

## Measure U (Ordinance No. 123) – Residential Density Increase Limitations

Measure U was adopted on November 23, 1999, as a result of the approval by a sufficient number of affirmative votes of the Save Our Canyon Initiative at a Special Municipal Election held on November 2, 1999. Pursuant to the Ordinance, its text is incorporated into the Land Use Plan as follows.

The maximum density of any land designated for residential density shall not exceed the density established by the Chino Hills Specific Plan, the Chino Hills General Plan, the Zoning Map, or any finalized development agreements in place prior to the passage of the Initiative. Any increase in density greater than that specified above must be approved by a majority vote of the electorate of the City. However, the City Council of the City of Chino Hills may reduce the density of any land designated for residential use. Notwithstanding the foregoing, the City Council may increase residential density as necessary to meet the City's minimum mandated Housing Element requirements as set forth in California Government Code §65580, et seq., as amended from time to time, including, without limitation, the City's share of regional housing needs. Any land within the City designated for a non-residential use shall not be converted to a residential use without a majority vote of the electorate of the City. Notwithstanding the foregoing, the City Council may increase residential density as necessary to meet the City's minimum mandated Housing Element requirements as set forth in *Government Code* §65580 et seq., as amended, from time to time without limitation, the City's share of regional housing needs. The City Council may also redesignate non-residential property to residential property as part of a simultaneous transfer of zoning designations between residential and non-residential properties provided that the net effect of the transfer does not increase the total number of residential units allowed on the properties in the transfer. Additionally, while transfers of land use designations within a planned development shall be permitted in accordance with the transfer standards contained in this paragraph, planned development zoning cannot be transferred to any other property in the City.

### 1. Measure U Implementation Policies

Measure U allows for the transfer of residential densities subject to the following criteria.

- Maximum residential densities for properties are established by the November 2, 1999 General Plan, the Zoning Map or any then-applicable finalized development agreement.<sup>1</sup>
- Residential densities may be transferred as part of a simultaneous transfer of General Plan and zoning designations between properties.
- Residential density transfers may involve multiple donor and recipient sites.
- The net effect of a residential transfer may not increase the total number of residential units allowed on the properties in the transfer.
- Transfers of land use designations within a planned development shall be permitted, but planned development zoning cannot be transferred to any other property in the City.
- Measure U allows for an increase in residential densities as needed to meet the City's minimum mandated Housing Element requirements relative to the City's share of regional housing needs.

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<sup>1</sup> The Chino Hills Specific Plan was explicitly repealed on October 10, 1995 by the City Council (Resolution 95R-57) prior to the adoption of the General Plan, so its limits were not in effect as of November 2, 1999 and are therefore not a consideration in determining maximum densities as of that date.