Regional Housing Needs Assessment (RHNA). By allowing the proposed project to be constructed there will be an increase in the housing inventory by three units. For these reasons, approval of the Tentative Parcel Map is consistent with all other goals, policies, programs, and land uses of applicable elements of the General Plan.

f. That the site is physically suitable for the type and density of development. The subject site is a 1.58 acre parcel, which has been designed to accommodate the units, as well as sufficient parking, landscaping, and open space. Based on this, the subject site is adequate to accommodate the R-1 Zoning Designation.

g. That the design of the subdivision or type of improvements is not likely to cause serious public health problems. The proposed subdivision is to allow a subdivision of a 1.58-acre lot into 3 parcels and a remainder lot.

h. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. As part of the review of the application, an extensive record research was completed. Additionally, the application submitted a preliminary title report with their application. Although easements have been found, they are for utility access only. All of the easements will be protected in place and will not be altered by the construction of the project.

i. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidable injure wildlife or their habitat. The subject site is an underutilized single-family use. There are no known areas within the City that host wildlife or their habitat, most particularly species.

3. The Planning Commission hereby recommends: (a). The City Council of the City of Placentia find that the project is categorically exempt pursuant to the California Environmental Quality Act (CEQA) guidelines set forth in Title 14 CCR § 15315 (Class 15 – Minor Land Divisions), the City of Placentia Environmental Guidelines, and California Public Resources Code §§ 21000, *et seq.*, and to direct staff to file a Notice of Exemption with respect to the subject Project;

(b). That, based upon the findings set forth below, and changes and alterations which have been incorporated into and conditioned upon the proposed project, no significant adverse environmental effects will occur; and

4. Based upon the findings and conclusions set forth herein, this Planning Commission hereby recommends approval of Tentative Parcel Map 2018-201 to the City of Placentia City Council, as modified herein, and specifically subject to the conditions set forth in Attachment “A” attached hereto and by this reference incorporated herein.

5. The Secretary to the Planning Commission shall:

a. Certify to the adoption of this Resolution; and

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

ADOPTED AND APPROVED this 11th day of June 2019.

CHRISTINE SCHAEFER, CHAIRMAN

I, Joseph Lambert, Secretary to the Planning Commission of the City of Placentia, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Placentia held on the 11th day of June 2019, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 11th day of June 2019, by the following vote:

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

ATTEST:

JOE LAMBERT
SECRETARY TO THE PLANNING COMMISSION

APPROVED AS TO FORM

TOM DUARTE
ASSISTANT CITY ATTORNEY

**Attachment A
Special Conditions of Approval for
Tentative Parcel Map 2018-201 (TPM 2018-201)
900 Golden Avenue**

SPECIAL CONDITIONS

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

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

DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION:

1. Failure to abide by and faithfully comply with any and all conditions attached to this action shall constitute grounds for revocation or amendment of said actions by the City of Placentia Planning Commission.
2. The applicant shall, as a condition of project 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 issue 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.
3. Approval of Tentative Parcel Map (TPM) 2018-201 and the resulting Final Map is contingent upon City Council approval.
4. TPM 2018-201 shall expire twenty-four (24) months after approval or conditional approval if a final map is not recorded. Upon written request, by the developer, the time limit may be extended an additional twelve (12) months by City Council.
5. A final map shall be prepared by or under the direction of a registered Civil Engineer or licensed land surveyor in the State, as provided for in the Business and Professions Code.

6. TPM 2018-201 and the related Final Map shall comply with the applicable requirements of Title 22 Subdivisions of the Placentia Municipal Code.
7. Any modifications to the approved Tentative Parcel Map and any modifications which will change, expand or intensify the use shall be subject to review and approval by the Director of Development Services. The Director of Development Services or his or her designee may determine if such modifications require approval by the Placentia Planning Commission or may be approved administratively by City staff.
8. Prior to final release of the buildings for occupancy, all Special Conditions of Approval and Standard Development Requirements shall have been completed and final inspections approved.
9. Applicant/builder is responsible, at its sole cost and expense, to cause all cable, telephone, electrical, and other utility services serving the property to be placed underground within the subject site. Prior to the issuance of building permits, applicant/builder shall submit a separate utility plan for each such utility service. The utility plan shall indicate the precise location of where all cable, telephone, electrical, and other utility services serving the property will be placed underground within the subject site, as well as the points of connection at the proposed building or buildings on the site and the public right-of-way. Prior to the submittal of the utility plans to the City, the plans shall be reviewed and approved by the utility companies. Evidence of approvals shall be in the form of a signed and dated approval stamp and/or approval letter. If the precise locations of future utility services cannot be reasonably ascertained prior to the issuance of building permits, upon prior written approval of the Director of Development Services, prior to issuance of a certificate of occupancy. Applicant/builder shall provide the City with "as built" plans showing the precise locations where all cable, telephone, electrical, and other utility services serving the property were placed underground within the subject site, as well as the points of connection at the building or buildings on the site and the public right-of-way.
10. Applicant/Builder shall establish a rodent abatement program prior to the demolition of existing structures on the property, or before any other on or off-site work. A detailed description of how this program will work shall be submitted to the City Planning Division for approval prior to obtaining a demolition permit.
11. A solid decorative block wall, a minimum of 6'-0" high shall be installed around the perimeter boundaries of the site along the side yard and rear yard property lines, except that within the front yard setback, then the maximum height shall be 3'-0". Applicant shall repair any existing walls that will remain to the satisfaction of the City Building Official and Development Services Department. Prior to issuance of any building permits on the resulting lots, all walls and fences on the project site shall comply with the conditions herein and with all applicable provisions of the Placentia Municipal Code.

12. Developer shall pay in full to the City of Placentia, any and all applicable citywide Development Impact Fees (including, but not limited to fees relating to recreational facilities, sewer facilities, transportation infrastructure, storm drain facilities, public safety impacts and affordable housing impacts) adopted by and set forth by the City Council, as set forth in Chapter 5 of the Placentia Municipal Code, in effect at the time building permits are issued prior to issuance of the first building permit for each respective property.
13. Developer and/or property owner agrees to approve the incorporation of the project into Community Facilities District No. CFD 2014-01 (Public Services) pursuant to the provisions of California Government Code Section 53311, et seq. Said annexation into CFD No. 2014-01 shall be fully completed in accordance with California law prior to issuance of any Certificate of Occupancy for the project.
14. Developer and/or property owner agrees to approve the incorporation of the project into the Landscape Maintenance District No. LMD 1992-01 pursuant to the provisions of California Streets and Highways Code Section 22500, et seq. Said annexation into LMD No. 1992-01 shall be fully completed in accordance with California law prior to issuance of any Certificate of Occupancy for the project.
15. Developer and/or property owner agrees to approve the incorporation of the project into the Street Lighting District No. SLD 1981-01 pursuant to the provisions of California Streets and Highways Code Section 22500, et seq. Said annexation into SLD No. 1981-01 shall be fully completed in accordance with California law prior to issuance of any Certificate of Occupancy for the project.
16. Developer and/or property owner agrees that the City may, at its sole election, require that, instead of annexing into SLD 1981-01 and/or LMD 1992-1, the project shall be incorporated into a Community Facilities District to be created by the City pursuant to the provision of California Government Code Section 53311, et seq; the purpose of which, and the initial amount of the taxes and assessments thereunder, will be substantially the same, in whole or in part, as SLD 1981-1 and/or LMD 1992-1. Developer and/or property owner agrees to approve the incorporation of the project into said Community Facilities District, provided that the incorporation of the new CFD does not otherwise delay the development of the project; in which event the project shall instead be annexed into SLD 1981-01 and/or LMD 1992-1. Any automatic fee increases for the Community Services District shall not be inconsistent with the approved rate study.

BUILDING DIVISION

1. Building plans (architectural and structural) for the proposed new single-family homes shall be prepared by a licensed California architect or civil/structural engineer prior to issuance of any building permits.

2. Grading plans including erosion control, wall, utility, street improvement, precise and rough, shall be designed and prepared by a licensed California civil engineer.
3. New residential homes need to have auto-fire sprinkler system throughout house and garage.
4. Fire sprinkler plans need to be reviewed & approved by the Orange County Fire Authority prior to the installation.

ENGINEERING DIVISON

1. All improvement and grading plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch Mylar and signed by a registered civil engineer or other registered/licensed professional as required.
2. The following items are required for the entitlement review, prior to issuance of building permits and/or grading permits:
 - a. Preliminary grading and drainage plan.
 - b. Preliminary geotechnical report.
 - c. Preliminary hydrology/drainage study.
 - d. Preliminary Water Quality Management Plan (WQMP) in the form and content per the City's WQMP template.
 - e. Sewer capacity study.
 - f. Preliminary Street Improvement Plans, showing all proposed easements and dedications.
3. It is the applicant's responsibility to notify all utility companies and the City of Placentia for disconnection and/or relocation of the existing utilities, vaults and meters. It is also the applicant's responsibility to insure applicant notifies the Building Inspection Division that these utilities have been properly relocated and/or disconnected. Prior to recordation of the final map, the public improvement plans as required shall be prepared and signed by the City Engineer.
4. Prior to issuance of a Certificate of Occupancy for any structure, the engineer of record shall submit all approved project and site improvements plans on an AutoCAD DWG and DFX formatted Compact Disc (CD) to the Public Works Department. The applicant shall pay for and provide the City with copies of as-built plans.
5. Applicant shall coordinate the street improvements with the design for the new Golden Avenue Bridge. The proposed sidewalks, curb/gutter, line and grade in addition to hydraulic flow lines must match all of the design elements of the bridge design and construction. All new traffic lanes and striping shall be coordinated with the new striping for the bridge design and construction. In addition, applicant shall coordinate with Orange County Public Works Department for the new Carbon

Canyon Channel Class 1 Bikeway (OC Loop Segment D) project east of the proposed subdivision.

Demolition

1. Provide a full set of plans for demolition of the existing facilities and utilities, including above ground and underground structures, footings, utilities, vaults, fences, walls, sewer lines, storm drain pipes, waterlines, etc., Plans shall address conditions and procedures, as are necessary, to show that the demolition work will be conducted without creating a hazardous condition, when excavating next to other existing footings, walls and slopes. A separate demolition permit is required from the Building Department, prior to performing any kind of demolition on site.
2. A copy of the Grant deed and owner's permission on the application for demolition is required at the time of issuance of the permit.
3. The existing sanitary sewer line has to be removed and capped at the property line. The sewer cap shall be inspected, and shall not be covered until an inspection has been made by the Department of Public Works Inspector. This inspection shall be requested at least 24 hours before the inspection is needed.
4. Provide AQMD Rule 1403 permit number, prior to starting any demolition work.
5. It is the applicant's responsibility to notify all utility companies and the City of Placentia for disconnection and removal of the existing utilities, vaults and meters. It is also the applicant's responsibility to insure applicant notifies the Building Inspection Division that these utilities have been properly disconnected.
6. Provide an erosion control for protection of the site during and post demolition and excavation activities.

Grading

1. Prior to the issuance of a grading permit(s), the applicant shall prepare a Low Impact Development (LID) specifically identifying the Best Management Practices (BMP's) that will be used on site to control predictable pollutant runoff. The plan shall identify the types of structural and/or non-structural measures to be used. The plan shall comply with the Orange County Drainage Area Management Plan (DAMP) and LID Implementation Guideline. Website available at (<http://ocwatersheds.com/publiced/residents/glltd>) Particular attention should be addressed to the appendix section "Best Management Practices for priority redevelopment." The LID shall clearly show the locations of structural or Nonstructural BMP's, and assignment of long term maintenance responsibilities. The plan shall be prepared to the general form and content and submitted to the Director of Public Works/City Engineer for review and approval.

2. Prior to the issuance of a grading permit(s), the applicant shall prepare a Water Quality Management Plan (WQMP) specifically identifying the Best Management Practices (BMP's) that will be used on site to control predictable pollutant runoff. The plan shall identify the types of structural and non-structural measures to be used. The plan shall comply with the Orange County Drainage Area Management Plan (DAMP). Particular attention should be addressed to the appendix section "Best Management Practices for Development." The WQMP shall clearly show the locations of structural BMP's, and assignment of long term maintenance responsibilities (which shall also be included in the Maintenance Agreement). The plan shall be prepared to the general form and content shown in the City of Placentia's WQMP Template and shall be submitted to the City Engineer for review and approval. Website available at <http://www.placentia.org/index.aspx?nid=262>
3. Prior to the issuance of a grading permit(s), the applicant shall demonstrate to the City Engineer that coverage has been obtained under the California's General Permit for Discharge of Storm Water Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number to the City Engineer. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation. Prior to the issuance of a grading permit, the applicant shall submit to the City Engineer for review a Storm water Pollution Prevention Plan (SWPPP). A copy of the approved SWPPP shall be kept at the project site and available for review upon request.
4. Prior to the issuance of grading permit(s), the applicant shall prepare and submit a precise grading plan prepared by a licensed civil engineer to the Engineering Division of the Public Works Department showing building footprints, new and revised pads and elevations of finished grades, drainage routes, retaining walls, erosion control, slope easements, structural best management practices (BMPs) conforming to the approved water quality management plan, and other pertinent information. The project development shall accept and make provisions for the existing surface water that are the natural flows from the adjacent properties immediately abutting to the development site.
5. Prior to approval of the final design plans and issuance of a grading permit(s), the applicant shall conduct a site-specific geotechnical investigation for the entire site and prepare a report that fully assesses the geologic and soil conditions of the site. As part of the report preparation, soil sampling and any geotechnical testing will be completed at each location where structures are to be erected. The report shall provide grading and structural design recommendations for avoiding liquefaction, subsidence or collapse for each of the proposed structures. The recommendations shall be implemented by the Applicant.
6. Prior to the issuance of a grading permit(s), erosion control plans and notes shall be submitted and approved by the Engineering Division of Public Works

Department.

7. All private slopes of 4 feet or more in vertical height and of 4:1 or greater slope, but less than 2:1 slope, shall be, at minimum, irrigated and landscaped with appropriate ground cover for erosion control. Slope planting required by this section shall include a permanent irrigation system to be installed by the developer prior to occupancy.
8. The development site for each parcel shall be graded to drain surface water to the existing City Street storm drain system with no cross lot drainage permitted. Drainage shall be indicated on the precise grading plans. All drainage shall be diverted to Valencia and Alcott Avenues.
9. Surety and agreement guaranteeing completion of all on-site grading improvements including drainage, structural BMPs, erosion control, grading operations shall be posted and executed to the satisfaction of the City Engineer prior to the issuance of grading permits.
10. The site grading, landscape, irrigation, and street improvement plans shall be coordinated for consistency with each other and for consistency with the requirements and standards of the City of Placentia.
11. The applicant shall provide a quitclaim or relocation of existing easements as applicable in the plan review process prior to issuance of grading permit.
12. Provide and identify all pavement and driveway paving materials used inside the development areas.
13. Identify all storm drain structures, types, sizes and specifications on the plans.
14. Preliminary WQMP shall include a feasibility check to ensure the proposed infiltration BMPs are not proposed to be within 100 feet horizontally of a water supply well and/or non-potable well for the protection of groundwater quality per Orange County TGD.

Public Improvements and Construction

1. The applicant shall provide street resurfacing along the full length of the proposed subdivision on Golden Avenue from the centerline of California Street to the Golden Avenue Bridge project limit. The paving will include grinding to a depth of 2-inch and 2-inch of A/C overlay, including new driveway approaches, sidewalks and curb and gutter. All public improvements shown on the plans and/or tentative map shall be constructed to the City of Placentia standards, ordinances, policies and/or reasonably determined by the City Engineer to be applicable to the project.
2. Prior to acceptance of the final map, all new public improvements including curb, gutter, sidewalk, asphalt concrete pavement, and street lights within property

boundaries shall be constructed satisfactorily to the City Standards.

3. Prior to recordation of final map or issuance of building permit(s) if recordation has already been accomplished, the applicant shall enter into an agreement and post a security bond, in a form and amount acceptable to the City Engineer, guaranteeing the construction of public improvements in conformance with applicable City standards and the City Code, including, but not limited to the following: Street Paving, sidewalks, curb/gutter, street lighting, striping, signage, fire hydrants and landscaping.

Storm Drain Improvements and Construction

1. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer.
2. Drainage easements, when required, shall be shown on the grading plans and noted as follows: "Drainage Easement - no buildings, obstructions, or encroachments by landfills are allowed."
3. The project shall be designed to accept and properly dispose of all off-site drainage flowing onto or through the site. The storm drain design and improvements shall be subject to review and approval by City Engineer. The hydraulics and hydrology report shall include detailed drainage studies indicating how the grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, BMP treatment and LID, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood per the Orange County Hydrology Manual. The project development shall be designed to accept and properly dispose of all off-site drainage flowing onto or through the site. If the quantities exceed the existing downstream capacity, the developer shall provide adequate drainage facilities to mitigate the impact as approved by the City Engineer.
4. Prior to the approval of the improvement plans, the hydrology study shall show that the 25-year storm flow will be contained within the street from curb to curb and the 100-year storm flow shall be contained within the street right-of-way. When either of these criteria are exceeded, additional drainage facilities shall be installed. All analysis shall comply with the Orange County Hydrology Manual and County Local Drainage Manual.
5. The post development peak flow rate generated from the project site shall be less than or equal to the pre development peak flow rate from the site for all frequency storms up to and including 100-year return. Drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency flow bypass shall also be provided as approved by City Engineer.

Sewer line Improvements and Construction

1. Sewer flow calculations justifying pipe line design and connection to the main shall be prepared by a registered civil engineer and submitted as a part of an improvement plan for approval by the City Engineer. Provide sewer capacity analysis in accordance to the City's Guidelines to evaluate the proposed sewer flow rates into the City sewer system using current flow rate and for pipeline capacity availability. Please see attached "Sewer Capacity Guidelines."
2. Prior to issuance of building permits, the developer's engineer shall analyze and mitigate any sewer system deficiencies for all phases of the proposed development. Results of the system analysis may require special construction such as booster pumps, upsize the downstream pipes and backwater valves. The engineering analysis and special construction requirements shall be subject to review and approval of City Engineer.
3. Onsite water improvement and fire protection plans shall be approved by the Fire Marshal, the local water district, and City Engineer. The water distribution lines and appurtenances shall conform to the applicable laws and adopted regulations enforced by the Yorba Linda Water.
4. Prior to the issuance of a building permit, the applicant shall dedicate ingress and egress of the access route within the project site and improve it fully operational as required by the Orange County Fire Authority and satisfaction to the City Engineer.
5. The applicant shall submit a Will Serve Letter from Orange County Sanitation District and Yorba Linda Water.

Final Map

1. Applicant shall provide a quitclaim or relocation of any existing easements that affect the proposed development. Applicant to provide the City with street dedications as necessary to support all new public improvements.
2. The applicant shall prepare and submit a preliminary title report not older than 90 days.
3. Prior to approval of the Final Map, pursuant to the Subdivision Improvement Agreement for Public Improvements, the developer shall provide security in an amount specified in writing by the Registered Civil Engineer or a Licensed Land Surveyor of record. The developer shall enter into an agreement providing for the necessary right-of-way, design and construction of missing public improvements, which shall be constructed in coordination with adjacent existing improvements prior to occupancy of the development and subject to review and approval by the

City Engineer.

4. Prior to the exoneration of any security, the applicant shall submit one (1) duplicate Mylar of the final map and all as built public improvement plans, in a manner acceptable to the City Engineer. The computer analysis may be submitted on a CD with a proper labeled.
5. The applicant shall establish a Homeowner's association (HOA) for the purpose of maintaining all private access, common lots (Lot "A"), onsite fire hydrant, common sewer line, WQMP, LIP, open space, storm drainage, and maintenance of landscaping, including the trimming and cutting of overgrown vegetation on common lots. The association is subject to the review and approval of the Director of Public Works and City Attorney and shall be recorded concurrently with the final map.
6. This project falls under the City's Municipal Code: 8.04.390 Special requirements for construction/deconstruction waste. This is to ensure the diversion of at least fifty (50) percent of all construction/deconstruction waste generated within the city the following special requirements apply to all covered projects as listed in Section 8.04.400:
 - a) All contractors or owner-builders applying for a permit are required to complete a project form and attest that only an authorized city agent will be used to haul debris and other solid waste generated by that project.
 - b) All contractors or owner-builders are required to place a deposit with the city to ensure their compliance with the required use of an authorized city agent. The specific deposit amount shall be an equivalent to three (3%) percent of the total project value.
 - c) Upon completion of the project, and if proof deemed satisfactory by the city confirms that all solid waste hauling for that project was done by an authorized city agent then a full refund of the deposit will be made. Acceptable forms of proof are weight tickets, collection receipts, billings, or similar statements from an authorized city agent showing that they performed solid waste collection at the location established for that project. It is the contractor's or owner-builders' responsibility to provide receipts covering all hauling activity for that project. Failure to provide complete records will be deemed as noncompliance.
 - d) Failure to provide receipts or other acceptable proof of compliance for all solid waste hauling on a project will result in the forfeiture of one hundred (100) percent of deposited funds. (O-2011-08 § 2, 2011)

ORANGE COUNTY FIRE AUTHORITY

1. Prior to approval of a final map or issuance of a grading permit or building permit, whichever comes first:

Methane investigation/mitigation (service codes PR172-PR176)

TENTATIVE PARCEL MAP NO. 2018-201

IN THE CITY OF PLACENTIA, COUNTY OF ORANGE, STATE OF CALIFORNIA.

BEING A SUBDIVISION OF A PORTION OF THE NORTH HALF OF FRACTIONAL SECTION 20, TOWNSHIP 3 SOUTH, RANGE 9 WEST, IN THE CITY OF PLACENTIA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP THEREOF RECORDED IN BOOK 51, PAGE 7, MISCELLANEOUS MAPS, RECORDS OF SAID COUNTY.

3 NUMBERED LOTS & LOT "A"

1.58 ACRES (NET)

APRIL 2019

SUBDIVIDER:
COVOTE OIL, LLC
ROBERT ADAMS
811 N. POINSETTIA STREET
SANTA ANA, CA 92701
TEL. (714) 543-4227 FAX (714) 543-7665

PREPARED BY:
KING CIVIL ENGINEERING CORP.
101 S. KRAEMER BLVD., SUITE 232
PLACENTIA, CALIF. 92870
TEL. (714) 996-7010 FAX (714) 996-0322
KINGCIVIL@EARTHLINK.NET

UTILITY PURVEYORS:

WATER: YORBA LINDA WATER DISTRICT
1717 E. MIRALOMA AVENUE
PLACENTIA, CA. 92870

SEWER: CITY OF PLACENTIA
DEPARTMENT OF PUBLIC WORKS
401 E. CHAPMAN AVENUE
PLACENTIA, CA. 92870

GAS: SOUTHERN CALIFORNIA GAS CO.
1919 S. STATE COLLEGE BLVD., SUITE G
ANAHEIM, CA. 92830

ELECTRIC: SOUTHERN CALIFORNIA EDISON CO.
1851 W. VALENCIA DRIVE
FULLERTON, CA. 92833

TRASH: REPUBLIC DISPOSAL SERVICES
1131 N. BLUE GUM STREET
ANAHEIM, CA. 92807

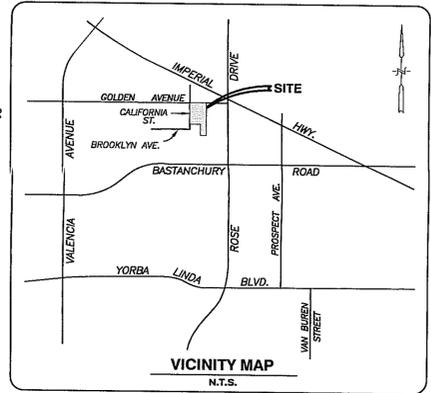
TELEPHONE: AT&T
3939 E. CORONADO ST., SECOND FLOOR
ANAHEIM, CA. 92807

CABLE TV: TIME-WARNER
7441 CHAPMAN AVENUE
GARDEN GROVE, CA. 92841

I, THOMAS A. KING, DEPOSE AND STATE THAT THE OWNERS OF THIS PROPERTY COMPRISING THE PROPOSED SUBDIVISION NO. 18129 SHOWN ON THIS MAP, HAVE CONSENTED TO THE PREPARATION AND SUBMISSION OF THIS MAP.

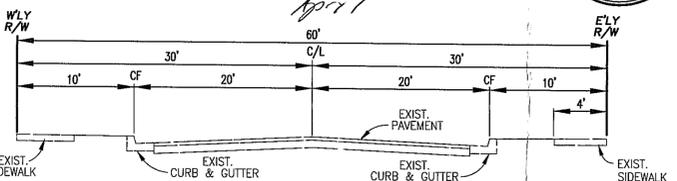
THOMAS A. KING DATED THIS 2 DAY OF FEBRUARY, 2019

R.C.E. NO. 16916

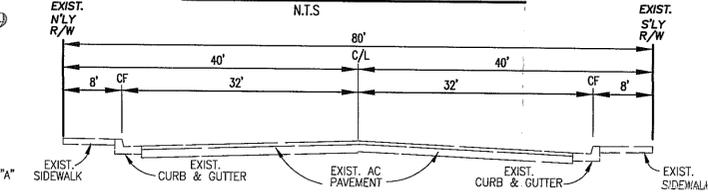


LEGEND

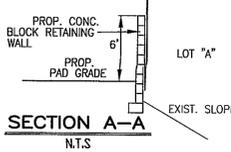
- PAD=247.0 — PROPOSED PAD ELEVATION
- 3 — PROPOSED LOT NUMBER
- S — EXISTING SEWER MAIN
- W — EXISTING WATER MAIN
- ⊕ — EXISTING FIRE HYDRANT
- S— — PROPOSED SEWER MAIN
- W— — PROPOSED WATER MAIN
- ⊕ — PROPOSED FIRE HYDRANT
- LS — LANDSCAPE AREA
- ⊠ — PROPOSED WATER METER
- ▬ — PROPOSED BLOCK WALL
- ▬ — EXISTING BLOCK WALL
- ⊙ — PROPOSED WATER VALVE
- TC — TOP OF CURB
- FL — FLOW LINE
- FS — FINISH SURFACE
- EG — EXISTING GRADE
- CF — CURB FACE
- R/W — RIGHT OF WAY



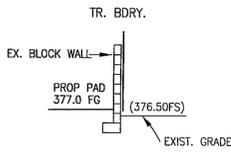
SECTION - CALIFORNIA STREET N.T.S.



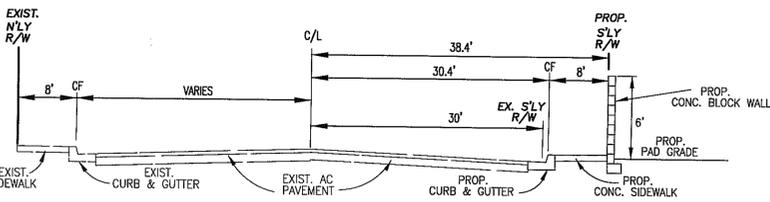
SECTION - GOLDEN AVENUE AT CALIFORNIA ST. ECR. N.T.S.



SECTION A-A N.T.S.



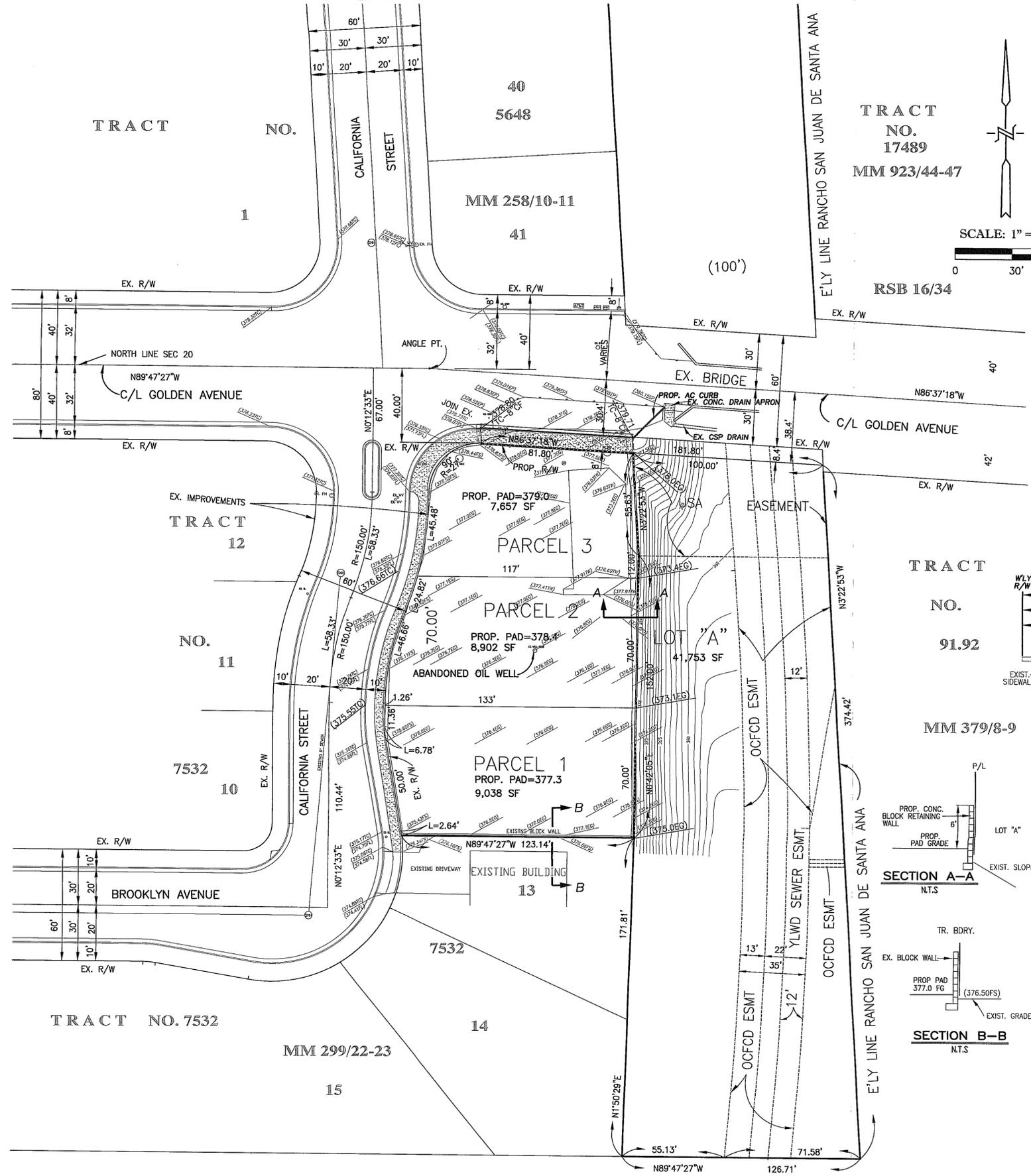
SECTION B-B N.T.S.



SECTION - GOLDEN AVENUE EAST OF C/L ANGLE POINT N.T.S.

NOTES:

1. Existing Zoning: R-1
2. Proposed Zoning: R-1
3. Proposed Use: Single Family Residential.
4. Development of Lots: For sale as lots.
5. Water Supply: Golden State Water Company
1920 W. Corporate Way, Anaheim, CA 92801
6. Sewage Disposal: City of Placentia Public Works (714) 993-8131
7. Gas: Southern California Gas Co.
1919 S. State College Blvd., Anaheim, CA. 92806 (714) 634-3287
8. Electricity: Southern California Edison Co.
14155 Bake Parkway, Irvine, CA. 92618 (949) 458-4414
9. Telephone: AT&T
3939 E. Coronado St., 2nd. Floor, Anaheim, CA. 92807 (714) 666-5500
10. Cable TV: Time-Warner Cable
7142 Chapman Ave., Garden Grove, CA. 92841 (714) 903-8245
11. Flood Zone "X"
12. Subdivider intends to comply with all requirements in Chapters 20.21, 22.16 through 22.64 and other laws of the City in regards to construction and erosion control.





Placentia Planning Commission

AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: JOSEPH M. LAMBERT, DIRECTOR OF DEVELOPMENT SERVICES

PREPARED BY: ARLEN BECK, PLANNING TECHNICIAN

DATE: JUNE 11, 2019

SUBJECT: **ZONE CODE AMENDMENT 2019-02**

RECOMMENDATION

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

1. Open the Public Hearing, Concerning Zone Code Amendment (ZCA) 2019-02, Receive the Staff Report and Consider All Public Testimony, and Close the Public Hearing; and
2. Adopt Resolution PC-2019-13, a Resolution of the Planning Commission of the City of Placentia, recommending the City Council adoption of an Ordinance amending the City of Placentia Municipal Code (PMC), by adding Chapter 23.71 (Short-Term Residential Rentals – Licensed Use) and Chapter 6.45 (Short-Term Residential Rentals) relating to Short-Term Residential Rentals and making conforming changes to Chapters 23.10 (“R-A” – Residential Agricultural District), 23.12 (“R-1” – Single Family Residential District), 23.15 (“R-2” – Low-Medium Density Multiple-Family District), 23.18 (“R-G” – Medium Density Multiple-Family), 23.21 (“R-3” – High Density Multiple-Family), 23.25 (“RPC” – Residential Planned Community District), 23.72 (“PUD” – Planned Unit Development District), 23.106 (“SP-6” – Specific Plan 6), 23.107 (“SP-7” – Specific Plan 7), 23.108 (“SP-8” – Specific Plan 8), and 23.110 (“SP-10” – Specific Plan 10, 23.111 (“TOD” – Transit Oriented Development Packing House District), and 23.112 (“OT” – Old Town Placentia Revitalization Plan); and
3. Recommend that the Planning Commission find that adoption of ZCA 2019-02 is categorically exempt from environmental review pursuant to Section 15061 (b)(3) in that the proposed code amendments are not expected to create a negative impact on the physical environment, and it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Therefore, staff is recommending that the Planning Commission recommend that the City Council find that adoption of the ordinance is exempt from environmental review.

BACKGROUND

Over the last few years, short-term rentals have been an increasingly popular means of lodging throughout the country. Websites such as Airbnb, VRBO, Home Away, and FlipKey continue to grow in popularity and short-term rentals are now seen in increasing frequency in areas not known as tourist destinations. Unlike cities that are attractive to vacationers, such as Orange County’s beach cities or areas surrounding the Disneyland Resort, Placentia has not attracted a high level of interest

in short-term rentals. Currently, the City prohibits residences to be utilized for the purposes of a short-term rental. The goal of ZCA 2019-02 is to regulate these properties to ensure that all short-term rentals are accounted for in City records, and that no property operating as a short-term rental causes an ongoing nuisance to surrounding residential neighborhoods. In an effort to be more business friendly to the residents of Placentia, the City Council has directed staff to draft an ordinance to allow short-term rentals in residential districts throughout the City.

DISCUSSION

Short-Term Rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy, promoting travel and tourism, and supporting the local tourism industry and business community. Short-Term Rentals can also provide homeowners an opportunity to maintain ownership of property in difficult economic circumstances. It is in the public interest that Short-Term Rentals be regulated in order to help preserve housing for long-term tenants and to minimize any potential deleterious effects of short-term rental properties on other properties in the surrounding neighborhoods in which they are located.

Staff obtained some preliminary information regarding the short-term rentals operating in the City from Host Compliance, LLC, which is one of several vendors that the City has collaborated with in identifying and managing short-term rentals operating within the City. Their data indicates that there are currently 56 unique Short-term rentals operating Citywide, of which 46% are entire homes and the remainder are single bedrooms or guest quarters. The average rate charged for these rentals is \$89 per day. The data also indicates that Airbnb is currently the most popular rental website used for posting short-term rentals in the City, with 75% of the rentals using that site. However, as the market continues to diversify with an increasing number of websites offering short-term rental advertising, the number of websites posting properties in the City continues to increase. Frequently, a property will be listed on several short-term rental websites at the same time.

Staff is recommending the services of Host Compliance, LLC who is a third-party operator that aids in the registration and regulation of short-term rentals. Host Compliance, LLC is used by several other cities in Orange County, who have reported to staff a high level of satisfaction by those cities served.

Land Use Regulatory Issues

While for the most part short-term rental operators are good neighbors, there are some concerns by allowing this type of use of residential properties. Through research, staff has identified the short-term rentals that are problematic and cause nuisances to the surrounding neighborhood are properties that advertise via the short-term rental websites as available for hosting events such as weddings, corporate events, and birthday parties. To protect residential properties from objectionable influences such as undue noise, traffic, and parking impacts, and ensure the continued residential character of the zone, the draft ordinance has addressed these issues by prohibiting short-term rentals for temporary activities. Temporary activities include, but are not limited to, weddings, corporate events, and birthday parties. In addition to compliance with PMC Chapter 10.32 (Noise) and PMC 23.76 (Noise Control), staff has included that there shall be no sound amplification, either inside or outside, of the short-term rental. If a short-term rental operator or renter should

operate outside of these limits, they would be subject to code enforcement action and administrative citations as outlined in 6.45.170 of the draft ordinance.

Section 6.45.120 of the draft ordinance regulates overnight occupancy of short-term rentals to two (2) persons per bedroom with an exception for children under the age of six (6), who may additionally occupy the premises, and no additional occupants shall be permitted at the short-term rental during the hours of 11:00 p.m. to 6:00 a.m. Any advertisement for a short-term rental that is found to advertise an occupancy above that of two persons per bedroom will be in direct violation of the Municipal Code and will be subject to an administrative citation or possible revocation of their business license and operating permit.

Upon successful registration, the City may issue a short-term residential rental operating permit to the owner of the Premises on a first in time and first in right basis. Notwithstanding any provisions of this Code to the contrary, the City reserves the right to deny a short-term residential rental permit to an applicant if it is determined that the geographic area within a 300-foot radius of the Premises being considered for registration has an overconcentration of short-term residential rental uses.

Notice to Occupants

The Owner or Managing agency or agent shall provide the Responsible person of a Short-term residential rental with the following information prior to occupancy of the Premises and shall post such information in a conspicuous place within the dwelling on the premises:

- (a) The name of the Owner or Managing agency or agent and a telephone number at which each may be reached on a seven (7) day per week, twenty-four (24) hour per day basis; and
- (b) Notification of the maximum number of overnight and daytime occupants permitted on the Premises pursuant to this Chapter; and
- (c) Notification of the City's noise standards, as provided in Chapter 23.76 of this Code, as may be amended from time to time; and
- (d) Notification of the parking standards of this Chapter; and
- (e) A copy of this Chapter of the Placentia Municipal Code, as may be amended from time to time; and
- (f) Notification that an occupant may be cited or fined by the City, in addition to any other remedies available at law, for violating any provisions of this Chapter; and
- (g) A copy of the "Good Neighbor Brochure"; and
- (h) The Owner or Managing agency or agent shall keep on file a signed agreement acknowledging that the Responsible person and occupants agree to the general rules summarized in the Good Neighbor Brochure and rental contract, including without limitation the immediate termination provision in the rental contract for any violation of the Municipal Code by any occupant.

Tax Collection

Under the PMC, operators of short-term rentals are treated the same as the City's hotels. Specifically, they are required to pay both an annual business license tax and a quarterly transient occupancy tax (TOT). Historically, collecting TOT money from short term rental operators is challenging for a variety of reasons. To help new operators, who may be unfamiliar with the process, and to ensure quarterly collection of TOT, staff is recommending the services of Host Compliance, LLC (third party operator) assist with the registration and regulation of short-term rentals. Any owner(s) or managing agency or agent on behalf of owner(s), who fails to report and remit TOT, or submit a form indicating a zero balance, concerning a premises with a registered operating permit, subject to Section 6.45.040 of the PMC, within three (3) days of written notification of delinquency from the City, shall have their operating permit for the subject Premises revoked.

Housing, Planning and Economic Development Ad Hoc Committee of the City Council

The draft ordinance was reviewed by the Housing, Planning and Economic Development Ad Hoc Committee of the City Council and staff was given direction on the regulation of short-term rentals. Staff has incorporated the concerns raised by the ad-hoc committee and amended the draft ordinance accordingly.

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, the proposed code amendments are not expected to create a negative impact on the physical environment, and it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Therefore, staff is recommending that the Planning Commission recommend that the City Council find that adoption of the ordinance is exempt from environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA), Section 15061 (b)(3).

CONCLUSION:

In an effort to be more business friendly to the residents of Placentia, the City Council directed staff to prepare an Ordinance to regulate short-term rentals, and to ensure that all short-term rentals are accounted for in City records, and that no property operating as a short-term rental causes an ongoing nuisance to the surrounding residential community.

Staff has prepared a draft ordinance that will regulate short-term rentals by amending the City of Placentia Municipal Code (PMC), by adding Chapter 23.71 (Short-Term Residential Rentals – Licensed Use) and Chapter 6.45 (Short-Term Residential Rentals) relating to Short-Term Residential Rentals and making conforming changes to Chapters 23.10 ("R-A" – Residential Agricultural District), 23.12 ("R-1" – Single Family Residential District), 23.15 ("R-2" – Low-Medium Density Multiple-Family District), 23.18 ("R-G" – Medium Density Multiple-Family), 23.21 ("R-3" – High Density Multiple-Family), 23.25 ("RPC" – Residential Planned Community District), 23.72 ("PUD" – Planned Unit Development District), 23.106 ("SP-6" – Specific Plan 6), 23.107 ("SP-7" – Specific Plan 7), 23.108 ("SP-8" – Specific Plan 8), and 23.110 ("SP-10" – Specific Plan 10, 23.111 ("TOD" – Transit

Oriented Development Packing House District), and 23.112 ("OT" – Old Town Placentia Revitalization Plan).

As this Ordinance would be codified into the Zoning Code, the Planning Commission must conduct a Public Hearing and forward a recommendation to the City Council. The attached Resolution as prepared by staff would recommend City Council Approval of ZCA 2019-02.

Prepared and submitted by:

Reviewed and approved by:



Arlen Beck
Planning Technician



Joseph M. Lambert
Director of Development Services

Attachment:

1. Resolution No. PC-2019-13 and Exhibit A thereto (Draft Ordinance O-2019-XX)

RESOLUTION NO. PC-2019-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA, RECOMMENDING THE CITY COUNCIL ADOPTION OF AN ORDINANCE AMENDING THE CITY OF PLACENTIA MUNICIPAL CODE (PMC), BY ADDING CHAPTER 23.71 (SHORT-TERM RESIDENTIAL RENTALS – LICENSED USE) AND CHAPTER 6.45 (SHORT-TERM RESIDENTIAL RENTALS) RELATING TO SHORT-TERM RESIDENTIAL RENTALS AND MAKING CONFORMING CHANGES TO CHAPTERS 23.10, 23.12, 23.15, 23.18, 23.21, 23.25, 23.72, 23.106, 23.107, 23.108, 23.110, 23.111 AND 23.112 OF THE MUNICIPAL CODE

A. Recitals.

WHEREAS, the City of Placentia ("City") has the authority under Article 11, Section 5 of the California Constitution and the City Charter to make and enforce all ordinances and regulations with respect to municipal affairs; and

WHEREAS, the City has the authority to regulate land uses and businesses operating within the City; and

WHEREAS, short-term residential rentals of private residences are business ventures that are presently not a permitted use in any residential zone of the City; and

WHEREAS, short-term residential rental arrangements (also called commercial transient housing arrangements) are not traditional rentals or leases that convey a real property interest, but rather they are overnight accommodations offered for hire for periods 29 days or less pursuant to a license. In this respect, they are quite similar to a hotel, motel, or bed and breakfast; and

WHEREAS, the Planning Commission hereby recommends that the Placentia City Council now seek to permit the short-term rental use of certain legally permitted dwelling units throughout the City of Placentia in order to facilitate the booking of reservations for such uses through internet-based booking platforms, and promote tourism and economic vitality in the City; and

WHEREAS, the short-term rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy, promoting travel and tourism and supporting the local tourism industry and business community; and

WHEREAS, the short-term rental of homes can provide homeowners an opportunity to maintain ownership of property in difficult economic circumstances; and

WHEREAS, the needs of long-term residents should be balanced with the allowance of short-term rentals; and

WHEREAS, the Planning Commission hereby recommends that the Placentia City Council recognize that unregulated short-term rentals can create disproportionate impacts related to their size, excessive occupancy, and lack of proper facilities; and

WHEREAS, the presence of unregulated short-term rentals of residential dwelling units in established residential neighborhoods can create negative compatibility impacts and nuisance violations, among which include, but are not limited to, excessive noise, on-street parking, accumulation of trash, and diminished public safety; and

WHEREAS, the conversion of long-term housing units to short-term rentals will result in the loss of long-term housing for Placentia residents; and

WHEREAS, it is in the public interest that short-term rental uses be regulated in order to help preserve housing for long-term tenants and to minimize any potential deleterious effects of short-term rental properties on other properties in the surrounding neighborhoods in which they are located; and

WHEREAS, the Planning Commission finds that there is a substantial interest in furthering the public health, safety and welfare by controlling density, by protecting the residential character of areas designated for residential use, by promoting home ownership and providing appropriate housing stock to meet the needs of the City, by establishing and enforcing minimum life safety standards, and by preserving the long-term rental housing market located within the City.

WHEREAS, short-term residential rentals of private residences within the City are subject to the City's business licensing ordinance; and

WHEREAS, short-term occupancies of private residences within the City are subject to the City's transient occupancy tax; and

WHEREAS, the City desires and intends to amend the Placentia Municipal Code to make express and clarify provisions concerning short-term residential rentals, promote accurate collection of the transient occupancy tax, and enhance and maintain the residential character of its residential zones by providing regulations for short-term residential rentals within the City.

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the proposed ordinance, and the City Council thereafter conducted a duly noticed public hearing;

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 2019-02 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 Exhibit "A" (Zoning Code Amendment 2019-02) and incorporated herein by this reference, amending the City of Placentia Municipal Code (PMC), by adding Chapter 23.71 (Short-Term Residential Rentals – Licensed Use) and Chapter 6.45 (Short-Term Residential Rentals) relating to Short-Term Residential Rentals and making conforming changes to Chapters 23.10, 23.12, 23.15, 23.18, 23.21, 23.25, 23.72, 23.106, 23.107, 23.108, 23.110, 23.111 and 23.112 of the Municipal Code.

SECTION NO. 5: Any provision of the City of Placentia Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION NO. 6: Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable. The Planning Commission hereby recommends that the City Council of the City of Placentia declares that it would have adopted all the provisions of this ordinance that remain valid if any provisions of this ordinance are declared invalid.

SECTION NO. 7: The Planning Commission hereby recommends that the City Council find and certify, that the amendments set forth in ZCA 2019-02 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, that it can be seen with certainty that there is no possibility that the amendments set forth below may have a significant effect on the environment. The Commission further recommends the City Council find that said amendments are therefore not subject to the requirements of the California Environmental Quality Act pursuant to the provisions of § 15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations and further recommends that a Notice of Exemption be filed with the Orange County Clerk/Recorder, in the manner as required by law.

SECTION NO. 8: 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.

ADOPTED AND APPROVED this 11th day of June, 2019.

CHRISTINE J. SCHAEFER, CHAIR

I, Joseph M. Lambert, Secretary to the Planning Commission of the City of Placentia, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Placentia held on the 11th day of June, 2019, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 11th day of June, 2019, 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

CARRIE A. RAVEN,
ASSISTANT CITY ATTORNEY

EXHIBIT "A"

DRAFT ORDINANCE NO. O-2019-XX

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA, ADDING CHAPTER 23.71 (Title 23 ZONING CODE) AND ADDING CHAPTER 6.45 (TITLE 6 BUSINESS LICENSES AND REGULATIONS) OF THE PLACENTIA MUNICIPAL CODE RELATING TO SHORT-TERM RESIDENTIAL RENTALS

WHEREAS, the City of Placentia ("City") has the authority under Article 11, Section 5 of the California Constitution and the City Charter to make and enforce all ordinances and regulations with respect to municipal affairs; and

WHEREAS, the City has the authority to regulate land uses and businesses operating within the City; and

WHEREAS, short-term residential rentals of private residences are business ventures that are presently not a permitted use in any residential zone of the City; and

WHEREAS, short-term residential rental arrangements (also called commercial transient housing arrangements) are not traditional rentals or leases that convey a real property interest, but rather they are overnight accommodations offered for hire for periods of less than 30 days pursuant to a license. In this respect, they are quite similar to a hotel, motel, or bed and breakfast; and

WHEREAS, the Placentia City Council now seeks to permit the short-term rental use of certain legally permitted dwelling units throughout the City of Placentia in order to facilitate the booking of reservations for such uses through internet-based booking platforms, and promote tourism and economic vitality in the City; and

WHEREAS, the short-term rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy, promoting travel and tourism and supporting the local tourism industry and business community; and

WHEREAS, the short-term rental of homes can provide homeowners an opportunity to maintain ownership of property in difficult economic circumstances; and

WHEREAS, the needs of long-term residents should be balanced with the allowance of short-term rentals; and

WHEREAS, the Placentia City Council recognizes that unregulated short-term rentals can create disproportionate impacts related to their size, excessive occupancy, and lack of proper facilities; and

WHEREAS, the presence of unregulated short-term rentals of residential dwelling units in established residential neighborhoods can create negative compatibility impacts and nuisance violations, among which include, but are not limited to, excessive noise, on-street parking, accumulation of trash, and diminished public safety; and

WHEREAS, the conversion of long-term housing units to short-term rentals will result in the loss of long-term housing for Placentia residents; and

WHEREAS, it is in the public interest that short-term rental uses be regulated in order to help

preserve housing for long-term tenants and to minimize any potential deleterious effects of short-term rental properties on other properties in the surrounding neighborhoods in which they are located; and

WHEREAS, the Placentia City Council finds that there is a substantial interest in furthering the public health, safety and welfare by controlling density, by protecting the residential character of areas designated for residential use, by promoting home ownership and providing appropriate housing stock to meet the needs of the City, by establishing and enforcing minimum life safety standards, and by preserving the long-term rental housing market located within the City.

WHEREAS, short-term residential rentals of private residences within the City are subject to the City's business licensing ordinance; and

WHEREAS, short-term occupancies of private residences within the City are subject to the City's transient occupancy tax; and

WHEREAS, the City desires and intends to amend the Placentia Municipal Code to make express and clarify provisions concerning short-term residential rentals, promote accurate collection of the transient occupancy tax, and enhance and maintain the residential character of its residential zones by providing regulations for short-term residential rentals within the City.

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

SECTION 1. Chapter 6.45 of the Placentia Municipal Code is added in its entirety as follows:

**Chapter 6.45
SHORT-TERM RESIDENTIAL RENTALS**

Sections:

- 6.45.010 Violation – Nuisance – Applicability.**
- 6.45.020 Short-term residential rental, definitions.**
- 6.45.030 Conditions of operation.**
- 6.45.040 Business license.**
- 6.45.050 Registration.**
- 6.45.060 Personal availability.**
- 6.45.070 Notice to occupants.**
- 6.45.080 Transient occupancy tax.**
- 6.45.090 (Reserved)**
- 6.45.100 Signs/Advertisement.**
- 6.45.110 Noise.**
- 6.45.120 Occupancy.**
- 6.45.130 Maintenance of residential character.**
- 6.45.140 Minimum duration of rental.**
- 6.45.150 Parking.**
- 6.45.160 Revocation of Short-term residential rental permit and business license.**
- 6.45.170 Administrative citation.**
- 6.45.180 Master Associations.**
- 6.45.190 Reserved.**
- 6.45.200 Common Interest Developments.**

6.45.210 Unlicensed Rentals.

6.45.220 Ordinance sunset.

6.45.010 Violation—Nuisance—Applicability.

It is unlawful and a violation of this Chapter, and is hereby declared a public nuisance, for any person or entity owning, renting, leasing, occupying, or having charge, control or possession of any real or improved property within the City of Placentia to cause, permit, maintain or allow any violation of this Chapter to exist thereon. Any violation of this Chapter is punishable as a misdemeanor and/or as otherwise permitted by this Code. Each and every violation of this Chapter that exists constitutes a separate and distinct violation as does each and every day, or portion thereof that any violation exists.

6.45.020 Short-term residential rental, definitions.

The following words and phrases, whenever used in this Chapter, shall have the meaning defined in this Section unless the context clearly requires otherwise:

"Advertise" means the act of drawing the public's attention to a short-term rental in order to promote the availability of the residence for use as a short-term rental. Said advertising may be found in any medium, including but not limited to, newspaper, magazine, brochure, website, or mobile application.

"Booking Service" means any reservation and/or payment service provided by a person or entity that facilitates a short-term rental transaction between an Owner and a prospective Occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the short-term rental transaction.

"City" means the City of Placentia.

"Code" means the Placentia Municipal Code.

"Common Interest Development" means a residential development that is subject to the Davis-Stirling Act of the State of California, and where there exists a common area owned by an association or owners of separate interests, there has been recorded a declaration and final subdivision map, there has been conveyed to each homeowner a separate interest coupled with an interest in the common area or membership in the association, and there is a board of directors elected by the association of homeowners.

"Good Neighbor Brochure" means a document prepared by the City, as may be revised from time to time, that summarizes the general rules of conduct, consideration and respect pertaining to the use and occupancy of the short-term rental units.

"Hosting Platform" means a person or entity that participates in the short-term rental business by providing, and collecting or receiving a fee for, Booking Services through which an Owner may offer premises for an occupant on a short-term basis. Hosting Platforms usually, though not necessarily, provide Booking Services through an online platform that allows an Owner to advertise the premises through a website provided by the Hosting Platform and the Hosting Platform conducts a transaction by which potential occupants arrange their use and their payment, whether the would-be occupant pays rent directly to the Owner or to the Hosting Platform. Hosting Platform also means a marketplace that is

created for the primary purpose of facilitating the short-term rental of a residential unit offered for occupancy for tourist or transient use for compensation to the offeror of that unit, and the operator of the hosting platform derives revenues, including booking fees or advertising revenues, from providing or maintaining that marketplace. "Facilitating" includes, but is not limited to, the act of allowing the offeror of the residential unit to offer or advertise the residential unit on the Internet Web site provided or maintained by the operator.

"Local contact person" means the person designated by the Owner, or Owner's authorized agent, who shall be available twenty-four (24) hours per day, seven (7) days per week for the purpose of: (1) responding within one (1) hour to complaints regarding the condition, operation, or conduct of occupants of the Short-term residential rental unit; and (2) taking any remedial action necessary to resolve any such complaints.

"Managing agency or agent" means a person, firm, or agency representing the Owner of the Short-term residential rental, or a person, firm, or agency owning or operating more than one (1) Short-term residential rental.

"Master Association" means any entity which has written and valid contractual jurisdiction and authority to act on behalf of common interest developments and to exclusively manage all Short-term residential rentals within that entire common interest development, as defined in this Section 6.45.020, and development and promptly respond in the event of Short-term residential rental violations or problems.

"Multiple Rentals" means the ownership or controlling interest of any number of real properties in excess of one residential property in the City used for purposes of Short-term residential rentals as defined in this Chapter 6.45.

"Occupant" means any individual person living, sleeping or possessing a building, or portion thereof. A person is not required to be paying rent, providing in-kind services, or name in any lease, contract or other legal document to be considered an occupant.

"Owner" means any person or entity having fee-title ownership and/or appearing on the last equalized assessment roll of Orange County showing controlling interest of the Premises.

"Owner's authorized agent," or "manager," or "managing agency" means an individual or business entity, or their representative, appointed by an Owner to solicit applications, execute agreements, or otherwise act on Owner's behalf in the rental of property as a Short-term residential rental.

"Premises" means the actual single-family house or other residential dwelling unit, including all of its improved real property, which is used as a Short-term residential rental.

"Responsible person" means the signatory of a short-term rental agreement for the use and occupancy of a short-term rental unit, who shall be an occupant of the subject short-term rental unit, and is legally responsible for ensuring that all occupants of the short-term rental unit, and/or their guests, comply with all applicable laws, rules and regulations pertaining to the use and occupancy of subject short-term rental unit, and who may be held liable for any violation of all applicable laws, rules and regulations set forth in this Chapter.

"Short-term residential rental" means the rental of a residential dwelling unit by the Owner thereof to another party for a continuous period of less than thirty (30) days in the aggregate, in exchange for any form of monetary or non-monetary consideration such as, but not limited to, trade, fee, swap or any other in lieu of cash payment; and also means "Hotel" as that term is defined in section 3.20.10 of the Municipal Code.

"Transient occupancy tax" means the tax levied by the City in accordance with Chapter 3.20 of the Municipal Code. This tax is levied upon individuals or businesses engaged in the sale of sleeping accommodations to the public.

6.45.030 Locations and Conditions of operations of Short-term residential rentals.

- (a) Pursuant to this Chapter and any other applicable provisions of this Code, short-term residential rentals are permitted in those zones identified in Chapter 23.71 only if the requirements of this Chapter are met.
- (b) The requirements of this Chapter shall be met before a Short-term residential rental of a premises is permitted.
- (c) Pursuant to this Chapter and any other applicable provisions of this Code, multiple rentals under one Short-term Residential Rental permit are prohibited. Each Short-term Residential Rental shall require a unique permit and business license.
- (d) Notwithstanding any provisions in this Chapter to the contrary, Short-term residential rentals shall be permitted pursuant to business licenses and Short-term residential rental permits issued by the City in any new development containing at least ten (10) residential units, unless the City Council expressly prohibits Short-term Residential Rentals in a Development Agreement or as a condition in a Use Permit.

6.45.040 Business license.

- (a) Business license required for Short-term residential rentals. The Short-term residential rental of any Premises in the City is deemed to be a "business" as defined in Chapter 6.04 of this Code. It is unlawful for any person or entity, including, without limitation, the Owner of a Premises and Managing agency or agent, to engage in the business of Short-term Residential Rentals without first obtaining and maintaining both a valid business license from the City pursuant to Chapter 6.04 of this Code for the purpose of operating any number of Short-term Residential Rentals and an operating permit for each property to be used as a Short-term Residential Rental. The business license and operating permit or copy thereof shall be prominently displayed in a visible location at the Short-term residential rental Premises during any periods of occupancy thereof by any person other than the Owner(s) of the premises. At no time shall the Short-term residential rental be used for temporary activities such as weddings, receptions, and large parties attended by more than the occupants of the Short-term residential rental.
- (b) Penalty for violation. Failure to obtain and maintain a business license or continuing to operate a Short-term residential rental business after suspension or revocation of a business license, knowingly or intentionally misrepresenting to any officer or employee of this City any material fact in procuring a business license for Short-term residential rentals, or failing to pay the full

amount of any business license tax when due, shall be punishable in accordance with the provisions of Section 6.04.240 of this Code. An action against an Owner or any permittee of a business license for Short-term residential rentals who is in violation of any of the provisions of this Section may be brought pursuant to Chapter 8.06 or Section 6.04.240 of this Code, in addition to the business license suspension and revocation proceedings described in Section 6.45.160. Nothing herein shall be construed to limit the City's right to pursue any and all code enforcement or any and all available remedies at law.

6.45.050 Registration.

On a written form prepared by the Director of Development Services or his/her designee, of the City, the Owner shall register with the City as the point of contact for the Short-term Residential Rental Premises and shall be responsible for all requirements of this Chapter. However, such registration is deemed satisfied if accomplished by a Managing agency or agent on behalf of the Owner. The Owner of the Premises shall retain primary responsibility for all requirements of this Code related to Short-term residential rentals, notwithstanding registration by a Managing agency or agent. There shall be no subleasing of any Premises for Short-term residential rental purposes; instead, only a rental agreement executed by the Owner shall be permitted for any Premises when used for Short-term residential rentals. A fee may be established by resolution of the City Council to cover costs of processing the registration. Either the Owner of the Premises or a Managing agency or agent shall provide all of the following information to the City at the time of registration, and shall promptly upon change of any such information update such information to maintain accuracy:

- (a) Full legal name of the Owner of the Premises and if a business entity or trust, the individual who has responsibility to oversee its ownership of the Premises; and
- (b) Street and mailing addresses of the Owner of the Premises; and
- (c) Telephone number of the Owner of the Premises; and
- (d) Email address of the Owner of the Premises; and
- (e) Full legal name or business name of a Managing agency or agent, if any; and
- (f) Street and mailing addresses of a Managing agency or agent, if any; and
- (g) Telephone number of a Managing agency or agent, if any; and
- (h) Street and mailing addresses of the Short-term residential rental Premises; and
- (i) Telephone number of the Short-term residential rental Premises; and
- (j) List of all online websites used to advertise Premises for Short-term residential rental along with all listing numbers; and
- (k) Full name and telephone number of 24-hour emergency Local contact person; and
- (l) Submit a Transit Occupancy Tax (TOT) registration fee as set by resolution of the Placentia City Council; and
- (m) Submit a Short-term residential rental registration fee as set by resolution of the Placentia City Council; and
- (n) Any other contact information the City may reasonably require.
- (o) Provide the Uniform Resource Locator (URL), (i.e. the web site address) for any and all advertisements of the short-term residential rental.

A current business license, TOT registration and Good Neighbor Brochure shall be hung and/or placed in a conspicuous location within the Premises at all times of the Short-term residential rental business operation. In addition, each Responsible person for the Premises shall be provided with a copy of the City's Good Neighbor Brochure by the Owner or Managing agency or agent.

The Owner or Managing agency or agent shall provide language in their rental agreement

allowing for immediate termination of the rental contract, and immediate eviction upon any violation of the Municipal Code by any occupant. The Responsible person shall acknowledge understanding of all Placentia Short-term residential rental rules and their liability for any fines incurred by occupants.

Upon successful registration, the City may issue a short-term residential rental operating permit to the owner of the Premises on a first in time and first in right basis. Notwithstanding any provisions of this Code to the contrary, the City reserves the right to deny a short-term residential rental permit to an applicant if it is determined that the geographic area within a 300-foot radius of the Premises being considered for registration has an overconcentration of short-term residential rental uses.

6.45.060 Personal availability.

- (a) For each Short-term residential rental, a Local contact person shall be available by telephone on a seven (7) day per week, twenty-four (24) hour per day basis to respond to public safety calls, nuisances, or other complaints regarding the use, condition, operation, or conduct of occupants on the Premises. The Local contact person shall respond within one (1) hour to satisfactorily correct any alleged nuisance or violation of this Chapter by occupants occurring at the Premises. If the Local contact person does not respond within one (1) hour or does not satisfactorily correct the alleged nuisance or violation pertaining to the call, the Owner shall be subject to citation pursuant to Section 6.45.170 of this Code.
- (b) The Local contact person shall be physically present within the geographical limits of the City during the term of the Short-term residential rental or be otherwise physically available to respond by visiting the Premises in person, at the request of the City or the City's police authority, within one (1) hour of contact concerning any alleged nuisance or violation of this Chapter.

6.45.070 Notice to occupants.

The Owner or Managing agency or agent shall provide the Responsible person of a Short-term residential rental with the following information prior to occupancy of the Premises and shall post such information in a conspicuous place within the dwelling on the premises:

- (a) The name of the Owner or Managing agency or agent and a telephone number at which each may be reached on a seven (7) day per week, twenty-four (24) hour per day basis; and
- (b) Notification of the maximum number of overnight and daytime occupants permitted on the Premises pursuant to this Chapter; and
- (c) Notification of the City's noise standards, as provided in Chapter 23.76 of this Code, as may be amended from time to time; and
- (d) Notification of the parking standards of this Chapter; and
- (e) A copy of this Chapter of the Placentia Municipal Code, as may be amended from time to time; and
- (f) Notification that an occupant may be cited or fined by the City, in addition to any other

remedies available at law, for violating any provisions of this Chapter; and

- (g) A copy of the "Good Neighbor Brochure"; and
- (h) The Owner or Managing agency or agent shall keep on file a signed agreement acknowledging that the Responsible person and occupants agree to the general rules summarized in the Good Neighbor Brochure and rental contract, including without limitation the immediate termination provision in the rental contract for any violation of the Municipal Code by any occupant.

6.45.080 Transient Occupancy Tax.

All Short-term residential rentals shall be subject to the City's Transient Occupancy Tax (TOT) as required by Chapter 3.20 of this Code. The Owner or Managing agency or agent shall report and remit TOT to the City, even if a zero balance exists for the reporting period, once per quarter, on or before the 30th day following the dates of March 31, June 30, September 30, and December 31 of each year, on a form prepared by the City or in a manner otherwise acceptable to the City. Any Owner(s), or Managing agency or agent on behalf of Owner(s), who fails to report and remit TOT, or submit a form indicating a zero balance, concerning a Premises with a registered operating permit, subject to Section 6.45.040 of this Code, within three (3) days of written notification of delinquency from the City, shall have their operating permit for the subject Premises revoked. Such written notification will be mailed by Certified U.S. Mail to the address(es) provided to the City pursuant to Section 6.45.050 of this Code.

6.45.090 Reserved.

6.45.100 Signs/advertisement.

No sign, as that term is defined in Section 17.04.030 of this Code, shall be posted on the Premises to advertise the availability of the Short-term residential rental unit to the public.

All advertisement, including online advertisement, shall include the following information:

- (a) The assigned Short-term residential rental permit number; and
- (b) The number of occupants allowed to occupy the Short-term residential rental.
- (c) Any sign or advertisement in violation of this Chapter shall be subject to a citation pursuant to Section 6.45.170 of this Code.

No Owner, Managing Agent, person, entity, Responsible Party, or Hosting Platform shall advertise a short-term residential rental situated within the City that is not licensed pursuant to this Chapter. All Hosting Platforms shall provide the following information in a notice to any owner listing a Short-term Rental located within the City of Whittier through the Hosting Platform's service. The notice shall be provided prior to the owner listing the premises and shall include the following information: THE "SHORT-TERM RESIDENTIAL RENTALS" CHAPTER OF THE PLACENTIA MUNICIPAL CODE PROHIBITS THE SHORT-TERM RENTAL OF RESIDENTIAL PREMISES WITHIN THE CITY OF PLACENTIA UNLESS THE CITY HAS ISSUED BOTH A BUSINESS LICENSE AND OPERATING PERMIT, AND THE OWNER PAYS TRANSIENT OCCUPANCY TAX. The Operating Permit License Number assigned by the City to a Short-term Residential Rental must be displayed on any Hosting Platform's website where said short-term rental is advertised.

Each Short-term Residential Rental shall have a unique operating permit number.

6.45.110 Noise.

It is unlawful for any Owner, occupant, renter, lessee, person present upon, or person having charge or possession of the Premises to make or continue or cause to be made or continued any loud, unnecessary or unusual noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area, or violates any provision of Chapter 10.32 (Noise), or Chapter 23.76 (Noise Control) of this Code. For the purposes of determining whether a violation of this Section has occurred, the standards set forth in Chapter 10.32 and/or Chapter 23.76 of this Code shall apply. Fines for violation of the noise provisions in the Municipal Code, as applicable to Short-term Code shall apply residential rentals shall be those established pursuant to Section 6.45.170 of this Code.

Sound amplification, either inside or outside the short-term rental is prohibited.

6.45.120 Occupancy.

The maximum overnight occupancy on the Premises of the Short-term residential rental, from the hours of 11:00 p.m. through 6:00 a.m. on the following morning, shall not exceed two (2) persons per bedroom with an exception for children under the age of six (6) who may additionally occupy the premises, and no additional occupants shall be permitted on the Premises during such hours. In any advertising concerning the Premises for Short-term residential rental, the Owner or Managing agency or agent shall advertise the maximum number of overnight occupants allowed as set forth above.

6.45.130 Maintenance of residential character.

The appearance of the Premises shall not conflict with the residential character of the neighborhood, either by the use of colors, materials, lighting, landscaping, window coverings or otherwise. All applicable development, design, and landscaping standards, including, but not limited to, Chapter 23 of this Code, are expressly made applicable to a Premises used for Short-term residential rentals.

Trash and refuse shall be stored outside of public view, except in proper trash containers for the purpose of collection of the trash haulers during the day the trash is collected.

Occupants shall not utilize any vehicle, tent, or other portable structure for a dwelling unit on the grounds of the Premises.

Premises may only be used for residential lodging and shall not be used for weddings, receptions, commercial functions, advertised conferences, or similar purposes. The condition of the Premises shall comply with all applicable fire, building and other health and safety laws, including all required building and fire permits; and Owner shall consent to inspection by the City upon request to verify compliance with the City's short-term residential rental requirements.

6.45.140 Minimum duration of rental.

The duration of any lease or rental of Premises as a Short-term residential rental registered pursuant to Sections 6.45.040 and 6.45.050 of this Code shall be for a minimum of one (1) night and two (2) consecutive days during which time there shall be no overlapping leases or rental of the Premises. In

any advertising concerning the availability of the Premises for Short-term residential rental, the Owner or Managing agency or agent shall advertise the minimum number of rental nights and days set forth in this subsection.

6.45.150 Parking.

During the term of any Short-term residential rental, a maximum of one (1) vehicle per bedroom shall be permitted for the Premises, and no additional vehicles shall be permitted. All vehicles of occupants of the Short-term residential rental shall be parked only in an approved driveway or garage on the Premises.

6.45.160 Revocation of Short-term residential rental permit and business license.

- (a) Grounds for Revocation. In addition to any other penalty authorized by law, a permit and business license for a Short-term residential rental may be revoked by the City if the Director of Development Services finds, after notice to the licensee and opportunity to be heard, that the licensee or his or her agent or employee has violated, or failed to fulfill, the requirements of this Chapter or this Code,

The Director of Development Services, or designee, shall immediately revoke all rental permits from the Owner and Managing agency or agent upon three (3) violations of this Chapter pertaining to any combination of Premises owned by the Owner or managed by the Owner's Managing agency or agent within the City within any twelve (12) month period.

- (b) Appeal from denial, suspension or revocation of a business license for Short-term residential rental. Any applicant for a business license for the business of Short-term residential rentals whose application was denied by the Director of Development Services, and any licensee whose business license for a Short-term residential rental is suspended or revoked by the Director of Development Services, may, within ten (10) days following such decision, appeal such decision to the Planning Commission, in which event the decision of the Director of Development Services shall be vacated and the Planning Commission shall determine whether to affirm, reverse, or modify the decision of the Director of Development Services in accordance with the requirements for Short-term residential rentals set forth in this Chapter. At least fourteen (14) days prior to the Planning Commission's meeting to consider the appeal of the applicant or licensee, the Director of Development Services, City Clerk, or authorized designee, shall send, by United States mail, certified, return receipt requested, written notice to the applicant or licensee of the time and place at which the Planning Commission will consider the application, suspension or revocation, and the applicant or licensee shall be provided an opportunity to be heard by the Planning Commission prior to its decision being made. Subject to any appeal of the City Council as hereinafter permitted, the decision of the Planning Commission shall be final and the City Clerk shall notify the applicant or licensee, as applicable, in writing of the decision of the Planning Commission. If the Planning Commission affirms the decision of the Director of Development Services denying an application or suspending or revoking a license, the applicant or licensee shall have the right to appeal the decision of the Planning Commission to the City Council in accordance with the provisions of Section 23.87 of this Code, as amended from time to time. The decision of the Planning Commission shall not be vacated during the pendency of any appeal to the City Council.

6.45.170 Administrative citation.

- (a) The City, may issue an administrative citation to any occupant, invitee, renter, lessee or Owner of the Premises, or Managing agency or agent, and/or Hosting Platform for a violation of any provision of this Chapter.
- (b) All complaints against a Short-term residential rental for any violation of this Code may be handled by the City on a 24-hour basis. Any police report where the City's police authority has concluded that a violation of this Chapter has occurred, may be submitted to the City's Code Enforcement Department for review, processing and issuance of an administrative citation. Each and every day, or portion thereof, that a violation of this Chapter exists constitutes a separate and distinct violation for which an administrative citation may be issued. Such an administrative citation shall be issued, notice given, and any appeals heard by the processes and in the manner prescribed by Sections 8.06.010 through 8.06.180 of this Code, as amended from time to time.

In addition or in the alternative, any violation of this Chapter may constitute a misdemeanor which may be subject to the maximum punishment therefor as allowed by law.

Responsible person (renter):

The City may issue and the responsible person for each Short-term residential rental may receive an administrative citation for any violation of this Chapter 6.45, or any other provision of this Code which is violated during a Short-term residential rental including, without limitation, the City's noise ordinance, as follows:

1. First violation — Warning by City authority;
2. Second violation within any thirty (30) day period - \$500 fine;
3. Third and subsequent violations within any thirty(30) day period - \$1,000 fine for each violation.

Owner:

The City may issue and the Owner may receive an administrative citation for any violation of this Chapter 6.45, or any other provision of this Code which is violated during a Short-term residential rental including, without limitation, the City's noise ordinance, by the Owner or Short-term residential rental occupant, as follows:

1. First violation – Warning by City;
2. Second and subsequent violations within any twelve (12) month period, other than operating without a business license or Short-term residential rental permit — \$500 fine for each violation, and permanent revocation of business license and Short-term residential rental permit;
3. Second violation of operating without a business license or Short-term residential rental permit and permanent prohibition against receipt of a business license and

Short-term residential rental permit — \$1,000 fine.

4. Violations for operating without a business license or Short-term Residential Rental Permit shall be cited and enforced pursuant to Chapter _____ and/or Chapter _____, accordingly.

Hosting Platform

The City may issue and the Hosting Platform may receive an administrative citation for each violation of Section 6.45.210 of this Chapter.

- (1) Each and every violation -- \$1,000 fine per violation per day.

6.45.180 Master Associations.

Any Master Association, acting on behalf of Owners of Premises within a Country Club, may choose to operate Short-term residential rentals, and if so shall register Premises for operation as a Short-term residential rental pursuant to the requirements of Section 6.45.050, In such event, Short-term residential rentals registered by the Master Association shall not be restricted by any minimum duration of rental as otherwise set forth in Section 6.45.140.

6.45.190 Reserved.

6.45.200 Common Interest Developments

A Common Interest Development, separate and apart from a Master Association, may allow Short-term residential rentals for a minimum number of consecutive nights and days as determined by its governing board and Owners of Premises therein, provided it satisfies all of the following:

- (a) The governing board of the Common Interest Development shall propose the issue of allowing the proposed specific minimum consecutive night and day Short-term residential rentals by a formal election/vote of all Owners of Premises within the Common Interest Development.
- (b) At least a majority of those members voting from within the Common Interest Development shall have, by recorded vote, approved the proposal.
- (c) The governing board of the Common Interest Development shall file with the City's Director of Development Services written certification of the results of such election/vote, signed by the President or Chair of the governing board and in a form and substance approved by the Director of Development Services in his/her discretion.
- (d) Upon filing a certification with the City that the proposal was approved, Short-term residential rentals within the Common Interest Development shall not be restricted by the minimum duration of rental as set forth in Section 6.45.140(b), but may be operated for any minimum duration established by the above described vote.
- (e) A Common Interest Development may repeal this authority by following the election/voting procedures set forth in subsections (a)-(d) above. If this authority is

repealed, all Short-term residential rental permits and business licenses issued to Owners in the Common Interest Development shall remain valid and in effect, but shall automatically be deemed to be amended to allow a minimum duration of twenty-nine (29) nights (twenty-eight (28) nights in February of non-leap years), as set forth in Section 6.45.140(b).

- (f) If a Common Interest Development has not chosen to allow Short-term residential rentals for a minimum duration of less than that set forth in Section 6.45.180(b), individual Owners within the Common Interest Development may apply for a Short-term residential rental permit for their own Premises in accordance with Section 6.45.180(b).

6.45.210 Unlicensed Rentals

Hosting Platforms are prohibited from facilitating the short-term residential rental of unlicensed and illegal businesses. Hosting Platforms shall not process transactions for properties that are not licensed and permitted by the City. Failure of any Hosting Platform to remove from its website the marketing information for any and all unlicensed and illegal short-term residential rental properties shall be a violation of this Section. Hosting Platforms shall not facilitate the evading of relevant taxes and regulations by any short-term residential rental.

Owners and/or Managing Agents and/or agents and/or operators of an unlicensed short-term residential rental are expressly prohibited from operating in the City and are illegal and are prohibited from being marketed as short-term residential rentals available for lodging within the City.

6.45.220 Reserved.

SECTION 2. Chapter 23.71 of the Placentia Municipal Code is added in its entirety as follows:

Chapter 23.71 Short-term Residential Rentals Licensed Use

23.71.010 Short-term Residential Rentals – Licensed Use.

A short-term residential rental is a permitted use in the following zones only upon this issuance of a license by the City pursuant to Chapter 6.34 of the Placentia Municipal Code:

- (1) Residential Agricultural (R-A) – See Chapter 23.10;
- (2) Single-Family Residential (R-1) – See Chapter 23.12;
- (3) Low-Medium Density Multiple Family (R-2) – See Chapter 23.15;
- (4) Residential Planned Community RPC – See Chapter 23.25;
- (5) Planned Unit Development (PUD) – See Chapter 23.72; and
- (6) Low density land use areas within Specific Plan 7 – See Chapter 23.107.
- (7) Medium Density Multiple-Family (R-G) – See Chapter 23.18
- (8) High Density Multiple-Family (R-3) – See Chapter 23.21
- (9) Specific Plan 6 (SP-6) – See Chapter 23.106
- (10) Specific Plan 8 (SP-8) – See Chapter 23.108
- (11) Specific Plan 10 (SP-10) – See Chapter 23.110
- (12) Transit Oriented Development Packing House District (TOD) – See Chapter 23.111

(13) Old Town Placentia Revitalization Plan (OT) – See Chapter 23.112

SECTION 3. CEQA. This Ordinance does not commit the City to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act(CEQA), Section 15061 (b)(3).

SECTION 4. SEVERABILITY. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance, which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are hereby declared to be severable, This Ordinance amends, adds to and deletes (as applicable) sections of the Placentia Municipal Code.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect and be in force 30 days after passage.

SECTION 6. PUBLICATION. The City Clerk is directed to publish this Ordinance, full text or summary form, in the manner and in the time prescribed by law.

PASSED APPROVED, AND ADOPTED by the City Council of the City of Placentia, California, at a regular adjourned meeting held on the ____ day of _____, 2019.



Placentia Planning Commission

AGENDA STAFF REPORT

TO: PLANNING COMMISSION

FROM: JOSEPH M. LAMBERT, DIRECTOR OF DEVELOPMENT SERVICES

DATE: JUNE 11, 2019

SUBJECT: **ZONING CODE AMENDMENT (ZCA) NO. 2019-01 AND SPECIFIC PLAN AMENDMENT (SPA) NO. 2018-01, CONSIDERATION OF AN AMENDMENT TO THE PLACENTIA MUNICIPAL CODE AND AN AMENDMENT TO SPECIFIC PLAN 5 (SP-5) WHICH WOULD AMEND PLACENTIA MUNICIPAL CODE CHAPTER 23.105 ENTITLED "SPECIFIC PLAN 5" (SP-5) TO ADD HOSPITALITY USES TO THE PERMITTED USES FOR ALL PARCELS (INCLUDING PARCELS 9 AND 11) AND TO MODIFY THE MAXIMUM ALLOWABLE HEIGHT TO BE SEVENTY-FIVE (75) FEET WITHIN THE SPECIFIC PLAN AREA WHICH CONSISTS OF 11 PARCELS ON APPROXIMATELY 19.13 ACRES, GENERALLY LOCATED AT THE NORTHEAST CORNER OF ORANGETHORPE AVENUE AND PLACENTIA AVENUE, AND EXTENDING NORTHBOUND ALONG PLACENTIA AVENUE ONTO KIMBERLY AVENUE. (BRIAN CHUCHUA)**

RECOMMENDATION

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

- 1) Open Public Hearing, concerning Zoning Code Amendment (ZCA) No. 2019-01 and Specific Plan Amendment (SPA) No. 2018-01; and
- 2) Receive the Staff Report and consider all Public Testimony; and
- 3) Close the Public Hearing; and
- 4) Adopt Resolution No. PC-2019-14, a Resolution of the Planning Commission of the City of Placentia, recommending that the City Council of the City of Placentia approve Zoning Code Amendment (ZCA) No. 2019-01 and Specific Plan Amendment (SPA) No. 2018-01 the Placentia Municipal Code Chapter 23.105 entitled "Specific Plan 5" (SP-5) to add hospitality uses to the permitted uses for all parcels (including Parcels 9 and 11) and to modify the maximum allowable height to be seventy-five (75) feet within the Specific Plan under Zoning Code Amendment 2019-01. The project would also have a corresponding Specific Plan Amendment 2018-01 for Specific Plan 5 (SP-5) to amend the permitted uses within the Specific Plan to add the hospitality uses as permitted uses on all parcels and to modify the maximum height permitted

within the Specific Plan from fifty (50) to seventy-five (75) feet; and recommending the adoption of Negative Declaration (ND) No. 2019-02 pursuant to the California Environmental Quality Act Guidelines (CEQA) set forth in Title 14 CCR §15074 and the City of Placentia Environmental Guidelines.

REQUEST

The applicant, Brian Chuchua, requests approval of a Zoning Code and Specific Plan Amendment to amend the Placentia Municipal Code Chapter 23.105 entitled “Specific Plan 5” (SP-5) to add hospitality uses to the permitted uses for all parcels (including Parcels 9 and 11) and to modify the maximum allowable height to be seventy-five (75) feet within the Specific Plan under Zoning Code Amendment 2019-01. The project would also have a corresponding Specific Plan Amendment 2018-01 for Specific Plan 5 (SP-5) to amend the permitted uses within the Specific Plan to add the hospitality uses as permitted uses on all parcels and to modify the maximum height permitted within the Specific Plan from fifty (50) to seventy-five (75) feet.

BACKGROUND

Specific Plan (SP-5) was approved by the City of Placentia in 1986 and consists of 11 parcels on approximately 19.13 acres, generally located at the northeast corner of Orangethorpe Avenue and Placentia Avenue, and extending northbound along Placentia Avenue onto Kimberly Avenue. The project site is identified with the following Assessor Parcel Numbers (APN's) and addresses:

APNs: 339-112-28, 29, 30, 31, 339-112-35, 36, 37, 339-112-25, 26, 27, 339-112-21, 339-112-09, 339-112-17.

Addresses: 600 S. Placentia Avenue, 620 S. Placentia Avenue, 640 S. Placentia Avenue, 721 W. Kimberly Avenue, 781 W. Kimberly Avenue, 711 W. Kimberly Avenue, 701 W. Kimberly Avenue, 750 S. Placentia Avenue, 770 S. Placentia Avenue, 710 W. Kimberly Avenue, 700 W. Kimberly Avenue, 774 S. Placentia Avenue, 776 S. Placentia Avenue, 777 W. Orangethorpe Avenue, 797 W. Orangethorpe Avenue, 735 W. Orangethorpe Avenue.

SP-5 was adopted by the City to provide a “site for retailers and businesses, which through the characteristics of their respective services offered, cater to the entire community.” The Specific Plan has been amended several times, including in 1988, 1990, 1995 and 1997. Mr. Brian Chuchua owns 777 W. Orangethorpe Avenue, which was the home of Premier Chrysler Jeep of Placentia from 1986 to 2018. This property, also known as Parcel 9 of SP-5, is a key revenue producing commercial property in the City that is currently sitting vacant.

PROJECT DESCRIPTION

The proposed project would amend SP-5 and the underlying land use designation of the project site to add hospitality uses to the permitted uses for all parcels (including Parcels 9 and 11) and to modify the maximum allowable height to be seventy-five (75) feet within the Specific Plan under Zoning Code Amendment 2019-01. The project would also have a corresponding Specific Plan Amendment 2018-01 for Specific Plan 5 (SP-5) to amend the permitted uses within the Specific Plan to add the hospitality uses as permitted uses on all parcels and to modify the maximum height permitted within the Specific Plan from fifty (50) to seventy-five (75) feet. The SP-5 location map is provided below for reference:



Applicable Code Sections – Placentia Municipal Code

The subject property is currently zoned SP-5 with an underlying land use designation of "Specific Plan". The permitted and conditionally permitted uses within SP-5 focus on hospitality, office, research and development, retail, and restaurant uses. The Specific Plan designation provides a greater flexibility of uses that is not generally featured in zones such as the C-2 (Community Commercial) and M (Manufacturing) zones. Specific Plans are generally structured to attract certain specific uses and to provide staff greater flexibility in features of the development do not fully comply with the development standards, thereby requiring a ZCA to amend SP-5 pursuant to Section 23.96.010 of the

PMC. Although the proposed action will alter the uses permitted within SP-5, pursuant to PMC Section 23.75.010(a), construction of all new buildings shall require a Development Plan Review to be reviewed and approved at a noticed public hearing before the Planning Commission, and a Use Permit is required prior to approval of conditionally permitted uses.

ANALYSIS

Consistency with the General Plan

The General Plan features policies that promotes the reinvestment of underutilized properties while being sensitive to the suburban atmosphere and requires new developments to provide adequate improvements and pay impact fees to offset the demand costs on city services and facilities. The proposed Zoning Code Amendment and Specific Plan Amendment is consistent with the following Land Use policies of the General Plan:

Policy 1.1 – Large, contiguous vacant or underutilized parcels should be comprehensively planned for development to minimize effects on the City suburban atmosphere.

Policy 2.1 – The distribution of land uses within the general plan shall be such as to achieve an economical community which will not require added public expenditures per household, per commercial establishment, or per employee to finance new development or to update existing development.

Policy 2.5 – Ensure new developments provide adequate improvements, dedications, and fees to the City to fully cover the project's demand costs on City services and facilities.

Development of a large vacant property (777 W. Orangethorpe Avenue, also known as Parcel 9 of SP-5) will promote further compatibility with existing developments and hospitality uses within the surrounding area and will stimulate investment and business activity which will strengthen the economic vitality of the City. Future development within the Specific Plan 5 area will provide necessary improvements within the public right-of-way including street resurfacing and installation of new sidewalks, gutters, and driveway approaches, and removal and replacement of public landscaping. Impact fees will be required to be paid by developers to offset any associated impacts on City services and facilities. Overall, the proposed ZCA and SPA will be consistent with the General Plan and will result in a compatible continuation to existing land uses and development within the surrounding area.

As previously stated, SP-5 was adopted by the City to provide a “site for retailers and businesses, which through the characteristics of their respective services offered, cater to the entire community.” The Specific Plan has been amended several times to accommodate the changing economy and changing land use patterns, including in 1988, 1990, 1995 and 1997. This application was initiated by Mr. Brian Chuchua, who owns

777 W. Orangethorpe Avenue. This property was the home of Premier Chrysler Jeep of Placentia from 1986 to 2018. This property, also known as Parcel 9 of SP-5, is a key revenue producing commercial property in the City that is currently sitting vacant. Staff has been working with Mr. Chuchua to achieve a replacement development for his property that would be consistent with the provisions of SP-5 and that would generate economic growth, provide local jobs, and revenue.

Planning, Community, Economic Development, and Housing Ad Hoc Committee

All major development projects and Advanced Planning efforts within the City of Placentia require review by the Planning, Community, Economic Development, and Housing Ad Hoc Committee. The Committee reviewed this proposal on several occasions, and the City Council Ad Hoc Committee fully supports this proposal. The Ad Hoc Committee is supportive of amending SP-5 to attract a new hospitality use, a new auto retailer use, or alternatively, a mix of uses that may include, hospitality, restaurant and retail.

CEQA

An initial study has been prepared by PGN, a professional environmental firm. This document evaluated all CEQA issues contained in the latest Initial Study (IS) Checklist form. The evaluation determined that the project could not have a significant impact on the environment, and a Negative Declaration will be prepared. Based on the findings in the Initial Study, the City of Placentia proposes to adopt a Negative Declaration (ND) No. 2019-02 for the ZCA and SPA. A Notice of Intent to Adopt a Negative Declaration (NOI) was issued for this project by the City of Placentia. The Initial Study and Notice of Intent to Adopt a Negative Declaration has been circulated for a 20-day public comment period. Comments received during the comment period will be responded to. The final IS/ND package with comments and responses will be prepared for adoption at a future City Council meeting regarding this project.

PUBLIC NOTIFICATION

Legal notice was published in the OC Register on May 30, 2019, and notices were sent to property owners of record within a 300-foot radius of the subject property on May 30, 2019. Notices were posted at the Civic Center and on the City website. As of June 6, 2018, 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 staff fully supports this ZCA and SPA. The proposed ZCA/SPA will be compatible with adjacent land uses and, as indicated in the draft IS/ND, the project will not result in any adverse impacts to the surrounding area or to surrounding properties.

RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution PC-2019-14, recommending that City Council approve Zoning Code Amendment (ZCA) No. 2019-01 and Specific Plan Amendment (SPA) No. 2018-01, and adopt a Negative Declaration (ND) No. 2019-02 for the ZCA and SPA.

Prepared, approved and submitted by:



Joseph M. Lambert
Director of Development Services

ATTACHMENTS:

1. Resolution No. PC-2019-14 recommending City Council approval of Zoning Code Amendment (ZCA) No. 2019-01 and Specific Plan Amendment (SPA) No. 2018-01 and recommending adoption of a Negative Declaration (ND) No. 2019-02 for the ZCA and SPA.
Exhibit A: Amendment to City of Placentia Municipal Code Chapter 23.105 and Amendment to Specific Plan 5
Exhibit B: Project Area
2. Initial Study and Draft Negative Declaration (ND) No. 2019-02

RESOLUTION NO. PC-2019-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLACENTIA, CALIFORNIA RECOMMENDING TO THE CITY COUNCIL 1.) APPROVAL OF ZONING CODE AMENDMENT (ZCA) NO. 2019-01 AND SPECIFIC PLAN AMENDMENT (SPA) NO. 2018-01, CONSIDERATION OF AN AMENDMENT TO THE PLACENTIA MUNICIPAL CODE AND AN AMENDMENT TO SPECIFIC PLAN 5 (SP-5) WHICH WOULD AMEND PLACENTIA MUNICIPAL CODE CHAPTER 23.105 ENTITLED "SPECIFIC PLAN 5" (SP-5) TO ADD HOSPITALITY USES AND OTHER COMMERCIAL USES TO THE PERMITTED USES FOR ALL PARCELS (INCLUDING PARCELS 9 AND 11) AND TO MODIFY THE MAXIMUM ALLOWABLE HEIGHT TO BE SEVENTY-FIVE (75) FEET WITHIN THE SPECIFIC PLAN AREA, AND; 2.) ADOPTING A NEGATIVE DECLARATION (ND) NO. 2019-02 FOR THE PROPOSED PROJECT

A. Recitals.

(i). On June 11th, 2019, the Planning Commission of the City of Placentia conducted, and concluded, a duly noticed public hearing, as required by law, to consider approve Zoning Code Amendment (ZCA) No. 2019-01 and Specific Plan Amendment (SPA) No. 2018-01 the Placentia Municipal Code Chapter 23.105 entitled "Specific Plan 5" (SP-5) to add hospitality uses to the permitted uses for all parcels (including Parcels 9 and 11) and to modify the maximum allowable height to be seventy-five (75) feet within the Specific Plan under Zoning Code Amendment 2019-01. The project would also have a corresponding Specific Plan Amendment 2018-01 for Specific Plan 5 (SP-5) to amend the permitted uses within the Specific Plan to add the hospitality uses as permitted uses on all parcels and to modify the maximum height permitted within the Specific Plan from fifty (50) to seventy-five (75) feet.

(ii). An Initial Study was prepared to review and consider the environmental impacts of the Zoning Code Amendment and Specific Plan Amendment in accordance with the California Environmental Quality Act and the City of Placentia Environmental Guidelines as codified in Title 14 of the California Code of Regulations ("CCR") Section 15000 et. seq., Public Resources Code Section 21000 et. seq. and the City of Placentia Environmental Guidelines.

(iii). On or about June 6, 2019, based upon the Initial Study, the City of Placentia, as lead agency, published a Notice of Intent to Adopt a Negative Declaration ("ND") in accordance with CCR Section 15072. Thereafter, on or about June 6, 2019, the City of Placentia published the ND which found that the project could not have a significant

impact on the environment, and a Negative Declaration will be prepared in accordance with CCR Section 15070.

(iv.) On or about June 6, 2019, the City published the draft ND for a period of 20 days for public comment in accordance with CCR Section 15073. After completion of the public review period, the City will prepare written responses to all comment letters received on the Negative Declaration during the public review period for final City Council Consideration.

(v.) The City of Placentia provided notice of public hearing in accordance with California Government Code Section 65090 and the City of Placentia Municipal Code Section 23.96.030 by publication in a local newspaper at least 10 days prior to the public hearing and by direct U.S. mail to all property owners within 300-feet of the proposed project boundaries.

(vi.) All other legal prerequisites to the adoption of this Ordinance have occurred.

B. Resolution.

NOW, THEREFORE, the Planning Commission of the City of Placentia makings the following findings and recommendations to the City Council:

SECTION 1. The recitals set forth above are true and correct and adopts those recitals as though fully set forth herein.

SECTION 2. Find that the Negative Declaration circulated for public review contains all contents as required in CCR Section 15071. Moreover, the City has complied with all requirements of the California Environmental Quality Act and the City of Placentia Environmental Guidelines as codified in Title 14 of the California Code of Regulations (“CCR”) Section 15000 et. seq., Public Resources Code Section 21000 et. seq. and the City of Placentia Environmental Guidelines.

SECTION 3. The Planning Commission recommends that the City Council adopt the Negative Declaration for the “project” including the Zoning Code Amendment and Specific Plan Amendment and find that the project will not have a significant effect on the environment in accordance with CCR Section 15070.

SECTION 4. The Planning Commission finds that an amendment to the City of Placentia Municipal Code and Specific Plan 5 (SP-5) by amending the Code and Specific Plan as set forth in Exhibit “A” and find, in accordance with Chapter 23.96 (“Amendments”) of the City of Placentia Municipal Code will not be detrimental to the health, safety or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the city; will not be injurious to property or improvements within the neighborhood or within the city; nor will it be inconsistent with the latest adopted General Plan.

SECTION 5. Prior to taking this action, the Planning Commission reviewed, considered and has exercised its independent judgment based on substantial evidence on the Negative Declaration and all of the information and data in the administrative record, all oral and written testimony received and finds that the Negative Declaration was prepared in full compliance with the California Environmental Quality Act.

SECTION 6. If any section, subsection, sentence, clause, or phrase of this resolution and/or the documents in support of this resolution is/are for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this resolution.

Section 7. The Secretary to the Planning Commission shall certify to the adoption of this Resolution.

PASSED and ADOPTED this 11th day of June 2019.

CHRISTINE SCHAEFER, CHAIR

I, Joseph M. Lambert, Secretary to the Planning Commission of the City of Placentia, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Placentia held on the 11th day of June 2019, and was passed at this regular meeting of the Planning Commission of the City of Placentia held on the 11th day of June 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

Joseph M. Lambert,
Secretary to the Planning Commission

APPROVED AS TO FORM:

Tom Duarte,
Assistant City Attorney

Exhibit A: Amendment to City of Placentia Municipal Code Chapter 23.105 and
Amendment to Specific Plan 5

Exhibit B: Map of Project Area

Exhibit "A"

Amendment to City of Placentia Municipal Code Chapter 23.105 and Amendment to Specific Plan 5

Title 23 ZONING

Chapter 23.105 SPECIFIC PLAN 5

Note

* Prior ordinance history: Ordinances 86-O-118, 88-O-118 and 90-O-101.

23.105.010 Location.

This specific plan shall encompass 19.13 +/- net acres at the northeast corner of Placentia Avenue and Orangethorpe Avenue, 727 +/- feet south of Crowther Avenue and lying west of Placentia Storm Drain Channel, **represented by the following specific plan area map:**



23.105.020 Purpose.

The specific plan is intended to provide a site for retailers and businesses, which through the characteristics of their respective services offered, cater to the entire community. (Ord. 95-O-118, 1995)

23.105.030 Permitted uses for parcels 1, 2, 3, 4, 5, 6, 8 and 10.

All retail, business and office uses are permitted on these parcels as shown on Exhibit A attached to the ordinance codified in this chapter and on file in the office of the city clerk, including but not limited to the following examples:

- (1) Apparel stores;
- (2) Appliance stores;
- (3) Educational and training offices;
- (4) Financial institutions;
- (5) Food stores;
- (6) General administrative offices;
- (7) Health clubs;;
- (8) Home improvement centers;
- (9) Hotels with lounges;
- (10) Medical and dental offices and clinics;
- (11) Professional offices;
- (12) Research and development including laboratories;
- (13) Restaurants including drive-through facilities;
- (14) Sales and service operations with or without light assembly and storage;
- (15) Small outdoor seating areas per Section 23.81.165;
- (16) Use conformity determination.

Notwithstanding the provisions of this section, the planning commission of the city of Placentia may, upon application made pursuant to the provisions of Chapter 23.87, review and determine whether a proposed use, not otherwise specified in this section, conforms to the intent and purpose of this chapter with regard to permitted uses and has characteristics similar to those uses listed in this section. The city administrator shall determine the number of plot plans to be submitted together with the application. The planning commission shall make the findings required by Section 23.87.040(1) and (2) in making any such determination. (Ord. O-2010-09 § 5, 2010; Ord. 97-O-107 § 1, 1997; Ord. 95-O-118, 1995)

23.105.040 Permitted uses for parcels 6 and 7.

The primary purpose of parcels 6 and 7 is hotel in nature. All retail, business and office uses listed in Section 23.105.030 shall be permitted. (Ord. 95-O-118, 1995)

23.105.050 Permitted uses for parcels 9 and 11.

The ~~primary~~ purpose of these parcels is to provide a site for motor vehicle dealerships, and for other selected other commercial uses. Hospitality uses listed in Section 23.105.030 shall be permitted. General retail, financial, office, medical, and restaurant uses including drive-through facilities listed in Section 23.105.030 shall be permitted.

23.105.60 Uses subject to obtaining a use permit for all parcels.

- (1) Establishments that sell alcoholic beverages including on- and off-sale;
- (2) Uses similar to those permitted in Section 23.105.030 with special design characteristics which have the potential to adversely affect the health, safety and general welfare of the surrounding neighborhood;
- (3) Large outdoor seating areas per Section 23.81.165. (Ord. 97-O-107 § 2, 1997; Ord. 95-O-118, 1995)

23.105.070 Height.

Maximum allowable building height shall be ~~fifty (50)~~ seventy-five (75) feet. Rooftop amenities and architectural projections, such as and not limited to, clubhouses, swimming pools, tennis courts, open space areas, fitness centers, are permitted to project 16 ft. above the maximum height limit if integrated into the overall design of the project and the maximum rooftop building coverage is limited to 40% of the rooftop floor area.

23.105.080 Lot coverage.

Not more than eighty-five (85) percent of the net lot area shall be devoted to main and accessory building area, parking area or driveways except on those lots containing an auto dealership where one hundred (100) percent coverage shall be permitted. (Ord. 95-O-118, 1995)

23.105.090 Front yard setback.

Minimum front yard setbacks shall be fifteen (15) feet.
All of the required yard area shall be landscaped and maintained, except for drive entrances. (Ord. 95-O-118, 1995)

23.105.100 Side yard.

Minimum side yard setback shall be fifteen (15) feet when adjacent to public streets. Side yards adjacent to public streets shall be landscaped and maintained. All other side yards shall be a minimum of three (3) feet. Parking shall be permitted within the side yard setback except in areas designed for landscaping. (Ord. 95-O-118, 1995)

23.105.110 Rear yard.

Minimum rear yard setback shall be fifteen (15) feet. A minimum of five (5) feet shall be landscaped and maintained. (Ord. 95-O-118, 1995)

23.105.120 Distance between buildings.

The minimum distance between buildings shall be twelve (12) feet, except for buildings on parcels 9 and 11. (Ord. 95- O-118, 1995)

23.105.130 Walls and fences.

All fences shall be six (6) feet high chain link with one (1) inch private decorative slatting, color to be compatible with architecture of building. These fences shall occur along the southerly, easterly and northerly exterior property lines on parcels 1 through 7, as shown on Exhibit A attached to the ordinance codified in this chapter and on file in the office of the city clerk. (Ord. 95-O-118, 1995)

23.105.140 On-site parking.

Parking shall be provided per Chapter 23.78 for all areas covered by the specific plan, with the following exceptions:

(1) (A) Parking for parcels 1 and 2 shall be combined to meet requirements.

(B) Parking for parcels 3 and 4 shall be combined to meet requirements.

(2) Reciprocal parking shall be provided between parcels 1 and 2 and parcels 3 and 4. (Ord. 95-O-118, 1995)

23.105.150 Signs.

All signs shall be integrated with the design of the development and shall reflect the architecture of the building except those provided for in Section 23.90.160 (temporary advertising devices) and shall not be located in such a manner as to constitute a hazard to pedestrian or vehicular traffic, and shall comply with all local building and electrical codes and their supporting structures shall be enclosed, structurally safe and maintained in good condition.

(1) (A) Project entry monument signs shall not exceed four (4) feet in height and twenty-four (24) feet in length.

(B) Two project entry signs as shown on Exhibit B, attached to the ordinance codified in this chapter, shall be permitted.

(2) Interior monument signs shall not exceed four (4) feet in height and ten and one-half (10.5) feet in length.

(3) (A) Freeway signs shall not exceed twenty (20) feet in height above freeway driving surface.

(B) Freeway signs shall not exceed fifteen (15) feet in width.

(C) Two freeway signs as shown on Exhibit B, attached to the ordinance codified in this chapter, shall be permitted.

(4) (A) Building tenant directory signs shall not exceed six and one-half (6.5) feet in height and five (5) feet in width.

(B) Seven (7) building tenant directory signs as shown on Exhibit B, attached to the ordinance codified in this chapter, shall be permitted.

(5) (A) Tenant identification signs shall meet the material and design criteria dictated by the sign specifications for the park.

(B) Each tenant identification sign shall not exceed one and one-half (1.5) square foot per lineal foot of building frontage on which the sign is located.

(6) (A) Truck door identification signs shall be attached to the building. No portion of any sign may project more than six (6) inches from the face of the building to which it is attached.

(B) Each truck door identification sign shall not exceed four (4) square feet.

(7) Additional signs shall be permitted subject to the review and approval of the planning commission. (Ord. 95-O- 118, 1995)

Exhibit "B"

Project Area



**Notice of Intent to Adopt a Negative Declaration and
Draft Initial Study for Specific Plan-5 –
Zoning Code Amendment 2019-01 (ZCA),
Specific Plan Amendment 2018-01 (SPA), and
Negative Declaration 2019-02
Placentia, County of Orange, California**

The People are the City



Lead Agency/Applicant:
City of Placentia
401 East Chapman Avenue
Placentia, California 92870

Prepared by:
PGN
PO Box 2473
Menifee, CA 92586

May 2019

- This document is designed for double-sided printing -

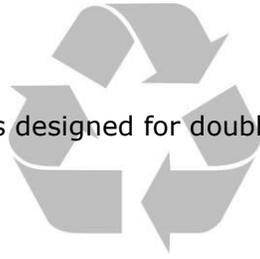


Table of Contents

1 Introduction	1
1.1 – Purpose of CEQA	1
1.2 – Public Comments	2
1.3 – Availability of Materials	3
2 Project Description	4
2.1 – Project Title	4
2.2 – Lead Agency Name and Address.....	4
2.3 – Contact Person and Phone Number	4
2.4 – Project Location	4
2.5 – Project Sponsor’s Name and Address	4
2.6 – General Plan Land Use Designation.....	5
2.7 – Zoning	5
2.8 – Project Description	5
2.9 – Surrounding Land Uses and Setting	7
2.10 – Required Approvals.....	8
2.11 – Other Public Agencies Whose Approval is Required	8
2.12 – Tribal Consultation.....	8
3 Determination.....	9
3.1 – Environmental Factors Potentially Affected	9
3.2 – Determination.....	9
4 Evaluation of Environmental Impacts	11
4.1 – Aesthetics	11
4.2 – Agriculture and Forest Resources	13
4.3 – Air Quality	15
4.4 – Biological Resources	17
4.5 – Cultural Resources	19
4.6 – Energy.....	20
4.7 – Geology and Soils.....	22
4.8 – Greenhouse Gas Emissions	25
4.9 – Hazards and Hazardous Materials	27
4.10 – Hydrology and Water Quality	30
4.11 – Land Use and Planning	33
4.12 – Mineral Resources	35
4.13 – Noise	36
4.14 – Population and Housing.....	39
4.15 – Public Services	40
4.16 – Recreation	42
4.17 – Transportation	43
4.18 – Tribal Cultural Resources.....	46
4.19 – Utilities and Service Systems	47
4.20 – Wildfire	49
4.21 – Mandatory Findings of Significance	50
5 References.....	53
5.1 – List of Preparers.....	53
5.2 – Persons and Organizations Consulted.....	53

1 Introduction

The City of Placentia (Lead Agency) initiated applications for a Zoning Code Amendment (ZCA) and Specific Plan Amendment for Specific Plan No. 5. The City is also serving as the project applicant for the amendments to modify the permissible land uses and height standard within the Specific Plan 5 area. The approval of the applications constitute a *project* that is subject to review under the California Environmental Quality Act (CEQA) 1970 (Public Resources Code, Section 21000 et seq.), and the State CEQA Guidelines (California Code of Regulations, Section 15000 et. seq.).

This Initial Study has been prepared to assess the short-term, long-term, and cumulative environmental impacts that could result from the proposed amendment project.

This report has been prepared to comply with Section 15063 of the State CEQA Guidelines, which sets forth the required contents of an Initial Study. These include:

- A description of the project, including the location of the project (See Section 2);
- Identification of the environmental setting (See Section 2.9);
- Identification of environmental effects by use of a checklist, matrix, or other methods, provided that entries on the checklist or other form are briefly explained to indicate that there is some evidence to support the entries (See Section 4);
- Discussion of ways to mitigate significant effects identified, if any (See Section 4);
- Examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls (See Section 4.11); and
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study (See Section 5).

1.1 – Purpose of CEQA

The body of state law known as *CEQA* was originally enacted in 1970 and has been amended a number of times since then. The legislative intent of these regulations is established in Section 21000 of the California Public Resources Code, as follows:

The Legislature finds and declares as follows:

- a) The maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern.
- b) It is necessary to provide a high-quality environment that at all times is healthful and pleasing to the senses and intellect of man.
- c) There is a need to understand the relationship between the maintenance of high-quality ecological systems and the general welfare of the people of the state, including their enjoyment of the natural resources of the state.
- d) The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.
- e) Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.
- f) The interrelationship of policies and practices in the management of natural resources and waste disposal requires systematic and concerted efforts by public and private interests to enhance environmental quality and to control environmental pollution.

Introduction

- g) It is the intent of the Legislature that all agencies of the state government which regulate activities of private individuals, corporations, and public agencies which are found to affect the quality of the environment, shall regulate such activities so that major consideration is given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian.

The Legislature further finds and declares that it is the policy of the State to:

- a) Develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.
- b) Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise.
- c) Prevent the elimination of fish or wildlife species due to man's activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history.
- d) Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions.
- e) Create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.
- f) Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality.
- g) Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed actions affecting the environment.

A concise statement of legislative policy, with respect to public agency consideration of projects for some form of approval, is found in Section 21002 of the Public Resources Code, quoted below:

The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required by this division are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects. The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.

1.2 – Public Comments

Comments from all agencies and individuals are invited regarding the information contained in this Initial Study. Such comments should explain any perceived deficiencies in the assessment of impacts, identify the information that is purportedly lacking in the Initial Study or indicate where the information may be found. All comments on the Initial Study are to be submitted to:

Joseph M. Lambert, Director of Development Services
City of Placentia, Development Services Department
401 East Chapman Avenue, Placentia, California 92870
O: 714-99--8234
F: 714-528-4640
jlambert@placentia.org

Following a 20-day period of circulation and review of the Initial Study, all comments will be considered by the City of Placentia prior to adoption.

1.3 – Availability of Materials

All materials related to the preparation of this Initial Study are available for public review. To request an appointment to review these materials, please contact:

Joseph M. Lambert, Director of Development Services
City of Placentia, Development Services Department
401 East Chapman Avenue, Placentia, California 92870
O: 714-99--8234
F: 714-528-4640
jlambert@placentia.org

2 Project Description

2.1 – Project Title

Zoning Code Amendment 2019-01, Specific Plan Amendment 2018-01 and Negative Declaration 2019-02

2.2 – Lead Agency Name and Address

City of Placentia, Development Services Department
401 East Chapman Avenue, Placentia, California 92870

2.3 – Contact Person and Phone Number

Joseph M. Lambert, Director of Development Services
714-993-8234

2.4 – Project Location

Specific Plan 5 project area encompasses 11 parcels on approximately 19.13 acres, at the northeast corner of South Placentia Avenue and West Orangethorpe Avenue within the City of Placentia, County of Orange, California. The latitude and longitude is 33° 51' 44.23" North and 117° 52' 53.97" West. The project site is identified with the following Assessor Parcel Numbers and addresses:

Specific Plan Parcel	Assessor Parcel Number	Addresses
1	339-112-28	600 S. Placentia Avenue 620 S. Placentia Avenue 640 S. Placentia Avenue
2	339-112-29	721 W. Kimberly Avenue 781 W. Kimberly Avenue
3	339-112-30	711 W. Kimberly Avenue
4	339-112-31	701 W. Kimberly Avenue
5	339-112-35 339-112-36 339-112-37	750 S. Placentia Avenue 770 S. Placentia Avenue
6	339-112-25	710 W. Kimberly Avenue
7	339-112-21	700 W. Kimberly Avenue
8	339-112-26	774 S. Placentia Avenue
9	339-112-27	776 S. Placentia Avenue 777 W. Orangethorpe Avenue
10	339-112-09	797 W. Orangethorpe Avenue
11	339-112-17	735 W. Orangethorpe Avenue

2.5 – Project Sponsor's Name and Address

City of Placentia, Development Services Department
401 East Chapman Avenue, Placentia, California 92870

2.6 – General Plan Land Use Designation

The Placentia General Plan Land Use Map designates Parcels 1 through 7 within Specific Plan 5 as SP - Specific Plan, Parcels 8 through 10 as C - Commercial and Parcel 11 as I- Industrial.

2.7 – Zoning

The Placentia Zoning Map classifies all parcels within the Specific Plan area as SP-5.

2.8 – Project Description

The project consists of amending the Placentia Municipal Code Chapter 23.105 entitled "Specific Plan 5" (SP-5) to modify Section 23.105.050 to add hospitality uses to the permitted uses for Parcels 9 and 11 and to modify Section 23.105.070 Height to allow the maximum allowable height to be seventy-five (75) feet within the Specific Plan under Zoning Code Amendment 2019-01. The project would also have a corresponding Specific Plan Amendment 2018-01 for Specific Plan 5 (SP-5) to amend the permitted uses for Parcels 9 and 11 to add the hospitality uses and to modify the maximum height permitted within the Specific Plan from fifty (50) to seventy-five (75) feet.

Proposed Municipal Code Amendments

Staff is proposing to amend the Placentia Municipal Code, Title 13, Zoning, Chapter 23.105 Specific Plan 5 for Parcel 9 and 11 to add hospitality uses in Section 23.105.050 and to increase the maximum allowable height within the entire Specific Plan area from fifty to seventy-five feet as show in Section 23.105.070 below.

The new language shown in **bold face type** and the deletion of language as shown with a ~~strikethrough~~.

Title 23 ZONING

Chapter 23.105 SPECIFIC PLAN 5

23.105.030 Permitted uses for parcels 1, 2, 3, 4, 5, 6, 8 and 10.

All retail, business and office uses are permitted on these parcels as shown on Exhibit A attached to the ordinance codified in this chapter and on file in the office of the city clerk, including but not limited to the following examples:

- (1) Apparel stores;
- (2) Appliance stores;
- (3) Educational and training offices;
- (4) Financial institutions;
- (5) Food stores;
- (6) General administrative offices;
- (7) Health clubs;;
- (8) Home improvement centers;
- (9) Hotels with lounges;
- (10) Medical and dental offices and clinics;
- (11) Professional offices;
- (12) Research and development including laboratories;

Project Description

- (13) Restaurants including drive-through facilities;
- (14) Sales and service operations with or without light assembly and storage;
- (15) Small outdoor seating areas per Section 23.81.165;
- (16) Use conformity determination.

Notwithstanding the provisions of this section, the planning commission of the city of Placentia may, upon application made pursuant to the provisions of Chapter 23.87, review and determine whether a proposed use, not otherwise specified in this section, conforms to the intent and purpose of this chapter with regard to permitted uses and has characteristics similar to those uses listed in this section. The city administrator shall determine the number of plot plans to be submitted together with the application. The planning commission shall make the findings required by Section 23.87.040(1) and (2) in making any such determination.

23.105.040 Permitted uses for parcels 6 and 7.

The primary purpose of parcels 6 and 7 is hotel in nature. All retail, business and office uses listed in Section 23.105.030 shall be permitted.

23.105.050 Permitted uses for parcels 9 and 11.

The ~~primary~~ purpose of these parcels is to provide a site for motor vehicle dealerships. **Hospitality uses listed in Section 23.105.030 shall be permitted.**

23.105.070 Height.

Maximum allowable height shall be ~~fifty (50)~~ **seventy-five (75)** feet.

Project Construction

There is no construction or ground disturbance proposed as a result of the proposed amendments.

The following public services are available to the Project:

- Fire Protection Services Orange County Fire Authority
- Police Protection Services Placentia Police Department
- Public Schools Placentia-Yorba Linda Unified School District
- Library Services Placentia Library District
- City Administrative Services City of Placentia

The following utilities/infrastructure systems and services are available to the Project:

- Water/Sewer Golden State Water
- Electricity Southern California Edison
- Natural Gas The Gas Company
- Telephone/Communications Verizon, or other contract services

2.9 – Surrounding Land Uses and Setting

The adjacent General Plan Area Plan(s), Land Use Designation(s), and Zoning(s), if any:

Direction	General Plan Designation	Zoning District	Existing Land Use
Project Site	Parcels 1 to 7: SP - Specific Plan, Parcels 8 to 10: C - Commercial & Parcel 11: I - Industrial	SP-5	Commercial, Office & Hospitality
North	I - Industrial	M - Manufacturing	Industrial
South	I - Industrial, C-Commercial & LDR- Low Density Residential	M- Manufacturing, C-2 – Community Commercial, C-1, Neighborhood Commercial, R-1 (MHP), Single Family Residential (Mobile Home Park), & R-1, Single Family Residential	Commercial, Mobile Home Park & Single Family Residences
East	R-O-W and I - Industrial	R-O-W and M- Manufacturing	State Route 57 & Industrial
West**	Industrial	C-M, M-O & M-P-200	Commercial

** City of Fullerton



Project Description

2.10 – Required Approvals

The City of Placentia is the only land use authority for this project requiring the following approvals:

- Zoning Code Amendment 2019-01,
- Specific Plan Amendment 2018-01 and
- Negative Declaration 2019-02

2.11 – Other Public Agencies Whose Approval is Required

A summary of the requirements are as follows: None.

2.12 – Tribal Consultation

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

No. See Section 4.18 Tribal Cultural Resources for expanded discussion.

3 Determination

3.1 – Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a 'Potentially Significant Impact' as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture & Forestry Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology /Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards & Hazardous Materials
<input type="checkbox"/>	Hydrology/Water Quality	<input type="checkbox"/>	Land Use / Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population / Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

3.2 – Determination

<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a 'potentially significant impact' or 'potentially significant unless mitigated' impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Name: Joseph M. Lambert, Director of Development Services

Date

Determination

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

4 Evaluation of Environmental Impacts

4.1 – Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?			<input checked="" type="checkbox"/>	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			<input checked="" type="checkbox"/>	
c) Conflict with applicable zoning and other regulations governing scenic quality?			<input checked="" type="checkbox"/>	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			<input checked="" type="checkbox"/>	

Sources

Information used to prepare the Aesthetics section is from the following sources: aerial and ground-level photographs of the project area, the California Department of Transportation website identifying the California Scenic Highway Mapping System: Orange County and the City of Placentia *Municipal Code, Title 23 Zoning*.

Environmental Setting

The proposed project is located within an urbanized area, and the project area is developed.

Discussion

a) **Less Than Significant Impact.** Scenic vistas can be impacted by development in two ways. First, a structure may be constructed that blocks the view of a vista. Second, the vista itself may be altered (i.e., development on a scenic hillside). The proposed project is located within an urbanized area visually dominated by commercial and industrial land uses. The proposed Zoning Code Amendment and Specific Plan Amendment (project) would not result in significant adverse effects to any scenic vistas or public views of scenic vistas. The project involves amendments to Title 23 of the City’s Municipal Code (Zoning), to SP- 5 regarding permissible land uses and a modification to the maximum allowable height of structures within the Specific Plan area. While every future development scenario cannot be anticipated at this time, the aggregate effect is that any future development would be subject to visual and aesthetic requirements as a result of the proposed code and specific plan amendment. The proposed project would not result in any negative impacts to the City’s visual environment. Therefore, no further analysis of this environmental issue is necessary.

b) **Less Than Significant Impact.** The project is not adjacent to a designated state scenic highway or eligible state scenic highway as identified on the California Scenic Highway Mapping System. Thus, the proposed project would not damage the integrity of existing visual resources or historic buildings located along a State Scenic Highway. A less than significant impact on scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway, would result. The project site is located in a previously developed, urbanized area, and contains no scenic resources. Due to the absence of on-site scenic resources, a less than significant impact would occur and no further analysis is required.

c) **Less Than Significant Impact.** Development of the proposed project could result in a significant impact if it resulted in substantial degradation of the existing visual character or quality of the site and its surroundings. Degradation of visual character or quality is defined by substantial changes to the existing site appearance through construction of structures such that they are poorly designed or conflict with the site's existing surroundings.

The project involves amendments to Title 23 of the City's Municipal Code (Zoning), to Specific Plan 5 regarding permissible land uses and a modification to the maximum allowable height of structures within the Specific Plan area. Future construction shall adhere to the standards established within the Placentia Municipal Code. Therefore, visual impacts to existing visual character of the City are less than significant and no mitigation is required.

d) **Less Than Significant Impact.** Excessive or inappropriately directed lighting can adversely impact nighttime views by reducing the ability to see the night sky and stars. Glare can be caused from unshielded or misdirected lighting sources. Reflective surfaces (i.e., polished metal) can also cause glare. Impacts associated with glare range from simple nuisance to potentially dangerous situations (i.e., if glare is directed into the eyes of motorists).

All future developments and land use activities would be required to comply with all applicable regulations, including Placentia Municipal Title 23 (Zoning). In accordance with Placentia Municipal Code (PMC) Section 23.78.080 – Lights, all lighting within the parking lot or building lights are required to direct light away from the public right-of-way and any adjoining residential uses. Since project implementation would modify land uses and height of structures, it would not directly or indirectly create any adverse light or glare impacts, and no further analysis is required.

Mitigation Measures

No mitigation is necessary because Aesthetic impacts will be less than significant.

Level of Significance After Mitigation

Not Applicable.

4.2 – Agriculture and Forest Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the Project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?				<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				<input checked="" type="checkbox"/>

Sources

Information used to prepare this section is from the following sources: California Department of Conservation, *Farmland Mapping and Monitoring Program of the California Resources Agency* (http://www.conservation.ca.gov/dlrp/Pages/qh_maps.aspx).

Environmental Setting

The proposed project is located in a suburban area surrounded by industrial and commercial uses. According to the California Department of Conservation, *Farmland Mapping and Monitoring Program Map*, the City is predominately designated as urban and built up land. There are no current Williamson Act Contract lands as shown on the 2012 Williamson Act Lands map for Placentia.

Discussion

- a) **No Impact.** The proposed project will be located in a fully developed urbanized area. The map of Important Farmland in California (2010) prepared by the Department of Conservation does not identify the project as being Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No Williamson Act contracts are active for the project. Therefore, because the site has not been designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, there is no impact from the project on these types of farmland.
- b) **No Impact.** Currently, the project is designated with zoning as Commercial, Industrial and Specific Plan. The project will be developed consistent with the City Design Guidelines, so it will be aesthetically compatible with surrounding development. The project would have no effect upon agricultural resources within the City of Placentia or any other neighboring city or unincorporated county area.
- c) **No Impact.** Public Resources Code Section 12220(g) identifies forest land as *land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.* The project site and surrounding properties are not currently being managed or used for forest land as identified in Public Resources Code Section 12220(g). The USDA Forest Service vegetation maps for the project identify it as *urban* type, indicating that it is not capable of growing industrial wood tree species. Therefore, development of this project will have no impact to any timberland zoning.
- d) **No Impact.** The project areas are developed; thus, there will be no loss of forest land or conversion of forest land to non-forest use as a result of this project. No impact will occur.
- e) **No Impact.** The project area is previously developed within an urban environment. The project would not encroach onto agricultural land and would not encourage the conversion of existing farmland to non-agricultural uses. None of the surrounding sites contain existing forest uses. Development of this project will not change the existing environment in a manner that will result in the conversion of forest land to a non-forest use. No impact will occur.

Mitigation Measures

No mitigation measures are necessary because Agricultural and Forestry impacts will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.3 – Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district may be relied upon to make the following determinations.				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			<input checked="" type="checkbox"/>	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			<input checked="" type="checkbox"/>	
c) Expose sensitive receptors to substantial pollutant concentrations?			<input checked="" type="checkbox"/>	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			<input checked="" type="checkbox"/>	

Sources

Information used to prepare this section is from the following sources: *City of Placentia General Plan*.

Environmental Setting

Local jurisdictions, such as the City of Placentia, have the authority and responsibility to reduce air pollution through its police power and decision-making authority. Specifically, the City is responsible for the assessment and mitigation of air emissions resulting from its land use decisions. The City is also responsible for the implementation of transportation control measures as outlined in the 2016 AQMP. Examples of such measures include bus turnouts, energy-efficient streetlights, and synchronized traffic signals. In accordance with CEQA requirements and the CEQA review process, the City assesses the air quality impacts of new development projects, requires mitigation of potentially significant air quality impacts by conditioning discretionary permits, monitoring and enforcing implementation of such mitigation. In accordance with the CEQA requirements, the City does not, however, have the expertise to develop plans, programs, procedures, and methodologies to ensure that air quality within the City and region will meet federal and state standards. Instead, the City relies on the expertise of the SCAQMD and utilizes the SCAQMD CEQA Handbook and CalEEMod as the guidance documents for the environmental review of plans and development proposals within its jurisdiction.

Discussion

a) **Less Than Significant Impact.** The California Environmental Quality Act (CEQA) requires a discussion of any inconsistencies between a proposed project and applicable General Plans and Regional Plans (CEQA Guidelines Section 15125). The regional plan that applies to the proposed project includes the SCAQMD Air Quality Management Plan (AQMP). Therefore, this section discusses any potential inconsistencies of the proposed project with the AQMP.

The Southern California Association of Governments (SCAG) has determined that if a project is consistent with the growth forecasts for the subregion in which it is located, it is consistent with the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP), and regional emissions are mitigated by the control strategies specified in the AQMP. The purpose of the proposed code and specific plan amendments is to update the permissible uses for Parcels 9 and 11 of SP- 5 and to modify if maximum permissible height within the Specific Plan. The future development as Specific Plan was contemplated in the General Plan, SCAG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and the resulting AQMP which was based on the RTP/SCS. Build-out within the projections within the AQMP does not create impacts beyond those already cleared in the RTP/SCS and AQMP. Since this project does not propose any specific developments or growth-inducing projects that would conflict with the SCAG growth forecasts, it would be consistent with the AQMP and therefore no further analysis is required.

b) **Less Than Significant Impact.** A project may have a significant impact if project related emissions would exceed federal, state, or regional standards or thresholds, or if project-related emissions would substantially contribute to existing or project air quality violations. The proposed project is located within the South Coast Air Basin, where efforts to attain state and federal air quality standards are governed by the South Coast Air Quality Management District (SCAQMD). Both the State of California (State) and the Federal government have established health-based ambient air quality standards (AAQS) for seven air pollutants (known as 'criteria pollutants'). These pollutants include ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), inhalable particulate matter with a diameter of 10 microns or less (PM₁₀), fine particulate matter with a diameter of 2.5 microns or less (PM_{2.5}), and lead (Pb). The State has also established AAQS for additional pollutants. The AAQS are designed to protect the health and welfare of the populace within a reasonable margin of safety. Where the state and federal standards differ, California AAQS are more stringent than the national AAQS.

Implementation of the proposed project would not significantly lower air quality standards or contribute to an air quality violation. The purpose of the proposed code amendment and specific plan amendment is to modify the permissible land uses and amend the maximum allowable height of structures within the Specific Plan area. It is anticipated that these amendments will not have an impact on development and emissions. Therefore, the project would not impact air quality and no further environmental analysis is required.

c) **Less Than Significant Impact.** Sensitive receptors are those segments of the population that are most susceptible to poor air quality such as children, the elderly, the sick, and athletes who perform outdoors. Land uses associated with sensitive receptors include residences, schools, playgrounds, childcare centers, outdoor athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. The nearest land uses that considered *sensitive receptors* are the residential dwelling units located southerly of West Orangethorpe Avenue. The proposed code amendment and specific plan amendment will not generate toxic pollutant emissions as it only addresses the regulatory framework and does not authorize new construction. All future developments and land use activities would be required to comply with all applicable regulations, including Placentia Municipal Title 23 (Zoning). The

proposed project, therefore, would have a less than significant impact on sensitive receptors relating to toxic pollutant emissions.

d) **Less Than Significant Impact.** According to the CEQA Air Quality Handbook, land uses associated with odor complaints include agricultural operations, wastewater treatment plants, landfills, and certain industrial operations (such as manufacturing uses that produce chemicals, paper, etc.). Odors are typically associated with industrial projects involving the use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes, as well as sewage treatment facilities and landfills. The proposed project does not include any of the above noted uses or process. The project would not allow operations that could directly or indirectly result in any significant adverse odors or intensification of odors beyond those typically associated with construction activities. No further environmental analysis is necessary.

Mitigation Measures

No mitigation measures are necessary because Air Quality impacts will be less than significant with standard conditions applied.

Level of Significance After Mitigation

Not Applicable

4.4 – Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			☑	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			☑	

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			<input checked="" type="checkbox"/>	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			<input checked="" type="checkbox"/>	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			<input checked="" type="checkbox"/>	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				<input checked="" type="checkbox"/>

Sources

Information used to prepare this section is from the following sources: United States Fish and Wildlife Service, National Wetlands Inventory, Wetlands Mapper; US Fish & Wildlife Services, Environmental Conservation Online System; California Department of Fish and Wildlife, California Regional Conservation Plans Map; and *City of Placentia General Plan*.

Environmental Setting

The proposed project is located within an urbanized area, and the majority of the project area is developed.

Discussion

a) **Less than Significant Impact.** Wildlife habitats within the City are generally limited to parks, nature preserves, and water body areas. The project would not promote activities that would remove or impact any existing or planned wildlife habitats. No further environmental analysis is required.

b) **Less than Significant Impact.** Land uses subject to this proposed project would occur in established urbanized areas and would not remove or impact any riparian habitat or other sensitive natural communities. No further environmental analysis is required.

c) **Less than Significant Impact.** Future implementation of the proposed project would occur in established urbanized areas and would not promote or involve alteration of any protected wetland areas. No further environmental analysis is required.

d) **Less than Significant Impact.** Project implementation would occur in established urbanized areas and would not alter or adversely impact any native resident or migratory fish or wildlife species, corridors or nursery sites. No further environmental analysis is required.

e) **Less Than Significant Impact.** In Section 14.12.110 of the Placentia Municipal Code, the City has a tree removal policy for private property dealing with hazardous conditions. Future development within the Specific Plan area would comply with policies pertaining to tree removal as applicable. Project implementation would be consistent with the General Plan and in conformity with all local policies and regulations. It would not alter or eliminate any existing or future policy or ordinance protecting biological resources. No further environmental analysis is required.

f) **No Impact.** The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan because the City of Placentia does not have an adopted Habitat Conservation Plan according to the US Fish & Wildlife Services, Environmental Conservation Online System (ECOS) mapping or any Natural Community Conservation Plan areas apply to the project site according to the California Department of Fish and Wildlife, California Regional Conservation Plans Map. Therefore, implementation of the proposed project would have no adverse impact. No impact would occur.

Mitigation Measures

No mitigation measures are necessary because Biological Resource impacts will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.5 – Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?			☑	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			☑	
c) Disturb any human remains, including those interred outside of formal cemeteries?			☑	

Sources

Information used to prepare this section is from the following sources: *City of Placentia General Plan*.

Environmental Setting

The proposed project is located within an urbanized area, and the majority of the project area is developed.

Discussion

a) **Less Than Significant Impact.** The City of Placentia is an urbanized community and nearly all properties within the City (except for areas such as protected park lands) have been previously disturbed and/or developed. The proposed project would not promote, encourage or enable activities that could remove, degrade or in any way adversely impact local historic resources. Historic Resources within the City are regulated and protected pursuant to the City’s General Plan and Municipal Code. No further environmental analysis is required.

b) **Less Than Significant Impact.** Implementation of the project would not result in any specific construction activities involving extensive excavation, and therefore would not be anticipated to affect or destroy any archaeological resources due its geographic location. The proposed zoning code and specific plan modifications do not lessen existing legal protections of archaeological resources nor tribal consultation requirements on individual projects.

c) **Less Than Significant Impact.** The project does not propose any activities that would involve extensive excavation that could result in the disturbance of any designated cemetery or other burial ground or place of interment. The amendment are regulatory in nature and do not authorize construction activities.

Mitigation Measures

No mitigation measures are necessary because Cultural Resource impacts will be less than significant.

Level of Significance After Mitigation

Not Applicable.

4.6 – Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			☑	

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			☑	
---	--	--	---	--

Sources

Information used to prepare this section is from the following sources: *City of Placentia General Plan*.

Environmental Setting

Energy resources include electricity, natural gas and other fuels. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. Energy production and energy use both result in the depletion of nonrenewable resources (e.g., oil, natural gas, coal, etc.) and emission of pollutants. Energy usage is typically quantified using the British Thermal Unit (BTU). The BTU is the amount of energy that is required to raise the temperature of one pound of water by one degree Fahrenheit. As points of reference, the approximate amount of energy contained in a gallon of gasoline, 100 cubic feet (one therm) of natural gas, and a kilowatt hour of electricity are 123,000 BTUs, 100,000 BTUs, and 3,400 BTUs, respectively.

Existing Electricity Consumption

Southern California Edison is the service provider for electric. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands. The delivery of electricity involves a number of system components, including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. According to the California Energy Commission (CEC), total system electric generation for California in 2017 was 292,039 gigawatt-hours (GWh). California’s non-CO2 emitting electric generation categories (nuclear, large hydroelectric, and renewable generation) accounted for more than 56 percent of total in-state generation for 2017. California's in-state electric generation was 206,336 GWh and electricity imports were 85,703 GWh.

Existing Natural Gas Consumption

Southern California Gas Company (SoCalGas) is responsible for providing natural gas supply to the City and is regulated by the California Public Utilities Commission and other state agencies. Natural gas is a combustible mixture of simple hydrocarbon compounds (primarily methane) that is used as a fuel source. Natural gas consumed in California is obtained from naturally occurring reservoirs and delivered through high-pressure transmission pipelines. The natural gas transportation system is a nationwide network. Natural gas is used in electricity generation, space heating, cooking, water heating, industrial processes, and as a transportation fuel. Natural gas is measured in terms of cubic feet. According to the CEC, nearly 45 percent of the natural gas burned in California was used for electricity generation, with the remainder consumed in the residential (21 percent), industrial (25 percent), and commercial (9 percent) sectors. In 2012, total natural gas demand in California for industrial, residential, commercial, and electric power generation was 2,313 billion cubic feet.

Existing Transportation Energy

According to the California Energy Commission, transportation accounts for nearly 37 percent of California’s total energy consumption. Based on available fuel consumption data from the United

States Energy Information Administration (USEIA), in 2015, California consumed a total of 342,523 thousand barrels of gasoline for transportation, which is equivalent to a total annual consumption of approximately 14.4 billion gallons by the transportation sector. California consumed a total of 80,487 thousand barrels of diesel fuel for transportation, which is equivalent to a total annual consumption of approximately 3.4 billion gallons by the transportation sector. Transportation fuels, primarily gasoline and diesel, would be provided by local or regional suppliers, vendors, and patrons. According to the California Air Resources Board on-road vehicle emissions factor (EMFAC2014) model, the average fuel economy for the fleet-wide mix of vehicles operating in the South Coast Air Basin region is approximately 20.17 miles per gallon for gasoline fueled vehicles and approximately 7.81 miles per gallon for diesel-fueled vehicles. Gasoline-fueled vehicles account for approximately 96 percent of the total vehicles and diesel-fueled vehicles account for approximately 3.6 percent of the total vehicles. Electric vehicles account for approximately 0.3 percent of the total vehicles.

Discussion

a) **Less Than Significant Impact.** The project includes amendments to the existing regulations pertaining to permissible land uses and height standards for SP-5. All future development would be required to comply with all applicable regulations, including Placentia Municipal Code Title 23 (Zoning) and Part 6 (California Energy Code) of Title 24 (California Building Standards Code). Since project implementation would not directly or indirectly result in wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation, no further analysis is required.

b) **Less Than Significant Impact.** The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency as it establishes a regulatory framework for SP-5 within the City of Placentia.

Mitigation Measures

With the compliance with existing regulations, the project would not result in significant impacts associated with Energy.

Level of Significance After Mitigation

Not Applicable

4.7 – Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				

i) Rupture of a known fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			<input checked="" type="checkbox"/>	
ii) Strong seismic ground shaking?			<input checked="" type="checkbox"/>	
iii) Seismic-related ground failure, including liquefaction?			<input checked="" type="checkbox"/>	
iv) Landslides?			<input checked="" type="checkbox"/>	
b) Result in substantial soil erosion or the loss of topsoil?			<input checked="" type="checkbox"/>	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			<input checked="" type="checkbox"/>	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			<input checked="" type="checkbox"/>	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			<input checked="" type="checkbox"/>	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			<input checked="" type="checkbox"/>	

Sources

Information used to prepare this section is from the following sources: *City of Placentia General*, and UC Davis Soil Resource Laboratory, SoilWeb, <http://casoilresource.lawr.ucdavis.edu/gmap/>.

Environmental Setting

The City of Placentia is relatively flat with the majority of the City situated on the lowland surface.

Discussion

a.i) **Less Than Significant Impact.** The project area is not within an earthquake special study zone. All land uses subject to the provisions of this proposed project would be required to comply with applicable building codes that account for the possibility of seismic events. No further environmental analysis is necessary.

a.ii) **Less Than Significant Impact.** A strong seismic event on any fault system in Southern California has the potential to create considerable levels of ground shaking throughout the City. However, numerous variables determine the level of damage to a specific location. Given these variables, it is not possible to determine the level of damage that may occur on the site during a seismic event. All land uses must conform to all applicable State and local building codes relative to seismic safety. No further environmental analysis is necessary.

a.iii) **Less Than Significant Impact.** Liquefaction is a mode of ground failure that results from the generation of high pore water pressures during earthquake ground shaking, causing loss of shear strength. Liquefaction is typically a hazard where loose sandy soils exist below groundwater. The California Geological Survey (CGS) has designated certain areas within southern California as potential liquefaction hazard zones. These are areas considered at a risk of liquefaction-related ground failure during a seismic event, based upon mapped surficial deposits and the presence of a relatively shallow water table. The project area is in an area of low liquefaction potential. All land uses subject to the provisions of this proposed project would be required to comply with applicable building codes that account for the possibility of liquefaction susceptibility.

a.iv) **Less Than Significant Impact.** Structures built below or on slopes subject to failure or landslides may expose people and structures to harm. According to the General Plan, the majority of the City is relatively flat and characterized by slopes that are not high (less than 50 feet) or steep (generally sloping flatter than 1-1/2:1, horizontal to vertical). All land uses subject to the provisions of this proposed project would be required to comply with applicable building codes. Based on the existing location of SP-5 tied to commercial and industrial land use zones, impacts would be expected to be less than significant and no further environmental analysis is required.

b) **Less Than Significant Impact.** Topsoil is used to cover surface areas for the establishment and maintenance of vegetation due to its high concentrations of organic matter and microorganisms. All land uses subject to the regulations of the project would be required to adhere to all applicable construction standards regarding erosion control, including best management practices to minimize runoff and erosion impacts from earth-moving activities such as excavation, contouring and compaction. No further environmental analysis is necessary.

c) **Less Than Significant Impact.** Impacts related to liquefaction and landslides are discussed above in Section 4.7.a. Lateral spreading is the downslope movement of surface sediment due to liquefaction in a subsurface layer. The downslope movement is due to gravity and earthquake shaking combined. Such movement can occur on slope gradients of as little as one degree. Lateral spreading typically damages pipelines, utilities, bridges, and structures. Lateral spreading of the ground surface during a seismic activity usually occurs along the weak shear zones within a liquefiable soil layer and has been observed to generally take place toward a free face (i.e. retaining wall, slope, or channel) and to lesser extent on ground surfaces with a very gentle slope. Due to the absence of any substantial change in grade, the potential for lateral spread occurring within the project area is considered to be low. All land uses subject to the regulations of the project would be constructed in compliance with all applicable building code requirements regarding soil stability.

d) **Less Than Significant Impact.** The CBC requires special design considerations for foundations of structures built on soils with expansion indices greater than 20. All land uses subject to the provisions of this proposed project would be required to comply with applicable building codes that account for the possibility of expansive soils.

e) **Less Than Significant Impact.** The entire Specific Plan area is served by an existing sewer system and therefore, has no need for septic tanks or any other alternative wastewater disposal systems. No further environmental analysis is required.

f) **Less Than Significant Impact.** The project does not propose any projects that would be anticipated to result in extensive excavation that could adversely impact any paleontological resources or geologic features. The amendments establish a regulatory framework for recycling facilities within the City of Placentia.

Mitigation Measures

No mitigation measures are necessary because impacts to Geology and Soils will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.8 – Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			☑	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			☑	

Sources

Information used to prepare this section is from the following source: *City of Placentia General Plan*.

Environmental Setting

Global climate change refers to changes in average climatic conditions on earth as a whole, including temperature, wind patterns, precipitation and storms. Global warming, a related concept, is the observed increase in average temperature of the earth’s surface and atmosphere. The six major greenhouse gases (GHGs) identified by the Kyoto Protocol are carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), sulfur hexafluoride (SF6), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs). GHGs absorb longwave radiant energy reflected by the earth, which warms the atmosphere. GHGs also radiate long wave radiation both upward to

space and back down toward the surface of the earth. The downward part of this longwave radiation absorbed by the atmosphere is known as the "greenhouse effect." The potential effects of global climate change may include rising surface temperatures, loss in snow pack, sea level rise, more extreme heat days per year, and more drought years.

CO₂ is an odorless, colorless natural GHG. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic (human caused) sources of CO₂ are from burning coal, oil, natural gas, wood, butane, propane, etc. CH₄ is a flammable gas and is the main component of natural gas. N₂O, also known as laughing gas, is a colorless GHG. Some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to the atmospheric load of GHGs. HFCs are synthetic man-made chemicals that are used as a substitute for chlorofluorocarbons (whose production was stopped as required by the Montreal Protocol) for automobile air conditioners and refrigerants. The two main sources of PFCs are primary aluminum production and semiconductor manufacture. SF₆ is an inorganic, odorless, colorless, nontoxic, nonflammable gas. SF₆ is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

Events and activities, such as the industrial revolution and the increased combustion of fossil fuels (e.g., gasoline, diesel, coal, etc.), have heavily contributed to the increase in atmospheric levels of GHGs. An air quality analysis of GHGs is a much different analysis than the analysis of criteria pollutants for the following reasons. For criteria pollutants significance thresholds are based on daily emissions because attainment or non-attainment is based on daily exceedances of applicable ambient air quality standards. Further, several ambient air quality standards are based on relatively short-term exposure effects on human health, e.g., one-hour and eight-hour. Since the half-life of CO₂ in the atmosphere is approximately 100 years, for example, the effects of GHGs are longer-term, affecting global climate over a relatively long time frame. As a result, the SCAQMD's current position is to evaluate GHG effects over a longer timeframe than a single day.

In its CEQA & Climate Change document (January 2008), the California Air Pollution Control Officers Association (CAPCOA) identifies many potential GHG significance threshold options. The CAPCOA document indicates that establishing quantitative thresholds is a balance between setting the level low enough to capture a substantial portion of future residential and non-residential development, while also setting a threshold high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions. Two potential significance thresholds were 10,000 metric tons per year and 25,000 metric tons per year.

Finally, another approach to determining significance is to estimate what percentage of the total inventory of GHG emissions are represented by emissions from a single project. If emissions are a relatively small percentage of the total inventory, it is possible that the project will have little or no effect on global climate change.

According to available information, the statewide inventory of CO₂ equivalent emissions is as follows: 1990 GHG emissions were estimated to equal 427 million metric tons of CO₂ equivalent, and 2020 GHG emissions are projected to equal 600 million metric tons of CO₂ equivalent, under a business as usual scenario. Interpolating an inventory for the year 2012 results in an estimated inventory of approximately 127 million metric tons of CO₂ equivalent. These amounts assume that between 1990 and 2020 there is an average increase of 5.76 million tons per year of GHG.

Discussion

a) **Less Than Significant Impact.** California is a substantial contributor of global greenhouse gases (GHGs), emitting over 400 million tons of carbon dioxide per year. Climate studies indicate that California is likely to see an increase of three to four degrees Fahrenheit over the next century. Methane is also an important GHG that potentially contributes to global climate change. GHGs are global in their effect, which is to increase the earth’s ability to absorb heat in the atmosphere. As primary GHGs have a long lifetime in the atmosphere, accumulate over time, and are generally well-mixed, their impact on the atmosphere is mostly independent of the point of emission. The project amendments are regulatory and would not result in direct or indirect significant GHG impacts. No further environmental analysis is needed.

b) **Less Than Significant Impact.** Placentia has adopted the 2016 edition of the California Building Code (Title 24), including the California Green Building Standards Code. The project would be subject to the California Green Building Standards Code, which requires new buildings to reduce water consumption, employ building commissioning to increase building system efficiencies for large buildings, divert construction waste from landfills, and install low pollutant-emitting finish materials. The project does not include any feature (i.e. substantially alter energy demands) that would interfere with implementation of these State and City codes and plans. The City of Placentia does not have any additional plans, policies, standards, or regulations related to climate change and GHG emissions. Also, no other government-adopted plans or regulatory programs in effect at this time have established a specific performance standard to reduce GHG emissions from a single building project. The proposed project would not permit any land use operations that would conflict with any plans, policies or regulations related to the reduction of greenhouse gas emissions. No further environmental analysis is needed.

Mitigation Measures

No mitigation measures are necessary because impacts to Greenhouse Gas Emissions will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.9 – Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			☑	

b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident condition involving the release of hazardous materials into the environment?			<input checked="" type="checkbox"/>	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			<input checked="" type="checkbox"/>	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			<input checked="" type="checkbox"/>	
e) For a project located within an airport land use plan or, where such a plan has not been adopted within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			<input checked="" type="checkbox"/>	
g) Expose people or structures, directly or indirectly to a significant risk of loss, injury or death involving wildland fires, including where wildlands?				<input checked="" type="checkbox"/>

Sources

Information used to prepare this section is from the following sources: *City of Placentia General*, California Department of Toxic Substances Control. EnviroStor; California State Water Resources Control Board. GeoTracker; California State Water Resources Control Board. Sites Identified with Waste Constituents Above Hazardous Waste Levels Outside the Waste Management Unit; California Department of Forestry and Fire Protection. Incorporated Fire Hazard Severity Zone: City of Placentia; and California Department of Transportation, Division of Aeronautics website, California Public Use Airport list.

Environmental Setting

Hazardous Waste Site

The City of Placentia has properties listed on the State of California Hazardous Waste and Substances Site List pursuant to Government Code Section 65962.5. California Department of Toxic Substances Control Envirostar database.

Local Schools

The City is served by the Placentia-Yorba Linda Unified School District.

Public Airports/Private Airstrips

There are no private or public airports located within the City limits of Placentia.

Discussion

a) **Less Than Significant Impact.** Any future land uses or activities that would be subject to the provisions of this project that involve the handling and disposal of hazardous or potentially hazardous materials would be required to fully comply with Placentia Municipal Code, as well as all existing State safety regulations. No further environmental analysis is required.

b) **Less Than Significant Impact.** All hazardous materials are required to be utilized and transported in accordance with their labeling pursuant to federal and state law. Routine construction practices include good housekeeping measures to prevent/contain/clean-up spills and contamination from fuels, solvents, concrete wastes and other waste materials. During future construction, BMPs would be required to be implemented by the City as well as standard construction controls and safety procedures that would avoid or minimize the potential for accidental release of these substances. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by the Orange County Fire Authority, and the local Certified Unified Program Agency for hazardous materials in the region. With implementation of standard conditions, hazard to the public or the environment through reasonable foreseeable upset and accident condition involving the release of hazardous materials into the environment would be less than significant.

c) **Less than Significant Impact.** As discussed in Section 4.9.b, existing regulations address potential off-site construction-related hazards associated with demolition of the existing onsite structures. Impact would be less than significant with implementation of existing regulations. The project consists of the modifying the permissible land uses for Parcels 9 and 11 of the Specific Plan and to amend the maximum structure height from 50 to 75 feet. The project would not result in impacts to schools due to hazardous materials handling or emissions and no mitigation is required.

d) **Less than Significant Impact.** A review of known electronic database listings for possible hazardous waste generating establishments, as well as sites with known environmental concerns was conducted. Facilities were identified by county, state, or federal agencies that generate, store, or dispose of hazardous materials. The project area has sites located on the State of California Hazardous Waste and Substances Site List pursuant to Government Code Section 65962.5. California Department of Toxic Substances Control Envirostar database accessed. Two sites, Jack in the Box (Parcel 10) and the former Brian Chuchua Jeep dealership (Parcel 9), were the subject of investigations for leaking underground tank leaks. Both cases have been closed in conformance with State law and no further action is deemed necessary. Any future land uses that would be regulated by the provisions of this project would not be permitted to create any significant hazards to the public or the environment by operating at a location included in the Cortese List.

e) **No Impact.** There are no private or public airports located within 2 miles of the project area. The project would not alter air traffic patterns or encourage future developments that could conflict with established Federal Aviation Administration (FAA) flight protection zones. Therefore, the project would not result in safety hazards from proximity to airports for people living in the project area or excessive noise for people residing or working in the project area. No impact will occur.

f) **Less Than Significant Impact.** The project would not encourage or otherwise set forth any policies or recommendations that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No further environmental analysis is required.

g) **No Impact.** The project site is located within an urbanized area of the City of Placentia and is not located within a fire hazard zone, as identified on the latest Fire Hazard Severity Zone (FHSZ) maps prepared by the California Department of Forestry and Fire Protection (CALFIRE). There are no wildland conditions in the urbanized area that the project site is located. No impact would occur.

Mitigation Measures

No mitigation measures are necessary because impacts to Hazards and Hazardous Materials will be less than significant.

Level of Significance After Mitigation

Not applicable.

4.10 – Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			<input checked="" type="checkbox"/>	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			<input checked="" type="checkbox"/>	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site;			<input checked="" type="checkbox"/>	

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			<input checked="" type="checkbox"/>	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			<input checked="" type="checkbox"/>	
iv) impede or redirect flood flows?			<input checked="" type="checkbox"/>	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			<input checked="" type="checkbox"/>	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			<input checked="" type="checkbox"/>	

Sources

Information used to prepare this section is from the following sources: *City of Placentia General Plan*; Placentia Municipal Code; and Flood Insurance Rate Maps (FIRM).

Environmental Setting

The developed portions of Placentia are served by an extensive municipal storm drain network that is maintained by the City and designed to collect all urban runoff. While existing flood control structures have provided significant protection from uncontrolled flooding, inadequacies in the local drainage system have caused occasional localized flooding.

Federal and State Oversight

The federal Clean Water Act (CWA) is the principal federal law that provides for the protection of water quality. The primary objectives of the CWA are to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters,” and to make all surface waters “fishable” and “swimmable.” The U.S. Environmental Protection Agency (EPA) is the designated federal agency responsible for implementing the CWA and it has further delegated authority to the State Water Resources Control Board (SWRCB) and associated Regional Water Quality Control Boards (RWQCB) for compliance with the CWA. Relevant programs identified in the CWA include the National Pollution Discharge Elimination System (NPDES) program which regulates discharge of pollutants from known sources (point sources), as well as non-point sources, into waters of the United States through the issuance of permits. As part of the NPDES program, a Storm Water Pollution Prevention Plan (SWPPP) must be prepared for construction activities affecting greater than one acre because the discharge of stormwater during construction is considered a non-point source of water pollution.

Stormwater Pollution Prevention Plans

According to the Storm Water Program run by the State Water Resources Control Board (SWRCB), the owner shall also prepare a SWPPP in accordance with state requirements. All construction projects which could potentially have an adverse impact on the City's municipal

separate storm sewer system or waters of the State shall install and/or implement appropriate construction and post-construction BMPs, as listed in their SWPPP.

Discussion

a) **Less Than Significant Impact.** A project normally would have an impact on surface water quality if discharges associated with the project would create pollution, contamination, or nuisance as defined in Section 13050 of the California Water Code (CWC), or that cause regulatory standards to be violated as defined in the applicable National Pollutant Discharge Elimination System (NPDES) stormwater permit or Water Quality Control Plan for the receiving water body. For the purpose of this specific issue, a significant impact could occur if the project would discharge water that does not meet the quality standards of the agencies which regulate surface water quality and water discharge into stormwater drainage systems. Significant impacts could also occur if the project does not comply with all applicable regulations with regard to surface water quality as governed by the State Water Resources Control Board (SWRCB). These regulations include preparation of a Storm Water Quality Management Plan (SWQMP) to reduce potential post-construction water quality impacts.

Discharges into stormwater drains or channels from construction sites of one acre or larger are regulated by the General Permit for Storm Water Discharges Associated with Construction Activity issued by the State Water Quality Control Board. The General Permit was issued pursuant to National Pollutant Discharge Elimination System (NPDES) regulations of the Environmental Protection Agency (EPA), as authorized by the Clean Water Act. Compliance with the General Permit involves developing and implementing a Storm Water Pollution Prevention Plan (SWPPP) specifying best management practices (BMPs) that the project would use to minimize pollution of stormwater. The SWPPP BMPs would follow the guidelines set forth by the State Water Resources Control Board (SWRCB).

The project would be consistent with all chapters of the General Plan. All activities subject to the provisions of this project would be required to be in full compliance with all applicable federal, State and local water quality standards and regulations. No further environmental analysis is required.

b) **Less Than Significant Impact.** If the project removed an existing groundwater recharge area or substantially reduced runoff that results in groundwater recharge, a potentially significant impact could occur. The City is a highly-urbanized community with the water system infrastructure fully in place to accommodate future development consistent with the General Plan and Specific Plan 5.

c.i) **Less Than Significant Impact.** Potentially significant impacts to the existing drainage pattern of the site or area could occur if development of the project results in substantial on- or off-site erosion or siltation. The project consists of modifying the permissible land uses and amending the height standard within the Specific Plan 5 area. The project does not encourage or enable any alterations to existing draining patterns or to the course of streams or rivers.

c.ii) **Less Than Significant Impact.** The project consists of modifying the permissible land uses and amending the height standard within the Specific Plan 5 area. The project will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. Impacts will be less than significant.

c.iii) **Less Than Significant Impact.** The City's existing storm water drainage system is adequate to accommodate runoff from any future land uses subject to the provisions of this

project. The project would not adversely affect provisions for retention and infiltration of stormwater consistent with the City's Low Impact Development (LID) policies.

c.iv) **Less Than Significant Impact.** The Federal Emergency Management Agency (FEMA) produces maps (Flood Insurance Rate Map) that identify areas that are located in flood zones. The project area is within Zone X. The project consists of the modifying the permissible land uses and amending the height standard within the Specific Plan 5 area. Future development would evaluate site specific conditions for flooding. Therefore, there will be a less than significant impact as the project will not impede or redirect flood flows.

d) **Less Than Significant Impact.** Placentia is not within a zone influenced by the inundation of seiche, tsunami, or mudflow. The proposed project would not result in any increased risk of inundation to any properties as it only addresses the regulatory framework of SP-5. Future development would evaluate site specific conditions for flood hazards.

e) **Less Than Significant Impact.** The regulatory framework project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. All future structures to be constructed will be required to meet and comply with all applicable city and State building codes to reduce impacts to water quality to less-than-significant level.

Mitigation Measures

No mitigation measures are necessary because Hydrology impacts will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.11 – Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?				<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			<input checked="" type="checkbox"/>	

Sources

Information used to prepare this section is from the following sources: *City of Placentia General Plan*.

Environmental Setting

The City of Placentia is located in Orange County. The land features are relatively flat.

Discussion

a) **No Impact.** The proposed Zoning Code Amendment and Specific Plan Amendment would consist of the changes to Chapter 23.105 of the Placentia Municipal Code with corresponding changes to the Specific Plan 5 document.

The proposed text changes include the following:

Staff is proposing to amend the Placentia Municipal Code, Title 13, Zoning, Chapter 23.105 Specific Plan 5 for Parcel 9 and 11 to add hospitality uses in Section 23.105.050 and to increase the maximum allowable height within the entire Specific Plan area from fifty to seventy-five feet as show in Section 23.105.070 below.

The new language shown in **bold face type** and the deletion of language as shown with a ~~strikethrough~~.

Title 23 ZONING
Chapter 23.105 SPECIFIC PLAN 5

23.105.030 Permitted uses for parcels 1, 2, 3, 4, 5, 6, 8 and 10.

All retail, business and office uses are permitted on these parcels as shown on Exhibit A attached to the ordinance codified in this chapter and on file in the office of the city clerk, including but not limited to the following examples:

- (17) Apparel stores;
- (18) Appliance stores;
- (19) Educational and training offices;
- (20) Financial institutions;
- (21) Food stores;
- (22) General administrative offices;
- (23) Health clubs;;
- (24) Home improvement centers;
- (25) Hotels with lounges;
- (26) Medical and dental offices and clinics;
- (27) Professional offices;
- (28) Research and development including laboratories;
- (29) Restaurants including drive-through facilities;
- (30) Sales and service operations with or without light assembly and storage;
- (31) Small outdoor seating areas per Section 23.81.165;
- (32) Use conformity determination.

Notwithstanding the provisions of this section, the planning commission of the city of Placentia may, upon application made pursuant to the provisions of Chapter 23.87, review and determine whether a proposed use, not otherwise specified in this section, conforms to the intent and purpose of this chapter with regard to permitted uses and has characteristics similar to those uses listed in this section. The city administrator shall determine the number of plot plans to be submitted together with the application. The planning commission shall make the findings required by Section 23.87.040(1) and (2) in making any such determination.

23.105.040 Permitted uses for parcels 6 and 7.

The primary purpose of parcels 6 and 7 is hotel in nature. All retail, business and office uses listed in Section 23.105.030 shall be permitted.

23.105.050 Permitted uses for parcels 9 and 11.

The primary purpose of these parcels is to provide a site for motor vehicle dealerships. **Hospitality uses listed in Section 23.105.030 shall be permitted.**

23.105.070 Height.

Maximum allowable height shall be ~~fifty (50)~~ **seventy-five (75)** feet.

The Project would not directly or indirectly divide any established community as a result of these text changes. No further environmental analysis is required.

b) **Less than Significant Impact.** The project would not conflict with the City’s General Plan or any other applicable land use plans and policies. The project is consistent with goals and objectives in the existing Land Use Element of the General Plan. Impacts to existing local regulations would, therefore, be less than significant.

Mitigation Measures

No mitigation measures are necessary because impacts to Land Use and Planning will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.12 – Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				<input checked="" type="checkbox"/>

Sources

Information used to prepare this section is from the *City of Placentia General Plan*.

Environmental Setting

No significant aggregate resources have been identified by the State Department of Mines and Geology in the Specific Plan 5 area of Placentia.

Discussion

a-b) **No Impact.** The project is located within a fully urbanized City of Placentia. The project does not propose any alteration of local mineral resource land uses and there are no mineral resource activities that would be altered or displaced by Project implementation. No further discussion is required.

Mitigation Measures

No mitigation measures are necessary because Mineral impacts will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.13 – Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			<input checked="" type="checkbox"/>	
b) Generation of excessive groundborne vibration or groundborne noise levels?			<input checked="" type="checkbox"/>	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				<input checked="" type="checkbox"/>

Sources

Information used to prepare this section is from the following sources: *City of Placentia General Plan*; and *City of Placentia Municipal Code*.

Environmental Setting

Noise Terminology

The unit of measurement used to describe a noise level is the decibel (dB). The human ear is not equally sensitive to all frequencies within the sound spectrum. Therefore, the "A-weighted" noise scale, which weights the frequencies to which humans are sensitive, is used for measurements. Noise levels using A-weighted measurements are written dB(A) or dBA. Decibels are measured on a logarithmic scale, which means a doubling of the energy of a noise source, such as a doubled traffic volume, would increase the noise levels by 3 dBA; halving of the energy would result in a 3 dBA decrease.

Average noise levels over a period of minutes or hours are usually expressed as dBA Leq, or the equivalent noise level for that period of time. For example, Leq(3) would represent a 3-hour average. When no period is specified, a one-hour average is assumed.

It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA; that a change of 5 dBA is readily perceptible, and that an increase (decrease) of 10 dBA sounds twice (half) as loud. This definition is recommended by Caltrans publication, *Transportation's Traffic Noise Analysis Protocol for New Highway and Reconstruction Projects*.

Vibration

Groundborne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. The effects of groundborne vibrations typically only cause a nuisance to people, but at extreme vibration levels, damage to buildings may occur. Although groundborne vibration can be felt outdoors, it is typically only an annoyance to people indoors where the associated effects of the shaking of a building can be notable. Groundborne noise is an effect of groundborne vibration and only exists indoors, since it is produced from noise radiated from the motion of the walls and floors of a room and may also consist of the rattling of windows or dishes on shelves.

Noise Standards

State Regulations

State standards regulate noise levels of motor vehicles, sound transmission through buildings, occupational noise control, and noise insulation. Title 24 of the California Code of Regulations, also known as the California Building Standards Code, establishes building standards applicable to all occupancies throughout the state. The code provides acoustical regulations for both exterior-to-interior sound insulation, as well as sound and impact isolation between adjacent spaces of various occupied units. Title 24 regulations state that interior noise levels generated by exterior noise sources shall not exceed 45 dBA Ldn/CNEL, with windows closed, in any habitable room for general residential uses.

City of Placentia General Plan

The Placentia Noise Guidelines for land use planning reflects the City's interpretation of noise guidelines promulgated by the California Office of Noise Control. The guidelines provide the City with an integral tool to gauge the compatibility of land uses relative to existing and future noise levels.

Vibration Standards

The City of Placentia does not have a published vibration impact criterion. The California Department of Transportation (Caltrans) has published one of the seminal works for the analysis of groundborne noise and vibration relating to transportation- and construction-induced vibrations and although the project is not subject to the regulations, it serves as a useful tool to evaluate vibration impacts. A vibration impact would generally be considered significant if it involves any construction-related or operations-related impacts in excess of 0.2 inches per second (in/sec) PPV.

Discussion

a) **Less Than Significant Impact.** Future construction activities related to the provisions of this project could involve various types of short-term noise impacts from trucks, earth-moving equipment, and paving equipment. However, all construction activities and land use operations must be performed in compliance with the City's Municipal Code. Project implementation would not alter the noise provisions or exempt any future land uses or improvements from local noise controls. The local noise standards would continue to regulate all future land use construction and operational noise levels. No further environmental analysis of this issue is necessary.

b) **Less Than Significant Impact.** A significant impact would occur if project construction or operation results in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. Project implementation would occur in compliance with local noise and vibration controls.

c) **No Impact.** No airport land use plans apply to the area, and the proposed project is not located within two miles of an airport. The project falls outside any airport's noise contours for excessive noise. Therefore, residents or workers would not be exposed to excessive airport noise levels and there would be no impact. No further environmental analysis is necessary.

Mitigation Measures

No mitigation measures are necessary because Noise impacts will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.14 – Population and Housing

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other			<input checked="" type="checkbox"/>	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				<input checked="" type="checkbox"/>

Sources

Information used to prepare this section is from the following sources: State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties and the State, 2011- 2018 with 2010 Census Benchmark*. Sacramento, California, May 2018; and *City of Placentia General Plan*.

Environmental Setting

Estimated population of Placentia for 2018 was 52,755 and has an estimated 3.14 persons per household. According to the City’s General Plan Housing Element Update, Table 2-19– Regional Housing Needs Assessment, 2014-2021, the City estimates that a total of 492 new housing units are needed in varying income levels. These are based on SCAG’s *Regional Housing Needs Assessment* for Placentia.

Discussion

a) **Less Than Significant Impact.** The project involves various changes to Title 23 of the Placentia Municipal Code (Zoning) and to the Specific Plan 5 to amend the regulations pertaining to permitted land uses on Parcel 9 and 11 and the maximum height of structures. The revisions do not increase the allowable density in the affected districts, and are not intended or expected to directly or indirectly induce population growth. No further environmental analysis is required.

b) **No Impact.** Replacement housing will not need to be constructed elsewhere as the proposal will not result in the displacement of substantial numbers of existing housing. The project does not set forth or encourage any policies, activities or implementation measures that would directly or indirectly displace existing residential units in the City. No further environmental analysis is required. The standards proposed will affect commercial and industrial properties and not residential land uses.

Mitigation Measures

No mitigation measures are necessary because impacts to Population and Housing will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.15 – Public Services

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?			<input checked="" type="checkbox"/>	
Police Protection?			<input checked="" type="checkbox"/>	
Schools?			<input checked="" type="checkbox"/>	
Parks?			<input checked="" type="checkbox"/>	
Other public facilities?			<input checked="" type="checkbox"/>	

Sources

Information used to prepare this section is from the following sources: City of Placentia *General Plan Update*, 1993; and Great!Schools Website, www.greatschools.org/school-district-boundaries-map/, accessed March 1, 2019.

Environmental Setting

Fire Protection

The Orange County Fire Authority (OCFA) provides fire protection and emergency medical response services in the City of Placentia. OCFA also provides prevention services (e.g., inspections, permits, and drills) within the jurisdiction. OCFA has mutual aid agreements with

other jurisdictions and practices unified command in response to potential emergencies. Property tax and special tax revenues generated fund the OCFA. Fire services are provided at two fire stations in Placentia. Fire Station 34 is located at 1530 North Valencia and Fire Station 35 is located at 120 South Bradford. Battalion 2 provides firefighting services at these locations.

Police Protection

The Placentia Police Department (WPD), headquartered at 401 East Chapman Avenue, provides police protection to the City, including the project site. The PPD serves an estimated population of approximately 52,755 persons, according to Department of Finance 2018 estimates. As of the 2017-18 budget year, the PPD had a total of 80 sworn police officers, administrators and support staff.

Schools

The City is served by the Placentia-Yorba Linda Unified School District. Pursuant to the Leroy F. Green School Facilities Act (AB 2926), future project proponents will be required to pay developer fees prior to the issuance of building permits, at the then current rate. This fee will help support provision of school services for the community as a whole.

Parks

See Section 4.15, Recreation for discussion on parks.

Discussion

a) Less Than Significant Impact.

The project involves changes to the City's Municipal Code and Specific Plan 5 to address permitted uses and the height of structures in the Specific Plan area. It is not intended to directly or indirectly induce population growth that could result in increased demand for fire protection services or fire protection facilities. All new development subject to the code changes will continue to be subject to fire code review during the building plan check process. The payment of applicable development impact fees, the implementation of fire suppression measures in compliance with City Fire codes, and proximity to existing Fire Station #35 (located at 120 South Bradford Avenue, approximately 1.5 miles from the project site) will ensure that impacts to fire safety service will be less than significant. No further environmental analysis is required.

b) Less Than Significant Impact.

The project is not intended to directly or indirectly induce population growth thus the project would not significantly increase demands for police protection service, nor require provision of new police facilities. The payment of applicable development impacts fees, implementation of safety, lighting and defensible space measures as well as proximity to the Police Station (located at Civic Center less than 2 miles from the project site, will ensure that impacts to police protection services will be less than significant. No further environmental analysis is required.

c) Less Than Significant Impact. The project is not intended to directly or indirectly induce population growth thus the project would not result in any significant increased demand for public school services or facilities. New development projects will continue to be subject to school impact fees.

d) Less Than Significant Impact. Demand for park and recreational facilities are generally the direct result of residential development. Since the project amends the permissible land uses to include hospitality uses for Parcels 9 and 11 and modifies the maximum height standard, it is not intended to directly or indirectly induce population growth. The project would not generate any significant additional demand for provision of park services or facilities by the City.

e) Less Than Significant Impact. No other impacts have been identified that would require the provision of new or physically-altered governmental facilities. New development projects will continue to be subject to sewer, transportation, and storm water impact fees.

Mitigation Measures

No mitigation measures are necessary because impacts to Public Services will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.16 – Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			☑	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			☑	

Sources

Information used to prepare this section is from the following sources: *City of Placentia General Plan*.

Environmental Setting

Parks and recreational services are management by the Community Services Department.

Discussion

a) **Less Than Significant Impact.** The project does not alter land use regulations related to population density or growth and is not intended to directly or indirectly induce population growth that could result in increased demand for recreational facilities. No further environmental analysis is required.

b) **Less Than Significant Impact.** The proposed project does not necessitate expansion of existing outdoor recreational facilities. Therefore, there will be no adverse physical effect on the environment caused by expansion or construction of outdoor recreational facilities. No further environmental analysis is required.

Mitigation Measures

No mitigation measures are necessary because Recreation impacts will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.17 – Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with an applicable program plan, ordinance or policy establishing measures of effectiveness for the performance of addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			<input checked="" type="checkbox"/>	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			<input checked="" type="checkbox"/>	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?			<input checked="" type="checkbox"/>	

Sources

Information used to prepare this section is from the following sources: *City of Placentia General Plan* and Ganddini Group, *Specific Plan Area 5 Technical Memorandum* dated May 16, 2019.

Environmental Setting

Specific Plan 5 project area encompasses 11 parcels on approximately 19.13 acres, at the northeast corner of South Placentia Avenue and West Orangethorpe Avenue within the City of Placentia, County of Orange, California.

Discussion

a) **Less than Significant Impact.** The project involves modifying the standards and uses within Specific Plan 5 by adding hospitality uses to Parcel 9 and 11 and amending the maximum height from 50 feet to 75 feet within the Specific Plan area.

In accordance with the Orange County Congestion Management Program (CMP), a traffic impact analysis is required for CMP purposes for all proposed developments generating 2,400 or more daily trips (or 1,600 daily trips for developments with direct access to a CMP Highway System link). The study area for a CMP traffic impact analysis typically includes CMP roadway links where a project contributes three percent of Level of Service E capacity, which is generally 51 or more trips during the AM or PM peak hours. The net project trip generation associated with the proposed land use changes does not satisfy the Orange County CMP criteria. It is not intended to conflict with a program plan, ordinance or policy addressing the circulation system. No further environmental analysis is required.

b) **Less than Significant Impact.** Trip generation is a measure or forecast of the number of trips that begin or end at a particular site, and is a function of the extent and types of land use proposed as part of a project. Vehicular traffic generation characteristics for projects are estimated based on established rates. These rates identify the probable traffic generation of various land uses based on studies of developments in comparable settings. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be considered to have a less than significant transportation impact.

The City of Placentia Specific Plan 5 (SP-5) is currently developed; Parcel 9 has been vacated for redevelopment and Parcel 11 is currently occupied. Parcel 9 is approximately 2.72 acres with 35,073 square feet of building previously occupied by used-car dealership and repair land uses. Parcel 11 is approximately 0.73 acres with 12,965 square feet of building currently occupied with commercial retail land use and previously occupied by a car dealership. Currently, Parcel 9 has site access to Placentia Avenue and Orangethorpe Avenue and Parcel 11 has site access to Hundley Way. The proposed Zoning Code Amendment would allow for redevelopment of Parcels 9 and 11 with hospitality (hotel) land use. The Specific Plan 5 density for development of hospitality land uses is 0.85 FAR (floor area ratio). Based on a combined acreage of 3.45 acre, the maximum hospitality redevelopment potential is 127,740 square feet (150,282 x 0.85).

The number of trips associated with buildout pursuant to the Specific Plan zoning code (both current plan and proposed plan) is determined by multiplying an appropriate trip generation rate by the square footage which is determined by multiplying the appropriate floor to area ratio (FAR) to the parcel acreage. Trip generation rates were determined for daily trips and AM/PM peak hour trips for the currently approved and proposed amended land uses.

The number of trips forecast to be generated by the currently approved land use is determined by multiplying the trip generation rates by 150,282 square feet of car dealership (maximum allowable at 1.0 FAR). The number of trips forecast to be generated by the proposed amended land use is determined by multiplying the trip generation rates by 127,740 square feet of

hospitality (maximum allowable at 0.85 FAR). The key variable for estimating trip generation associated with a hotel use is the number of hotel rooms. Historically, the average hotel room size in the United States is approximately 350 square feet; however, new hotel construction is trending toward smaller rooms with some chains averaging 170-200 square feet per room. While the actual room size will ultimately depend on the hotel chain and design concept proposed, the maximum number of rooms estimated for purposes of this analysis is based on the total potential building area divided by an average of 200 square feet per room, resulting in a maximum total of 640 rooms between both parcels. This is a conservative estimate since a portion of the building would be used for lobby, kitchen, housekeeping, and other supporting services.

The maximum allowable currently approved car dealership land use is forecast to generate a total of approximately 4,067 daily trips, including 320 trips during the AM peak hour and 564 trips during the PM peak hour. The maximum allowable proposed amended hospitality land use is forecast to generate a total of approximately 5,350 daily trips, including 301 trips during the AM peak hour and 384 trips during the PM peak hour.

A trip generation comparison has been conducted between the current and proposed Specific Plan 5 (SP-5) Land Use Development Codes for Parcels 9 and 11. The net trip generation difference of build-out projections between the current and proposed Development Code is forecast to result in an increase of approximately 1,283 daily trips and a decrease of peak hours trips, including 19 fewer trips during the AM peak hour and 180 fewer trips during the PM peak hour.

Based on a comparison of maximum allowable development between the currently approved land uses for Parcels 9 and 11 (car dealership at 1.0 FAR) and the proposed amendment to allow hospitality land uses (hotel at 0.85 FAR), the proposed Specific Plan Amendment is forecast result in an increase of approximately 1,283 daily trips and a decrease of peak hours trips, including 19 fewer trips during the AM peak hour and 180 fewer trips during the PM peak hour. The code and specific plan amendments would not encourage significant traffic growth. There would be an incremental impact on Vehicle Miles Traveled (VMT), but would not result in a finding of inconsistency.

c) **No Impact.** A significant impact would occur if the proposed project substantially increased an existing hazardous geometric design feature or introduced incompatible uses to the existing traffic pattern. The design of the future development under the provisions of Chapter 23.105 of the Municipal Code would comply with all applicable City regulations. The project would not create or encourage any hazardous transportation-related design features or incompatible uses. No further environmental analysis is required.

d) **Less Than Significant Impact.** A significant impact would occur if the design of the proposed project would not satisfy emergency access requirements of the Orange County Fire Authority or in any other way threaten the ability of emergency vehicles to access and serve the project area or adjacent uses. The proposed project would not result in inadequate emergency access. The project would not propose or encourage any specific land uses or developments or transportation network modifications that would have the potential to result in deficient or inadequate emergency access routes. No further environmental analysis is required.

Mitigation Measures

No mitigation measures are necessary because Transportation impacts will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.18 – Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or?			☑	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			☑	

Sources

Information used to prepare this section is from the following sources: Notice of Project Applications to Native American Tribes and *City of Placentia General Plan*.

Environmental Setting

As of July 1, 2015, California Assembly Bill 52 (AB 52) was enacted and expanded CEQA by establishing a formal consultation process for California tribes within the CEQA process. The bill specifies that any project may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to “begin consultation with a California Native American tribe that is traditional and culturally affiliated with the geographic area of the proposed project.” Section 21074 of AB 52 also defines a new category of resources under CEQA called “tribal cultural resources.” Tribal cultural resources are defined as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and is either listed on or eligible for the California Register of Historical Resources or a local historic register, or if the lead agency chooses to treat the resource as a tribal cultural resource.

On February 19, 2016, the California Natural Resources Agency proposed to adopt and amend regulations as part of AB 52 implementing Title 14, Division 6, Chapter 3 of the California Code of Regulations, CEQA Guidelines, to include consideration of impacts to tribal cultural resources pursuant to Government Code Section 11346.6. On September 27, 2016, the California Office of Administrative Law approved the amendments to Appendix G of the CEQA Guidelines, and these amendments are addressed within this environmental document.

Discussion

a) **Less Than Significant Impact.** Project implementation would not result in any specific construction activities involving extensive excavation, and therefore would not be anticipated to significantly affect or destroy any Native American tribal cultural resources. The proposed code and specific plan changes related to Specific Plan 5 are congruent with existing development regulations regarding excavation and grading. While the probability of encountering a tribal cultural resource or human remains is low, any occurrence or discovery is subject to existing protections under California law. No further environmental analysis is required.

b) **Less Than Significant Impact.**

In compliance with AB 52, the City of Placentia distributed letters to two Native American tribes notifying each tribe of the opportunity to consult with the City regarding the proposed project. The tribes were identified based on previously requests to be notified of future projects proposed by the City. The City has no substantial evidence of any significant resource impacted by this change to the zoning code and specific plan. During the discretionary review of any subsequent development project, the City will provide locational information to potentially impacted tribal officials and will conduct formal consultation, as may be requested. No further environmental analysis is required at this time.

Mitigation Measures

No mitigation measures are necessary because impacts to Tribal Cultural Resources will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.19 – Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				

a) Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			<input checked="" type="checkbox"/>	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			<input checked="" type="checkbox"/>	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			<input checked="" type="checkbox"/>	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			<input checked="" type="checkbox"/>	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			<input checked="" type="checkbox"/>	

Sources

Information used to prepare this section is from the following sources: Placentia General Plan.

Environmental Setting

Specific Plan 5 project area encompasses 11 parcels on approximately 19.13 acres, at the northeast corner of South Placentia Avenue and West Orangethorpe Avenue within the City of Placentia, County of Orange, California.

The following utilities/infrastructure systems and services are available to the Project:

- Water/Sewer Golden State Water
- Electricity Southern California Edison
- Natural Gas The Gas Company
- Telephone/Communications Verizon, or other contract services

Discussion

a) thru e) **Less Than Significant Impact.** The project involves regulating permitted land uses and structure heights within Specific Plan 5. The text amendments would not be expected to place an undue burden on any utility or service system. The City of Placentia is an urbanized setting with all utilities and services fully in place. Future demands for utilities and service

systems have been anticipated in the General Plan goals, policies and programs for future growth. No further environmental analysis is necessary.

Mitigation Measures

No mitigation measures are necessary because impacts to Utilities will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.20 – Wildfire

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			☑	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from wildfire or the uncontrolled spread of wildfire?			☑	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may result temporary or ongoing impacts to the environment?			☑	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			☑	

Sources

Information used to prepare this section is from the following sources: *City of Placentia General Plan and CALFIRE Fire Hazard Severity Zone (FHSZ) Viewer.*

Environmental Setting

The project site is located within an urbanized area of the City of Placentia and is not located within a fire hazard zone, as identified on the latest Fire Hazard Severity Zone (FHSZ) maps prepared by the California Department of Forestry and Fire Protection (CALFIRE).

Discussion

a) thru d) **Less Than Significant Impact.** The project site is located within an urbanized area of the City of Placentia and is not located within a fire hazard zone, as identified on the latest Fire Hazard Severity Zone (FHSZ) maps prepared by the California Department of Forestry and Fire Protection (CALFIRE). There are no wildland conditions in the urbanized area that the project area is located. The project would not be expected to impair emergency plans, exacerbate wildfire risks or expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. The project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may result temporary or ongoing impacts to the environment. The project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. The project area is relatively flat and characterized with slopes that are not high (less than 10 percent) or steep. Therefore this impact would be less than significant and no mitigation is required.

Mitigation Measures

No mitigation measures are necessary because impacts to Wildfires will be less than significant.

Level of Significance After Mitigation

Not Applicable

4.21 – Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
2.18 MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			☑	

<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p>			<input checked="" type="checkbox"/>	
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>			<input checked="" type="checkbox"/>	

Sources

Information used to prepare this section is from Sections 4.1 through 4.20 above.

Discussion

a) **Less Than Significant.** The proposed project would not substantially impact any scenic vistas, scenic resources, or the visual character of the area, as discussed in Section 4.1, and would not result in excessive light or glare. The project is located within an urbanized area. The project would not significantly impact any sensitive plants, plant communities, fish, wildlife or habitat for any sensitive species, as discussed in Section 4.4. The environmental analysis provided in Section 4.2 concludes that impacts related to emissions of criteria pollutants and other air quality impacts will be less than significant. Sections 4.8 and 4.10 conclude that impacts related to climate change and hydrology and water quality will be less than significant. Based on the preceding analysis of potential impacts in the responses to items 4.1 thru 4.20, no evidence is presented that this project would degrade the quality of the environment. The City hereby finds that impacts related to degradation of the environment, biological resources, and cultural resources will be less than significant.

b) **Less Than Significant.** Cumulative impacts can result from the interactions of environmental changes resulting from one proposed project with changes resulting from other past, present, and future projects that affect the same resources, utilities and infrastructure systems, public services, transportation network elements, air basin, watershed, or other physical conditions. Such impacts could be short-term and temporary, usually consisting of overlapping construction impacts, as well as long term, due to the permanent land use changes involved in the project. The proposed text amendments will generally result in less than significant environmental impacts, as discussed herein. Impacts related to noise will be less than significant and therefore will not contribute substantially to any other concurrent construction programs that may be occurring in the vicinity. Short-term impacts related to pollutant emissions will be less than significant and will not exceed maximum thresholds.

The proposed project would not significantly cumulatively affect the environment. Water supplies have been studied in the Urban Water Management Plans. Continued efforts towards water conservation, as required by State law, would reduce water demands; the project would result in a less than significant cumulative impact on water supply and other resources. As indicated in Section 4.17 herein, the proposed project would not result in any significant traffic impacts to transportation. Long-term cumulative effects will have a less than significant impact on air quality. Adherence to all conditions recommended, the cumulative impacts can be less than significant. The project zoning code and specific plan amendments would not contribute to any cumulative growth effects beyond what is anticipated for the City’s future in the General Plan.

c) **Less Than Significant.** Based on the analysis of the proposed project's impacts in the responses to items 4.1 thru 4.20, there is no indication that this project could result in substantial adverse effects on human beings. The land use requirements of this project would not directly or indirectly cause any substantial adverse effects on human beings. For this reason, the City has concluded that this project can be implemented without causing significant adverse environmental effects and determined that the Negative Declaration is the appropriate type of CEQA documentation.

5 References

5.1 – List of Preparers

City of Placentia (Lead Agency)

City of Placentia, Development Services Department
401 East Chapman Avenue, Placentia, California 92870
Attention: Joseph M. Lambert, Director of Development Services

PGN (Environmental Analysis)

PO Box 2473
Menifee, CA 92586

5.2 – Persons and Organizations Consulted

California State Department of Conservation. California Geological Survey, EQ Zapp: California Earthquake Hazards Zone Application for identification of Alquist-Priolo Earthquake Fault Zones. Updated April 4, 2019. (<https://maps.conservation.ca.gov/cgs/EQZApp/app/>)

California State Department of Conservation. California Geological Survey, Seismic Hazard Zones, Anaheim Quadrangle and Earthquake Zones of Required Investigation Anaheim Quadrangle. Released: April 15, 1998. (http://gmw.conservation.ca.gov/SHP/EZRIM/Maps/ANAHEIM_EZRIM.pdf).

California Department of Conservation, Farmland Mapping and Monitoring Program of the California Resources Agency, Orange County Important Farmland Map, published September 2018. (<ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/ora16.pdf>)

State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties and the State, 2011- 2018 with 2010 Census Benchmark*. Sacramento, California, May 2018.

California Department of Fish and Wildlife, California Regional Conservation Plans Map. California Natural Community Conservation Plans. Dated April 2019. (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline>)

CALFIRE Fire Hazard Severity Zone (FHSZ) Viewer. (<http://egis.fire.ca.gov/FHSZ/>)

California Department of Toxic Substances Control, EnviroStor, (www.envirostor.dtsc.ca.gov/public/search.asp)

California Department of Transportation website identifying the California Scenic Highway Mapping System: Orange County.

California Department of Transportation, Division of Aeronautics website, California Public Use Airport list.

California State Water Resources Control Board, GeoTracker, (geotracker.waterboards.ca.gov).

California State Water Resources Control Board, Sites Identified with Waste Constituents Above Hazardous Waste Levels Outside the Waste Management Unit. (www.calepa.ca.gov/SiteCleanup/CorteseList/CurrentList.pdf).

City of Fullerton General Plan, May 1, 2012.

City of Fullerton, Municipal Code.

City of Placentia General Plan.

City of Placentia *Municipal Code, Title 23 Zoning*.

Federal Emergency Management Agency. Flood Insurance Rate Maps, FIRMette. Panel 06059C013J Effective December 3, 2009.

Ganddini Group. *Specific Plan Area 5 Technical Memorandum*. May 16, 2019.

Great!Schools Website, www.greatschools.org/school-district-boundaries-map/.

South Coast Air Quality Management District (SCAQMD) CEQA Handbook, 1993.

UC Davis Soil Resource Laboratory, SoilWeb, <http://casoilresource.lawr.ucdavis.edu/gmap/>.

United States Fish & Wildlife Service, Environmental Conservation Online System.

United States Fish and Wildlife Service, FWS Critical Habitat for Threatened & Endangered Species. (<http://criticalhabitat.fws.gov/>)

United State Fish & Wildlife Services. Habitat Conservation Plans: Summary Report. <www.ecos.fws.gov/conserv_plans/servlet/gov.doi.hcp.servlets.PlanReport> [Accessed March 1, 2019]

United States Fish and Wildlife Service, National Wetlands Inventory, Wetlands Mapper.

United States Geological Survey (USGS) Placentia, California Quadrangle, 1981.



Placentia Planning Commission

AGENDA STAFF REPORT

TO: PLANNING COMMISSION
FROM: ARLEN BECK, PLANNING TECHNICIAN
DATE: June 11, 2019
SUBJECT: **DEVELOPMENT PLAN REVIEW (DPR) 2019-01**

REQUEST:

The applicant, Randy Orozco, requests approval of a Development Plan Review (DPR) to allow for the development of an unimproved .37-acre lot, with a new industrial building measuring approximately 6,968 square feet in conjunction with various onsite hardscape and landscape improvements within the M (Manufacturing) Zoning District and generally located west of State Route 57 (SR-57) and north of 721 Monroe Way. The existing address of the site is APN: 339-102-21.

DISCUSSION:

Although this item was noticed in the newspaper and notices were sent to property owners within 300 feet of the project site, staff is requesting that this item be continued to the next regularly scheduled Planning Commission meeting of July 9, 2019, to allow adequate time for the applicant to make exterior design revisions to the overall architecture of the proposed building.

Staff did receive revised plans with revisions to the design of the proposed building, however, staff is asking the applicant to make further design changes. If this item is not heard by the Planning Commission on the July 9, 2019 meeting, then staff will re-notice the item and schedule the item to be heard after the necessary design changes have been made.

RECOMMENDATION:

Staff is recommending that this item be continued to the next regularly scheduled Planning Commission meeting to be held on July 9, 2019.

Prepared and submitted by:

Handwritten signature of Arlen Beck in blue ink.

Arlen Beck
Planning Technician

Review and approved by:

Handwritten signature of Joseph M. Lambert in blue ink.

Joseph M. Lambert
Director of Development Services