



## Planning Commission Agenda

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Tuesday, October 28, 2025, 6:00 PM

COUNCIL CHAMBERS

1 Civic Center Circle

Brea, California 92821

Also via teleconference:

350 W Central Ave #455, Brea, CA 92821

**Melanie Schlotterbeck**, Chair

**Blake Perez**, Vice Chair

**Tom Donini**, Commissioner **Ted Gribble**, Commissioner **Bill Madden**, Commissioner

This agenda contains a brief general description of each item the Commission will consider. The Planning Division has on file copies of written documentation relating to each item of business on this Agenda available for public inspection. Contact the Planning Division at (714) 990-7674 or view the Agenda and related materials on the City's website at [www.cityofbrea.gov](http://www.cityofbrea.gov) Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public inspection in the Planning Division at 1 Civic Center Circle, Brea, CA during normal business hours. Such documents may also be available on the City's website subject to staff's ability to post documents before the meeting.

### **Procedures for Addressing the Commission**

The Commission encourages interested people to address this legislative body by making a brief presentation on a public hearing item when the Chair calls the item or addresses other items under Matters from the Audience. State Law prohibits the Commission from responding to or acting upon matters not listed on this agenda.

The Commission encourages free expression of all points of view. To allow all persons the opportunity to speak, please keep your remarks to 3 minutes. 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 your entire group. Commission rules prohibit clapping, booing, or shouts of approval or disagreement from the audience. Please silence all cell phones and other electronic equipment while the Commission is in session. Thank you.

Written comments may be submitted in advance of the meeting by emailing [planner@cityofbrea.gov](mailto:planner@cityofbrea.gov) Written comments received by 3 p.m. on the day of the meeting will be provided to the Commission, will be made available to the public at the meeting, and will be included in the official record of the meeting.

### **Special Accommodations**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Planning at (714) 990-7674. Notification 48 hours before the meeting will enable City staff to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)

### **Important Notice**

The City of Brea shows a live broadcast of the Planning Commission meeting over the internet at <https://cityofbrea-net.zoom.us/j/89166452644>. Your attendance at the public meeting may result in the recording and broadcast of your image and/or voice as previously described.

**ALL PLANNING COMMISSION DECISIONS MAY BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) CALENDAR DAYS OF THE MEETING. PLEASE CONTACT THE CITY CLERK AT (714) 990-7756 FOR FURTHER INFORMATION ABOUT FILING AN APPEAL OR OBTAINING AN APPEAL APPLICATION.**

## **1. GENERAL SESSION**

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- 1.A. Call to Order/Roll Call - Commission
- 1.B. Invocation
- 1.C. Pledge of Allegiance
- 1.D. Matters from the Audience

## **2. CONSENT CALENDAR**

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- 2.A. Approval Of Minutes

## **3. PUBLIC HEARINGS**

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### 3.A. Omnibus Code Update ZOTA No. 2025-03

Omnibus code update amending various chapters of Title 14 and Title 20 of the Brea City Code.

- 1. Find the Project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3); and,
- 2. Adopt an ordinance approving ZOTA No. 2025-03, amending Titles 14 and 20, Chapters 14.08, 20.00, 20.08, 20.11, 20.24, 20.216, 20.258, 20.408, 20.412, 20.416 of the BCC, as outlined in Exhibit A of the Resolution.

## **4. ADMINISTRATIVE ITEMS**

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- 4.A. Committee Reports
- 4.B. Informational/Project Updates

## **5. ADJOURNMENT**

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*Date Posted: October 23, 2025*



**Planning Commission Communication**

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**A. Approval Of Minutes**

Meeting	Agenda Group
Tuesday, October 28, 2025, 6:00 PM	CONSENT CALENDAR Item: 2A.

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the October 14, 2025 Planning Commission Meeting minutes (Attachment A).

**RESPECTFULLY SUBMITTED:**

Jason Killebrew, Assistant City Manager/Community Development Director

Prepared by: Regina Mendoza, Executive Assistant

**Attachments**

[Draft meeting minutes of PC 10-14-2025. to be approved at PC 10-28-2025.pdf](#)

**\*\*The following document is a draft of the minutes and not the official approved minutes.\*\***

## **Minutes for the Planning Commission**

1 Civic Center Circle, Brea, California 92821

October 14, 2025

**Roll Call:** *(The following members were in attendance)*

- **Tom Donini**, Planning Commissioner
- **Ted Gribble**, Planning Commissioner
- **Bill Madden**, Planning Commissioner
- **Blake Perez**, Planning Commission Vice Chair

### **1. GENERAL SESSION**

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1.A. Call to Order/Roll Call - Commission

Vice Chair Perez called the meeting to order at 6:00 PM.

1.B. Invocation

Pastor Dan Crane provided the invocation from Formation Church.

1.C. Pledge of Allegiance

Commissioner Donini led the Pledge of Allegiance.

1.D. Matters from the Audience

No matters from the audience.

Senior Planner Jessica Newton noted that staff received two public comments (two written comments for Item 3B), which have been provided to the commissioners and the public prior to the meeting.

### **2. CONSENT CALENDAR**

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2.A. Approval Of Minutes

2.B. Annual Mills Act Compliance Report

A motion was made by Commissioner Madden and seconded by Commissioner Gribble. Motion approved 4-0-1, with Chair Schlotterbeck absent.

### 3. PUBLIC HEARINGS

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#### 3.A. Conditional Use Permit No. 2025-11

Cristal Nava, Assistant Planner, provided a presentation on the project.

The Planning Commission asked questions regarding the following topics:

- The entrance/frontage street location
- The number of entrances to the facility
- There is no access to the building facility from Brea Boulevard
- The actual entrance to the facility is along Birch Street
- There is a mix of residential, including so that designation of mixed use has been
- The ability for live or "amplified" music

Assistant City Manager/Community Development Director Jason Killebrew, Senior Planner Jessica Newton and Cristal Nava responded to the Commissioner's questions.

Vice Chair Perez opened the public hearing and invited the applicant to speak.

The project applicant, Mr. Trivedi, addressed the Commissioner and provided responses to the Commissioner's questions.

Vice Chair Perez opened the floor for public comments. Vice Chair Perez closed the public hearing after noting that no members of the public wished to address the Commission.

The Planning Commission asked questions regarding the following topics:

- Comparison for this project's square footage and total seating as compared to the square footage of the project applicant's Yorba Linda facility

Vice Chair Perez re-opened the public hearing.

Assistant Planner Nava responded to the Commissioner's questions.

Vice Chair Perez closed the public hearing.

After further discussion, a motion was made by Commissioner Madden and seconded by Commissioner Gribble, to approve the project. Motion passed 4-0-1, with Chair Schlotterbeck absent.

#### 3.B. Minor Conditional Use Permit No. 2025-04

Graham Bultema, Assistant Planner, provided a presentation on the project.

The Planning Commission asked questions regarding the following topics:

- The City's definition of a "special event"

- The responsible party in charge of obtaining the event permit at a location's event
- Unpermitted events that have taken place at the project location
- Whether there is a customer "bar" seating area for patrons to consume alcoholic beverages
- Whether there is a possibility to have law enforcement regulations written into the project's conditions of approval
- The project applicant's list of events that would require temporary use permits

Senior Planner Newton, Assistant City Manager/Community Development Director Killebrew, and Assistant Planner Bultema responded to the Commissioner's questions.

Vice Chair Perez opened the Public Hearing and invited the applicant to speak.

The project applicant, Sean Delshadi, addressed the Commission and provided responses to the Commissioner's questions.

Vice Chair Perez opened the floor for public comments.

The following members of the public shared concerns of the project:

- Melissa Klinger
- Melanie Jimenez

The following members of the public shared support for the project:

- Kyle Bradshaw

Vice Chair Perez closed the floor for public comments after noting that no additional members of the public wished to address the Commission.

The Commission requested clarification on the following:

- Complaints about unpermitted events occurring since January 2025
- The project's proposed business hours
- Conditions and restrictions on hours
- Traffic patrol surrounding the project site

After further discussion, a motion was made by Vice Chair Perez and seconded by Commissioner Madden, to approve the project with the current conditions of approval. Motion passed 4-0-1, with Chair Schlotterbeck absent.

#### 4. ADMINISTRATIVE ITEMS

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##### 4.A. Committee Reports

None.

#### 4.B. Informational/Project Updates

The Commission asked questions regarding the following topics:

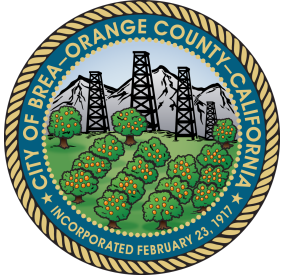
- Status of the dust complaints out of the Greenbriar landing site
- Timeframe of the residential project site on Kramer Blvd.
- The Gateway fueling station and drive-thru project
- Short Term Rentals status update

Assistant City Manager Killebrew and Senior Planner Newton responded and gave status updates.

#### 5. ADJOURNMENT

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Vice Chair Perez adjourned the meeting at 7:30 PM.



# CITY of BREA

Communication  
 October 28, 2025  
 Item No. 3A.

## Omnibus Code Update ZOTA No. 2025-03

TO	PREPARED BY
Chair and Members of the Planning Commission	Graham Bultema, Assistant Planner
DEPARTMENT HEAD APPROVAL	CITY MANAGER APPROVAL
Jason Killebrew, Assistant City Manager/Community Development Director	Kristin Griffith, City Manager

### **EXECUTIVE SUMMARY**

As an effort to continuously improve the Brea Zoning Code (Code), which is codified in Title 20 of the Brea City Code (BCC), the City has initiated a Zoning Code Text Amendment (ZOTA) No. 2025-03 amending various chapters of the Code and Title 14 of the BCC. The proposed amendment is an omnibus code update that would provide the following: 1) improve consistency in the permitted land uses table, definitions, and parking, including the modernization of certain land use classifications; 2) clarification of development standards for new construction; 3) update findings for specific applications (variances, administrative remedies); 4) enhance opportunities for public noticing; 5) compliance with state legislation (SB 1418); 6) compliance with housing laws; and 7) clarify certain zoning ordinance provisions and address existing grammatical errors, incorrect references, and internal inconsistency.

The proposed amendment herein is referred to as the “Project.”

### **RECOMMENDATION**

Staff recommends that the Planning Commission adopt a resolution (Attachment A), recommending the City Council take the following actions:

1. Find the Project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3); and,
2. Adopt an ordinance approving ZOTA No. 2025-03, amending Titles 14 and 20, Chapters 14.08, 20.00, 20.08, 20.11, 20.24, 20.216, 20.258, 20.408, 20.412, 20.416 of the BCC, as outlined in Exhibit A of the Resolution.

### **BACKGROUND**

Municipal codes, like the BCC, require periodic updates to ensure consistency between the City policies and State law, to improve clarity, and to better serve the public. As an effort to improve the readability and relevancy of the Code, staff implemented an on-going work program in 2023 to continually update the Code on a regular basis. Since the last omnibus code update, which was adopted in February 2025 by the City Council, staff continued to evaluate the Code and identified a number of provisions in the Code requiring updates due to changes in policy and new laws and standards. As part of this review process, staff worked with other departments and divisions, technical experts, and the City Attorney to review and consider the proposed changes. Additionally, staff surveyed and analyzed codes and policies from other agencies as appropriate and applicable.

The main goals for this omnibus amendment are to provide internal consistency within the Code, modernize it to reflect good planning practices, and ensure alignment with recent State laws. If approved, the proposed amendments will be adopted as part of an “omnibus” ordinance, which includes updates to 10 chapters of the BCC.

## **DISCUSSION**

The proposed amendments can be categorized into seven topic areas, which include:

1. Improving consistency in the permitted land uses table and definitions section;
2. Clarifying certain development standards for new construction;
3. Updating findings for variances and administrative remedies;
4. Enhance opportunities for public noticing;
5. Compliance with SB 1418, complying with housing laws;
6. Clarifying certain zoning provisions; and
7. Addressing existing errors and incorrect references.

A table summarizing the proposed amendments described in this Section of the report is Attachment C, and the following provides an overview of the proposed amendments, divided into different topic areas.

### **Amendment #1: Permitted Land Uses & Land Use Definitions**

Permitted land uses are specified in the City’s permitted land uses table, where land uses are permitted, conditionally permitted, or prohibited based on the zoning district. These land uses are defined in the City’s definitions section within the general provisions chapter. Various minor updates to permitted land uses and land use definitions are proposed in order to provide clarity and provide flexibility to businesses in the community while ensuring safety and compatibility.

#### **Proposed Amendments**

The proposed amendments would update various land use definitions and regulations as follows:

##### *Family Daycare Home:*

- Include a Family Daycare Home land use definition in the definitions chapter, consistent with the State definition in Health and Safety Code, in order to provide clarity to residents as to where the land use is allowed.
- Update the permitted land uses table to allow Family Daycare Homes in all residential zones and provide a reference note specifying what types of residential dwelling units are allowed to have this type of use in order to assist community members with locating what zones the land use is allowed in.

##### *Automotive, Sales and Leasing:*

- Update the Automotive, Sales and Leasing land use definition to allow ancillary automobile repair and include a reference note in the permitted land uses table in order to provide flexibility to automotive businesses in the community.

- Update the Automotive, Sales and Leasing, Limited land use definition to allow for indoor showrooms with online sales and to allow one outdoor vehicle to be used for display and/or test driving in order to help meet the changing needs of local automotive businesses.

*Retail Sales, Warehouse Stores, and Automotive, Service Stations:*

- Update the permitted land uses table to allow Retail Sales, Warehouse Stores land use in the MU-I Zone in order to expand opportunities for this type of land use in the community.
- Update the permitted land uses table to require a conditional use permit for the Automotive, Service Stations land use in the MU-I and MU-II Zones and specify that new service stations are only conditionally allowed in the MU-I and MU-II Zones if the service station is an ancillary use to a Retail Sales, Warehouse Stores land use, in order to allow for an ancillary land use commonly associated with this primary land use while maintaining discretionary authority to evaluate and mitigate potential associated impacts.

*Offices, Administrative & Professional, and Medical Services, Clinics/Offices:*

- Require a minor conditional use permit for the Offices, Administrative & Professional and Medical Services, Clinics/Offices land uses in the M-P and M-1 Zones. The existing code requires a conditional use permit for the Offices, Administrative & Professional land use in the M-1 Zone and this land use is currently not permitted in the M-P Zone, whereas the Medical Services, Clinics/Offices land use is currently permitted in the M-P and M-1 Zones. This amendment is proposed in order to institute consistency between these similar land uses while establishing a discretionary review to assess compatibility of these land uses within industrial areas of the community.

*Cemeteries, Golf Courses, Utilities, and Medical Services, Hospitals:*

- Remove the special provision “may be permitted in other zoning districts with a conditional use permit if the use is deemed by the Planning Commission to be essential or desirable for the public welfare and convenience and in conformity with the General Plan and its objectives” for the Cemetery, Golf Course, Utilities, and Medical Services, Hospitals land uses. The existing and proposed permitted zones for these land uses have been evaluated and have been determined by staff to be sufficiently described, therefore this policy language is obsolete and no longer necessary.
- Require a conditional use permit for the Medical Services, Hospitals land use in the C-P, C-C, C-G, C-M, and M-P Zones in order to provide locational flexibility to a land use that is of critical importance to the community.
- Require a conditional use permit for the Golf Course land use in the HR Zone and R-1 Zone in order to allow for more opportunities for this land use within zoning districts in the City that are similar to zoning districts in other local cities that also conditionally allow this land use.

The actual redlines associated with these amendments, which show deletions in ~~strikethrough~~ and additions in underlines (Redlines), can be found in Sections # 3 and 6 of Attachment B.

**Amendment #2: Development Standards**

Properties in the City are required to comply with various development standards based on the zoning of the property, including standards such as maximum building height, maximum lot coverage, minimum building setbacks (yards), and minimum outdoor living space. These development standards also include off-street parking requirements for properties, include standards for minimum number of off-street parking spaces as well as parking space and aisle width dimensions. Various minor updates to development standards and off-street parking standards are proposed in order to provide clarity and flexibility to property owners.

Proposed Amendments

The proposed amendments would update various development standards follows:

- Update outdoor living space standards to allow covered patios and covered unenclosed structures to count towards outdoor living space in order to provide flexibility to residents regarding the types of structures that can be utilized within required residential outdoor living spaces.
- Include bicycle parking standards specifying that residential and non-residential bicycle parking requirements shall be governed by California Green Building Code standards in order to provide clarity to future development project applicants regarding existing bicycle parking standards that have been established by the State.
- Include an off-street parking requirement for family daycare homes to be none required, except for the spaces required for the underlying use in order to provide clarity to potential daycare providers that there are no additional parking requirements for this land use.
- Allow for single-family homes with existing nonconforming off-street parking to have minor additions less than 500 square feet or less than 25 percent of the original residential floor area without providing additional parking spaces. This would provide flexibility to residents that are interested in expanding their home while maintaining a reasonable threshold for establishing conformance with off-street parking standards.
- Clarify that requirements for distances between buildings and structures in the R-2 Zone are for buildings that are on the same property.

The actual redlines associated with these amendments, which show deletions in ~~strikethrough~~ and additions in underlines (Redlines), can be found in Sections # 4, 5, 7, and 8 of Attachment B.

### **Amendment #3: Findings for Variances and Administrative Remedies**

Administrative remedies and variances are discretionary applications that allow for deviations to development standards for properties. Administrative remedies are for minor modifications to standards, whereas variances allow for deviations for properties with special circumstances such as size, shape, and topography. These application types currently lack formal required findings for approval, which can make evaluating development projects more challenging and subjective. The lack of findings for these applications is also inconsistent with the City's other discretionary applications. In an effort to establish more consistency between the City's discretionary applications and provide clear criteria for approving these types of applications, staff has developed findings for approval for these applications based on existing findings for other City applications and based on research of similar applications for other nearby cities.

#### Proposed Amendments

The proposed amendments are as follows:

##### *Administrative Remedy:*

- Include a new subsection with required findings for approval for administrative remedies, including findings for compatibility with the City's General Plan, compatibility with the character of the neighborhood, and no adverse effects to the public health, safety or general welfare.

##### *Variance:*

- Update the purpose section to simplify the purpose definition of variances.
- Include a new subsection with required findings for approval for variances, consistent with State law for variances in Government Code Section 65906, including findings of special circumstances applicable to the property, not granting of special privileges, and not authorizing a use not otherwise expressly authorized by the zoning regulations.

The actual redlines associated with these amendments, which show deletions in ~~strikethrough~~ and additions in underlines (Redlines), can be found in Sections # 12 and 13 of Attachment B.

### **Amendment #4: Public Noticing**

The City's current public noticing regulations specify that for projects that require a public hearing, notices of public hearing shall be provided in a local newspaper and by mail to property owners within the vicinity of a project site at least ten (10) calendar days before the hearing date, in compliance with Government Code Section 65094. Examples of projects that require a public hearing and public noticing include Conditional Use Permits, Precise Developments, and Variances. In order to provide increased transparency and provide additional opportunities for community awareness of development projects, the City's public noticing requirements are proposed to be updated to also include new public noticing requirements for posting notices on the project site, including notices for public hearings and notices of new application filings.

### Proposed Amendments

The proposed amendments would provide additional public noticing opportunities for community members to be informed about projects that are in process throughout the community:

- Update public hearing noticing requirements to require on-site posting of public notices for discretionary applications that require a public hearing.
- Create a new section with requirements for notices of application filing.
- Provide requirements for these posted notices, including fees, sign sizes, posting locations, timing, and sign removal and maintenance.
- Require the applicant to post at least one four-foot by eight-foot project information sign per street frontage on the project site for certain types of project applications within sixty (60) days of filing a development application, or within thirty (30) days of receipt of notice that the application requires a public hearing.
- Require the applicant to post a notice of public hearing sign on the previously posted project information sign at least ten (10) days prior to the hearing.

The actual redlines associated with these amendments, which show deletions in ~~strikethrough~~ and additions in underlines (Redlines), can be found in Section # 14, 15, 16, 17, and 18 of Attachment B.

### **Amendment #5: Hydrogen-Fueling Stations Expedited Review Process**

Hydrogen-fueling stations are a type of alternative fueling station for hydrogen-fuel vehicles. The State previously passed legislation in 2016 (AB 1236) requiring jurisdictions to adopt an ordinance to create an expedited and streamlined permitting process for electric vehicle charging stations. In response, the City adopted an ordinance in 2017 establishing BCC Chapter 14.08 which provided an expedited permitting process for electric vehicle charging stations. The State recently passed legislation in 2024 (SB 1418) which now requires jurisdictions to adopt an ordinance to create an expedited and streamlined permitting process for hydrogen-fueling stations by September 30, 2026. The permitting process includes the establishment of a checklist containing objective requirements for the installation of hydrogen-fueling stations. The State notes that the City's checklist may be based on the "Hydrogen Station Permitting Guidebook" published by the Governor's Office of Business and Economic Development.

### Proposed Amendments

The proposed amendments would include the following revisions to existing regulations in BCC Chapter 14.08 for expediting permitting of electric vehicle charging stations to include new regulations for expediting permitting of hydrogen-fueling stations, in compliance with the newly enacted State law:

#### *BCC Chapter 14.08 Updates:*

- Update existing references and requirements in the chapter to refer to both electric vehicle charging stations and hydrogen-fueling stations.
- Update the definitions section to include a definition for hydrogen-fueling stations.
- Update referenced permitting guidebooks to be consistent with current State law.

- Include a new subsection with specific requirements for hydrogen-fueling stations.

*Updates in other code sections:*

- Update the definitions chapter to include a Hydrogen-Fueling Stations land use definition.
- Update the Automotive, Service Stations land use to not include hydrogen-fueling stations.
- Include parking stall standards for hydrogen-fueling stations.
- Update the City's off-street parking regulations to include off-street parking requirements for hydrogen-fueling stations.
- Update the City's permitted land uses table to include permitted land uses for hydrogen-fueling stations.

The actual redlines associated with these amendments, which show deletions in ~~striketrough~~ and additions in underlines (Redlines), can be found in Section # 1, 2, 3, 5, and 6 of Attachment B.

**Amendment #6: Housing Element Compliance**

The Housing Element is a State-mandated chapter of the Brea General Plan that describes, identifies, and analyzes the City's housing needs and addresses the maintenance and expansion of the housing supply to accommodate households that currently live and/or may live in Brea in an eight-year planning period. The City's 6<sup>th</sup> Cycle Housing Element was adopted by the City Council in August 2022 and was certified by the State Department of Housing and Community Development (HCD) in September 2022.

In March of 2025, the City received a letter from HCD which inquired about the status of the City of Brea 6th Cycle Housing Element (Housing Element) implementation related to the Program #8 (Housing Opportunity Sites and Rezone) to rezone adequate sites to satisfy its lower-income RHNA shortfall and to allow by-right processing of sites identified in previous housing elements. City staff met with HCD staff in August 2025 to further discuss steps towards implementation of Program #8. Following this meeting, City staff have been working on a code amendment to update to implement Program #8 and ensure compliance with State law.

The 6<sup>th</sup> Cycle Housing Element is implemented through a series of housing programs. The proposed amendments are to implement Housing Element Programs #8 and #8a of the 6<sup>th</sup> Cycle Housing Element. Program #8 specifies that sites that are required to be rezoned to address the lower income Regional Housing Needs Assessment (RHNA) shortfall and sites that are reused from the 5<sup>th</sup> Cycle Housing Element need to meet the following requirements:

- Permit owner-occupied and rental multi-family uses by-right in which 20 percent or more of the units are affordable to lower income households
- Permit a minimum density of 20 units per acre
- Accommodate at least 50 percent of the lower income need on sites designated for residential use only, otherwise allow 100% residential use and require residential to occupy at least 50% of the floor area in a mixed-use project.

State law also requires that multiple family residential developments in which 20 percent or more of the units are affordable to lower income household be permitted by-right use on properties designated as Focused Development Sites in the City's 6th Cycle Housing Element in order to fulfill the requirements of Government Code Section 65583.2(h). Staff is proposing to amend the code to include the aforementioned requirements as requirements for Focused Development Sites in the City's 6th Cycle Housing Element.

Program #8a specifies that the City will work in partnership with property owners of Focused Development Sites in order to identify meaningful incentives to facilitate lot consolidation of properties into larger development sites for future development. A survey was sent out to property owners of properties within Focused Development Sites in September 2024 to elicit feedback regarding existing and new potential lot consolidation incentives and to gauge interest in future redevelopment. The results of the survey responses were evaluated and utilized to update the City's Lot Consolidation Incentive Program in BCC Section 20.258.030.B.

### Proposed Amendments

The proposed amendments would update regulations for Focused Development Sites to be consistent with State law and would also update the Lot Consolidation Incentive Program.

#### *Focused Development Sites:*

- Provide a new subsection for Focused Development Sites with the following standards: allow a minimum residential density of twenty (20) dwelling units per acre on these sites, require residential uses in mixed-use development projects on these sites to occupy at least 50 percent of the floor area, and require 100 percent residential use to be allowed on these sites.
- Update existing code language in the permitted land uses chapter to specify that the land use "Dwellings, Multiple Family" where 20 percent or more of the dwelling units are affordable to lower income households shall be permitted by right for all Focused Development Sites.

#### *Lot Consolidation Incentive Program:*

- Update the lot consolidation incentives section to match the title and to include additional incentives for increased maximum lot coverage, increased maximum height, and deferred impact fees and permit fees.

The actual redlines associated with these amendments, which show deletions in ~~striketrough~~ and additions in underlines (Redlines), can be found in Section # 6, 9, 10, and 11 of Attachment B.

### **Amendment #7: Other Minor Updates**

Staff have identified a number of sections in the Code with errors and incorrect/incomplete references, necessitating updates to improve internal consistency and provide additional clarification on certain provisions.

### Proposed Amendments

The following items have been addressed throughout the code in various chapters and sections:

- Replace "Development Services Director" with "Community Development Director".
- Remove incorrect reference to Chapter 20.66 in the Development Agreements definition.
- Remove references to the M-2 Zone in the special provisions section for the Religious Assembly use because this land use is not allowed in the M-2 zone.
- Correct grammatical errors and update general consistencies.

The actual redlines associated with these amendments, which show deletions in ~~striketrough~~ and additions in underlines (Redlines), can be found in Section # 3, 5, and 6 of Attachment B.

## **PUBLIC NOTICE AND COMMENTS**

The Project was noticed in accordance with the City's public noticing requirements, which involved publication in the Brea Star-Progress. The public hearing notice for the Project is provided as Attachment D. As of the writing of this report, staff have received no public comments.

## **ENVIRONMENTAL ASSESSMENT**

The Project has been assessed in accordance with the CEQA Guidelines and the environmental regulations of the City. The proposed amendment to the Code is exempt from the requirements to prepare additional environmental documentation per CEQA Guidelines Section 15061(b)(3) because the proposed amendments are intended to improve consistency in the permitted land uses table, definitions, and parking, including the modernization of certain land use classifications, clarification of development standards for new construction, update findings for specific applications (variances, administrative remedies), enhance opportunities for public noticing, compliance with state legislation (SB 1418), compliance with housing laws, and clarify certain zoning ordinance provisions and address existing grammatical errors, incorrect references, and internal inconsistency. As such, the proposed amendments will not have a significant effect on the environment. Any future developments would be subject to CEQA review.

## **CONCLUSION**

Staff recommends approval of this request, for the reasons set forth in the draft resolution, which in summary are to provide internal consistency within the Code, modernize it to reflect good planning practices, and ensure alignment with recent State laws.

## **RESPECTFULLY SUBMITTED:**

Jason Killebrew, Assistant City Manager/Community Development Director

Prepared by: Graham Bultema, Assistant Planner

## **Attachments**

[Attachment A - Draft PC Resolution.pdf](#)

[Attachment B - Exhibit A to the Draft PC Resolution.pdf](#)

[Attachment C - Summary of Amendments Table.pdf](#)

[Attachment D - Public Hearing Legal Notice.pdf](#)

**DRAFT RESOLUTION NO. PC 2025-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BREA RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF ZONING ORDINANCE AMENDMENT NO. ZOTA 2025-03, OMNIBUS CODE UPDATES, AMENDING CHAPTERS 14.08, 20.00, 20.08, 20.11, 20.24, 20.216, 20.258, 20.408, 20.412, AND 20.416 OF TITLES 14 AND 20 OF THE BREA CITY CODE.**

**A. RECITALS:**

(i) The Planning Commission of the City of Brea (the “Planning Commission”) did receive a verified petition for the approval of Zoning Ordinance Text Amendment (ZOTA) No. 2025-03 to update various chapters of the Zoning Code, specifically amending 14.08, 20.00, 20.08, 20.11, 20.24, 20.216, 20.258, 20.408, 20.412, and 20.416 of Titles 14 and 20 of the Brea City Code.

(ii) The project Applicant is City of Brea; 1 Civic Center Circle, Brea, CA 92821.

(iii) On October 28, 2025, the Planning Commission held a duly noticed public hearing on the proposed ZOTA No. 2025-03, during which it received and considered all evidence and testimony presented prior to adoption of this resolution.

(iv) All legal prerequisites to the adoption of this Resolution have occurred.

**B. RESOLUTION:**

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED** by the Planning Commission of the City of Brea, as follows:

1. In all respects as set forth in Recitals, Part A, of this Resolution.
2. The proposed project has been assessed in accordance with the California Environmental Quality Act (CEQA) Guidelines and the environmental regulations of the City. The proposed amendment to the City’s Zoning Code is exempt from the

requirements to prepare additional environmental documentation per CEQA Guidelines Section 15061(b)(3) because the proposed amendments are intended to improve consistency in the permitted land uses table, definitions, and parking, including the modernization of certain land use classifications, clarification of development standards for new construction, update findings for specific applications (variances, administrative remedies), enhance opportunities for public noticing, compliance with state legislation (SB 1418), comply with housing laws, and clarify certain zoning ordinance provisions and address existing grammatical errors, incorrect references, and internal inconsistency. As such, the proposed amendments will not have a significant effect on the environment.

3. The Planning Commission further finds in consideration of the ZOTA No. 2025-03 as follows:

a. The proposed amendments proposed by ZOTA No. 2025-03 are consistent with the General Plan as it implements the General Plan by improving consistency in the permitted land uses table, definitions, and parking, including the modernization of certain land use classifications, clarifying development standards for new construction, updating findings for specific applications (variances, administrative remedies), enhancing opportunities for public noticing, complying with state legislation (SB 1418), complying with housing laws, and clarifying certain zoning ordinance provisions and addressing existing grammatical errors, incorrect references, and internal inconsistency.

b. This ordinance is a matter of City-wide importance and necessary for the preservation and protection of the public peace, health, safety and/or welfare of the community and is a valid exercise of the local police power and in accord with the public purposes and provisions of applicable State and local laws and requirements.

4. This Commission hereby recommends that the City Council to adopt an ordinance approving the proposed amendments to Titles 14 and 20 of the Brea City Code (BCC) as proposed by ZOTA No. 2025-03, and as shown in Exhibit A attached hereto.

5. The Community Development Director is authorized to make minor updates to the proposed amendment prior to the City Council consideration of the proposed amendments, as long as the City Attorney determines that such changes are not substantial.

6. The Secretary of this Commission shall certify to the adoption of this Resolution; and forthwith transmit a copy of said Resolution to the City Clerk of the City of Brea.

**ADOPTED AND APPROVED** this 28<sup>th</sup> day of October, 2025.

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Chair, Planning Commission

I, Jason Killebrew, Secretary to the Planning Commission of the City of Brea, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Brea held on the 28<sup>th</sup> day of October, 2025, and was finally passed at a regular meeting of the Planning Commission of the City of Brea, held on the 28<sup>th</sup> day of October, 2025, by the following votes:

AYES: COMMISSIONERS:  
NOES: COMMISSIONERS:  
ABSENT: COMMISSIONERS:  
ABSTAIN: COMMISSIONERS:

ATTEST:

Secretary, Planning Commission

DRAFT

EXHIBIT A to PC RESOLUTION NO. 2025-XX  
ZOTA No. 2025-03 Code Amendment Summary Redlines

The proposed language modifications are shown below as ~~strikethrough~~ deletions and underline font additions.

**1. The Title of Chapter 14.08 (Electric Vehicle Charging Stations) is amended to include the following additions, deletions, and modifications:**

“14.08 ELECTRIC VEHICLE CHARGING STATIONS ~~AND HYDROGEN-FUELING STATIONS.~~”

**2. Sections 14.08.010 (Purpose), 14.08.020 (Definitions), 14.08.030 (Expedited Permit Processing), Subsections 14.08.040.A and 14.08.040.B of Section 14.08.040 (Permit Application Processing), Section 14.08.050 (Prohibited Uses), Subsections 14.08.060.A and 14.08.060.C of Section 14.08.060 (Technical Review and Appeal of Conditions or Denial), and Section 14.08.070 (Electric Vehicle Charging Installation Requirements) of Chapter 14.08 (Electric Vehicle Charging and Hydrogen-Fueling Stations) are amended to include the following additions, deletions, and modifications:**

“14.08.010 PURPOSE.

The purpose of this chapter is to fulfill the requirements of Cal. Gov't Code § 65850.7 and to promote and encourage the use of electric vehicles charging and hydrogen-fueling stations through ~~the creation of an expedited, streamlined permitting process for electric vehicle charging stations~~ and hydrogen-fueling stations, while protecting public health and safety and preventing adverse impacts in the installation and use of such ~~charging stations.~~”

“14.08.020 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ELECTRONIC SUBMITTAL. The utilization of one or more of the following:

1. Electronic mail or email.
2. The internet.
3. Facsimile.

ELECTRIC VEHICLE CHARGING STATION or CHARGING STATION. Any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this chapter, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

HYDROGEN-FUELING STATION. The equipment and structural design components necessary to ensure the safety of the fueling station, including hydrogen-refueling canopies, that are used to store and dispense hydrogen fuel to vehicles according to industry codes and standards that are open to the public.

SPECIFIC, ADVERSE IMPACT. A significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.”

#### “14.08.030 EXPEDITED PERMITTING PROCESS.

A. Consistent with Cal. Gov’t Code § 65850.7, the Building Official shall implement an expedited, streamlined permitting process for electric vehicle charging stations and hydrogen-fueling stations, and adopt-a checklists of all requirements with which electric vehicle charging stations and hydrogen-fueling stations shall comply in order to be eligible for expedited review. The expedited, streamlined, permitting process and checklists may refer to the recommendations contained in the most current version of the “Electric Vehicle Charging Station Permitting Guidebook” or the “Hydrogen Station Permitting Guidebook” “Plug-In Electric Vehicle Infrastructure Permitting Checklist” of the Zero-Emission Vehicles in California: Community Readiness Guidebook”, published by the Governor’s Office of Business and Economic Development Planning and Research. The city’s adopted checklists and any other required permitting documentation shall be published on the city’s website.”

#### “14.08.040 PERMIT APPLICATION PROCESSING.

A. Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station or hydrogen-fueling station will not have any specific, adverse impact on health and safety of the public, including building occupants. ~~Information required to be provided by the applicant for verification includes: electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking; any additional information required by the building official to complete such verification due to unusual or unique circumstances.”~~

“14.08.040 PERMIT APPLICATION PROCESSING.

B. A permit application that satisfies the information requirements in the city’s adopted checklists shall be deemed complete and shall be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meet the requirements of the city’s adopted checklists, and are consistent with all applicable laws and health and safety standards, including the requirements of Cal. Gov’t Code § 65850.7(f), the Building Official shall approve the application and issue all necessary permits. Such approval does not authorize an applicant to ~~energize or~~ utilize the electric vehicle charging station or hydrogen-fueling station until approval is granted by the city. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.”

“14.08.050 PROHIBITED USES.

The issuance of permit for an electric vehicle charging station or hydrogen-fueling station ~~permit~~ shall authorize only the installation of such permitted station, in accordance with all permit requirements. Following its installation, the permitted ~~electric charging~~ station shall be used solely for the purpose of charging electric vehicles or fueling hydrogen vehicles. No signage or advertising of any kind, other than labeling identifying the manufacturer, shall be attached to the ~~charging~~ station. Any use of a permitted ~~charging~~ station for commercial purposes, i.e., requiring payment or rendering of anything of value as a condition of use of the permitted ~~charging~~ station, shall constitute a commercial use of the property where the ~~charging~~ station is located for purposes of the city’s Zoning Code, and shall render the permit issued pursuant to this chapter null and void.”

“14.08.060 TECHNICAL REVIEW AND APPEAL OF CONDITIONS OR DENIAL.

A. It is the intent of this chapter to encourage the installation of electric vehicle charging ~~stations~~ and hydrogen-fueling stations by removing obstacles to their permitting, while maintaining the authority of the Building Official to address higher priority life-safety situations, consistent with Cal. Gov’t Code § 65850.7. If the Building Official makes a specific, written finding based on substantial evidence that the electric vehicle charging ~~station~~ or hydrogen-fueling station could have a specific, adverse impact upon the public health or safety, as defined in this chapter, the city may require the applicant to apply for a use permit. No complete application satisfying the requirements of this chapter shall be denied unless the city makes written findings, based on substantial evidence, that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no “feasible method to satisfactorily mitigate or avoid the specific, adverse impact”, (as that term is defined in Ca. Gov’t Code § 65850.7(i)(1)).

“14.08.060 TECHNICAL REVIEW AND APPEAL OF CONDITIONS OR DENIAL.

C. In the technical review of an electric vehicle charging station permit application or hydrogen-fueling station permit application, consistent with Cal. Gov’t Code § 65850.7, the Building Official shall not condition the approval for any such permit on the approval of such system by an association, as that term is defined by Civil Code § 4080.”

~~“14.08.070 ELECTRIC VEHICLE CHARGING STATION INSTALLATION REQUIREMENTS.~~

A. Specific requirements for electric vehicle charging stations.

1A. Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission regarding safety and reliability.

2B. Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.

3C. Electrical loads resulting from the installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.

B. Specific requirements for hydrogen-fueling stations.

1. Hydrogen-fueling station equipment shall meet all of the following, as applicable:

a. Safety and performance standards established by the Society of Automotive Engineers and accredited nationally recognized testing laboratories.

b. Any rules established by the State Air Resources Board, Energy Commission, or Department of Food and Agriculture regarding safety, reliability, weights, and measures.

c. Guidance established by the Governor’s Office of Business and Economic Development, as outlined in the Hydrogen Station Permitting Guidebook.

2. A hydrogen-fueling station permit application shall only be administratively approved on parcels that satisfy either of the following:

a. The parcel is zoned for industrial or commercial development and does not contain any residential units.

b. The parcel was previously developed with service station, where "service station" means any establishment which offers for sale or sells gasoline or other motor vehicle fuel to the public.

CD. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations or hydrogen-fueling stations shall meet the requirements of the California Building or Residential Code, as applicable, based on the occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements."

**3. Subsections 20.00.070.B.1 ("A" words, terms and land uses), 20.00.070.B.4 ("D" words, terms and land uses), 20.00.070.B.6 ("F" words, terms and land uses), and 20.00.070.B.21 ("U" words, terms and land uses) of Section 20.00.070 (Definitions) of Chapter 20.00 (General Provisions) is amended to include the following additions, deletions, and modifications (terms currently listed in the subject subsection but not listed below will remain as is):**

"AUTOMOTIVE, HYDROGEN-FUELING STATIONS. A commercial facility offering equipment for fueling hydrogen vehicles."

"AUTOMOTIVE, SALES AND LEASING. Facilities that consists of the established place of business operated by a "dealer" for the sale and long-term lease of new or used automobiles, boats, recreational vehicles, motorcycles or motorized scooters for profit, including automobile auction facilities and the accessory onsite outdoor storage of vehicles for sale, lease or rent. Typical land uses are car lots where vehicles displayed for sale typically include advertising. The term "dealer" is defined in the California Vehicle Code. May include ancillary automobile repair."

"AUTOMOTIVE, SALES AND LEASING, ~~(LIMITED)~~. Indoor showrooms, where vehicles are sold online, and Offices for businesses or establishments operated by a "dealer" for the purchase or offering to purchase, the sale or offering to sell, consigned to be sold, "brokering", or otherwise dealing in ~~used~~ motor vehicles at either retail or wholesale within an enclosed structure, where any outdoor vehicle storage/display is limited to one (1) vehicle to be used for display and/or test driving only. This use does not include any vehicle maintenance or repair work. This use class includes "autobroker" or "auto buying service", as defined in § 166 of the Cal. Vehicle Code."

“AUTOMOTIVE, SERVICE STATIONS. Commercial establishments that sell fuel for motor vehicles, commonly referred to as gasoline stations. Also includes establishments selling alternative fuels (e.g. LPG, Hydrogen, etc.), except electronic vehicle charging and hydrogen-fueling stations. May include ancillary convenience retail and other automobile services.”

“DEVELOPMENT AGREEMENTS. An agreement duly entered into in compliance with state law (Cal. Gov't Code §§ 65864 et seq.). ~~See Chapter 20.66 (Development Agreements).~~”

“FAMILY DAYCARE HOMES. Facilities that regularly provide care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and are either a large family daycare home or a small family daycare home, as defined by § 1596.78 of the Cal. Health and Safety Code. This use does not include daycare centers, as defined by § 1596.76 of the Cal. Health and Safety Code.”

“~~UTILITIES~~Y. Manned or un-manned facilities that provide the public with electricity, gas, water, communications, sewage collection or other similar service. Antennas for telecommunications systems are not included.”

**4. Subsection 20.08.030.C.4 of Section 20.08.030 (Outdoor Living Space) of Chapter 20.08 (Development Standards) is amended to include the following additions, deletions, and modifications:**

“20.08.030 OUTDOOR LIVING SPACE.

C. Elements included. The following elements may be constituted as outdoor living space and included in calculating the required space:

1. Swimming pools and pool decks.
2. Paved recreation areas.
3. Landscaped area, garden, etc.
4. Covered~~Uncovered~~ patios, unenclosed structures, and balconies.”

**5. Subsections 20.08.040.B.2.a, 20.08.040.C.2.b.(4).(c), 20.08.040.C.2.b.(7), and 20.08.040.C.2.b.(8), and 20.08.040.D of Section 20.08.040 (Off-Street Parking and Loading) of Chapter 20.08 (Development Standards) are amended to include the following additions, deletions, and modifications (terms currently listed in the minimum parking stalls required table but not listed below will remain as is):**

“20.08.040 OFF-STREET PARKING AND LOADING.

B. General requirements.

2. Location.

a. All required parking spaces and garages shall be located on the same lot, or the same building site in the case of a shopping center. Where a parking lot owned by the city is located within four hundred (400) feet of the front door or main entry of the building, parking requirements listed in paragraph D. of this section may be reduced as determined by the Community Development Director~~Development Services Director.~~”

“20.08.040 OFF-STREET PARKING AND LOADING.

C. Design.

2. Parking spaces.

b. Sizes.

(4) Compact stalls shall be a minimum of eight (8) feet wide by sixteen (16) feet long.

(c) All parking areas containing compact stalls shall be approved by the Community Development Director~~Development Services Director~~ and the City Traffic Engineer.”

“20.08.040 OFF-STREET PARKING AND LOADING.

C. Design.

2. Parking spaces.

b. Sizes.

(7) Parking for hydrogen fueling. Parking stalls for hydrogen fueling shall comply with the residential, commercial, industrial, handicapped, and/or compact stall minimum dimensions identified in this chapter and consistent with Chapter 14.08 of this Code.”

“20.08.040 OFF-STREET PARKING AND LOADING.

C. Design.

2. Parking spaces.

b. Sizes.

(8) Bicycle parking. All residential and non-residential bicycle parking requirements to be governed by the California Green Building Code standards.”

“20.08.040 OFF-STREET PARKING AND LOADING.

D. Parking space requirements. All land uses shall provide off-street parking in conformity with the requirements listed in the Table 20.08.040.D under this subsection, unless otherwise modified by the provisions contained herein. The term floor area used in the Table 20.08.040.D under this subsection shall mean gross floor area.”

Use	Minimum Parking Stalls Required
Non-Residential	
<u>Automotive, hydrogen-fueling stations</u>	<u>1 space per charging station</u>
Community care facilities, large	5.5 spaces per 1,000 square feet.
<u>Family daycare home</u>	<u>None required, except for the spaces required for the underlying use.</u>

**6. Subsection 20.11.020.F and Table 20.11.020.A (Permitted Land Uses Table) of Section 20.11.020 (Land Uses) of Chapter 20.11 (Permitted Land Uses) are amended to include the following additions, deletions, and modifications (terms currently listed in the subject table but not listed below will remain as is):**

“20.11.020 LAND USES.

F. Housing opportunity sites. Dwellings, Multiple-Family use in which 20 percent% or more of the units are affordable to lower income households shall be permitted by right on properties designated as Focused Development Sites ~~Nos. 1, 2, 3, 7 and 10~~ in the City's 2021-2029 Housing Element (6th Cycle). Development shall meet all of the requirements of the respective zone in which such sites are located in unless otherwise permitted by this Title, and shall comply with the

provisions of applicable environmental documents for such site, if any. For other Focused Development Site standards, see Section 20.258.010(D) of this title.

“20.11.020 LAND USES.

**TABLE 20.11.020.A. PERMITTED LAND USES TABLE**

<i>P: Permitted by Right</i> <i>C: Conditional Use Permit Required</i> <i>--: Prohibited</i> <i>M: Minor Conditional Use Permit Required</i>				<b>NOTES:</b> <sup>1</sup> In HR Zoning district, either an Administrative Hillside Development Permit or a Hillside Development Permit is required, unless specifically exempted. Refer to Section 20.206.040. <sup>2</sup> In MU-I, MU-2, and MU-3 Zoning districts, nonresidential developments (e.g. education, public assembly, and religious facilities, entertainment and recreational facilities, public/semi-public facilities, retail trade and service facilities) and access serving nonresidential developments (except for live/work facilities) shall not be allowed on Walnut Avenue.																		
	R1-H	HR <sup>1</sup>	R-1	R-1 (5,000)	R-2	R-3	C-P	C-N	C-C	C-G	C-M	C-RC	M-P	M-1	M-2	MU-I <sup>2</sup>	MU-II <sup>2</sup>	MU-III <sup>2</sup>	PRO-P/R	PRO-NOS	PF	Special Provisions
<b>NON-RESIDENTIAL USES</b>																						
Automotive, Hydrogen-Fueling Stations	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Automotive, Sales and Leasing	--	--	--	--	--	--	--	--	--	C	C	--	--	C	C	--	--	--	--	--	--	(1) Uses that do not include any outdoor storage/display of vehicles are considered as "Automotive, Sales, and Leasing (limited)" use. (2) Automotive repair is allowed as an ancillary use.

**TABLE 20.11.020.A. PERMITTED LAND USES TABLE**

*P: Permitted by Right*  
*C: Conditional Use Permit Required*  
*--: Prohibited*  
*M: Minor Conditional Use Permit Required*

**NOTES:**  
<sup>1</sup> In HR Zoning district, either an Administrative Hillside Development Permit or a Hillside Development Permit is required, unless specifically exempted. Refer to Section 20.206.040.  
<sup>2</sup> In MU-I, MU-2, and MU-3 Zoning districts, nonresidential developments (e.g. education, public assembly, and religious facilities, entertainment and recreational facilities, public/semi-public facilities, retail trade and service facilities) and access serving nonresidential developments (except for live/work facilities) shall not be allowed on Walnut Avenue.

	R1-H	HR <sup>1</sup>	R-1	R-1 (5,000)	R-2	R-3	C-P	C-N	C-C	C-G	C-M	C-RC	M-P	M-1	M-2	MU-I <sup>2</sup>	MU-II <sup>2</sup>	MU-III <sup>2</sup>	PRO-P/R	PRO-NOS	PF	Special Provisions	
Automotive, Service Stations	--	--	--	--	--	--	--	C	C	C	C	C	C	C	C	C-	C-	--	--	--	--	--	(1) A conditional use permit for a new service station at any location within the corporate limits of the city shall not be approved and granted to any company or an affiliated company that owns, leases, rents or has control of, in any manner, property that is presently occupied by an abandoned or vacant service station at any other location within the corporate limits of the city. Abandoned or vacant, as used herein, shall mean that the service station has not been in operation for a period of ninety (90) days or more prior to the date the Planning Commission adopts its resolution on the application for a new service station. This provision shall not apply to an abandoned or vacated service station that has been legally converted to and is being utilized for another permitted use, or to a service station that is not in operation because it is in the process of being reconstructed or remodeled. <u>(2) New service stations are only conditionally allowed in the MU-I Zone or MU-II Zone if the service station is an ancillary use to a Retail Sales, Warehouse Stores use.</u>

**TABLE 20.11.020.A. PERMITTED LAND USES TABLE**

P: Permitted by Right  
 C: Conditional Use Permit Required  
 --: Prohibited  
 M: Minor Conditional Use Permit Required

**NOTES:**  
<sup>1</sup> In HR Zoning district, either an Administrative Hillside Development Permit or a Hillside Development Permit is required, unless specifically exempted. Refer to Section 20.206.040.  
<sup>2</sup> In MU-I, MU-2, and MU-3 Zoning districts, nonresidential developments (e.g. education, public assembly, and religious facilities, entertainment and recreational facilities, public/semi-public facilities, retail trade and service facilities) and access serving nonresidential developments (except for live/work facilities) shall not be allowed on Walnut Avenue.

	R1-H	HR <sup>1</sup>	R-1	R-1 (5,000)	R-2	R-3	C-P	C-N	C-C	C-G	C-M	C-RC	M-P	M-1	M-2	MU-I <sup>2</sup>	MU-II <sup>2</sup>	MU-III <sup>2</sup>	PRO-P/R	PRO-NOS	PF	Special Provisions
Cemetery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	(1) In PF Zoning district, the use is permitted only on properties within the "Cemetery" General Plan Land Use Designation. (2) May be permitted in other zoning districts with a Conditional Use Permit only if the use is deemed by the Planning Commission to be essential or desirable for the public welfare and convenience and in conformity with the General Plan and its objectives.
Community Care Facilities, Large	--	--	--	--	--	--	--	C	C	C	C	--	--	--	--	C	C	C	--	--	--	
Family Daycare Home	P	P	P	P	P	P	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	(1) Family daycare homes are allowed in detached single-family dwellings, townhouses, dwelling units within a dwelling, or dwelling units within a covered multifamily dwelling in which the underlying zone allows for residential uses.
Golf Course	--	C-	C-	--	--	--	--	--	--	--	--	P	C	--	--	--	--	--	P	--	--	(1) In PRO Zoning district, only publicly owned golf courses are allowed. (2) May be permitted in other zoning districts with a Conditional Use Permit if the use is deemed by the Planning Commission to be essential or desirable for the public welfare and convenience and in conformity with the General Plan and its objectives.
Medical Services, Clinics/Offices	--	--	--	--	--	--	P	P	P	P	P	--	MP	MP	--	P	P	P	--	--	--	

**TABLE 20.11.020.A. PERMITTED LAND USES TABLE**

P: Permitted by Right  
 C: Conditional Use Permit Required  
 --: Prohibited  
 M: Minor Conditional Use Permit Required

**NOTES:**  
<sup>1</sup> In HR Zoning district, either an Administrative Hillside Development Permit or a Hillside Development Permit is required, unless specifically exempted. Refer to Section 20.206.040.  
<sup>2</sup> In MU-I, MU-2, and MU-3 Zoning districts, nonresidential developments (e.g. education, public assembly, and religious facilities, entertainment and recreational facilities, public/semi-public facilities, retail trade and service facilities) and access serving nonresidential developments (except for live/work facilities) shall not be allowed on Walnut Avenue.

	R1-H	HR <sup>1</sup>	R-1	R-1 (5,000)	R-2	R-3	C-P	C-N	C-C	C-G	C-M	C-RC	M-P	M-1	M-2	MU-I <sup>2</sup>	MU-II <sup>2</sup>	MU-III <sup>2</sup>	PRO-P/R	PRO-NOS	PF	Special Provisions
Medical Services, Hospitals	--	--	--	--	--	--	<u>C--</u>	--	<u>C--</u>	<u>C--</u>	<u>C--</u>	--	<u>C--</u>	C	C	C	C	--	--	--	--	(1) May be permitted in other zoning districts with a Conditional Use Permit if the use is deemed by the Planning Commission to be essential or desirable for the public welfare and convenience and in conformity with the General Plan and its objectives.
Offices, Administrative & Professional	--	--	--	--	--	--	P	P	P	P	P	--	<u>M--</u>	<u>MG</u>		P	P	P	--	--	--	
Religious Assembly	C	C	C	C	C	C	C	C	C	C	C	--	C	C	--	C	C	C	--	--	--	(1) In C-M, M-P, <u>and</u> M-1 and M-2 Zoning districts, this use shall not locate within one thousand (1,000) feet, as measured from closest property line, of a previously entitled Religious Assembly located in CM, MP, <u>or</u> M-1 <u>or</u> M-2 Zones.
Retail Sales, Warehouse Stores	--	--	--	--	--	--	--	--	P	P	--	--	P	P	--	<u>P-</u>	P	--	--	--	--	
Utilities	--	--	--	--	--	--	--	--	--	P/C	--	P/C	--	--	P/C	--	--	--	--	--	P/C	(1) Privately owned utilities require a Conditional Use Permit. (2) May be permitted in other zoning districts with a Conditional Use Permit if the use is deemed by the Planning Commission to be essential or desirable for the public welfare and convenience and in conformity with the General Plan and its objectives.

**7. Section 20.24.100 (Nonconforming Off-Street Parking and Loading Facilities) of Chapter 20.24 (Nonconforming Structures and Uses) is amended to include the following additions, deletions, and modifications:**

“20.24.100 NONCONFORMING OFF-STREET PARKING AND LOADING FACILITIES.

A. Existing conforming buildings whose off-street parking and loading facilities do not conform to the provisions of this title may only be expanded or facilities added, provided that the requirements for off-street parking and loading spaces shall have been complied with for those facilities which are added and enlarged.

B. Any single-family dwelling which does not conform to the provisions of this title may be expanded without providing additional parking spaces only if the addition or alteration increases the original residential floor area by the lesser of:

- 1. 500 square feet, or
- 2. 25 percent increase from the original residential floor area.”

**8. Subsection 20.216.040.H of Section 20.216.040 (Property Development Standards) of Chapter 20.216 (R-2 Multiple Family Residential Zone) is amended to include the following additions, deletions, and modifications:**

“20.216.040 PROPERTY DEVELOPMENT STANDARDS.

H. Distance between ~~main~~-buildings. The following minimum distances between walls of ~~opposing buildings and structures on a lot in the R-2 Zone~~ shall conform with the following apply:

- 1. Distance between buildings across a court. The minimum distance between opposing ~~main~~-buildings or portions of ~~main~~-buildings which create a court shall be not less than twenty (20) feet plus a distance equal to one-half (1/2) the combined heights of said walls.
- 2. Distance between ~~main~~-buildings which do not form a court.
  - a. If there are windows or entrances along either or both walls of opposing buildings (not facing a court), the distance between said walls shall not be less than fifteen (15) feet or a distance equal to one-half (1/2) the combined height of both walls whichever is greater. A minimum of ten (10) feet between buildings shall be free of any building projections.

b. If there are no windows or entrances along either wall of opposing buildings (not facing a court), the distance between said walls shall not be less than ten (10) feet.”

**9. Subsections 20.258.010.D and 20.258.010.E of Section 20.258.100 (Mixed-Use Zoning Districts) of Chapter 20.258 (Mixed-Use Zoning Districts) are amended to include the following additions, deletions, and modifications:**

“20.258.010 MIXED-USE ZONING DISTRICTS.

D. Housing Opportunity Sites. For Focused Development Sites specified in the City's 2021-2029 Housing Element (6th Cycle), the following additional standards shall apply to new residential development:

1. The minimum residential density shall be twenty (20) dwelling units per acre.
2. Residential uses in mixed-use development projects must occupy at least 50 percent of the total floor area of development projects on these sites.
3. 100 percent residential use shall be allowed on these sites.”

“20.258.010 MIXED-USE ZONING DISTRICTS.

ED. Plan or precise development review required. Depending on the size of the construction activity (see Table 2-1), all construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) may require review and approval in compliance with § 20.260.050 (Special Provisions) and § 20.408.040 (Plan Review).”

**10. Tables 2-3 (Development Standards for Mixed-Use and Nonresidential Projects in Mixed-Use I Zoning District), 2-4 (Development Standards for Mixed-Use and Nonresidential Projects in Mixed-Use II Zoning District), 2-5 (Development Standards for Mixed-Use and Nonresidential Projects in Mixed-Use III Zoning District), 2-6 (Development Standards for “Stand Alone” Residential Projects in Mixed-Use I Zoning District), 2-7 (Development Standards for “Stand Alone” Residential Projects in Mixed-Use II Zoning District), 2-8 (Development Standards for “Stand Alone” Residential Projects in Mixed-Use III Zoning District) of Section 20.258.020 (General Development Standards for the Mixed Use Zoning Districts) of Chapter 20.258 (Mixed-Use Zoning Districts) are amended to include the following additions, deletions, and modifications:**

“20.258.020 GENERAL DEVELOPMENT STANDARDS FOR THE MIXED-USE ZONING DISTRICTS.”

<b>TABLE 2-3 DEVELOPMENT STANDARDS FOR MIXED-USE AND NONRESIDENTIAL PROJECTS IN MIXED-USE I ZONING DISTRICT</b>		
<b>DEVELOPMENT STANDARDS</b>	<b>MU-I</b>	<b>NOTES</b>
Minimum project size (1)	7,000 square feet	(1) The standards for minimum project size, parcel width and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum dimensions for ownership or leasehold (e.g. condominium) purposes.
Minimum parcel width (1)	50 feet	
Minimum parcel depth (1)	120 feet	
Minimum/maximum allowable density range for residential uses (2)	12.1 to 50 du / acre	
Maximum floor area ratio (FAR) for nonresidential uses	3.00	
Minimum setbacks		
Front and street side along Ash Street, Birch Street, Brea Boulevard and Imperial Highway	None permitted (A), except for allowable plazas and outdoor dining areas/uses	(2) For Focused Development Sites specified in the City's 2021-2029 Housing Element (6th Cycle), the minimum residential density is 20 dwelling units per acre.
Front	None	(3) The standards for accessory structures are intended to regulate development for residential components of a Mixed-Use Development.
Side, interior, Single-story	None (B)	
Side, interior, Second-story and above, if residential use adjoining residential or nonresidential uses	10 feet (B)	
Side, street	None	
Side, interior or street, adjoining residential uses	10 feet (C)	
Rear, if nonresidential use adjoining nonresidential use	None (D)	
Rear, if residential use or if nonresidential use adjoining residential uses	10 feet (D)	

Parking area setbacks (front and street side). (No parking adjacent to Brea Boulevard or Imperial Highway allowed, except in the upper floors of a parking structure.)	5 feet
Minimum distance between structures located on the same parcel	None
Maximum structure height	100 feet
Minimum common residential open space for each residential unit. (The minimum dimension shall be 15 feet at any point.)	75 square feet / dwelling unit
Minimum private residential open space for each residential unit. (The minimum dimension shall be 5 feet at any point.)	50 square feet / dwelling unit
<b>NOTE:</b> The letters (A), (B), (C) and (D) refer to the graphics following this Table.	
Accessory structures (32)	Section 20.08.035.F
Landscaping	Section 20.236.040.M
Lighting	Section 20.08.040.C.5 and Section 20.220.040.L
Parking and loading	Section 20.08.040
Signs	Section 20.28
Walls and fences	Section 20.236.040.E and Section 20.220.040.F

<b>TABLE 2-4 DEVELOPMENT STANDARDS FOR MIXED-USE AND NONRESIDENTIAL PROJECTS IN MIXED-USE II ZONING DISTRICT</b>		
<b>DEVELOPMENT STANDARDS</b>	<b>MU-II</b>	<b>NOTES</b>
Minimum project size (1)	10,000 square feet	(1) The standards for minimum project size, parcel width and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum dimensions for ownership or leasehold (e.g. condominium) purposes.  (2) For Focused Development Sites specified in the City's 2021-2029 Housing Element (6th Cycle), the minimum residential density is 20 dwelling units per acre.
Minimum parcel width (1)	100 feet	
Minimum parcel depth (1)	200 feet	
Minimum/maximum allowable density range for residential uses (2)	6.1 to 40 du / acre	
Maximum floor area ratio (FAR) for nonresidential uses	2.00	
Minimum setbacks		
Front	None	
Side, interior, Single-story	None (E)	
Side, interior, Second-story and above, if residential use adjoining residential or nonresidential uses	10 feet (E)	
Side, street	None	
Side, interior or street, adjoining, residential uses	10 feet (F)	
Rear, if nonresidential use adjoining nonresidential use	None (G)	
Rear, if residential use or if nonresidential use adjoining residential uses	10 feet (G)	
Parking area setbacks (front and street side)	15 feet	

Minimum distance between structures located on the same parcel	None	(32) The standards for accessory structures are intended to regulate development for residential components of a Mixed-Use Development.
Maximum structure height	60 feet	
Minimum common residential open space for each residential unit. (The minimum dimension shall be 15 feet at any point.)	75 square feet / dwelling unit	
Minimum private residential open space for each residential unit. (The minimum dimension shall be 5 feet at any point.)	50 square feet / dwelling unit	
<b>NOTE:</b> The letters (E), (F), and (G) refer to the graphics following this Table.		
Accessory structures (32)	Section 20.08.035.F	
Landscaping	Section 20.236.040.M	
Lighting	Section 20.08.040.C.5 and Section 20.220.040.L	
Parking and loading	Section 20.08.040	
Signs	Section 20.28	
Walls and fences	Section 20.236.040.E and Section 20.220.040.F	

<b>TABLE 2-5 DEVELOPMENT STANDARDS FOR MIXED-USE AND NONRESIDENTIAL PROJECTS IN MIXED-USE III ZONING DISTRICT</b>		
<b>DEVELOPMENT STANDARDS</b>	<b>MU-III</b>	<b>NOTES</b>
Minimum project size (1)	7,000 square feet	(1) The standards for minimum project size, parcel width and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum dimensions for ownership or leasehold (e.g. condominium) purposes.
Minimum parcel width (1)	50 feet	
Minimum parcel depth (1)	120 feet	
Minimum/maximum allowable density range for residential uses (2)	6.1 to 18 du / acre	
Maximum floor area ratio (FAR) for uses	1.00	
Minimum setbacks		
Front and street side along Brea Boulevard and Imperial Highway - Parcels of less than one acre	None permitted (H), except for allowable plazas and outdoor dining areas/uses	(2) For Focused Development Sites specified in the City's 2021-2029 Housing Element (6th Cycle), the minimum residential density is 20 dwelling units per acre.
Front and street side along Brea Boulevard and Imperial Highway - Parcels of one acre or greater	At least 50% of the parcel frontage: None permitted (I)  Up to 50% of the parcel frontage. (No parking within setback allowed.): May maintain an average setback of 10 feet (I)	
Front, other than Brea Boulevard or Imperial Highway	None	(32) The standards for accessory structures are intended to regulate development for
Side, interior, Single-story	None (J)	
Side, interior, Second-story and above, if residential use adjoining residential or nonresidential uses	10 feet (J)	

Side, street, other than Brea Boulevard or Imperial Highway	None	residential components of a Mixed-Use Development.
Side, interior or street, adjoining, residential uses	5 feet, average (K)	
Rear, if nonresidential use adjoining nonresidential use	None (L)	
Rear, if residential use or nonresidential use adjoining residential uses	10 feet (L)	
Parking area setbacks (front and street side). (No parking adjacent to Brea Boulevard or Imperial Highway allowed, except in the upper floors of a parking structure.)	5 feet	
<b>NOTE:</b> The letters (H), (I), (J), (K) and (L) refer to the graphics following this Table.		
Minimum distance between structures located on the same parcel	None	
Maximum structure height	35 feet	
Minimum common residential open space for each residential unit. (The minimum dimension shall be 15 feet at any point.)	75 square feet / dwelling unit	
Minimum private residential open space for each residential unit. (The minimum dimension shall be 5 feet at any point.)	50 square feet / dwelling unit	
Maximum parcel coverage	65%	
Accessory structures (32)	Section 20.08.035.F	
Landscaping	Section 20.236.040.M	
Lighting	Section 20.08.040.C.5 and Section 20.220.040.L	
Parking and Loading	Section 20.08.040	
Signs	Section 20.28	
Walls and fences	Section 20.236.040.E and Section 20.220.040.F	

<b>TABLE 2-6 DEVELOPMENT STANDARDS FOR "STAND ALONE" RESIDENTIAL PROJECTS IN MIXED- USE I ZONING DISTRICT</b>		
<b>DEVELOPMENT STANDARDS</b>	<b>MU-I</b>	<b>NOTES</b>
Minimum project size (1)	2,500 square feet	(1) The standards for minimum project size, parcel width and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum
Minimum parcel width (1)	None	
Minimum parcel depth (1)	None	
Minimum/maximum allowable density range for residential uses (2)	12.1 to 50 du / acre	
Maximum floor area ratio (FAR) for nonresidential uses	3.00	

Front and Side, Street along Ash Street, Birch Street, Brea Boulevard and Imperial Highway, Single-story (32)	5 feet (M)	<p>dimensions for ownership or leasehold (e.g. condominium) purposes.</p> <p>(2) For Focused Development Sites specified in the City's 2021-2029 Housing Element (6th Cycle), the minimum residential density is 20 dwelling units per acre.</p> <p>(32) For structures located on Ash Street, Birch Street, or Brea Boulevard, north of Imperial Highway, there is no minimum setback requirement. All other setbacks shall be measured from the structure face to the nearest property line.</p> <p>(43) Low level patio walls may encroach into the required front or street side setback up to a maximum of 5 feet.</p> <p>(54) In projects with subterranean parking, structure heights shall be measured from the top of the parking deck. For structures located on Ash Street, Birch Street, or Brea Boulevard, the maximum structure height shall be 55 feet.</p>
Front and Side, Street along Ash Street, Birch Street, Brea Boulevard and Imperial Highway, Second-story and above (32)	10 feet (M)	
Front, other than Ash Street, Birch Street, Brea Boulevard and Imperial highway (43)	15 feet (N)	
Side, interior	5 feet (O)	
Side, street, other than Ash Street, Birch Street, Brea Boulevard and Imperial highway (43)	15 feet (O)	
Side, interior or street (other than Ash Street, Birch Street, Brea Boulevard and Imperial highway), adjoining residential uses	10 feet (O)	
Rear	5 feet (P)	
Rear, adjoining nonresidential uses	10 feet (P)	
Parking area setbacks (front and street side). (No parking adjacent to Brea Boulevard or Imperial Highway allowed, except in the upper floors of a parking structure.)	5 feet	
Minimum distance between structures located on the same parcel	None	
Maximum structure height (54)	100 feet	
Minimum common open space for each residential unit. (The minimum dimension shall be 15 feet at any point.)	100 square feet / dwelling unit	
Minimum private open space for each residential unit. (The minimum dimension shall be 5 feet at any point.)	75 square feet / dwelling unit	
<b>NOTE:</b> The letters (M), (N), (O), and (P) refer to the graphics following this Table.		
Accessory structures	Section 20.08.035.F	
Landscaping	Section 20.236.040.M	
Lighting	Section 20.08.040.C.5 and Section 20.220.040.L	
Parking and loading	Section 20.08.040	
Signs	Section 20.28	
Walls and fences	Section 20.236.040.E and Section 20.220.040.F	

**TABLE 2-7  
DEVELOPMENT STANDARDS FOR "STAND ALONE" RESIDENTIAL PROJECTS IN MIXED- USE II  
ZONING DISTRICT**

<b>DEVELOPMENT STANDARDS</b>	<b>MU-II</b>	<b>NOTES</b>
Minimum project size (1)	2,500 square feet	<p>(1) The standards for minimum project size, parcel width and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum dimensions for ownership or leasehold (e.g. condominium) purposes.</p> <p>(2) For Focused Development Sites specified in the City's 2021-2029 Housing Element (6th Cycle), the minimum residential density is 20 dwelling units per acre.</p> <p>(32) Low level patio walls may encroach into the required front or street side setback up to a maximum of 5 feet.</p> <p>(43) In projects with subterranean parking, structure heights shall be measured from the top of the parking deck.</p>
Minimum parcel width (1)	None	
Minimum parcel depth (1)	None	
Minimum/maximum allowable density range for residential uses (2)	6.1 to 40 du / acre	
Maximum floor area ratio (FAR) for nonresidential uses	2.00	
Minimum setbacks		
Front (32)	15 feet (Q)	
Side, interior	5 feet (R)	
Side, street (32)	15 feet (R)	
Side, interior or street, adjoining nonresidential uses	10 feet (R)	
Rear	15 feet (S)	
Rear, adjoining nonresidential uses	20 feet (S)	
Parking area setbacks (front and street side)	15 feet	
Minimum distance between structures located on the same parcel	None	
Maximum structure height (43)	60 feet	
Minimum common open space for each residential unit. (The minimum dimension shall be 15 feet at any point.)	100 square feet / dwelling unit	
Minimum private open space for each residential unit. (The minimum dimension shall be 5 feet at any point.)	75 square feet / dwelling unit	
<b>NOTE:</b> The letters (Q), (R), and (S) refer to the graphics following this Table.		
Accessory structures	Section 20.08.035.F	
Landscaping	Section 20.236.040.M	
Lighting	Section 20.08.040.C.5 and Section 20.220.040.L	
Parking and loading	Section 20.08.040	
Signs	Section 20.28	
Walls and fences	Section 20.236.040.E and Section 20.220.040.F	

**TABLE 2-8  
DEVELOPMENT STANDARDS FOR "STAND ALONE" RESIDENTIAL PROJECTS IN MIXED-USE III  
ZONING DISTRICT**

<b>DEVELOPMENT STANDARDS</b>	<b>MU-III</b>	<b>NOTES</b>
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Minimum project size (1)	7,000 square feet	<p>(1) The standards for minimum project size, parcel width and parcel depth are intended to regulate sites for development purposes only and are not intended to establish minimum dimensions for ownership or leasehold (e.g. condominium) purposes.</p> <p>(2) For Focused Development Sites specified in the City's 2021-2029 Housing Element (6th Cycle), the minimum residential density is 20 dwelling units per acre.</p> <p>(32) Low level patio walls may encroach into the required front or street side setback up to a maximum of 5 feet.</p> <p>(43) In projects with subterranean parking, structure heights shall be measured from the top of the parking deck.</p>
Minimum parcel width (1)	50 feet	
Minimum parcel depth (1)	120 feet	
Minimum/maximum allowable density range for residential uses (2)	6.1 to 14 du / acre (See Section 20.258.030.A.4)	
Maximum floor area ratio (FAR) for nonresidential uses	1.00	
Front and Side, street, along Brea Boulevard and Imperial Highway	Stand alone residential not allowed on Brea Boulevard or Imperial Highway	
Front, other than Brea Boulevard or Imperial Highway (32)	15 feet (T)	
Side, interior	5 feet (U)	
Side, street other than Brea Boulevard or Imperial Highway (32)	15 feet (U)	
Side, interior or street, adjoining nonresidential uses	10 feet (U)	
Rear	15 feet (V)	
Rear, adjoining nonresidential uses	20 feet (V)	
Parking area setbacks (front and street side). No parking adjacent to Brea Boulevard or Imperial Highway allowed, except in the upper floors of a parking structure.)	5 feet	
Minimum distance between structures located on the same parcel	None	
Maximum structure height (43)	35 feet	
Minimum common open space for each residential unit. (The minimum dimension shall be 15 feet at any point.)	100 square feet / dwelling unit	
Minimum private open space for each residential unit. (The minimum dimension shall be 5 feet at any point.)	75 square feet / dwelling unit	
Maximum parcel coverage (not including parking decks)	65%	
<b>NOTE:</b> The letters (T), (U), and (V) refer to the graphics following this Table.		
Accessory structures	Section 20.08.035.F	
Landscaping	Section 20.236.040.M	
Lighting	Section 20.08.040.C.5 and Section 20.220.040.L	
Parking and loading	Section 20.08.040	
Signs	Section 20.28	
Walls and fences	Section 20.236.040.E and Section 20.220.040.F	

**11. Subsection 20.258.030.B.1 of Section 20.258.030 (Specific Development Standards For All Mixed-Use Projects) of Chapter 20.258 (Mixed-Use Zoning Districts) is amended to include the following additions, deletions, and modifications:**

“20.258.030 SPECIFIC DEVELOPMENT STANDARDS FOR ALL MIXED-USE PROJECTS.

B. ~~Lot/Parcel~~ Consolidation Incentive Program. In order to encourage the assemblage of smaller existing parcels into larger parcels that can be more efficiently developed into a mixed-use project, the following incentives are offered:

1. Allowable incentives for parcel consolidation:
  - a. Reduction in on-site required parking for a mixed-use project, up to a maximum of twenty percent (20%).
  - b. Increase in maximum total sign area, up to a maximum of twenty percent (20%).
  - c. Increase in maximum ~~lot/parcel~~ coverage, up to a maximum of ten percent (10%).
  - d. Increase in maximum building height, up to a maximum of ten percent (10%).
  - ed. Reduction in common and/or private open space requirements, up to a maximum of ten percent (10%).
  - fe. Expedited Priority (e.g., fast-track) permit processing plan check reviews.
  - gf. City participation in provision of infrastructure (e.g., installation of curb, gutter, and sidewalk, installation of streetscape, undergrounding of utilities, upgrading of utilities, etc.).
  - h. Deferred development impact and/or permitting fees.”

**12. New Subsection 20.408.020.D is added to Section 20.408.020 (Administrative Remedy) of Chapter 20.408 (Administrative Procedures) as follows:**

“20.408.020 ADMINISTRATIVE REMEDY.

D. Findings. The Director, in approving an administrative remedy application, shall find as follows:

1. That the minor modifications from the requirements of this title, with any conditions to be imposed, applied for at the location set forth in the application is properly one(s) for which an administrative remedy is authorized by this title.

2. That the minor modifications from the requirements of this title, with any conditions to be imposed, are necessary or desirable for the development of the community, in harmony with the various elements or objectives of the General Plan, and will not be out of character or detrimental to the neighborhood.

3. That with the conditions stated in the permit, the minor modification of standards will not adversely affect the public health, safety, or general welfare.”

**13. Subsections 20.412.010.A, 20.412.010.C, and 20.412.010.D of Section 20.412.010 (Variance) of Chapter 20.412 (Quasi-Judicial Procedures) are amended to include the following additions, deletions, and modifications:**

“20.412.010 VARIANCE.

~~A. Intent and Purpose. The purpose of a variance is to provide for deviations from the strict application of the requirements of this title due to special circumstances applicable to a property which deprive the property of privileges enjoyed by other properties in the vicinity which are subject to identical zoning regulations.~~

~~1. A variance from the terms of this title shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the requirements of this title deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classifications.~~

~~2. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.”~~

“20.412.010 VARIANCE.

C. Findings. The Planning Commission, in approving a variance, must make the following findings:

1. There are special circumstances applicable to the property, including size, shape, topography, location or surroundings, which result in the strict application of the requirements of this title, depriving the property of privileges enjoyed by other properties in the vicinity and under identical zoning classifications.

2. The variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

3. The granting of the variance does not authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the property.”

“20.412.010 VARIANCE.

DC. Commission action.

1. The Planning Commission may approve, conditionally approve, or disapprove the application and shall announce and record its decision within twenty-one (21) days following the conclusion of the public hearing. The decision shall set forth the findings by formal resolution of the Commission and shall be filed with the City Council. A copy of the resolution shall be mailed to the applicant.

2. The decision of the Planning Commission shall be final and shall become effective ten (10) days after the adoption of the resolution by the Commission, subject to the filing of a timely appeal pursuant to Chapter 20.424.”

**14. The Title of Section 20.416.020 (Notice of Hearings) of Chapter 20.416 Hearings) is amended as follows:**

“20.416.020 NOTICE OF ~~HEARINGS~~APPLICATION FILING.”

**15. Subsections 20.416.020.A, 20.416.020.B, 20.416.020.C, 20.416.020.D, 20.416.020.E, 20.416.020.F, 20.416.020.G, and 20.416.020.H of Section 20.416.020 (Notice of Application Filing) of Chapter 20.416 (Hearings) are amended to include the following additions, deletions, and modifications:**

“20.416.020 NOTICE OF APPLICATION FILING.

A. Notice of application filing. The following development project application types shall post a project information sign on the project site, consistent with the requirements of subsection C below:

1. Changes of Zone as identified in § 20.404.020, when proposed as part of a development project;

2. Residential development projects comprised of five or more dwelling units;

3. Commercial or Industrial development projects containing 10,000 square feet or more of new building area;

- 4. Hotel development projects containing more than fifty (50) rooms;
- 5. Large-scale development projects, as determined by the Community Development Director.”

“20.416.020 NOTICE OF HEARINGS.

~~—A. Time. Notice of each public hearing shall be given at least ten (10) calendar days before the date set for such hearing. (See: Cal. Gov't Code §§ 65090 and 65091).”~~

“20.416.020 NOTICE OF APPLICATION FILING.

B. Posting of notice of application filing. Notices shall be posted by the applicant on the project site in compliance with the following requirements.

1. Fees. The applicant shall be notified of required sign bonding fees and sign permit filing requirements. A cash deposit is required to ensure compliance with the supplemental notification requirements including maintenance and removal of the large notification sign. The project application shall not be deemed complete until the noticing sign(s) are installed and the required cash deposit has been made.

2. Sign criteria. The following standards shall apply to public noticing signage.

a. Sign size and specification. Noticing sign(s) shall be four feet by eight feet in size and be constructed to the specifications determined by the Planning Division. The specific project information text on the sign shall be provided by the Planning Division.

b. Location. At least one (1) noticing sign shall be posted on each street frontage of the project site at a location that maximizes its visibility to pedestrians and motorists passing by the project site.

c. Timing. Notices shall be posted within sixty (60) days of filing a development application, or within thirty (30) days of receipt of notice that the application requires a public hearing. Projects shall not be scheduled for a hearing until all noticing sign(s) are installed by the applicant at the project site in accordance with the above criteria. Once the project application is deemed complete and all noticing sign(s) installed per City standards, the project will be scheduled for a hearing.

d. Sign removal and maintenance. Noticing sign(s) shall be kept adequately maintained and remain in place until the final decision on the application has been made or the application has been withdrawn. Noticing sign(s) shall be removed by the applicant within thirty (30) days of the final decision or date of withdrawal. Failure to remove the sign(s) within the prescribed period may result in forfeiture of the cash deposit and removal of the sign by the City.”

~~“20.416.020 NOTICE OF HEARINGS.~~

~~—B. Content. Each notice of public hearing shall include the following information:  
(See: Cal. Gov't Code § 65094.)~~

- ~~—1. Time and place of the hearing;~~
- ~~—2. Who will conduct the hearing;~~
- ~~—3. A general explanation of the matter to be considered, including the type and magnitude of any proposed changes in development or development regulations;~~
- ~~—4. Identification of the property and the area affected;~~
- ~~—5. Where further information can be obtained;~~
- ~~—6. A statement of the right to appear and be heard.”~~

“20.416.020 NOTICE OF APPLICATION FILING.

C. Notice of hearing. Development projects that require a public hearing shall revise the project information sign on the project site to include the public hearing information at least ten (10) calendar days before the date set for such hearing, consistent with the requirements of subsection C below.”

~~“20.416.020 NOTICE OF HEARINGS.~~

~~—C. Publication of notice. When newspaper publication of a notice of public hearing is required, such notice shall be published at least once in a newspaper of general circulation which is published and circulated in the city, or in the area affected if the matter is a rezoning of a proposed annexation to the city. (See: Cal. Gov't Code §§ 65090 and 65091.)”~~

~~“20.416.020 NOTICE OF HEARINGS.~~

~~—D. Posting of notice. Posting of notices of public hearing in the vicinity of property affected may be directed by the City Council or the Planning Commission, but shall not be required when notice is given by other means pursuant to this chapter and state law.”~~

~~“20.416.020 NOTICE OF HEARINGS.~~

~~—E. Notice to owners of property within five hundred (500) feet.~~

~~—1. Where a public hearing is required by this code, written notification of such hearing shall be provided to owners of property located within five hundred (500) feet of the subject property, and such notice shall be made by delivery by city employees or by first class mail to all persons, including businesses, corporations, or other public and private entities, shown on the last equalized assessment roll as owning real property which is located within five hundred (500) feet of the subject property. (See: Cal. Gov't Code §§ 65091(a)(3).)~~

~~—2. If the matter to be considered is a legislative matter as identified in § 20.404.010, and the number of owners to whom notice would be sent pursuant to paragraph E.1 of this section is greater than one thousand (1,000), notice may be given, in lieu of the method described in paragraph E.1. of this section, by placing a display advertisement of at least one-eighth (1/8) page in a newspaper of general circulation in the area affected.”~~

~~“20.416.020 NOTICE OF HEARINGS.~~

~~—F. Notice to owners of adjacent property. When notice of a public hearing is required to be given to owners of adjacent property, such notice shall be made by delivery by city employees or by first class mail to all persons, including businesses, corporations, or other public and private entities, shown on the last equalized assessment roll as owning real property which is adjacent to the property or zone boundary directly involved in the matter under consideration.”~~

~~“20.416.020 NOTICE OF HEARINGS.~~

~~—G. Notice to persons requesting notice. For all public hearings or zoning matters, in addition to other notices, notice shall be given by first class mail to any person who has filed a written request therefor with the Commission. Such a request shall be effective for the balance of the calendar year in which the request is submitted. A reasonable fee for this service may be established by the City Council for the purpose of recovering the cost thereof. (See: Cal. Gov't Code § 65092.)”~~

~~“20.416.020 NOTICE OF HEARINGS.~~

~~—H. Responsibility for giving notice. The officers responsible for giving required notices of public hearings shall be as follows:~~

~~—1. Notices of Director meetings and hearings shall be given by the Director.~~

~~—2. Notices of Planning Commission hearings shall be given by the Commission secretary.~~

~~—3. Notices of City Council hearings shall be given by the City Clerk.”~~

**16. The Title of Section 20.416.030 (Conduct of Hearings) of Chapter 20.416 Hearings) is amended as follows:**

“20.416.030 ~~CONDUCT~~NOTICE OF HEARINGS.”

**17. Subsections 20.416.030.A, 20.416.030.B, and 20.416.030.C of Section 20.416.030 (Notice of Hearings) of Chapter 20.416 (Hearings) are amended to include the following additions, deletions, and modifications, and Subsections 20.416.030.D, 20.416.030.E, 20.416.030.F, 20.416.030.G, and 20.416.030.H are added as follows:**

“20.416.030 NOTICE OF HEARINGS.

A. Time. Notice of each public hearing shall be given at least ten (10) calendar days before the date set for such hearing. (See: Cal. Gov't Code §§ 65090 and 65091.)”

~~“20.416.030 CONDUCT OF HEARINGS.~~

~~A. Rules.~~

~~— 1. The City Council, Planning Commission, and Director shall adopt and publish rules for the conduct of their respective hearings or meetings on zoning matters. (See: Cal. Gov't Code § 65804(a).)~~

~~— 2. When a city staff report exists concerning a zoning matter, such report shall, if possible, be made available to the public prior to any subsequent public hearing on the matter and shall be presented and made a part of the public record at the beginning of any such hearing. (See: Cal. Gov't Code § 65804(c), (d).)”~~

“20.416.030 NOTICE OF HEARINGS.

B. Content. Each notice of public hearing shall include the following information: (See: Cal. Gov't Code § 65094.)

1. Time and place of the hearing;

2. Who will conduct the hearing;

3. A general explanation of the matter to be considered, including the type and magnitude of any proposed changes in development or development regulations;

4. Identification of the property and the area affected;

5. Where further information can be obtained;

6. A statement of the right to appear and be heard.”

“20.416.030 CONDUCT OF HEARINGS.

~~—B. Continuance. Any hearing on a zoning matter may be continued from time to time and place to place, provided the time and place to which continued is announced prior to adjournment of the meeting from which continued. (See: Cal. Gov't Code § 65095.)”~~

“20.416.030 NOTICE OF HEARINGS.

C. Publication of notice. When newspaper publication of a notice of public hearing is required, such notice shall be published at least once in a newspaper of general circulation which is published and circulated in the city, or in the area affected if the matter is a rezoning of a proposed annexation to the city. (See: Cal. Gov't Code §§ 65090 and 65091.)”

“20.416.030 CONDUCT OF HEARINGS.

~~—C. Record of hearing. When a zoning matter is contested and a prior written request is made to the body conducting a hearing on the matter, a record of the hearing shall be made, and copies made available to any interested party at cost. A deposit may be required with such request. (See: Cal. Gov't Code § 65804(b)).”~~

“20.416.030 NOTICE OF HEARINGS.

D. Posting of notice. The on-site posting of notices for discretionary applications that require a public hearing shall be posted on the project site at a location that maximizes its visibility to pedestrians and motorists passing by the project site.”

“20.416.030 NOTICE OF HEARINGS.

E. Notice to owners of property within five hundred (500) feet.

1. Where a public hearing is required by this code, written notification of such hearing shall be provided to owners of property located within five hundred (500) feet of the subject property, and such notice shall be made by delivery by city employees or by first class mail to all persons, including businesses, corporations, or other public and private entities, shown on the last equalized assessment roll as

owning real property which is located within five hundred (500) feet of the subject property. (See: Cal. Gov't Code §§ 65091(a)(3).)

2. If the matter to be considered is a legislative matter as identified in § 20.404.010, and the number of owners to whom notice would be sent pursuant to paragraph E.1 of this section is greater than one thousand (1,000), notice may be given, in lieu of the method described in paragraph E.1. of this section, by placing a display advertisement of at least one-eighth (1/8) page in a newspaper of general circulation in the area affected.”

“20.416.030 NOTICE OF HEARINGS.

F. Notice to owners of adjacent property. When notice of a public hearing is required to be given to owners of adjacent property, such notice shall be made by delivery by city employees or by first class mail to all persons, including businesses, corporations, or other public and private entities, shown on the last equalized assessment roll as owning real property which is adjacent to the property or zone boundary directly involved in the matter under consideration.”

“20.416.030 NOTICE OF HEARINGS.

G. Notice to persons requesting notice. For all public hearings or zoning matters, in addition to other notices, notice shall be given by first class mail to any person who has filed a written request therefor with the Commission. Such a request shall be effective for the balance of the calendar year in which the request is submitted. A reasonable fee for this service may be established by the City Council for the purpose of recovering the cost thereof. (See: Cal. Gov't Code § 65092.)”

“20.416.030 NOTICE OF HEARINGS.

H. Responsibility for giving notice. The officers responsible for giving required notices of public hearings shall be as follows:

1. Notices of Director meetings and hearings shall be given by the Director.

2. Notices of Planning Commission hearings shall be given by the Commission secretary.

3. Notices of City Council hearings shall be given by the City Clerk.”

**18. New Section 20.416.040 (Conduct of Hearings) is added to Chapter 20.416 (Hearings) as follows:**

“20.416.040 CONDUCT OF HEARINGS.

A. Rules.

1. The City Council, Planning Commission, and Director shall adopt and publish rules for the conduct of their respective hearings or meetings on zoning matters. (See: Cal. Gov't Code § 65804(a).)

2. When a city staff report exists concerning a zoning matter, such report shall, if possible, be made available to the public prior to any subsequent public hearing on the matter and shall be presented and made a part of the public record at the beginning of any such hearing. (See: Cal. Gov't Code § 65804(c), (d).)

B. Continuance. Any hearing on a zoning matter may be continued from time to time and place to place, provided the time and place to which continued is announced prior to adjournment of the meeting from which continued. (See: Cal. Gov't Code § 65095.)

C. Record of hearing. When a zoning matter is contested and a prior written request is made to the body conducting a hearing on the matter, a record of the hearing shall be made, and copies made available to any interested party at cost. A deposit may be required with such request. (See: Cal. Gov't Code § 65804(b)).”

Draft Ordinance ZOTA No. 2025-03  
 Summary of Amendments

Redline Section #s (Exhibit A of the Resolution)	Municipal Code Chapter(s)/Section(s)	Description of the Amendments
3, 6	20.00 (General Provisions) 20.11 (Permitted Land Uses)	<p><b>Permitted Land Uses &amp; Land Use Definitions:</b> The proposed amendments would update various land use definitions and regulations as follows:</p> <p><b>Family Daycare Home:</b></p> <ul style="list-style-type: none"> <li>• Include a Family Daycare Home land use definition in the definitions chapter in order to provide clarity to residents as to where the land use is allowed.</li> <li>• Update the permitted land uses table to allow Family Daycare Homes in all residential zones and provide a reference note specifying what types of residential dwelling units are allowed to have this type of use in order to assist community members with locating what zones the land use is allowed in.</li> </ul> <p><b>Automotive, Sales and Leasing:</b></p> <ul style="list-style-type: none"> <li>• Update the Automotive, Sales and Leasing land use definition to allow ancillary automobile repair and include a reference note in the permitted land uses table in order to provide flexibility to automotive businesses in the community.</li> <li>• Update the Automotive, Sales and Leasing, Limited land use definition to allow for indoor showrooms with online sales and to allow one outdoor vehicle to be used for display and/or test driving in order to help meet the changing needs of local automotive businesses.</li> </ul> <p><b>Retail Sales, Warehouse Stores, and Automotive, Service Stations:</b></p> <ul style="list-style-type: none"> <li>• Update the permitted land uses table to allow Retail Sales, Warehouse Stores land use in the MU-I Zone in order to provide more opportunities for this type of land use in the community.</li> <li>• Update the permitted land uses table to require a conditional use permit for the Automotive, Service Stations land use in the MU-I and MU-II Zones and specify that new service stations are only conditionally allowed in the MU-I and MU-II Zones if the service station is an ancillary use to a Retail Sales, Warehouse Stores land use, in order to allow for an ancillary land use commonly associated with this primary land use while maintaining discretionary authority to evaluate and mitigate potential associated impacts.</li> </ul>

		<p><b>Offices, Administrative &amp; Professional, and Medical Services, Clinics/Offices:</b></p> <ul style="list-style-type: none"> <li>• Require a minor conditional use permit for the Offices, Administrative &amp; Professional and Medical Services, Clinics/Offices land uses in the M-P and M-1 Zones in order to institute consistency between these similar land uses while establishing a discretionary review to assess compatibility of these land uses within industrial areas of the community.</li> </ul> <p><b>Cemetery, Golf Course, Utilities, and Medical Services, Hospitals:</b></p> <ul style="list-style-type: none"> <li>• Remove the special provision “may be permitted in other zoning districts with a conditional use permit if the use is deemed by the Planning Commission to be essential or desirable for the public welfare and convenience and in conformity with the General Plan and its objectives” for the Cemetery, Golf Course, Utilities, and Medical Services, Hospitals land uses. The existing and proposed permitted zones for these land uses have been evaluated and have been determined by staff to be sufficiently described, therefore this policy language is obsolete and no longer necessary.</li> <li>• Require a conditional use permit for the Medical Services, Hospitals land use in the C-P, C-C, C-G, C-M, and M-P Zones in order to provide locational flexibility to a land use that is of critical importance to the community.</li> <li>• Require a conditional use permit for the Golf Course land use in the HR Zone and R-1 Zone in order to allow for more opportunities for this land use within zoning districts in the City that are similar to zonings district in other local cities that also conditionally allow this land use.</li> </ul>
4, 5, 7, 8	<p>20.08 (Development Standards)  20.24 (Nonconforming Structures and Uses)  20.216 (R-2 Multiple Family Residential Zone)</p>	<p><b>Development Standards:</b> The proposed amendments would update various development standards in order to provide clarity and flexibility to property owners as follows:</p> <ul style="list-style-type: none"> <li>• Update outdoor living space standards to allow covered patios and covered unenclosed structures to count towards outdoor living space in order to provide flexibility to residents regarding the types of structures that can be utilized within required residential outdoor living spaces.</li> <li>• Include bicycle parking standards specifying that residential and non-residential bicycle parking requirements shall be governed by California Green Building Code standards in order to provide clarity to future development project applicants regarding existing bicycle parking standards that have been established by the State.</li> <li>• Include an off-street parking requirement for family daycare homes to be none required, except for the spaces required for the underlying use in order to provide clarity to potential daycare providers regarding parking requirements for this land use.</li> </ul>

		<ul style="list-style-type: none"> <li>• Allow for single-family homes with existing nonconforming off-street parking to have minor additions less than 500 square feet or less than 25 percent of the original residential floor area without providing additional parking spaces. This would provide flexibility to residents that are interested in expanding their home while maintaining a reasonable threshold for establishing conformance with off-street parking standards.</li> <li>• Clarify that requirements for distances between buildings and structures in the R-2 Zone are for buildings that are on the same property.</li> </ul>
12, 13	20.408 (Administrative Procedures) 20.412 (Quasi-Judicial Procedures)	<p><b>Findings for Variances and Administrative Remedies:</b> In an effort to establish more consistency between the City’s discretionary applications and provide clear criteria for approving these types of applications, the proposed amendment would specify findings for approval for the following application types requesting minor modification or deviation from code standards:</p> <p><b>Administrative Remedy:</b></p> <ul style="list-style-type: none"> <li>• Include a new subsection with required findings for approval for administrative remedies, including findings for compatibility with the City’s General Plan, compatibility with the character of the neighborhood, and no adverse effects to the public health, safety or general welfare.</li> </ul> <p><b>Variance:</b></p> <ul style="list-style-type: none"> <li>• Update the purpose section to simplify the purpose definition of variances.</li> <li>• Include a new subsection with required findings for approval for variances, consistent with State law for variances in Government Code Section 65906, including findings of special circumstances applicable to the property, not granting of special privileges, and not authorizing a use not otherwise expressly authorized by the zoning regulations.</li> </ul>
14, 15, 16, 17, 18	20.416 (Hearings)	<p><b>Public Noticing:</b> The proposed amendments would provide additional public noticing opportunities for community members to be informed about projects that are in process throughout the community:</p> <ul style="list-style-type: none"> <li>• Update public hearing noticing requirements to require on-site posting of public notices for discretionary applications that require a public hearing.</li> <li>• Create a new section with requirements for notices of application filing.</li> <li>• Provide requirements for these posted notices, including fees, sign sizes, posting locations, timing, and sign removal and maintenance.</li> </ul>

		<ul style="list-style-type: none"> <li>Require the applicant to post at least one four-foot by eight-foot project information sign per street frontage on the project site for certain types of project applications within sixty (60) days of filing a development application, or within thirty (30) days of receipt of notice that the application requires a public hearing.</li> <li>Require the applicant to post a notice of public hearing sign on the previously posted project information sign at least ten (10) days prior to the hearing.</li> </ul>
1, 2, 3, 5, 6	14.08 (Electric Vehicle Charging and Hydrogen-Fueling Stations) 20.00 (General Provisions) 20.08 (Development Standards) 20.11 (Permitted Land Uses)	<p><b>Hydrogen-Fueling Stations Expedited Review Process:</b> The proposed amendments would include the following revisions to BCC Chapter 14.08 to provide for a process for expedited permitting of hydrogen-fueling stations to comply with the newly enacted Senate Bill 1418 (SB 1418):</p> <p><b>BCC Chapter 14.08 Updates:</b></p> <ul style="list-style-type: none"> <li>Update existing references and requirements in the chapter to refer to both electric vehicle charging stations and hydrogen-fueling stations.</li> <li>Update definitions section to include a definition for hydrogen-fueling stations.</li> <li>Update referenced permitting guidebooks to be consistent with State law.</li> <li>Include new subsection with requirements for hydrogen-fueling stations.</li> </ul> <p><b>Updates in other code sections:</b></p> <ul style="list-style-type: none"> <li>Update the definitions chapter to include a Hydrogen-Fueling Stations land use definition.</li> <li>Update Automotive, Service Stations land use to not include hydrogen-fueling stations.</li> <li>Include parking stall standards for hydrogen-fueling stations.</li> <li>Update the City's off-street parking regulations to include off-street parking requirements for hydrogen-fueling stations.</li> <li>Update the City's permitted land uses table to include permitted land uses for hydrogen-fueling stations.</li> </ul>
6, 9, 10, 11	20.11 (Permitted Land Uses) 20.258 (Mixed-Use Zoning Districts)	<p><b>Housing Element Compliance:</b> The proposed amendments would update regulations for Focused Development Sites to be consistent with State law and would also update the Lot Consolidation Incentive Program.</p>

		<p><b>Focused Development Sites:</b></p> <ul style="list-style-type: none"> <li>• Provide a new subsection for Focused Development Sites with the following standards: allow a minimum residential density of twenty (20) dwelling units per acre on these sites, require residential uses in mixed-use development projects on these sites to occupy at least 50 percent of the floor area, and require 100 percent residential use to be allowed on these sites.</li> <li>• Update existing code language in the permitted land uses chapter to specify that the land use “Dwellings, Multiple Family” where 20 percent or more of the dwelling units are affordable to lower income households shall be permitted by right for all Focused Development Sites.</li> </ul> <p><b>Lot Consolidation Incentive Program:</b></p> <ul style="list-style-type: none"> <li>• Update the lot consolidation incentives section to match the title and to include new incentives for increased maximum lot coverage, increased maximum height, and deferred impact fees and permit fees.</li> </ul>
3, 5, 6	20.00 (General Provisions) 20.08 (Development Standards) 20.11 (Permitted Land Uses)	<p><b>Other Updates:</b> The following items have been addressed throughout the code in various chapters and sections:</p> <ul style="list-style-type: none"> <li>• Replace “Development Services Director” with “Community Development Director”.</li> <li>• Remove incorrect reference to Chapter 20.66 in the Development Agreements definition.</li> <li>• Remove inconsistent references to the M-2 Zone in the special provisions section for the Religious Assembly use.</li> <li>• Correct grammatical errors and update general consistencies.</li> </ul>

CITY OF BREA

**PLANNING COMMISSION NOTICE OF PUBLIC HEARING FOR ZONING ORDINANCE TEXT AMENDMENT NO. 2025-03**

**NOTICE IS HEREBY GIVEN** by the City of Brea that a public hearing will be held at a Planning Commission Meeting on **Tuesday, October 28, 2025 at 6:00 P.M.**, or as soon thereafter as the matter can be heard, in the Council Chambers of the City of Brea Civic & Cultural Center, 1 Civic Center Circle, Brea, California 92821, in accordance with State Law and the Brea City Code, to consider the following application:

**REQUEST:** The City of Brea requests approval of the following entitlements: Zoning Ordinance Text Amendment (ZOTA) No. 2025-03 to amend the Chapters 14.08, 20.00, 20.08, 20.11, 20.24, 20.216, 20.258, 20.408, 20.412, 20.416. The purpose of this zoning ordinance text amendment is to: 1) improve consistency in the permitted land uses table, definitions, and parking, including the modernization of certain land use classifications; 2) clarification of development standards for new construction; 3) update findings for specific applications (variances, administrative remedies); 4) enhance opportunities for public noticing; 5) compliance with state legislation (SB 1418); 6) compliance with housing laws; and 7) clarify certain zoning ordinance provisions and address existing grammatical errors, incorrect references, and internal inconsistency.

**LOCATION:** Citywide

**ENVIRONMENTAL:** The project has been assessed in accordance with the California Environmental Quality Act (CEQA) Guidelines and the environmental regulations of the City. The proposed zoning code text amendments are exempt from the requirements of the CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

***ALL INTERESTED PERSONS ARE INVITED TO ATTEND SAID HEARING AND EXPRESS OPINIONS ON THE MATTERS OUTLINED ABOVE. FURTHER INFORMATION MAY BE OBTAINED BY CALLING THE PLANNING DIVISION AT (714) 990-7674 OR BY EMAIL AT [PLANNER@CITYOFBREA.GOV](mailto:PLANNER@CITYOFBREA.GOV).***

**IF YOU CHALLENGE PROJECT AND RELATED ENVIRONMENTAL DETERMINATIONS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE, DELIVERED TO THE COMMISSION AT, OR PRIOR TO, THE PUBLIC HEARING.**

Jason Killebrew  
Assistant City Manager/Community Development Director  
Date: 10/7/2025 Publish: 10/16/2025