



**MONTCLAIR
REGULAR MEETING OF THE
MONTCLAIR PLANNING COMMISSION**

to be held in the Council Chambers
5111 Benito Street, Montclair, California

Monday, December 11, 2023
7:00 P.M.

Remote Participation Information:

Zoom Link: <https://zoom.us/j/95858571900>

Dial Number: 1-(669)-900-6833

Meeting ID: 95858571900

*To make a public comment or speak on an agenda item, including a public hearing, please complete a Speaker Card located in the Council Chambers or online before the meeting at <https://www.cityofmontclair.org/public-comment/>. Written comments (200-word limit per agenda item and 200-word limit for all non-agenda items combined) and requests to speak can also be emailed to pcclerk@cityofmontclair.org at least one hour before the meeting begins. The chair (or the meeting's Presiding Officer) will call on those who submitted requests to speak at the appropriate time during the meeting. Those participating remotely may request to speak using the "raise hand" function in Zoom (dial *9 if on the phone, and then *6 to un-mute when called on to speak).*

Please be advised that those participating via Zoom do so at their own risk. The meeting will not be suspended or cancelled if any technical issues occur during the meeting.

AGENDA

- 1. **CALL TO ORDER**
- 2. **PLEDGE OF ALLEGIANCE**
- 3. **ROLL CALL**
- 4. **APPROVAL OF MINUTES**

November 27, 2023

5. **ORAL AND WRITTEN COMMUNICATIONS ON NON-AGENDA ITEMS**

The public is invited to address the Planning Commission regarding any items that are not on the agenda. Comments should be limited to matters under the jurisdiction of the Planning Commission. It is respectfully requested that speakers limit their comments to no more than three minutes in length.

Any person wishing to address the Planning Commission on an agenda or non-agenda item should complete an online public comment form as described above.

6. **AGENDA ITEMS**

A. **CASE NUMBER** 2023-39

Location of Property Single Family Residential Zones

Project Applicant City of Montclair

Project Planner Silvia Gutiérrez

Request:

A request to continue the review of the proposed Zoning Code Amendment to allow Urban Lots Splits and Two-Unit residential projects in single family residential zones in compliance with Senate Bill 9 ("SB 9"). The Planning Commission is requested to continue its review of the item to the regularly scheduled meeting on January 8, 2024

CEQA Determination:

The proposed Zoning Code Amendment Ordinance is exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to California Government Code sections 65852.21, subdivision. (j), and 66411.7, subdivision. (n), the adoption of an ordinance by a city or county implementing the provisions of Government Code section 66411. 7 and 65852.21, which is California's SB 9 Law and which regulates urban lot splits and two-unit projects, is statutorily exempt from the requirements of the California Environmental Quality Act ("CEQA").

7. INFORMATION ITEMS

Although the Planning Commission is prohibited from taking action on or discussing items not on the posted agenda, a member of the Planning Commission may ask for information, request a report back, or place a matter of business on the agenda for a subsequent meeting, ask a question for clarification, make a brief announcement, or briefly, report on his or her own activities, provided the foregoing are related to, or within the jurisdiction of, the Planning Commission.

8. ADJOURNMENT

The next regular meeting of the Planning Commission will be held on January 8, 2024, at 7:00 P.M.

Reports, backup materials, and additional materials related to any item on this Agenda distributed to the Planning Commission after the publication of the agenda packet are available for public inspection on the City's website at www.cityofmontclair.org/agendas or at Montclair City Hall in the Community Development Department located at 5111 Benito Street, Montclair, from 7:00 A.M. to 6:00 P.M., Monday through Thursday.

If you need special assistance to participate in this meeting, please call (909) 625-9477 or e-mail pcclerk@cityofmontclair.org. Notification prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

CERTIFICATION OF AGENDA POSTING

I, Michael Diaz, Secretary of the Montclair Planning Commission, hereby certify that a copy of this agenda was posted on the bulletin board adjacent to the north door of Montclair City Hall on December 7, 2023.



CASE NUMBER 2023-39

APPLICATION TYPE(S)	Zoning Code Amendment
NAME OF APPLICANT	City of Montclair
LOCATION OF PROPERTY	Citywide
ENVIRONMENTAL DETERMINATION	Exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h)
PROJECT COORDINATOR	Silvia Gutiérrez

This item was originally scheduled to be reviewed by the Planning Commission on November 27, 2023, and continued to December 11, 2023, meeting however, staff is requesting this item to be continued to allow additional refinement of the proposed Ordinance No. 24-1007 to address state mandates pursuant to Senate Bill 9 ("SB 9").

SB 9 requires ministerial approval of the following changes to existing single-family residential properties by allowing:

- Two-unit Housing Development - Two homes on a single-family residential parcel.
- Urban Lot Split - A one-time subdivision of an existing single-family residential parcel into two parcels.

Planning Division Recommendation

Staff recommends the following action:

1. Move to approve the request to continue the review of proposed Ordinance No. 24-1007 to the Planning Commission's regularly scheduled meeting on January 8, 2024.

