

RESOLUTION NO. PC2026-005

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CHINO, CALIFORNIA, APPROVING PL25-0022 (SITE APPROVAL) TO CONSTRUCT A 210-UNIT RESIDENTIAL RENTAL COMMUNITY CONSISTING OF 25 TWO- AND THREE-STORY RESIDENTIAL BUILDINGS AND A RECREATION BUILDING ON 7.9 ADJUSTED GROSS ACRES OF LAND AT A DENSITY OF 26.6 DWELLING UNITS PER ACRE WITHIN THE CO (COMMERCIAL OFFICE) AND RD4.5 (RESIDENTIAL 4.5 DWELLING UNITS PER ACRE) ZONING DISTRICTS WITHIN THE AFFORDABLE HOUSING OVERLAY (AHO), LOCATED AT THE NORTHWEST CORNER OF RIVERSIDE DRIVE AND MOUNTAIN AVENUE (APN: 1015-511-27).

WHEREAS, the Chino 2021-2029 Housing Element (Housing Element) update was adopted by the City Council on January 4, 2022, with revisions to the Housing Element being adopted in December 2024. The Housing Element established an Affordable Housing Overlay (AHO) and Mixed Use Overlay (MUO) on sites throughout the City that had been identified during the drafting of the Housing Element as a strategy for meeting the City's Regional Housing Need Assessment (RHNA) numbers. Housing sites within both overlays allow for residential development of up to 30 dwelling units per acre (du/ac) provided that projects provide affordable housing for moderate, low, to very low-income households; and

WHEREAS, BCT Dev. Acquisition Company (the "Applicant"), filed a preliminary application with the City of Chino (the "City") on September 18, 2025 and subsequently filed an application on February 26, 2025 for approval of PL25-0022 (Site Approval) (the "Project") to construct a 210-unit residential rental community consisting of 25 two- and three-story residential buildings and a recreation building on 7.9 adjusted gross acres of land at a density of 26.6 dwelling units per acre within the CO (Commercial Office) and RD4.5 (Residential 4.5 dwelling units per acre) zoning districts within the Affordable Housing Overlay. The project is located at the northwest corner of Riverside Drive and Mountain Avenue (APN: 1015-511-27); and

WHEREAS, the Planning Commission of the City of Chino has completed its study of the proposed Project; and

WHEREAS, on June 17, 2026, the Planning Commission held a duly noticed public hearing for the Project in compliance with law, including compliance with the relevant provisions of the California Government Code and Chino Municipal Code, entertained the written and oral report of staff, and took public testimony on the Project.

NOW, THEREFORE, the Planning Commission of the City of Chino, California, does hereby FIND, DETERMINE, and RESOLVE as follows:

- A. The foregoing recitals are true and correct and incorporated herein.

B. Based on substantial evidence, both written and oral, from the public hearing, the Planning Commission makes the following findings and takes the following actions on PL25-0022 (Site Approval):

1. *PL25-0022 (Site Approval)*

- a. The proposed Project is consistent with the goals and policies of the City's adopted General Plan and/or applicable specific plan(s), as General Plan Goal LU-1 aims to enhance livability in the City, with Objective LU-1.1 encouraging a variety of housing types that meet the housing needs of residents of all income levels in Chino. Further, the Project is a proposal for a 210-unit for sale community located within the Affordable Housing Overlay (AHO) and has been designed to meet applicable development standards and design guidelines, with the exception of specified deviations from standards, or waivers, as is permitted by SDBL;
- b. The proposed Project is permitted within the zoning district in which it is proposed and complies with all applicable provisions of the City's Zoning Code. The Project site is located within the AHO, which allows for residential projects with affordable units. The proposed Project is for the development of 25 two- and three-story buildings, with 210 units, totaling 423,588 square feet on 7.9 adjusted gross acres of land at a density of 26.6 units per acre, and offering 10 percent of low-income units, which is permitted per the AHO. The Project complies with development standards, with the exception of the requested waivers pursuant to State Density Bonus Law (SDBL) in the AHO ordinance;
- c. The subject site is physically suitable, including, but not limited to, parcel size, shape, access and availability of utilities, for the type and intensity of use proposed, as all minimum zoning requirements governing parcel size, shape, access, type and intensity of development have been met or exceeded. The proposed residential development is consistent with development standards in the AHO ordinance and with the development guidelines and standards of the City's Zoning Code, with the exception of specified deviations from standards, or waivers, as is permitted by SDBL. Additionally, the appropriate infrastructure and public improvements are conditioned to be constructed with the development;
- d. The subject site for the Project relates to streets and highways properly designed, both as to width and type of pavement to carry the type and quantity of traffic generated by the proposed Project, in that the Project site will have direct access from Riverside Drive and Mountain Avenue, which have been designed to carry the type of traffic visiting the site;

- e. The proposed Project is compatible with those on abutting properties and in the surrounding neighborhood, in that the Project consists of a 210-unit for-rent residential community consisting of 26 residential buildings surrounded by commercial uses to the east and west, and residential uses to the north and south. The site plan and architectural design incorporate appropriate transitions to the adjacent single-family homes by providing a fifteen-foot setback along the northern property line, a ten-foot setback along the western property line, and stepping the building down to two stories along the north and west property lines to minimize massing near existing residences. The Project has been designed in compliance with all applicable development standards and design guidelines of the Affordable Housing Overlay;
  - f. The proposed location, size, and operating characteristics of the proposed Project will not be detrimental to the public interest, health, safety or general welfare, as the proposed residential use is consistent with the AHO. In addition, certain safeguards have been required of the proposed Project, which the Planning Commission deems necessary to protect the public health, safety, and general welfare. These safeguards (Conditions of Approval) are attached hereto as Exhibit "A";
  - g. The proposed Project will not have a significant adverse impact on the environment as the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resource Code (PRC) Section 21080.66, as enacted by Assembly Bill 130 which became effective July 1, 2025; and
  - h. The minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed Project and have been imposed as conditions of project approval by the Chino Planning Commission. In addition, certain safeguards have been required of the proposed Project, which the Planning Commission deems necessary to protect the public health, safety, and general welfare. These safeguards (Conditions of Approval) are attached hereto as Exhibit "A".
2. *Density Bonus Waiver/Concession for Utility Undergrounding.* The Planning Commission finds that the Applicant's requested concession or waiver from the City's underground utility requirement pursuant to Chapter 13.32 of the Chino Municipal Code is denied. Pursuant to Chapter 13.32, titled "Underground Utility Devices," the City has determined that undergrounding utilities is necessary to protect public health, safety, and welfare by reducing risks to life and property during emergencies such as earthquakes, fires, and severe weather events, reducing hazards associated with downed or damaged utility lines, and maintaining safe visibility and access within the public right-of-way for pedestrians, motorists, and emergency responders. Traffic collision data compiled from 2021 to 2025 indicates there have been 23 traffic accidents within Chino City Limits involving a

vehicle collision with a Southern California Edison (SCE) power pole resulting in damage to the pole. The Collision Summary Report is attached hereto as Exhibit "A". The Planning Commission further finds that the undergrounding requirement constitutes a fundamental public safety standard rather than a discretionary or primarily aesthetic requirement. Based upon the legislative findings contained in Chapter 13.32, the requested concession or waiver would potentially create specific adverse impacts on public health and safety that cannot be mitigated without requiring compliance with the undergrounding requirement. The Planning Commission further finds that alternative mitigation measures, including protective barriers, relocation of facilities, or other design modifications, would not satisfactorily avoid or mitigate the identified public health and safety impacts associated with retaining above-ground utility facilities and therefore do not provide an effective substitute for undergrounding. Accordingly, the requested concession or waiver does not qualify for approval under State Density Bonus Law Government Code section 65915(d) as Chapter 13.32 includes explicit legislative findings that undergrounding utilities is necessary to reduce hazards to life and property, particularly during emergencies, and to maintain safe visibility and access within the public right of way, therefore all required utilities must be installed underground to protect public safety;

3. *CEQA Findings.* The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resource Code (PRC) Section 21080.66, as enacted by Assembly Bill 130 which became effective July 1, 2025. This statutory exemption applies to infill projects that are consistent with the General Plan and Zoning Requirements, are located on sites of no more than 20 acres that are substantially surrounded by urban uses, do not contain habitat for endangered, rare or threatened species; would not result in significant environmental impacts related to traffic, noise, air quality, or water quality, and is located on a site that can be adequately served by utilities and public services. The proposed Project satisfies the eligibility criteria for this exemption. Specifically, the Project is located on an approximately eight-acre site that is fully surrounded by existing urban development, is consistent with applicable land use regulations, does not contain habitat for protected species, and is adequately served by existing infrastructure and public services. Therefore, the Project qualifies for the statutory exemption set forth in PRC Section 21080.66.
4. *Approval of PL25-0022 (Site Approval).* The Planning Commission hereby approves PL25-0022 (Site Approval) subject to the Conditions of Approval attached hereto as Exhibit "B". The Planning Commission further denies the Applicant's requested concession from the City's underground utility requirements contained in Chapter 13.32 of the Chino Municipal Code for the reasons set forth herein. Applicant, including its successors and assigns, shall be responsible for implementing and complying with all conditions set forth in Exhibit "B".
5. *Actions by the Planning Commission Secretary.* The Planning Commission Secretary is hereby directed to attest to the adoption of this Resolution as of the

date set forth below and forthwith transmit a copy of this Resolution, by regular mail, to the Applicant at the address of record set forth in the Application.

PASSED, APPROVED, AND ADOPTED THIS 17<sup>TH</sup> DAY OF JUNE 2026.

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PLANNING COMMISSION CHAIRPERSON

ATTEST:

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SECRETARY, PLANNING COMMISSION

State of California )  
County of San Bernardino ) §  
City of Chino )

I hereby certify the foregoing Resolution was duly adopted by the Chino Planning Commission at a meeting held on the 17<sup>th</sup> day of June 2026 and entered in the minutes of said Commission.

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

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SECRETARY, PLANNING COMMISSION

Attachment: Exhibit "A" – Collision Summary Report

Exhibit "B" – Conditions of Approval