

## URGENCY ORDINANCE 1311

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, CALIFORNIA, APPROVING ZONE CHANGE 24-02 AND MUNICIPAL CODE TEXT AMENDMENT 24-07, A REQUEST TO CHANGE THE ZONING DESIGNATION OF VARIOUS PARCELS WITHIN THE BOUNDARIES OF THE PROPOSED DOWNTOWN SPECIFIC PLAN, AND AMEND TITLE 18 TO CREATE A NEW DOWNTOWN SPECIFIC PLAN CHAPTER, AMEND CHAPTER 18.140 CREATIVE GROWTH ZONE, AND ASSOCIATED CLEAN UP ITEMS AS REQUIRED, ALONG WITH AN ENVIRONMENTAL IMPACT REPORT FOR THE APPROVAL OF THE DOWNTOWN SPECIFIC PLAN WHICH WILL ESTABLISH PLANNING AND ZONING FRAMEWORK FOR THE DEVELOPMENT AND REDEVELOPMENT OF THE DOWNTOWN OVER THE NEXT 20 YEARS.**

**WHEREAS**, a Zone Change and Municipal Code Text Amendment (Amendments) have been duly initiated by the City of San Dimas; and

**WHEREAS**, the Amendments are required to amend the zoning designations of various parcels within the boundaries of the proposed Downtown Specific Plan, amend Title 18 to create a new Downtown Specific Plan chapter, amend Chapter 18.140 Creative Growth Zone, and associated clean up items as required, along with an Environmental Impact Report for the approval of the Downtown Specific Plan (Project) which will establish planning and zoning framework for the development and redevelopment of the downtown area over the next 20 years; and

**WHEREAS**, the Amendments would affect all parcels located within the boundaries of the proposed Project; and

**WHEREAS**, the City, pursuant to State Housing Law, is required to update the Housing Element of the City's General Plan every eight years and includes the Housing Sites Inventory which represents the sites that will be available to address the City's RHNA allocation; and

**WHEREAS**, on September 1, 2022, the Planning Commission recommended approval of the Housing Element, which included the Housing Sites Inventory, to the City Council, and on September 27, 2022, the City Council voted 5-0 to adopt the Housing Element for the 2021-2029 planning period; and

**WHEREAS**, of 14 sites identified in the Housing Element's Housing Sites Inventory, 11 are located within the Project boundaries and rezoning of these sites will keep the City in compliance with the Housing Element; and

**WHEREAS**, the proposed Amendments are a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*, herein referred to as "CEQA"); and

**WHEREAS**, pursuant to and in accordance with the provisions of the CEQA, the State of California Guidelines for the Implementation of the California Environmental Quality Act (commencing with Section 15000 of Title 14 of the California Code of Regulations; herein referred

to as the “CEQA Guidelines”), the City is the “lead agency” for the preparation and consideration of environmental documents for the proposed Project; and

**WHEREAS**, a Draft Environmental Impact Report (Draft EIR) was prepared in accordance with CEQA Guidelines to identify and evaluate potential environmental impacts of the proposed Project; and

**WHEREAS**, in accordance with CEQA Guidelines, a Notice of Preparation (NOP) was circulated for a 30-day public review starting on November 2, 2022 through December 2, 2022 to public agencies, organizations, and interested individuals; and

**WHEREAS**, on November 16, 2022, a scoping meeting was held to seek input from public agencies and the general public regarding the potential environmental impacts of the proposed Project. The City received no comments/ questions with environmental concerns during the scoping meeting; and

**WHEREAS**, the Draft EIR was circulated for a 45-day public/responsible agency review on June 7, 2024 through July 22, 2024 and was also made available for review on the City’s website at [www.sandimasca.gov](http://www.sandimasca.gov). At the beginning of the public review period, a Notice of Completion was submitted to the State Clearinghouse (SCH No. 2022110018), and a Notice of Availability was published in the inland Valley Daily Bulletin pursuant to CEQA Guidelines. During the review period, the City received two comment letters and are included in the Response to Comments section of the Environmental Impact Report; and

**WHEREAS**, the City subsequently prepared a Final EIR pursuant to CEQA Guidelines Sections 15088 and 15132, which includes the Draft EIR, Response to Comments, Mitigation Monitoring Reporting Program, as well as appendices of the aforementioned documents. A complete copy of the Final EIR is on file and can be viewed in the Community Development Department at 245 E. Bonita Avenue, San Dimas, California, and on the City’s website at [www.sandimasca.gov](http://www.sandimasca.gov); and

**WHEREAS**, the Planning Commission, at a special and noticed public hearing on September 5, 2024, heard evidence and voted 5-0 recommending that the City Council certify the Final EIR and the Mitigation Monitoring and Reporting Program, and recommended approval to the City Council of Zone Change 24-02, and Municipal Code Text Amendment 24-07, along with General Plan Amendment 24-02; and

**WHEREAS**, notice was duly given of the public hearing on the matter and that public hearing was held on September 24, 2024 at the hour of 7:00 p.m. with all testimony received being made part of the public record; and

**WHEREAS**, the City Council has carefully and independently reviewed and considered all of the evidence presented with respect to the Final EIR and the Mitigation Monitoring and Reporting Program, the General Plan Amendment, Zone Change, and Municipal Code Text Amendment and to hear and consider evidence for and against the proposed Project and related actions and to investigate and make findings and recommendations in connection therewith, and voted 5-0 to certify the Final EIR and the Mitigation Monitoring and Reporting Program, and to approve General Plan Amendment 24-02, Zone Change 24-02, and Municipal Code Text Amendment 24-07 utilizing the Reduced Intensity Alternative of the Downtown Specific Plan analyzed in the Final EIR; and

**WHEREAS**, the Reduced Intensity Alternative of the Downtown Specific Plan would reduce the residential dwelling unit intensity of the Transit Village subarea from 40 units per acre to 30 units per acre, resulting in 196 fewer dwelling units, and would allow for a potential residential development of 3,185 residential units within the boundaries of the Downtown Specific Plan; and

**WHEREAS**, pursuant to Government Code § 36937, subdivision (b), any ordinance for the immediate preservation of the public peace, health, or safety, containing a declaration of the facts constituting the urgency, that is passed by a four-fifths (4/5) vote of the City Council, shall take effect immediately upon its adoption; and

**WHEREAS**, the City Council seeks and intends to protect the health, safety, and welfare of the residents of the City of San Dimas by adopting the Amendments which will facilitate the approval and implementation of the Downtown Specific Plan (DTSP), and allow the City to stay in compliance with the City's Housing Element and State law.

**NOW, THEREFORE**, in consideration of the evidence received at the hearing, and for the reasons discussed by the Council at the hearing, including written and oral staff reports, together with public testimony, the City Council now finds as follows:

- A. The proposed Amendments will not adversely affect adjoining property as to value, precedent or be detrimental to the area.

The proposed amendments will create the Downtown Specific Plan (DTSP), a planning document that will guide the City's growth through development and redevelopment of the downtown area over the next 20 years. The DTSP will establish planning and zoning framework that will encourage innovative, transit-oriented development while preserving the character of the historic town core. The plan would allow new housing, retail, mixed-use, employment, entertainment and hospitality uses within the project area, oriented around the new A-Line light rail station. In addition, the plan will include development standards, land use regulations and design guidelines to ensure quality and responsible development of the downtown area. The boundaries of the DTSP and the document's development standards were strategically created to provide protections to existing single-family neighborhoods and other adjoining properties. In addition, the proposed amendments are consistent with the City's Housing Element and will help complete the rezoning of the City's Housing Inventory Sites to accommodate the City's RHNA allocation for the 2021-2029 planning period. Lastly, the goals of the DTSP are aimed at encouraging a broader mix of land uses, while maintaining the human-scale and historic character of downtown, improving the economic base of the City, creating vibrant and safe public spaces encouraging new residential development, and providing a variety of mobility options for the first and last mile connections to the future A-Line Light Rail transit station, which will improve the areas within the DTSP, which will benefit the City as a whole and not be detrimental to the any area.

- B. The proposed Amendments will further the public health, safety and general welfare.

The proposed amendments will facilitate the approval and implementation of the Downtown Specific Plan (DTSP), which is intended to build upon and reimagine the City's downtown by breathing additional life and activity into the commercial center of the City by proposing new housing, retail, mixed-use, employment, entertainment, and hospitality uses to activate the area. In addition, as required per CEQA guidelines, an Environmental

Impact Report was prepared for the Project to assess all the potential impacts from the Project. Impacts related to cultural resources, geology and soils, noise, and tribal cultural resources were determined to be significant prior to mitigation and less than significant with implementation of proposed mitigation measures. Impacts related to air quality impacts associated with construction and operational emissions with implementation of the proposed DTSP would not be able to be mitigated to less than significant. However, it's important to note that air quality thresholds are developed by SCAG (Southern California Association of Governments) for evaluation of individual development projects and, for this reason, the emissions estimated for plans like the DTSP will usually exceed these thresholds. Furthermore, the DTSP is a planning document to guide development and no specific development projects are proposed at this time. The DTSP would not directly enable or entitle construction or development activities and all future development within the proposed DTSP area will be subject to existing regulations, including adopted air quality standards, and subsequent environmental review under CEQA.

In addition, pursuant to CEQA Guidelines, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The City finds that "specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR." Therefore, while the Project would result in impacts related to Air Quality, due to SCAG's methodology, the CEQA findings, attached as Exhibit B to Resolution 2024-68, approved separately, provides the rationale for carrying out the Project.

C. The proposed Amendments are consistent with the General Plan.

The proposed amendments, which consist of amending the land use designations of various parcels within the boundaries of the Downtown Specific Plan (DTSP), and amend Title 18 to create a new Downtown Specific Plan chapter for the creation of a new DTSP, and amend Chapter 18.140 Creative Growth Zone, along with associated clean up items a required, will allow the DTSP to be implemented. The proposed DTSP will be consistent with and expand upon the existing Downtown Mixed Use land use designation which is intended to provide a flexible land use in certain areas near the downtown area to provide the ability for developments that will strengthen the downtown area by including housing with commercial and office developments. The proposed amendments will be consistent with the Downtown Mixed Use land use designation by encouraging ground floor, pedestrian oriented, commercial, services and office uses with upper floors of residential uses. In addition, the proposed amendments are consistent with the City's Housing Element and will complete the rezoning of the City's Housing Inventory Sites to accommodate the City's RHNA allocation for the 2021-2029 planning period. Lastly, the proposed amendments will be consistent with the following General Plan goals and policies:

Land Use Element

Policy LU-6.1: Give priority for redevelopment activities to declining areas within the City, particularly the Town Core and Puddingstone Center.

Policy LU-6.1.2: Encourage office and mixed uses to increase the day time population of Downtown to support the retail and service establishment such as restaurants and other businesses in Downtown.

Policy LU-6.1.3: Encourage night time activity such as restaurant and entertainment in Downtown.

Policy LU-9.1.3: Direct future development in a cohesive manner and promote the visual identity of the City's important districts such as the Town Core, Civic Center, and Downtown.

#### Housing Element

Policy HE-2.1: Adequate Sites. Provide opportunities for new housing that responds to community needs in terms of housing type, cost, and location by providing appropriate zoning and development standards.

Policy HE-2.2: Mixed Use. Promote the efficient use of land by encouraging commercial and residential uses on the same property in both horizontal and vertical mixed-use configurations.

Policy HE-2.4: Downtown Housing. Provide and actively facilitate opportunities for the development of mixed use and infill housing in downtown San Dimas as part of the City's ongoing revitalization strategy for the area.

Policy HE-3.3: Flexibility in Standards. Provide flexibility in development and design standards to accommodate new models and approaches to encourage mixed uses, live/work, accessory dwellings, and other types of housing.

### **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS DOES ORDAIN AS FOLLOWS:**

**SECTION 1. ADOPTION.** Zone Change 24-02 amending the zoning designations as set forth in Exhibit B, and Municipal Code Text Amendment 24-07 amending Title 18 as set forth in Exhibit C, subject to compliance with Conditions in Exhibit A, attached hereto and incorporated herein, are hereby adopted.

**SECTION 2. SEVERABILITY.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

**SECTION 3. CEQA DETERMINATION.** The City Council hereby finds and determines pursuant to the California Environmental Quality Act (CEQA), that the City prepared a Draft EIR for the proposed Downtown Specific Plan and was circulated for a 45-day public/responsible agency review on June 7, 2024 through July 22, 2024 and was also made available for review on the City's website at [www.sandimasca.gov](http://www.sandimasca.gov). The City subsequently prepared a Final EIR pursuant to CEQA Guidelines Sections 15088 and 15132, which includes the Draft EIR, Response to

Comments, Mitigation Monitoring Reporting Program, as well as appendices of the aforementioned documents.

Pursuant to CEQA guidelines, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The Final EIR has identified that impacts related to Air Quality would be significant and unavoidable with imposition of all feasible mitigation, and pursuant to CEQA Guideline Section 15091 the City has found that "specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR" and provide the rationale for carrying out the Project. On September 24, 2024, the City Council, through the adoption of Resolution 68, approved separately, certified that the Final EIR is adequate and in compliance with the California Environmental Quality Act (CEQA), and adoption of the CEQA findings of fact, the statement of overriding considerations with respect to certain significant adverse environmental impacts identified in the Final Environmental Impact Report, and the Mitigation Monitoring Program for the approval of the Downtown Specific Plan.

#### **SECTION 4. URGENCY FINDINGS**

- A. San Dimas, along with all local governments in California, must prepare a housing element to meet its local housing needs, and provide proactive goals, policies, and programs to facilitate the development, improvement, and preservation of housing commensurate with the housing need established by the city, regional government, and the State of California. In addition, California law requires that all local governments develop housing programs, as part of their Housing Element, to meet their "fair share" of existing and future housing needs for all income groups.
- B. According to SCAG, San Dimas's housing stock is expected to increase to 14,051 units by 2030, consistent with the city's share of the regional housing need for 2021-2029. The majority of growth is anticipated to be multiple-family developments around the downtown and infill single-family developments. The Downtown Specific Plan, which includes a majority of the Housing Element Housing Inventory Sites, will allow for the development of multi-family development within the City's Downtown area and provide a means to meet the City's RHNA allocation for the 2021-2029 planning period.
- C. The City's housing stock is primarily single-family homes with a shortage of apartments and other housing types that serve low and/or moderate income city residents. The proposed Downtown Specific Plan, which will allow multi-family development throughout the plan except for parcels zoned Open Space and Public/Semi-Public, will facilitate the development of sufficient housing to alleviate City and regional needs.
- D. Approval of the urgency ordinance allows the zone changes and municipal code text amendments to be effective immediately which will facilitate the approval and implementation of the Downtown Specific Plan. The Downtown Specific Plan, which includes 11 of the 14 Housing Inventory Sites, will allow the City to meet deadlines set forth in the City's Housing Element and stay in compliance with the Housing Element and

State law. The deadline stated in the City's Housing Element for adoption of the necessary zoning map and text amendments is September 27, 2024.

- E. Pursuant to the California Housing Accountability Act, cities that are found to be out of compliance with their Housing Element are subject to Builder's Remedy, amongst other penalties, which allows developers to build certain residential and mixed-use projects, even if they conflict with the City's zoning standards. Density, height, parking, and other standards that regulate the development would not be applicable. In addition, these residential developments would not be limited to residential zones; they could also be developed on properties zoned for commercial and offices uses. Builders Remedy projects will lead to various negative impacts including, but not limited to, loss of local control, sprawl development, disruption of established neighborhoods, and development that is not compatible with the high level of architectural quality that San Dimas is known for. Thus, adopting the urgency ordinance will prohibit this from happening.
- F. Adopting the urgency ordinance is for the immediate preservation of the public peace, health, or safety of the residents of the City of San Dimas, as it ensures the City stays in compliance with the Housing Element and State law, and avoids falling into situation where Builder's Remedy projects would be allowed.

**SECTION 5. POSTING.** The City Clerk shall certify the passage and adoption of this Ordinance by the City Council and shall cause this ordinance to be published or posted in accordance with Government Code section 36933 or as required by law.

**SECTION 6. EFFECTIVE DATE.** Pursuant to Government Code section 36937, this Urgency Ordinance shall take effective immediately upon approval of the same by a four fifths (4/5) affirmative vote of the City Council.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of San Dimas this 24<sup>th</sup> day of September, 2024, by the following vote:

**AYES:** Badar, Bratakos, Nakano, Vienna, Weber  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

\_\_\_\_\_  
Emmett G. Badar, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Debra Black, City Clerk

\_\_\_\_\_  
Jeff Malawy, City Attorney

I, DEBRA BLACK, CITY CLERK of the City of San Dimas, do hereby certify that Urgency Ordinance 1311 was approved and adopted at a regular meeting of said City Council held on the 24 day of September, 2024.

\_\_\_\_\_  
Debra Black, City Clerk



## **Exhibit A**

### Conditions of Approval for

General Plan Amendment 24-02, Zone Change 24-02, and Municipal Code Text Amendment 24-07 to amend the land use and zoning designations of parcels within the boundaries of the proposed Downtown Specific Plan, and to amend Title 18 to create a chapter for the creation of a new Downtown Specific Plan and associated clean up items as required.

The Mitigation Monitoring and Reporting Program (MMRP) for the San Dimas Downtown Specific Plan Project is included in the Final EIR, and are intended to ensure the successful implementation of the mitigation measures. The mitigation measures consist of:

### **Air Quality Mitigation Measures**

1. **MM AQ-1:** Conduct project specific air quality analysis. The City shall require future projects that are subject to discretionary approval and that are not found to be exempt from CEQA review to evaluate potential air quality impacts as part of project-level CEQA analysis and implement respective mitigation measures to minimize impacts that exceed SCAQMD thresholds.
2. **MM AQ-2:** Prior to the issuance of any construction related permits, the Project Applicant shall prepare and implement a worker training program that describes the potential health hazards associated with Valley Fever, common symptoms, proper safety procedures to minimize health hazards, and notification procedures if suspected work related symptoms are identified during construction. Additionally, this training program shall include worker training on the implementation requirements of the SCAQMD approved Dust Control Plan. Copies of the training program shall be provided to the City of San Dimas Planning Division. The worker training program shall identify safety measures to be implemented by construction contractors during construction. These measures shall include the following:
  - a. HEPA-filtered, air-conditioned enclosed cabs shall be provided on heavy equipment when available. Workers shall be trained on the proper use of cabs, such as turning on air conditioning prior to using the equipment;
  - b. Communication methods, such as two-way radios, shall be provided for use by workers in enclosed cabs;
  - c. Personal protective equipment (PPE), such as half-mask and/or full-mask respirators equipped with particulate filtration, shall be provided to workers active in dusty work areas upon request;
  - d. Separate, clean eating areas with hand-washing facilities shall be provided for construction workers;
  - e. Equipment, vehicles, and other items shall be cleaned before they are moved off-site to other work locations.
3. **MM AQ-3:** Construction Equipment. The project applicant for individual developments or projects envisioned in the DTSP shall ensure the following requirements are incorporated into applicable bid documents, purchase orders, and contracts. Contractors shall confirm the ability to supply the compliant construction equipment prior to any ground-disturbing and construction activities:
  - a. Mobile off-road construction equipment (wheeled or tracked) greater than 50 hp used during construction of the project shall meet the U.S. EPA Tier 4 final

standards. In the event of specialized equipment use where Tier 4 equipment is not commercially available at the time of construction, the equipment shall, at a minimum, meet the Tier 3 standards. Zero-emissions construction equipment may be incorporated in lieu of Tier 4 final equipment. A copy of each equipment's certified tier specification or model year specification shall be available to the City upon request at the time of mobilization of each piece of equipment.

- b. Mobile off-road construction equipment less than 50 hp used during construction of the individual projects shall be electric or other alternative fuel type. A copy of each unit's certified tier specification or model year specification shall be available to the City upon request at the time of mobilization of each applicable unit of equipment.
  - c. Electric hook-ups to the power grid shall be used instead of temporary diesel- or gasoline powered generators, whenever feasible during construction of development or projects envisioned in the DTSP. If generators need to be used, the generators shall be non-diesel generators.
4. **MM AQ-4:** Before occupancy of new structures within the Project Site, the applicant for an individual development project within the DTSP Area must provide to the Director of Community Development of the incorporation of low-emission technology including solar water heaters, air-source heat pump, natural gas, and/or gas boosted solar as deemed appropriate by future project specific analysis.

#### **Cultural Resources Mitigation Measures**

5. **MM CUL-1: Historical Resources Evaluation.** During review of applications for individual development projects in the DTSP area, the City shall confirm the presence of historical resources with the potential to be impacted by the proposed project. If the property on which the project or development is proposed is not currently designated but contains built environment features over 45 years of age, a historical resources evaluation shall be prepared by an architectural historian or historian who meets the Secretary of the Interior's (SOI) Professional Qualification Standards (PQS) in architectural history or history (36 Code of Federal Regulations Part 61). The qualified architectural historian or historian shall conduct an intensive-level survey and perform the historical evaluation in accordance with the guidelines and best practices promulgated by the California Office of Historic Preservation (OHP). Properties shall be evaluated within their historic context and documented in a report meeting the California OHP guidelines. All evaluated properties shall be documented on California Department of Parks and Recreation Series 523 Forms. The report with attached DPR forms shall be submitted to the City for review and concurrence.
6. **MM CUL-2:** Prior to obtaining a building permit for any structure that would modify a structure included on the City's list of historic resources, a Historical Resource Documentation Report shall be prepared by an architectural historian or historian who meets the Secretary of the Interior's (SOI) Professional Qualification Standards (PQS) in architectural history or history (36 Code of Federal Regulations Part 61) that demonstrates that all modifications will be designed and implemented in compliance with the Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings and/or the State Historical Building Code, as appropriate.

#### **Geology and Soils Mitigation Measures**

7. **MM GEO-1: Unanticipated Discovery of Paleontological Resources.** In the event an unanticipated fossil discovery is made during project development, work in the immediate vicinity of the find shall be stopped, and a qualified professional paleontologist shall be retained to evaluate the discovery, determine its significance, and identify if mitigation or treatment is warranted. Significant paleontological resources found during construction monitoring shall be prepared, identified, analyzed, and permanently curated in an approved regional museum repository. Work around the discovery shall only resume once the find is properly documented and authorization is given to resume construction work.

### Noise Mitigation Measures

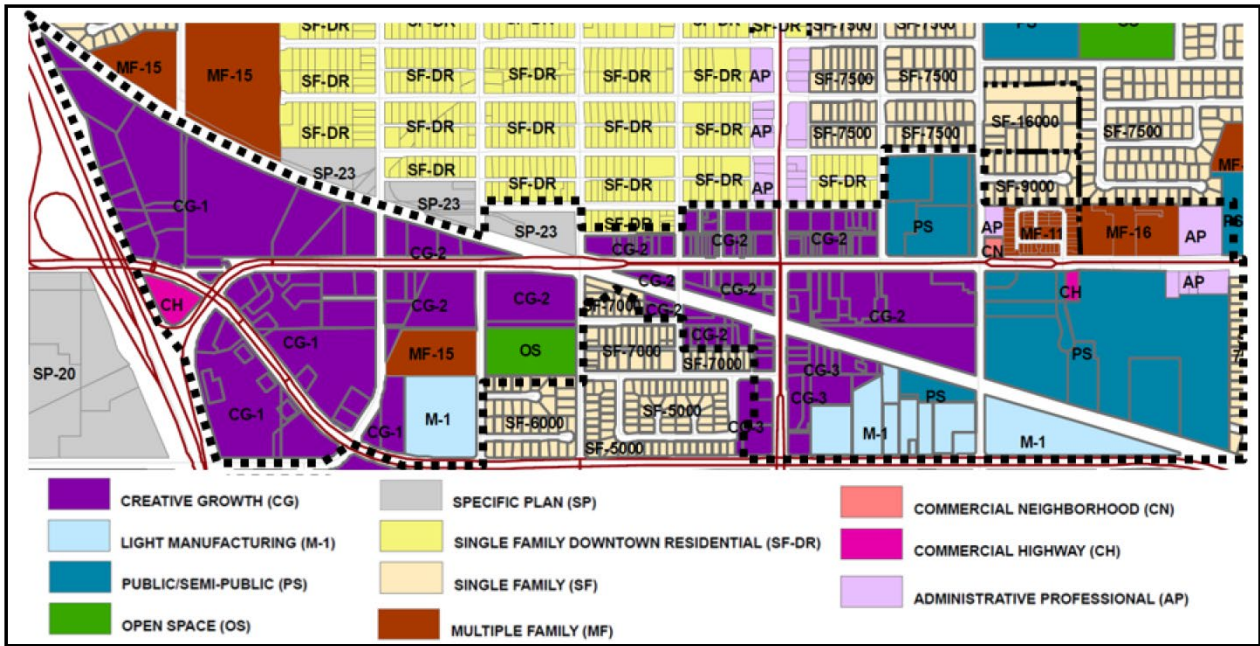
8. **MM N-1:** Prior to the issuance of grading permits, the Applicant for a development project in the DTSP area or their designee shall develop a Construction Noise Reduction Plan to minimize construction noise at nearby noise sensitive receptors. The Construction Noise Reduction Plan shall be developed in coordination with a certified acoustical consultant and the Project construction contractors and shall be approved by the City of San Dimas. The Construction Noise Reduction Plan shall outline and identify noise complaint measures, best management construction practices, and equipment noise reduction measures. The Construction Noise Reduction Plan shall include, but is not limited to, the following actions:
  - a. Construction equipment shall be properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (i.e., mufflers, silencers, wraps, etc.).
  - b. Noise construction activities whose specific location on the DTSP area may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as feasibly possible from the nearest noise sensitive land uses.
  - c. If feasible, schedule grading activities so as to avoid operating numerous pieces of heavy-duty off-road construction equipment (e.g., backhoes, dozers, excavators, loaders, rollers, etc.) simultaneously in close proximity to the boundary of properties of off-site noise sensitive receptors surrounding the DTSP area to reduce construction noise levels by approximately 5 to 10 dB.
  - d. Shroud or shield all impact tools, and muffle or shield all intake and exhaust port on power equipment to reduce construction noise by 10 dB or more.
  - e. Where feasible, temporary barriers, including but not limited to, sound blankets on existing fences and walls, or freestanding portable sound walls, shall be placed as close to the noise source or as close to the receptor as possible and break the line of sight between the source and receptor where modeled levels exceed applicable standards. Noise barriers may include, but is not necessarily limited to, using appropriately thick wooden panel walls (at least 0.5-inches thick). Such barriers shall reduce construction noise by 5 to 10 dB at nearby noise-sensitive receptor locations. Alternatively, field-erected noise curtain assemblies could be installed around specific equipment sites or zones of anticipated mobile or stationary activity. The barrier material is assumed to be solid and dense enough to demonstrate acoustical transmission loss that is at least 10 dB or greater than the estimated noise reduction effect. These suggested barrier types do not represent the only ways to achieve the indicated noise reduction in dB; they represent examples of how such noise attenuation might be attained by this measure.
  - f. Implement noise compliant reporting. A sign, legible at a distance of 50 feet, shall be posted at the Project construction site, providing a contact name and a

telephone number where residents can inquire about the construction process and register complaints. This sign will indicate the dates and duration of construction activities. In conjunction with this required posting, a noise disturbance coordinator will be identified to address construction noise concerns received. The contact name and the telephone number for the noise disturbance coordinator will be posted on the sign. The coordinator will be responsible for responding to any local complaints about construction noise and will notify the County to determine the cause and implement reasonable measures to the complaint, as deemed acceptable by the City.

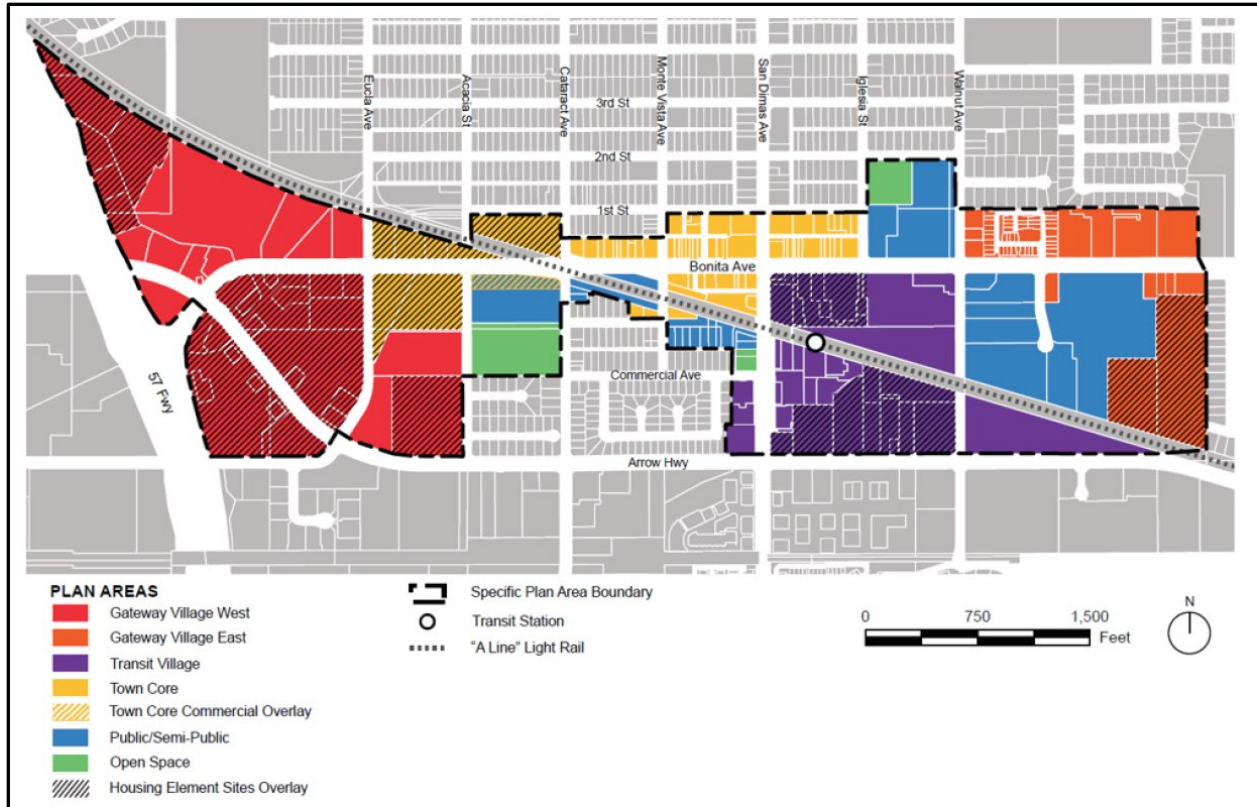
**END OF CONDITIONS**

## Exhibit B

### Zone Changes



Existing Zoning Designations



## Proposed Zoning Designations

### Exhibit C

## Title 18 Changes

New text is in blue underlined

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New Chapter Created

Chapter 18.50

DOWNTOWN SPECIFIC PLAN

### Sections:

- 18.50.010 Purpose.
- 18.50.020 Applicability of specific plan.
- 18.50.030 Specific plan zoning designations.
- 18.50.040 Land use and development standards.
- 18.50.050 Amendments to specific plan.
- 18.50.060 Enforcement and penalties.

18.50.010 Purpose.

The Downtown Specific Plan is established through the authority granted to the City of San Dimas by California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457 (Specific Plans). As expressed in California law, Specific Plans may be adopted either by ordinance or resolution and are intended to provide the vision, zoning standards and design guidelines, infrastructure design, and implementation procedures for all land within the plan area. Any ministerial or discretionary approval related to properties within the boundaries of the Downtown Specific Plan must be consistent with the Downtown Specific Plan. The Downtown Specific Plan document shall be referenced by title and be available for viewing on the City's Community Development webpage and upon request at the at City's Planning Division.

18.50.020 Applicability of specific plan.

The Downtown Specific Plan shall govern all uses and development of properties within the boundaries of the Specific Plan, as identified in the Specific Plan.

18.50.030 Specific plan zoning designations.

The planning area has been divided into six sub-areas (zoning) for understanding its existing urban form and character, and potential for change. Characteristics vary among the areas that reflect land use, building scale, architectural style, and other factors. The sub-areas within the Specific Plan consist of Gateway Village West, Gateway Village East, Transit Village, Town Core, Public/Semi-Public and Open Space. The Plan also includes two overlays; Town Core Commercial Overlay and Housing Element Sites Overlay.

18.50.040 Land use and development standards

The Downtown Specific Plan establishes the land use regulations and development standards applicable to the properties within the Specific Plan. Where any provision of the Specific Plan and the San Dimas Municipal Code appear to be in conflict or for matters on which the Specific Plan is silent, the provisions of the San Dimas Municipal Code shall apply.

18.50.050 Amendments to specific plan.

Amendments to this ordinance and to the Downtown Specific Plan document shall be subject to procedures set forth in Chapter 18.208 of the San Dimas Municipal Code. Amendments for the sole purpose of clarification and which do not add or delete provisions of the Specific Plan may be completed with the approval of the Director of Community Development or designee, and not subject to Chapter 18.208, at the discretion of the Director.

**18.50.60 Enforcement and penalties.**

- A. Any firm, corporation or person, whether as principal, agent, employee or otherwise, violating or causing the violation of any of the provisions of this chapter shall be guilty of a misdemeanor, and any conviction thereof shall be punishable as set forth in Chapter 1.12 of the San Dimas Municipal Code.

- B. Nothing herein shall prevent or restrict the city from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any violation or noncompliance. Such other lawful actions shall include, but shall not be limited to, an equitable action for injunctive relief or an action at law for damages.
- C. Further, nothing in this section shall be construed to prohibit the city from prosecuting any violation of this chapter by means of code enforcement established pursuant to the authority as provided by the laws of the state of California and the city of San Dimas.
- D. Any violation of the provisions of this chapter shall constitute a separate offense for each and every day during which such violation is committed or continued.

## Changes to Chapter 18.140

New text is in blue underlined  
~~Deleted text is in red and strikethrough~~

### C-G CREATIVE-GROWTH ZONE

#### **18.140.010. Purpose.**

The purpose of the creative growth area plan is to promote amenities beyond those expected under conventional planning and development, represented by a commitment to a special architectural theme. This theme was expressed by the city council on August 24, 1970, as "early California village," which represents architectural styles circa 1890's. Developers are required to adopt this theme, in an architecturally creative approach to developing the most marketable and compatible uses possible in this central business district. To implement this plan, specific areas are further defined to integrate compatible uses while maintaining flexibility in commercial investment decisions.

#### **18.140.020. Specific plan.**

The creative growth area plan (hereinafter referred to in this chapter as the "plan") is an instrument for guiding, coordinating and regulating the development of property within the area designated in Exhibit A of this Ordinance, ~~on the area map (hereinafter referred to in this chapter as the "area map"), a copy of which map is on file in the office of the city clerk.~~ The plan replaces the usual zoning regulations. It is a "specific plan" as authorized in Article 8 of Chapter 3 of the state Planning and Zoning Law.

The plan is consistent with and carries out the projections of the general plan of the city. (Ord. 37 § 280.01, 1961; Ord. 673 § 1, 1979)

#### **18.140.040. Plan review.**

- A. No person shall construct any building or structure or enlarge or modify any existing building or structure, make any exterior alterations, or use any property in the creative growth area until approval has been obtained pursuant to Chapter 18.12.

(Ord. 37 § 280.03, 1961; Ord. 673 § 1, 1979; Ord. 1005 § 1 (Exh. A, § 9), 1993)



**18.140.060. Additional findings.**

In reviewing a development plan in the creative growth area, the approving authority shall make the following additional findings:

- A. The architectural character is in conformance with the early California village theme concept with respect to:
  - 1. Size;
  - 2. Color;
  - 3. Materials;
  - 4. Site design and building design.
  
- B. The following elements shall be shown and so arranged that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and that there will be no adverse effect on surrounding property:
  - 1. Buildings, structures and improvements;
  - 2. Vehicular ingress, egress and internal circulation;
  - 3. Setbacks;
  - 4. Height of buildings;
  - 5. Service areas;
  - 6. Walls;
  - 7. Landscaping;
  - 8. Such other elements as are found to be relevant to the fulfillment of the purposes of this zone.

**18.140.090. Uses in specific plan areas.**

Buildings, structures and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the permitted and conditionally permitted uses described in each area, plus such other uses as the director of community development determines to be similar and not more obnoxious or detrimental to the public health, safety and welfare, in accordance with the findings set forth in Section 18.192.040. The determination of the director may be appealed to the development plan review board and, thereafter, the city council, pursuant to Chapter 18.212 of this title. Conditional uses shall be subject to Chapter 18.200 of this title. All uses shall be subject to the property development standards in Section 18.140.100, and shall be located only where designated on the specific plan map ([Exhibit A](#)), ~~which map is on file in the office of the city clerk.~~ All uses and storage shall be conducted within a totally enclosed building with the exception of nursery stock or unless permitted as a conditional use in this zone by conditional use permit pursuant to Chapter 18.200. Uses made nonconforming by the adoption of the ordinance codified in this chapter, or any amendment thereto, may be continued in accordance with Section 18.204.170, provided that there shall be no expansion or change of an existing use that is nonconforming to another nonconforming use, and there shall be

no expansion, change or alteration of any building or structure that is nonconforming on the subject property.

~~A. Area 1—Regional Commercial. The purpose of this area is to take full advantage of excellent freeway access and visibility and to encourage the development of major commercial enterprises, as well as those related to the needs of freeway travelers.~~

~~1. Permitted Uses:~~

- ~~a. Any retail, which is conducted entirely within a totally enclosed building, provided that no business involving the manufacture, fabrication or wholesaling of goods shall be permitted unless it is related, secondary and incidental to another permitted use and receives prior written approval from the director of community development upon finding that it is not more obnoxious or detrimental to the public health, safety and welfare than any other permitted use. Any retail, which is conducted entirely within a totally enclosed building, provided that no business involving the manufacture, fabrication or wholesaling of goods~~
- ~~b. shall be permitted unless it is related, secondary and incidental to another permitted use and receives prior written approval from the director of community development upon finding that it is not more obnoxious or detrimental to the public health, safety and welfare than any other permitted use. The determination of the director of community development may be appealed to the development plan review board and, thereafter, the city council in accordance with Chapter 18.212;~~
- ~~c. Hardware and home improvement centers;~~
- ~~d. New home furnishing and appliance outlets;~~
- ~~e. Financial institutions, including banks, savings and loan associations, and credit unions;~~
- ~~f. Restaurants provided that they not contain drive-in or drive-through service;~~
- ~~g. Specialty retail, food, wholesale and catalog stores;~~
- ~~h. Accessory billiard use, up to a maximum of four tables, which is secondary and incidental to a use permitted or permitted with a conditional use permit, in this zone which is also defined by Section 18.08.007 of this title;~~
- ~~i. Medical office to include, but not be limited to, such uses as medical clinics, dental, and optometry;~~
- ~~j. Professional business office to include, but not be limited to, accounting and billing services, insurance office, legal services and graphic design office;~~
- ~~k. Service business to include, but not be limited to, nail shop, barber and beauty shop, shoe repair, watch repair and dry cleaners, etc., these uses are intended to have daily customer foot traffic;~~

- ~~l. Day spas with or without accessory massage only;~~
- ~~m. Veterinary, pet grooming and pet hotel;~~
- ~~n. New auto show room; no test driving, no repairs, no outdoor storage;~~
- ~~o. Accessory massage permitted with the following primary businesses: day spa, beauty salon, barbershop and similar uses;~~
- ~~p. Audio and related small scale installation services;~~
- ~~q. Accessory Uses. Accessory uses shall be permitted provided that such use is a secondary and incidental use to a permitted use in this specific plan. The appropriateness of the associated use shall be determined by the director of development services. The accessory use shall not occupy more than forty-nine percent of the tenant space excluding hallways, bathrooms, lunch rooms, offices, locker rooms and storage rooms.~~

~~2. Conditional Uses.~~

- ~~a. All uses listed in Section 18.532.240, which because of operational characteristics specific to that particular business is found by the director of development services to have the potential to negatively impact adjoining properties, businesses or residents, and therefore requires additional approval and consideration. The impacts may be related to, but not necessarily limited to, impacts of traffic, hours of operation, assemblages of people, noise, or site location;~~
- ~~b. Eating establishments, with drive-through service;~~
- ~~c. Cinemas and movie theater facilities in conjunction with a shopping center incorporating retail, wholesale and similar uses with a minimum floor area of twenty thousand square feet per store;~~
- ~~d. Off sale of alcohol beverages provided that such use is secondary and incidental to a permitted use;~~
- ~~e. On sale sale of alcohol beverages provided that such use is secondary and incidental to a permitted use;~~
- ~~f. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of five thousand barrels per year unless an increased production volume is granted by the planning commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the conditional use permit;~~
- ~~g. Health/exercise club to include, but not be limited to, uses such as: personal trainers, Pilates, and yoga;~~

- ~~h. — Recreational entertainment to include, but not be limited to, uses such as: inflatable jumper facilities and laser tag;~~
- ~~i. — Instructional physical activities to include, but not be limited to, uses such as dance studio, martial arts studio, and trampoline;~~
- ~~j. — Hotels and motels, including retail establishments as part of a hotel or motel complex;~~
- ~~k. — Gasoline service stations in areas designated on the specific plan map;~~
- ~~l. — Accessory game arcade consisting of seven or more machines within an indoor recreational facility;~~
- ~~m. — Indoor sales of outdoor recreation vehicles including all terrain vehicles, motorcycles, dirt bikes and jet skis;~~
- ~~n. — Thrift stores; provided that on-site donation collection facilities may be restricted or prohibited in conjunction with the review of the conditional use permit;~~
  - ~~o. — Other uses which are consistent with the intent and provisions of the specific plan, as determined by the director of development services, in accordance with Section 18.192.040. The determination of the director of development services may be appealed to the development plan review board and thereafter to the city council in accordance with Chapter 18.212 of this title.~~

~~3. — Prohibited Uses.~~

- ~~a. — Fortunetelling;~~
- ~~b. — Massage as a primary use;~~
- ~~c. — Professional offices that are noncustomer based on a daily occurrence;~~
- ~~d. — Child care facility;~~
- ~~e. — Educational institutions;~~
- ~~f. — Vocational schools;~~
- ~~g. — Church and related facilities;~~
- ~~h. — Tattoo and/or piercing parlors;~~
- ~~i. — Hookah and/or smoking lounge including electronic cigarettes;~~
- ~~j. — Self-serve laundry facilities;~~
- ~~k. — Gambling facilities;~~
- ~~l. — Industrial uses;~~

- ~~m.— Residential uses;~~
- ~~n.— Billboards and other similar off-site outdoor advertising structures;~~
- ~~o.— Banquet facilities, except where accessory to a restaurant;~~
- ~~p.— Game arcades other than accessory game arcades specifically authorized in this chapter;~~
- ~~q.— Check cashing stores;~~
- ~~r.— Gold exchange stores;~~
- ~~s.— Community centers and meeting halls;~~
- ~~t.— Other uses which are inconsistent with the intent and provisions of the zone, as determined by the director of development services, in accordance with Section 18.192.040. The determination of the director of development services may be appealed to the development plan review board and thereafter the city council in accordance with Chapter 18.212 of this title.~~

~~B.— Area 2—Frontier Village. The purpose of this area is to provide for neighborhood commercial uses and other convenience goods and service businesses which service the day-to-day living needs of nearby neighborhoods or a larger section of the city. In addition, it is recognized that certain parcels east of the Puddingstone Shopping Center may be suitable for medium-high density residential development, including apartments, townhouses or condominiums.~~

~~1.— Permitted Uses.~~

- ~~a.— Convenience goods and service businesses, including food markets, pharmacies, liquor stores, barber or beauty shops, cleaners and laundries, small appliance repair businesses and similar uses;~~
- ~~b.— Eating places, including take-out service businesses, but not including drive-in or drive-through facilities, provided that eating places shall not be permitted where the number of required parking spaces, pursuant to Ordinance 269, as amended, exceeds thirty five percent of the number of common parking spaces provided in any shopping center or development in which such eating places are located;~~
- ~~c.— Specialty commercial uses, such as antique shops, jewelry stores, music stores, auto and truck parts and supply businesses, and similar uses;~~
- ~~d.— Professional, administrative and sales office uses, provided that such uses are not located on the ground floor of any structure unless approved by the development plan review board upon making the findings set forth in Section 18.192.040. The determination of the development plan review board may be appealed to the city council in accordance with Chapter 18.212;~~

- ~~e. Accessory game arcades up to a maximum of six machines, provided that such machines are secondary and incidental to a permitted use in this zone which is also defined by Section 18.08.012;~~
- ~~f. Wire transmission office;~~
- ~~g. Accessory billiard use, up to a maximum of four tables, which is secondary and incidental to a use permitted or permitted with a conditional use permit, in this zone which is also defined by Section 18.08.007 of this title;~~
- ~~h. Accessory massage permitted with the following primary businesses: athletic club, salon, barbershop and similar uses.~~

~~2. Conditional Uses.~~

- ~~a. On sale alcoholic beverages, provided that such use is incidental and secondary to another permitted use in this Area 2;~~
- ~~b. On site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of five thousand barrels per year unless an increased production volume is granted by the planning commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the conditional use permit;~~
- ~~c. Off-sale alcoholic beverages;~~
- ~~d. Gasoline service stations, but only where such use is designated on the specific plan area map;~~
- ~~e. Automobile tire sales and service;~~
- ~~f. Automotive repair;~~
- ~~g. Outdoor sale, storage and display of merchandise and/or provision of services, provided that such uses are in conjunction with and are related to a permitted use within a structure on the same lot or parcel, unless otherwise permitted in accordance with Chapter 18.196, Temporary Uses;~~
- ~~h. Medium-high density residential uses, including apartments, townhouses and condominiums, provided that these are located only in areas so designated on the specific plan area map or were originally established before the year 1950;~~
- ~~i. Motorcycle sales and services;~~
- ~~j. Athletic clubs and performing arts studios;~~
- ~~k. Mass transit facilities, such as bus and train stations;~~
- ~~l. Senior citizen housing projects;~~

~~m. Accessory game arcades consisting of seven or more machines within an indoor recreation facility;~~

~~n. Theaters and bowling alleys;~~

~~o. Senior citizen housing located on the second and third floors of buildings.~~

~~3. Prohibited Uses. Drive-through style eating places and those uses prohibited in Area 1, other than supermarkets, residential uses and convenience markets.~~

CA. Area 3—Mixed Use. The purpose of this area is to provide an attractively developed entry into the central portion of downtown San Dimas along the San Dimas Avenue corridor and to provide an extension of Frontier Village. Zoning standards for this area are designed to provide the flexibility to allow commercial, office, service and live/work uses as well as residential uses that are designed to blend with the traditional design standards in the area.

To ensure compatibility with the adjacent historic neighborhoods, traditional architectural design is encouraged. Generally, buildings, whether commercial or office, should be designed in a way to accommodate commercial activities, with storefronts encouraged along streets and major driveways. Multifamily residential uses should be designed in a way to blend well with the commercial block architectural styles and should have architectural features that are reminiscent of historical designs. Loft residential buildings should be designed to be compatible with traditional architecture, but may have more of an industrial or packing house feel because of higher building heights. Underground congregate parking areas are encouraged.

1. Area 3—Definitions.

"Live/work units" mean individual units that are used jointly for residential and business uses. For the purposes of this chapter, the first floor spaces of live/work units shall be reserved for commercial, office and service businesses that are open to the public. Garage and areas above the first floor shall be reserved for residential use.

"Loft residential units" mean multi-story residential units with greater than average ceiling heights, where not more than sixty percent of the unit has second floor area and where all parking is located remote from the unit.

2. Area 3—Sub-Areas. The Creative Growth Zone Area 3 is made up of ~~three~~four sub-areas as defined in Exhibit A. The sub-areas are intended to provide a well-organized land use framework to encourage high quality design while allowing a mix of uses within a small planning area.

a. Mixed use/commercial office;

~~b. High density residential;~~

~~b.~~ Medium density;

~~c.~~ Single family.

3. Permitted Uses.

c. Sub-Area A-Downtown Mixed Use.

- i. Retail commercial, office and service businesses;
  - ii. Eating places, including take-out service, but not including drive-through or drive-in facilities;
  - iii. Accessory game arcade up to a maximum of six machines, provided that such machines are secondary and incidental to a permitted use in this zone which is also defined by Section 18.08.012 of this title;
  - iv. Accessory massage permitted with the following primary businesses: day spa, beauty salon, barbershop and similar uses.
- d. Sub-Area C-Low-Medium Density. Detached condominiums with the total number of units not to exceed forty.
- e. Sub-Area D-Single Family. Up to five detached single-family residential units:
- i. The minimum lot size is five thousand square feet;
  - ii. Maximum one story and eighteen feet in height;
  - iii. Maximum lot coverage is forty percent;
  - iv. Maximum house size (not including garage) is two thousand one hundred square feet;
  - v. Setbacks: Front yard setback shall be 15 feet, interior yard shall be five feet on one side and ten feet on the other, corner lot street side shall be 15 and interior side shall be ten feet, and rear yard shall be five feet, as provided in Exhibit B;
  - ~~vi. The minimum side yard setback is five feet on one side and ten feet on the other.~~
4. Conditional Uses.
- f. Sub-Area A—Mixed Use/Commercial Office.
- i. Condominium, apartment and other similar multifamily projects, located on the second floor and third floor of buildings when commercial/office uses are located on the first floor;
  - ii. Residential projects where fifty percent or more of the units are designed as live/work units;
  - iii. Senior citizen housing located on the second and third floors of buildings;
  - iv. Gasoline Service Stations. Existing gasoline service stations shall not be permitted to extend, expand or enlarge the existing building or use, unless there is complete reconstruction of the existing facilities. If an existing gasoline service station is reconstructed to the above standard, the use may be expanded to include a convenience store and/or a restaurant use;



- v. On-sale alcoholic beverages, provided that this use is secondary and incidental to another permitted use in this Area 3;
- vi. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of five thousand barrels per year unless an increased production volume is granted by the planning commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the conditional use permit;
- vii. Off-sale alcoholic beverages, provided that this use is secondary and incidental to another permitted use in this Area 3.

~~g. Sub Area B High Density Residential.~~

~~i. Condominiums and townhouses;~~

~~ii. Loft residential units;~~

~~iii. Senior citizen housing located on the second and third floors of buildings.~~

5. Other Uses. Other similar permitted and conditional uses determined by the director of community development to be similar and not more obnoxious or detrimental to the public health, safety and welfare, in accordance with the findings as set forth in Section

18.192.040 of this title. The determination of the director may be appealed to the development plan review board and, thereafter, the city council in accordance with Chapter 18.212 of this title.

6. Area 3—Property Development Standards.

h. Building Height. No provisions. Allowable building height shall be determined by the development plan review board.

i. Setbacks. As provided in Exhibit B located at the end of this chapter.

j. Street Standards. The minimum standards for street and right-of-way widths within developments shall be determined for each project by the city council. The intent of this requirement is to work together with setback requirements to encourage a downtown environment with a preference toward the pedestrian rather than automobile.

k. Parking. The following parking requirements and standards are specific to the Creative Growth Zone Area 3.

i. Required Parking.

(A) Single-Family Residential Use. Two garage spaces. A minimum size of twenty feet by twenty feet is required.

- (B) Multiple-Family with Garage Space Attached. Two garage spaces. A minimum size of twenty feet by twenty feet is required. Plus one noncovered space for each additional bedroom beyond two bedrooms per unit, plus one guest space for each three units.
- (C) Multiple-Family with Congregate Garage Spaces. Two parking spaces with a minimum size of nine and one-half feet wide and eighteen feet deep. Plus one noncovered space for each additional bedroom beyond two bedrooms per unit, plus one guest space for each three units.
- (D) Live/Work Units. Two garage spaces. A minimum size of twenty feet by twenty feet is required. Plus one noncovered space for each additional bedroom beyond two bedrooms per unit, plus one guest space for each three units. Plus one space for every two hundred fifty square feet of commercial/office/service space that may be waived, if adequate public parking is provided within five hundred feet of the public access.
- (E) Seniors Apartments. For units under eight hundred square feet. One covered or noncovered parking space shall be provided for each 1.25 units, (four spaces for each five units). For units of eight hundred square feet and larger. One covered or noncovered parking space shall be provided for every unit.

ii. Parking Design.

(A) All multiple-family units shall provide for a storage area of not less than two hundred fifty cubic feet within the garage area or other approved location.

(B) Tandem parking spaces may be used for a maximum of twenty percent of all required spaces within a project and shall be a minimum of ten feet, six inches wide and nineteen feet deep per space.

iii. Other Parking Requirements. Unless listed specifically in this section, parking requirements are as provided for in Chapter 18.156 of this title.

- 7. Sign Regulations. Subject to the requirements in Section 18.152.150 of this title.
- 8. Nonconforming Uses. There shall be no extension, expansion or enlargement of an existing nonconforming use, nor shall there be the addition of structures or other facilities in conjunction with such existing use.

~~G.~~ B. Area 4—Commercial/Light Industrial. The purpose of this area is to provide for light- industrial and commercial uses.

1. Permitted Uses.

- a. All uses permitted in the M-1 zone;

- b. Retail and service businesses;
  - c. Other similar uses determined by the director of community development to be similar and not more obnoxious or detrimental to the public health, safety and welfare, in accordance with the findings as set forth in Section 18.192.040. The determination of the director may be appealed to the development plan review board and, thereafter, the city council in accordance with Chapter 18.212 of this title;
  - d. Accessory game arcade up to a maximum of six machines, provided that such machines are secondary and incidental to a permitted use in this zone which is also defined by Section 18.08.012;
  - e. Accessory billiard use, up to a maximum of four tables, which is secondary and incidental to a use permitted or permitted with a conditional use permit, in this zone which is also defined by Section 18.08.007 of this title;
  - f. Accessory massage permitted with the following primary businesses: athletic club, day spa, beauty salon, barbershop and similar uses.
2. Conditional Uses.
    - a. All uses listed as conditional uses in the M-1 zone;
    - b. Theaters provided that they are walk-in, indoor;
    - c. All uses listed as conditional uses in Area 3, [except for all prohibited uses listed in subsection 3 of this section](#);
    - d. Accessory game arcade consisting of seven or more machines within an indoor recreation facility.
  3. Prohibited Uses.
    - a. Gambling facilities;

- b. Residential uses;
- c. Convenience markets;
- d. Food markets;
- e. Office uses which are not incidental to a permitted or conditionally permitted use;
- f. Billboards and other similar off-site outdoor advertising structures;
- g. Game arcades other than accessory game arcades specifically authorized in this chapter;
- h. Other uses inconsistent with the intent and provisions of this zone, as determined by the director of community development, in accordance with Section 18.192.040. The determination of the director of community development may be appealed to the development plan review board and, thereafter, the city council in accordance with Chapter 18.212 of this title.

**18.140.100. Property development standards.**

The following property development standards shall apply to all land and buildings in the creative growth area, except that any lot held under separate ownership or of record on the effective date of the ordinance codified in this chapter, which is substandard in dimensions may be used subject to all other standards. [When conflicts occur between this Section and Section 18.140.090.A.6, the standards in Section 18.140.090.A.6, shall prevail:](#)

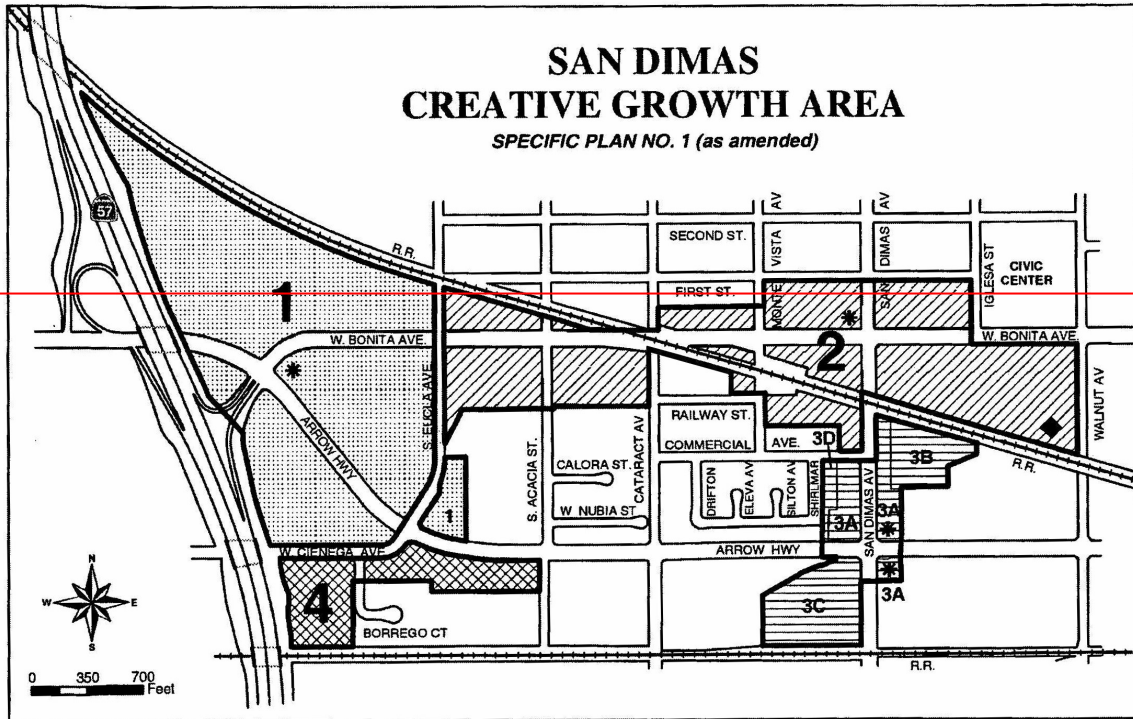
- A. Lot Area. No provisions.
- B. Lot Dimensions. No provisions.
- C. Building Height.
  - 1. No building or structure erected in this zone shall exceed two stories in height except by conditional use permit.
  - 2. Exceptions.
    - a. Penthouses or roof structures for the housing or elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, flagpoles, chimneys and other similar structures may be erected above the height limits prescribed in this subsection, provided such structures are compatible with the architectural design of the building and the surroundings.
    - b. Air conditioning units, electrical switch gear and panels, compressors and similar mechanical equipment shall be enclosed within an enclosure compatible with the architectural design of the building. Air conditioning units, electrical switch gear and panels, compressors and similar mechanical equipment shall be enclosed within an enclosure compatible with the architectural design of the building.
- D. Yards. Yards shall be measured perpendicular to the property line. When the creative growth overlay zone abuts a residential zone, there shall be a yard of not less than ten

feet. Required yards shall be landscaped and maintained; a complete automatic sprinkler system shall be provided. Yards shall be provided as designated in Exhibit B to the ordinance codified in this chapter, a copy of which is on file in the office of the city clerk.

- E. Walls. Masonry walls six feet in height shall be erected on the zone boundary line between the creative growth zone and any residential zone.
- F. Off-Street Parking. The provisions of Chapter 18.156 shall apply.
- G. Utilities. All utilities provided to serve new buildings or to serve existing buildings undergoing alterations requiring change-out of service shall be installed underground.
- H. Trash Storage. A city standard plan trash storage area shall be provided in an appropriate location, convenient to users.
- I. Signs.
  - 1. The provisions of Chapter 18.152 shall apply.
  - 2. The approving authority shall find prior to the issuance of an approval of a sign or sign program that the proposed design is in conformance with the Early California village theme and good design principles with respect to:
    - a. Height;
    - b. Location;
    - c. Size;
    - d. Color;
    - e. Materials;
    - f. Lighting;
    - g. Compatibility to structure it is identifying.
- J. Lighting.
  - 1. All exposed lighting fixtures shall be decorative and in keeping with the Early California village theme.
  - 2. Lighting shall be so designed to reflect away from adjoining properties, streets and roads.
- K. Landscaping. The review board may require landscaping in addition to required yards as follows:
  - 1. Buffering adjoining properties;
  - 2. Complementing building designs in and adjoining parking lots.

# SAN DIMAS CREATIVE GROWTH AREA

*SPECIFIC PLAN NO. 1 (as amended)*



**Creative Growth Areas**

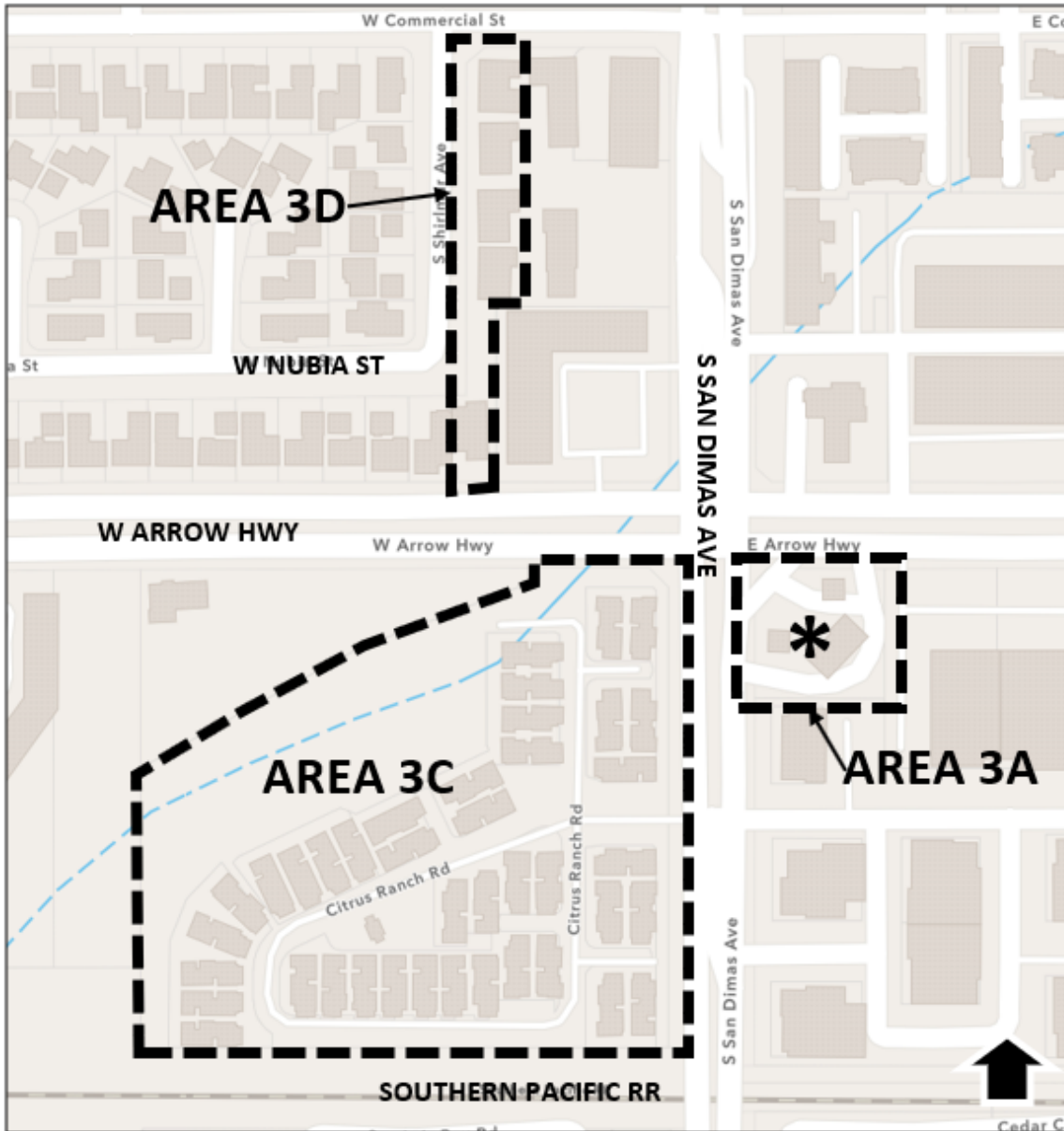
- |  |                              |  |                              |  |                                      |  |                 |
|--|------------------------------|--|------------------------------|--|--------------------------------------|--|-----------------|
|  | Area 1 - Regional Commercial |  | Area 3A - Mixed Use          |  | Area 4 - Commercial/Light Industrial |  | Service Station |
|  | Area 2 - Frontier Village    |  | Area 3B - High Density       |  | Medium-high Density Residential      |  |                 |
|  |                              |  | Area 3C - Low-Medium Density |  |                                      |  |                 |
|  |                              |  | Area 3D - Single Family      |  |                                      |  |                 |

## EXHIBIT A — GROWTH AREAS

**EXHIBIT A – CREATIVE GROWTH AREA MAPS**

Note: Subareas 1 & 2 have been replaced by the Downtown Specific Plan

**SUBAREA 3**



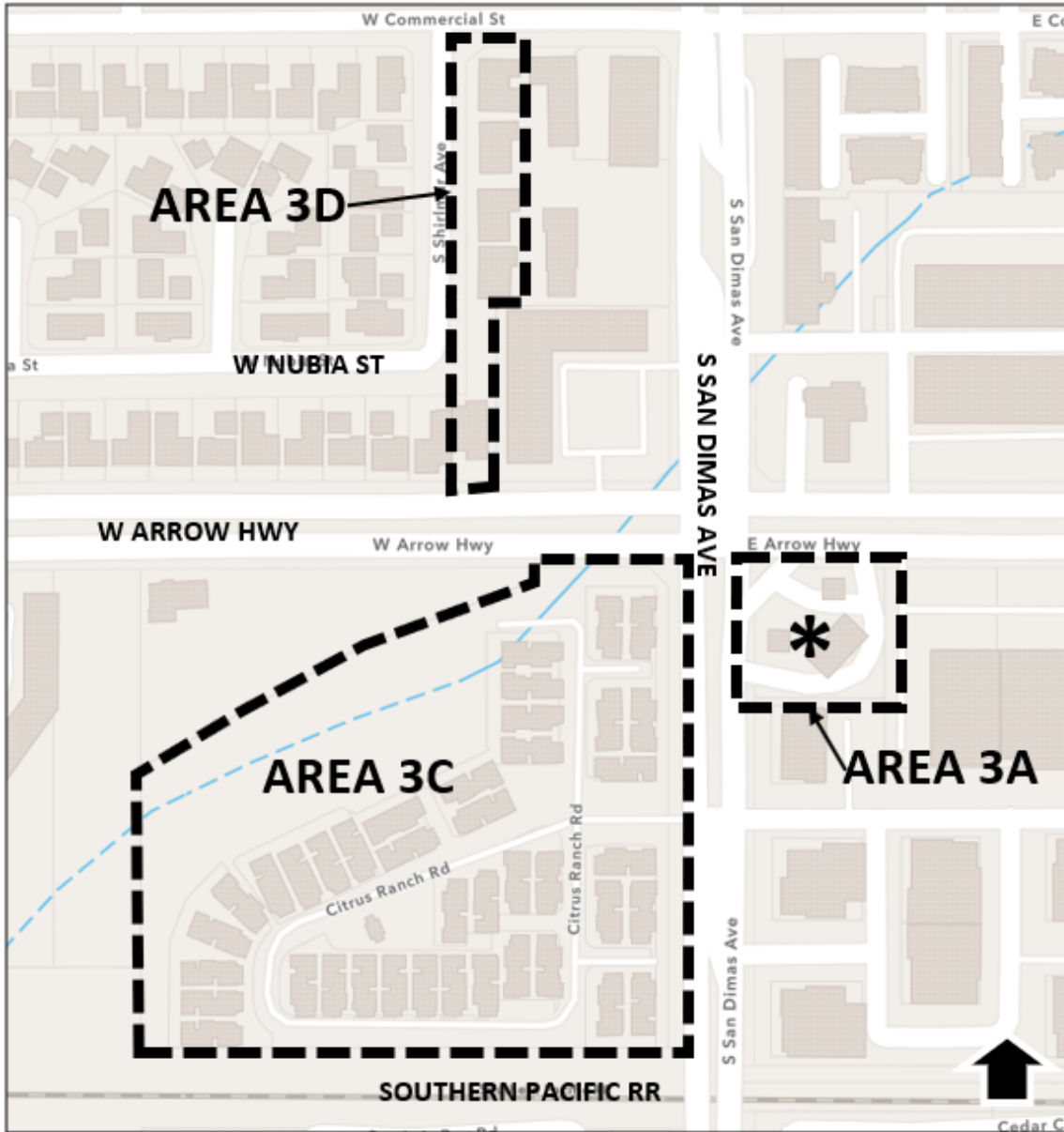
**CREATIVE GROWTH AREA 3**

Area 3A – Mixed Use

Area 3C – Residential: Low-Medium Density

Area 3D – Single Family

**\* Service Stations Allowed**



**CREATIVE GROWTH AREA 3**

**Area 3A – Mixed Use**

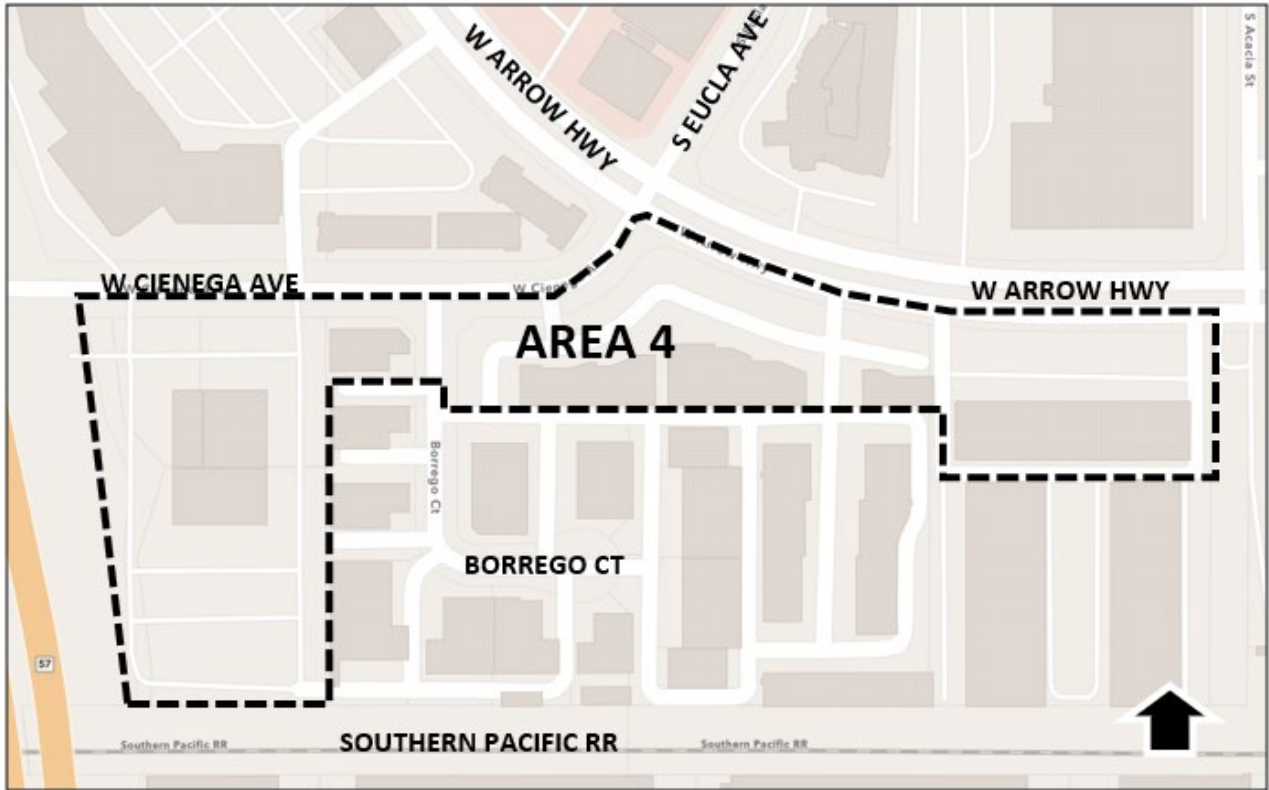
**Area 3C – Residential: Low-Medium Density**

**Area 3D – Single Family**

**\* Service Stations Allowed**



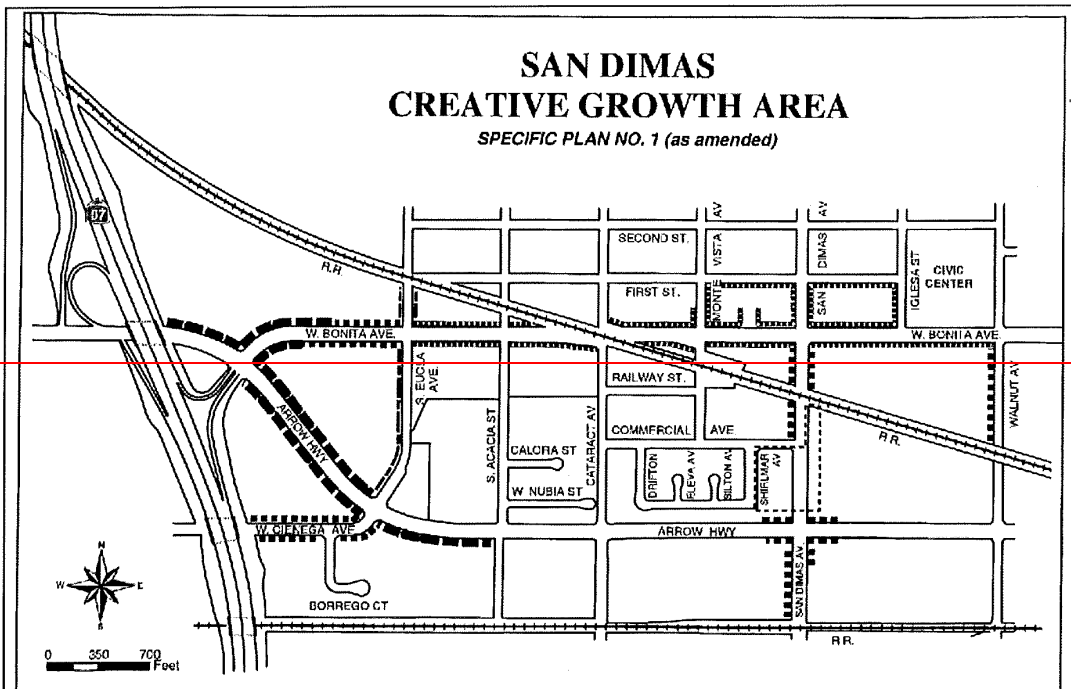
SUBAREA 4



**CREATIVE GROWTH AREA 4 – Commercial / Light Industrial**

# SAN DIMAS CREATIVE GROWTH AREA

*SPECIFIC PLAN NO. 1 (as amended)*



- Legend**
- ■ ■ ■ 25-foot Setback      - - - - 10-foot Setback
  - ■ ■ ■ ■ 15-foot Setback      ······ Zero Setback
  - - - - - To be determined by City Council

## EXHIBIT B — SETBACKS