

RESOLUTION NO. PC2026-004

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CHINO, CALIFORNIA, APPROVING PL25-0067 (SITE APPROVAL) AND PL25-0068 (TTM 20794) TO SUBDIVIDE 3.76 ADJUSTED GROSS ACRES OF LAND INTO ONE LOT, FOR CONDOMINIUM PURPOSES FOR THE CONSTRUCTION OF A 100-UNIT, 17 BUILDING RESIDENTIAL FOR-SALE PROJECT AT A DENSITY OF 26.6 DWELLING UNITS PER ACRE WITHIN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT WITHIN THE AFFORDABLE HOUSING OVERLAY (AHO) AND A 0.17-ACRE LOT IN THE CG ZONING DISTRICT. THIS PROJECT IS LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND MAGNOLIA AVENUE. (APNS: 1020-111-01 AND -02)

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, Regent Land Company (the "Applicant"), filed a preliminary application with the City of Chino (the "City") on May 29, 2025 and concurrently filed an application for approval of PL25-0067 (Site Approval) and PL25-0068 (Tentative Tract Map No. 20794) (the "Project") to construct a 100-unit residential for-sale project consisting of 17 three-story buildings on 3.76 adjusted gross acres of land at a density of 26.6 dwelling units per acre within the CG (General Commercial) zoning district within the Affordable Housing Overlay (AHO) and 0.17-acre lot in the CG zoning district. The project is located on the southwest corner of Riverside Drive and Magnolia Avenue (APNs: 1020-111-01 and -02); and

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

WHEREAS, on May 20, 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 PL25-004 (Site Approval):

1. *PL25-0067 (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 100-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 17 three-story buildings, with 100 units, totaling 217,704 square feet on 3.76 adjusted gross acres of land at a density of 26.6 units per acre, and offering 10 percent of moderate-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 Magnolia Avenue and is within close proximity to Riverside Drive, all of 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 100-unit for-sale residential community consisting of 17 buildings surrounded by commercial uses to the north, and residential uses to the north, south and west. The site plan and architectural design incorporate appropriate transitions to nearby single-family homes, including a six-foot-high block wall with landscape along the southern boundary to minimize potential light, noise, and visual impacts. In addition, upper level balcony openings along the southern edge have been eliminated to help maintain privacy. 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 categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Class 32, Section 15332 of the guidelines for In-fill Development Projects; 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. *PL25-0068 (Tentative Tract Map No. 20794)*
- a. *Consistency with Plans.* The proposed subdivision, together with the provisions for its design and improvements, is consistent with applicable General or Specific Plans of the City, as it is consistent with the City's General Plan, which designates the property as General Commercial (GC), and the proposed subdivision is consistent with that land use designation; and
 - b. *Consistency with Zoning.* The proposed subdivision is consistent with the provisions of the Chino Zoning Ordinance and other related ordinances, as the map complies with the CG zoning district, and other related ordinances,

in that the proposed map meets the requirements for lot sizes, required dedications, easements, and other requirements as outlined in the City's Zoning Code; and

- c. *Suitability*. The site is physically suitable for the type and density of development, because all required on and off-site improvements necessary to accommodate the development will be provided in accordance with City requirements. The site is flat and does not have any development constraints that would hinder development, and the parcels created are of sufficient size and dimension to accommodate development consistent with and in accordance with the requirements of the CG zoning district within the AFO; and
- d. *Environmental damage*. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; and
- e. *Wastewater*. The discharge of waste from the proposed subdivision into a community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code); and
- f. *Water service*. The review of the City Engineer or water service agency indicates there is sufficient water provided to the project site; and
- g. *Soils and geology*. There are no adverse soil or geological conditions, according to a preliminary soils report or geological hazard report, or the subdivider has demonstrated to the satisfaction of Director of Development Services, City Engineer and Planning Commission that any adverse conditions can be corrected, as the necessary technical studies show the soil conditions are suitable for development; and
- h. *Public health*. The design of the subdivision or the type of improvements will not cause serious public health problems; and
- i. *Easements*. 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; and
- j. *Environmental documentation*. The environmental documentation is adequate and conforms with the provisions of the California Environmental Quality Act (CEQA), as the project is exempt from CEQA guidelines pursuant to Section 15332 – In-fill Development projects; and
- k. *Agricultural suitability*. The proposed subdivision will not result in the subdivision of agricultural parcels to a size too small to sustain agricultural

use under the conditions for denial listed in Section 66474.4 of the Subdivision Map Act, as the property is not currently encumbered with any Williamson Act contracts.

3. *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. 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. 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;
4. *CEQA Findings.* The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15332 of the guidelines-Infill Development projects. The exemption applies to infill projects that are consistent with the General Plan and Zoning Requirements; are located on a project site of no more than 5 acres substantially surrounded by urban uses; are located on a site that has no value for habitat for endangered, rare or threatened species; will not result in significant effects relating to traffic, noise, air quality, or water quality; and are located on a site that can be adequately served by utilities and public services. The proposed Project is located on 3.93 acres of land and fully surrounded by existing development. Furthermore, none of the exceptions to the categorical exemptions set forth in the CEQA Guidelines 15300.2, apply to this project.
5. *Approval of PL25-0067 (Site Approval) and PL25-0068 (Tentative Tract Map No. 20794).* The Planning Commission hereby approves PL25-0067 (Site Approval) and PL25-0068 (Tentative Tract Map No. 20794) subject to the Conditions of Approval attached hereto as Exhibit "A". . 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 "A".

6. *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 20TH DAY OF MAY 2026.

PLANNING COMMISSION CHAIRPERSON

ATTEST:

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 20th day of May 2026 and entered in the minutes of said Commission.

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

SECRETARY, PLANNING COMMISSION

Attachment: Exhibit "A" – Conditions of Approval