



Community Development Department  
14000 City Center Dr., Chino Hills, CA 91709  
(909) 364-2780 Fax (909) 364-2795  
www.chinohills.org

CUP No.: \_\_\_\_\_  
TDA No.: \_\_\_\_\_  
Submittal Date: \_\_\_\_\_  
Accepted By: \_\_\_\_\_

## CONDITIONAL USE PERMIT

This application is required for the construction, alteration or expansion of every use that is allowed within a land use district subject to a Conditional Use Permit.

### APPLICANT INFORMATION:

Applicant (Main Contact Person): \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Email: \_\_\_\_\_

### PROPERTY OWNER INFORMATION:

Property Owner: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Email: \_\_\_\_\_

### PROJECT INFORMATION:

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

Assessor Parcel Number: \_\_\_\_\_ Tract: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Zoning District: \_\_\_\_\_ General Plan Land Use: \_\_\_\_\_

### DETAILED PROJECT DESCRIPTION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### PROPOSED PROJECT INFORMATION: (If Applicable)

Proposed Zoning District: \_\_\_\_\_ Proposed General Plan Land Use: \_\_\_\_\_

**APPLICATION CONTINUED ON NEXT PAGE**

**SITE INFORMATION: (Please provide in-depth details)**

1. Describe the existing development within 300 feet of the site.

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2. Is the site within a Planned Development (PD)?  No  Yes If "Yes": Which PD? \_\_\_\_\_

3. Are there any deed restrictions, covenants, conditions and restrictions (CC&Rs), or other restrictions that affect the property?  No  Yes (if "Yes", explain below)

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4. Identify if the site is presently served by the following utilities:

Electricity	<input type="checkbox"/>	No	<input type="checkbox"/>	Yes
Gas	<input type="checkbox"/>	No	<input type="checkbox"/>	Yes
Water	<input type="checkbox"/>	No	<input type="checkbox"/>	Yes
Sewer	<input type="checkbox"/>	No	<input type="checkbox"/>	Yes
Telephone	<input type="checkbox"/>	No	<input type="checkbox"/>	Yes

If "No," have any contacts been made with the agencies providing these services?  No  Yes

If "Yes," please provide information and/or attach correspondence:

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5. Are there any potential hazardous materials on or near the project site?  No  Yes

Please provide appropriate Phase 1 and/or 2 Environmental Site Assessment Report.

**PROJECT CONSTRUCTION INFORMATION:**

1. Will your project require any permits from local, state or federal agencies?  No  Yes

If "Yes", which agency and permit description:

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2. Will any earth material be exported from or imported to the site?  No  Yes

If "Yes", please indicate the approximate quantity in cubic yards, whether imported or exported and the location of the borrow pit or dump site?

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3. Approximately how many square feet of impermeable surface (building and paving) will be created by the development of the proposed project? *Please express in square feet and as a percentage of the whole site.*

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4. What is the projected "opening year" or first phase for the project? \_\_\_\_\_

5. Is the project proposed in phases?  No  Yes

If "Yes" a phasing plan may be required. Please describe the phasing.

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**PROJECT OPERATIONAL INFORMATION:**

Provide the following information for all industrial, commercial, professional office or institutional projects (churches, social care facilities, private schools, etc.).

1. Provide an estimate of how many people will work at and visit the project each day or will stay overnight at the project site, per use. If school or social care facility, state age and numbers of students/patients and staff.

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2. Indicate the days and hours of operation anticipated for each use proposed for the project site.

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**I certify under penalty of perjury that I am the (check one) and that the foregoing information is true and accurate to the best of my knowledge:**

- Applicant
- Applicant's Legal Agent

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_



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## PROPERTY OWNER'S AUTHORIZATION APPLICATION CERTIFICATE

I (we), the undersigned owner(s) or officer(s) in the organization owning the land(s) for which this application is made, state that I (we) is (are) aware that the application is being filed with the City of Chino Hills Community Development Department.

I (we) further agree that if any such information proves false or incorrect, the City of Chino Hills and any special purpose or taxing district affected thereby are, and shall be, released from any liability incurred if the application is approved.

Any persons signing with Powers of Attorney for the property-owner(s) must print the names of those individuals in the signature block and attach a notarized copy of the Power of Attorney.

I certify under penalty of perjury that I am the (check one below) and that, to the best of my knowledge, the information contained in this application is true and correct.

- Legal Owner (all names that appear on the Deed must sign their names)
- Owner's Legal Agent

PROJECT SITE APN(s): \_\_\_\_\_

**Owner/Agent Signature(s)**

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

**If signed by Legal Agent, provide name(s) of property owner(s):**

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

**ADDITIONAL REQUIRED FORM ON NEXT PAGE**



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## CERTIFIED SURROUNDING PROPERTY OWNERS LIST DECLARATION

The list is required to provide surrounding property owners notification of the public hearing for the proposed project and is valid for six (6) months. If the original list is more than six (6) months old, a new list must be provided for the public hearing notification.

This list includes all properties:  300 foot radius from project site  500 foot radius from project site\*  
 Adjacent to project site

EXAMPLE:

Assessor's Parcel Name Address City, State, Zip Code
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\* Automobile Maintenance, Automobile Service Stations and Car Wash Uses require 500 feet of notification.

I certify under penalty of perjury that I am the (check one below) and that, to the best of my knowledge, the enclosed labels contain the name and addresses of all persons to whom surrounding property is assessed as they appear on the latest equalized assessment roll maintained by the County Assessor or Tax Collector.

- Legal Owner (all names that appear on the Deed must sign their names)
- Owner's Legal Agent

PROJECT SITE APN(s): \_\_\_\_\_

**Owner/Agent Signature(s)**

Print Name: _____	Signature: _____
Print Name: _____	Signature: _____
Print Name: _____	Signature: _____

**If signed by Legal Agent, provide name(s) of property owner(s):**

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

**SEE FOLLOWING PAGES FOR ADDITIONAL INFORMATION & SUBMITTAL REQUIREMENTS**

**SUBMITTAL CHECKLIST:** (All Items must be included at the time of submittal)

PLEASE RETURN THIS CHECKLIST WITH APPLICATION PACKET UPON SUBMITTAL. ONLY USE CITY FORMS. IF MORE SPACE IS NEEDED, USE ATTACHMENTS. COMPUTER GENERATED APPLICATIONS ARE NOT ACCEPTABLE.

- One (1) Copy** – Application, completed, signed and dated by property owner and/or authorized agent.
- Initial Deposit** – Conditional Use Permit Application. Refer to the Community Development Fee/Deposit Schedule for the amount.
- One (1) signed and dated:** copy of the "[Trust Deposit Account Procedures/ Agreement](#)" Form.
- One (1) digital copy** of plans in PDF format on a flash/thumb drive.
- Fifteen (15) copies:** of plot plan and elevations drawn at a scale to accurately delineate the proposed project. (Folded accordion style – 8 x 11 size.) (Refer to the plot plan checklist for specific requirements. A conceptual plan is not acceptable.
- One (1) reduced copy:** (8 x 11) of site plan, elevations, etc.
- One (1) copy:** of recorded Grant Deed, or Quit Claim Deed.
- One (1) copy:** of the appropriate Assessor's map obtained from the Assessor's Office with a redlined/black line drawn on the map showing the 300 foot radius from the project property lines. A 500' radius mailing labels are required for projects involving automobile maintenance, automobile service stations and car wash.
- Three (3) sets and one Xerox copy** of mailing labels listing names and addresses of surrounding property owners which correspond with the 300' or 500' radius map. A 500' radius mailing labels are required for projects involving automobile maintenance, automobile service stations and car wash.
- One (1) copy:** of the summary letter if a pre-application Conference was conducted.

**ADDITIONAL FEES:**

- One (1) copy:** of the receipt of payment of Fire Review fees or letter stating such fees are not applicable. (Payment of these fees may be made at the Chino Valley Independent Fire District, located at 14011 City Center Dr., Chino Hills, CA 91709. Please contact the Fire District at (909) 902-5280 regarding Fire Review fees.

**Application Information**

This application is required for the alteration or expansion of every use that is allowed within a land use district subject to a Conditional Use Permit.

This is an Actual Cost application. The actual cost for a project is determined according to the time spent by personnel on that project and the associated personnel benefits, department overhead, and other costs incurred for that project.

**Initial Deposits** are determined by the fee schedule adopted by City Council. Refer to the Community Development Fee/Deposit Schedule for application fee amounts.

Once the application is assigned to a project manager, an estimated budget will be prepared based on the scope of the project, including the amount of time spent on the project. The deposit of additional funds shall be required if the Trust Deposit Account falls below 25% of the budget remaining for the project. Notification of additional deposit required will be mailed to the applicant, who shall deposit such additional monies prior to the date specified in the notice. Projects will not be completed with money due. If the additional deposit is not made by the date specified in the notice, the project shall be suspended, without further action on the part of the City.

**CONDITIONAL USE PERMIT INFORMATION & PROCEDURES:**

1. Before submitting your application, the City encourages you or your representative to discuss your development proposal with the Planning Division staff at the Community Development public counter or via telephone phone by calling the Planning Division at (909) 364-2740. For projects that require information from multiple divisions and departments within the City, a pre-application conference or consultation may be appropriate. Once a pre-application is submitted, the Project Review Committee

(PRC) will meet to discuss the project, identify potential issues, and determine if technical studies will be required with the formal application.

2. Once a formal application is submitted, the application will be scheduled for a PRC meeting, where staff from the different departments and divisions will comment on the proposal, discuss whether the application is complete or incomplete, and identify any corrections that are required on the plan(s). If the application is deemed incomplete and/or corrections are required, the applicant shall submit the additional information that is required to make the application complete and provide revised plans. Once the revised plans are submitted, the PRC will review the plans, determine the completeness of the application, and identify any outstanding issues on the plans.
3. Once the application is deemed complete, the Project Manager (PM) will conduct an initial environmental review, called an "Initial Study", to determine if additional information is required to complete the environmental review. If additional information is not required, the PM will determine the type of environmental document that is required for the project as required by the California Environmental Quality Act (CEQA), such as a Negative Declaration, or Environmental Impact Report (EIR). Subsequently, the PM will prepare the appropriate environmental document and request Conditions of Approval from the PRC. If an EIR is required for the project, the City will prepare the environmental document. The cost of preparing the EIR must be paid by the developer prior to the commencement of work on the EIR. Once the environmental document is complete and the project is ready for a Planning Commission hearing, the PM will make the environmental document available for public review, send copies to the appropriate agencies and persons who request the document for review in accordance with the CEQA Guidelines, and provide notice of the public hearing in accordance with Section 16.58 of the Chino Hills Municipal Code.
4. The Planning Commission will make a decision to either approve or deny the project at a public hearing. **A decision by the Planning Commission to approve, deny, or impose specific conditions on the approval of a conditional use permit application may be appealed by any interested party, including the applicant, to the City Council. The appeal must be filed with the City Clerk on the appropriate appeal form, along with the appropriate fee, within ten (10) working days of the Planning Commission action.**

#### **SPECIFIC PLOT PLAN REQUIREMENTS FOR CONDITIONAL USE PERMIT:**

A plot plan is a drawing, to scale, on one sheet of paper (minimum 18" x 24") of the entire land parcel showing buildings, improvements, other physical features and all dimensions.

**All items listed below must be on the plot plan. The application will not be taken in if any items are omitted. ATTACHMENTS ARE NOT ACCEPTABLE. THIS CHECKLIST MUST BE RETURNED WITH APPLICATION PACKET UPON SUBMITTAL.**

- Identification:** Indicate names, addresses AND telephone numbers of the Record Owner, Applicant, AND the person preparing the map.
- Utilities:** Indicate names, addresses and telephone numbers of: a) water company, b) sewage disposal, c) electric, d) gas, e) telephone, f) cable television. If no utility company, then state method of supply.
- Legal Description:** **COMPLETE** legal description of the property involved including number of acres. **INCLUDE ASSESSOR PARCEL NUMBER.** If a portion of a large parcel is being developed, **include a detailed description of that portion.**
- Project:** Provide detail description of the project including the use of each existing and proposed structure and/or open storage areas.
- North Point:** Indicate north point, date of drawing and scale. Use an **ENGINEERS SCALE** (i.e., 1" to 10', 1" to 20', 1" to 30', etc.). The direction of the "north" arrow should be shown pointing towards the **TOP OF RIGHT HAND SIDE** of the Plot Plan.
- Dimensions:** Indicate property lines and show dimensions. Indicate boundary lines of project if only a portion of the property is being developed.
- Roads/Easements:** Indicate location, names, widths of boundary streets, and recorded road, utility, or drainage easements on property. Where none exist, indicate by a note that no easements exist. If property is not on a road or easement, then show access to property.

- Drainage:** Indicate any drainage or hilly terrain by flow-line arrows and contour lines. If none exist, indicate by a note that no hilly terrain or drainage problems exist.

#### **TOPOGRAPHY INFORMATION:**

- Land Use District (Project Area):** Indicate existing and proposed General Plan Land Use District of project.
- Land Use District (Adjacent Areas):** Indicate General Plan Land Use District classification on all adjacent property including property across any streets. These designations should be depicted at the appropriate site in relation to the project
- Structures (Adjacent Areas):** Indicate type of development on all adjacent properties, including across any streets. Show distance of structure(s) on adjacent properties that are within 20 feet of property project line. If no structures exist, please indicate this by a note. Indicate type of construction and approximate age (if known) of any existing structures.
- Development (Adjacent Areas):** Indicate type of development on all adjacent property including property across any streets. Show distance of structure(s) on adjacent properties that are within 20 feet of project property line. If no structures exist, please indicate this by a note. Indicate type of construction and approximate age (if known) of any existing structures.

#### **STRUCTURES (PROJECT AREA):**

For all existing structures, including but not limited to, power poles, towers, fences, trash enclosures, signs, septic systems, curbs, driveways, and sidewalks:

- Locate by distance in relation to other structures and property lines, and indicate existing structures that are to remain or be removed.
- Indicate height, building footprint dimensions (including eave overhang projections), square footage of each story and number of stories, including basements.
- Indicate the proposed type of construction (if known) or as exists.
- Vicinity Map:** Vicinity Map showing location of project so field team can locate and inspect the site.
- Signage:** A side elevation of any proposed identification sign is to be shown scaled and dimensioned separately on the plot plan, including the **proposed** "copy" on the sign. Include distance from both top and bottom of sign to grade. Refer to Section 16.38 of the Chino Hills Municipal Code (CHMC) for detail information on type and size of sign. If no signs are proposed or not proposed at this time, include a note indicating signage will be submitted at a later date.

#### **PARKING:**

Refer to CHMC Section 16.34 for the number of required parking spaces, aisle/driveway width and surfacing requirements for your project. Show parking areas **in detail** to include:

- Commercial, industrial, or Institutional Projects:** If a project consists of a social care facility, day care center, hospital, school, animal shelter, etc., state day and hours of operation, age or grade of students, number of students or children, beds, residents or animals as well as number of staff members. If public assembly use, (i.e. church, theater) state maximum anticipated occupancy and interior square feet of seating area in auditorium.



# CITY OF CHINO HILLS

## PLANNING COMMISSION POLICIES AND PROCEDURES

### EX PARTE COMMUNICATIONS

Date Accepted: 11/05/2019

#### 1. PURPOSE

The Planning Commission intends to make transparent its communications with project applicants and residents by establishing a policy for Planning Commission *ex parte* communications regarding adjudicatory and quasi-judicial proceedings.

#### 2. BACKGROUND

An *ex parte* communication is any oral or written communication with a Planning Commissioner that is relevant to the merits of a proceeding, and which takes place outside of a noticed public hearing or similar proceeding open to all parties to the matter. These communications include oral and written information, but can also include any other communication, such as visual or auditory information obtained during a site visit. Casual communications that are non-substantive in manner are not *ex parte* communications.

Adjudicatory or quasi-judicial proceedings are proceedings in which “due process guarantees” apply because there is a property interest (ownership rights) at stake. Typical examples of these types of proceedings include property development applications (Tentative Tract Maps, Site Plan Applications, Specific Plans, Conditional Use Permits, Variances, etc.) or permit revocations.

For the purposes of this policy, *ex parte* communications are a concern only in adjudicatory or quasi-judicial decision-making matters. Planning Commissioners will follow the policy provided below for all such matters that have a proposed or active entitlement application with the City of Chino Hills or for permit revocations or modifications.

#### 3. POLICY FOR ADJUDICATORY AND QUASI-JUDICIAL PROCEEDINGS

- 2.1 If anyone requests contact with a Planning Commissioner, the Planning Commissioner will endeavor to direct that person to use a City “Planning Commission” email address and phone line that staff will monitor and then forward applicable emails and messages to the Planning Commission.
- 2.2 Each Planning Commissioner will be provided business cards with the City “Planning Commission” email and phone contact information.
- 2.3 Any information intended for Planning Commission review on an adjudicatory or quasi-judicial proceeding will be submitted to staff who will distribute it. Should a Planning Commissioner receive information directly, the Commissioner will provide that information to staff as soon as feasible.
- 2.4 To the greatest extent possible, all communications with a Planning Commissioner on an adjudicatory or quasi-judicial proceeding, that occurs outside agendized meetings, will be directed through City staff. When such communication does occur without staff involvement, the Commissioner will notify staff as soon as feasible to ensure the communication is included in the public record for the proceeding.
- 2.5 To the greatest extent possible, all meetings with a Planning Commissioner on an adjudicatory or quasi-judicial proceeding, will be arranged and attended by staff. When a meeting does occur without staff involvement, the Commissioner will notify staff of the meeting and the content of the meeting as soon as feasible to ensure the information is included in the public record for the proceeding.
- 2.6 A Planning Commissioner will announce the details of evidence received in any communication or meeting outside of a Commission meeting, or outside of a staff attended meeting, at the beginning of the Planning Commission meeting at which the item will be considered.
- 2.7 There shall be no communications with a Planning Commissioner during the period between the closing of a public hearing and the final decision on an adjudicatory or quasi-judicial proceeding.
- 2.8 The Planning Commission will review this policy annually at its first regularly agendized meeting of the calendar year and have the opportunity to modify the policy at that meeting.

For the purposes of this policy, City staff shall mean the Planning Commission Secretary and the Community Development Department Director.