

ORDINANCE NO. 2025-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHINO, CALIFORNIA, AMENDING CHAPTER 2.36 (PLANNING COMMISSION) TO PROVIDE FOR THE REDUCTION IN THE NUMBER OF RESIDENT PLANNING COMMISSION MEMBERS FROM SEVEN TO FIVE

WHEREAS, Chapter 2.36 (Planning Commission) of Article 2 (Administration and Personnel) of the Chino Municipal Code ("CMC") establishes the Chino Planning Commission to consider issues of planning and land use within the City and regulates the Planning Commission therein; and

WHEREAS, pursuant to Chapter 2.36, the Planning Commission has the power and duty to 1.) review and recommend the City's General Plan for the City Council's adoption; 2.) review and decide applications for tentative maps, special conditional use permits, site approvals, and major variances; 3.) review and recommend to the City Council, applications for general plan amendments, specific plan amendments, zone changes, zone ordinance amendments, and development agreements; and 4.) participate in the development and design review process; and

WHEREAS, CMC Section 2.36.020 provides that the Planning Commission shall consist of nine members, appointed by the mayor with the approval of the City Council, and requires that seven members of the Planning Commission be residents of the City and two members shall be residents of the City's Sphere of Influence area at the time of their appointment and throughout their terms of office; and

WHEREAS, the City Council and City Staff periodically review the composition of its commissions to ensure effectiveness, including considerations of compensation, size, and representation; and

WHEREAS, a recent review of neighboring cities revealed that the Chino Planning Commission has more members than many comparable jurisdictions and City Staff has determined that a Planning Commission of five resident members would continue to support the City's Planning Commission goals while improving efficiency and effectiveness; and

WHEREAS, the City Council now desires to amend Chapter 2.36 of the Chino Municipal Code to reduce the number of resident Planning Commissioners from seven to five members, to better reflect the City's current needs and improve overall functionality.

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

Section 1. The City Council finds that the above recitals are true and correct and are incorporated herein by this reference.

Section 2. Section 2.36.020 of Chapter 2.36 of the Chino Municipal Code is hereby amended as follows (additions in **bold underline**; deletions in **~~bold strikethrough~~**):

2.36.020 – Members – Appointment and term of office.

- A. The planning commission shall consist of ~~nine~~ **seven** members. Each member shall be appointed by the mayor with the approval of the city council. In the event that a member is required to take a temporary leave of absence, the mayor may appoint a temporary replacement with the approval of the city council. In the event that a member resigns or dies before the end of his or her term, or for any reason is unable to complete the term, the mayor may appoint a member to fill the vacant position with the approval of the city council. Ex-officio positions may be left vacant for all or some of the term of the position in the event that no resident meeting the requirements to serve as ex-officio member, pursuant to subsection C below, applies for or is appointed to the position.
- B. **Seven Five** members of the planning commission shall be residents of the city at the time of their appointment and throughout their terms of office, and shall serve for a term of four years (full commission membership).
- C. Two members of the planning commission shall be residents of the city's Sphere of Influence area, as defined under California Government Code section 56076 and determined by the Local Agency Formation Commission of San Bernardino (LAFCO), at the time of their appointment and throughout their terms of office, and shall serve for a term of two years as ex-officio members. One ex-officio Sphere of Influence member shall be a resident of the North Sphere of Influence, and one member shall be a resident of the South Sphere of Influence. Should the portion of the city's Sphere of Influence area in which the commissioner resides be annexed into the city, the commissioner shall be removed from their position as ex-officio member at such time as their residence is annexed into the city and may thereafter apply for full membership to the planning commission under subsection (B).
- D. Notwithstanding the provisions of subsection A above, members of the commission shall continue in office until their successors are appointed by the mayor with the approval of the city council.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

Section 4. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after its second reading and adoption.

Section 5. Certification. The City Clerk of the City of Chino shall certify to the passage and adoption of this Ordinance and shall cause the same to be published in the *Chino Champion*, a newspaper of general circulation, within said City in accordance with the provisions of the Government Code.

ADOPTED THIS ____ DAY OF _____ 2025.

By: _____
EUNICE M. ULLOA, MAYOR

ATTEST:

By: _____
NATALIE GONZAGA, CITY CLERK

By: NATALIE GONZAGA, CITY CLERK