



**PLANNING COMMISSION  
MEETING AGENDA  
THURSDAY FEBRUARY 20, 2025 6:00 PM  
SAN DIMAS COUNCIL CHAMBER  
245 EAST BONITA AVENUE**

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**COMMISSION MEMBERS**

Chair David Bratt, Vice Chair John Davis, Commissioner Doran Barnes, Commissioner Margie Green, Commissioner James Shirley

**CALL TO ORDER AND FLAG SALUTE**

**CONSENT CALENDAR**

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the Planning Commission requests separate discussion.)

CC 1. December 19, 2024 Minutes

**RECOMMENDATION:** Approve the December 19, 2024 Planning Commission minutes.

CC 2, January 16, 2024 Minutes

**RECOMMENDATION:** Approve the January 16, 2025 Planning Commission Minutes.

**PUBLIC HEARING**

PH 1. Municipal Code Text Amendment 24-11; Discussion and Consideration of a Municipal Code Text Amendment to amend the City of San Dimas Municipal Code, Title 18 as necessary to amend the process for zone changes and amendments to Title 18 and to eliminate the Development Plan Review Board.

**RECOMMENDATION:** Staff recommends that the Planning Commission adopt Resolution PC-1692 recommending approval of MCTA 24-11 to the City Council

**OTHER BUSINESS**

OB 1. MCTA Initiation Request to Modify Section 18.500.050

**RECOMMENDATION:** Staff recommends the Planning Commission approve the

initiation to allow the Applicant to submit a formal Municipal Code Text Amendment application pursuant to the procedures outlined in Chapter 18.208 of the San Dimas Municipal Code, to modify Section 18.500.050 Conditional Uses of the San Dimas Municipal Code to conditionally allow for the use of “Senior Independent Living Facility with Services” in the Commercial Area (Areas 1 & 2) of the Specific Plan No. 2 (SP-2) Zone.

### ORAL COMMUNICATION

a. Community Development Department

b. Members of the Audience

(Members of the audience are invited to address the Planning Commission on any item not on the agenda. Under the provisions of the Brown Act, the Commission is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date.)

c. Planning Commission

Commissioners' Report on Meetings Attended at the Expense of the Local Agency  
(Pursuant to AB 1234 – G.C. §53232.3(d))

### ADJOURNMENT



**Notice Regarding Americans with Disabilities Act:** In compliance with the ADA, if you need assistance to participate in a city meeting, please contact the City Clerk's Office at (909) 394-6216. Early notification before the meeting you wish to attend will make it possible for the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

Copies of documents distributed for the meeting are available in alternative formats upon request. Any writings or documents provided to the Planning Commission regarding any item on this agenda will be made available for public review Monday through Thursday 7:30 a.m. to 5:30 p.m. and on Fridays from 7:30 a.m. to 4:30 p.m. in the Planning Division. In addition, most documents are posted on the City's website at [www.sandimasca.gov](http://www.sandimasca.gov).

If you are unable to attend, you may submit comments via email to [planning@sandimasca.gov](mailto:planning@sandimasca.gov) or call (909) 394-6250 no later than February 20, 2025 at 3:00 p.m.

**Posting Statement:** I declare under penalty of perjury that on February 12, 2025 I posted a true and correct copy of this agenda on the bulletin board in the Civic Center Plaza of City Hall at 245 E. Bonita Ave., San Dimas Library 145 N. Walnut Ave., San Dimas Post Office 300 E. Bonita Ave., Von's Via Verde Shopping Center 1160 Via Verde Ave., and on the City's website [www.sandimasca.gov/agendas-minutes/](http://www.sandimasca.gov/agendas-minutes/) as required by law.

February 12, 2025

*Kimberly Neustice*

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Kimberly Neustice, Senior Management Analyst

# CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting  
December 19, 2024, at 6:00 p.m.  
245 East Bonita Avenue, City Council Chamber

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## **PRESENT**

Chairman David Bratt  
Vice-Chairman John Davis  
Commissioner Margie Green  
Commissioner James Shirley  
Commissioner Doran Barnes  
Director of Community Development Luis Torrico  
Planning Manager Marco Espinoza  
Assistant Planner Taylor Galindo  
Senior Management Analyst Kimberly Neustice  
Administrative Assistant Caitlyn Cortez

## **CALL TO ORDER AND FLAG SALUTE**

**Chairman Bratt** called the regular meeting of the Planning Commission to order at **6:17 p.m.** and **Commissioner Barnes** led the flag salute.

## **CONSENT CALENDAR**

**CC1.** Approve the November 21, 2024 Planning Commission minutes.

**MOTION:** Moved by **Commissioner Green**, seconded by **Commissioner Shirley** to approve the consent calendar. Motion carried 5-0.

## **PUBLIC HEARING**

**PH 1.** Municipal Code Text Amendment 24-11; Discussion and Consideration of a Municipal Code Text Amendment to amend the City of San Dimas Municipal Code, Title 18 as necessary to remove verbiage regarding the Development Plan Review Board (DPRB) and to remove the "Initiation/Petition" process for municipal code text amendments.

Staff is requesting the Planning Commission open the public hearing to hear any public comments and continue the item to the next regularly scheduled Planning Commission meeting of January 16, 2025

**Chairman Bratt** opened the public hearing.

No communications were made at this time.

**Chairman Bratt** closed the public hearing.

**MOTION:** Moved by **Vice-Chairman Davis**, seconded by **Commissioner Green** to continue the public hearing to the next regularly scheduled Planning Commission meeting of January 16, 2025. Motion carried 5-0.

**PH 2.** Municipal Code Text Amendment 24-01, Discussion and consideration of a Municipal Code Text Amendment of Title 18- Chapter 18.38 Accessory Dwelling Units and Chapter 18.170 Electronic Vehicle Charging Stations to comply with State law updates and to make various cleanup text amendments.

**Director of Community Development Torrico** stated the text changes in Resolution PC-1691 involve making changes to the Accessory Dwelling Unit (ADU) ordinance and the Electric Vehicle (EV) ordinance. The changes are being triggered due to state law and a letter the City received from the Housing and Community Development Department (HCD). We are incorporating a majority of the changes but there are a few changes within the letter from HCD that they cited are not necessarily state law and are open to their interpretation. HCD's interpretation is that you can have two ADU's and a Jr. ADU on a single-family property. That has not been written into state law so the City and the City Attorney's position is that until it is written in to state law, the City will not be making that change to the code.

**Commissioner Shirley** stated he read the letter from HCD and saw several recommendations for the City to amend or update our code. He asked if we have decided which ones to amend, update, or remove.

**Director of Community Development Torrico** stated yes, there are changes in state law that we are forced to implement, and we are incorporating two of these revisions in this proposed amendment, but Staff feels that some of the items in the letter are open to interpretation. Every few years HCD puts out a handout that answers frequently asked questions about ADU's and provides their interpretation of the state law. Staff feels that sometimes that interpretation doesn't align with what we believe state law to say so in situations like that cities typically push back, and we have decided, with the City Attorney's recommendation, that we are not implementing some of the changes HCD requested, but if they are ever clarified in the state law, we will amend the ordinance.

**Vice-Chairman Davis** asked how we would handle someone who wants to build two ADU's on their property.

**Director of Community Development Torrico** stated in situations like this Staff would explain to the customer the City's position and let them know we have been in contact with HCD. Ultimately,

HCD does have enforcement authority so if they disagree with what cities are doing, they can forward their concerns to the Attorney General's office for further review. Until then, it's our interpretation that each property can have one ADU.

**Planning Manager Espinoza** stated that some amendments to the State's law start as interpretations, but the law is eventually amended to clarify the issue. That being said, on the dais is a revised resolution with highlighted sections from the HCD 2025 ADU handout. We were just made aware of these changes, so we went through the proposed amendment to our code to adjust as needed, so we don't have to come back in a couple months with additional amendments.

**Assistant Planner Galindo** stated just to be clear, the handout Marco is talking about does not include EV chargers, just ADU's.

The Staff report was presented by **Assistant Planner Galindo** recommending the Planning Commission adopt Resolution PC-1691 recommending approval to the City Council of Municipal Code Text Amendment 24-01.

**Commissioner Barnes** asked if Staff could further explain the ADU accessory structures. For example, if he was building an eight-hundred square-foot ADU but is also building a four-hundred forty-one square-foot attached parking garage, is all of that considered an ADU in terms of timelines and processes. Can he have the whole project streamlined through the ADU process.

**Planning Manager Espinoza** stated that is correct. It would be considered as one whole project.

**Director of Community Development Torrico** stated that under the current code a garage would be something that is streamlined. What they are doing now is to allow some flexibility and would allow a garage that's meant to be used by the occupants of the ADU to have the same four-foot set back. Currently a typical garage would have a five-foot setback. This provides more flexibility to fit the garage on-site. In the example given with the attached garage, the project would be processed concurrently.

**Planning Manager Espinoza** stated that the key word is attached or detached; they are getting submittals for structures like five car garages with an ADU and patio and they are allowing for some of these amenities, but there should be a limitation, so they are adding the size requirement and set backs to the amendment. When it's detached it's a separate entity so the City will consider it as a regular structure.

**Commissioner Barnes** clarified that when it's an attached structure there are size limitations. This would help with off-site parking because now they can potentially fit a two-car garage on their property with the ADU.

**Director of Community Development Torrico** stated providing they have the same reduced four-foot setback then they can write language to make it easier to have homeowners building an ADU make room for parking onsite.

**Vice-Chairman Davis** stated the last time we went through this we talked about how HOAs have different standards and additional requirements, does this change that or can an HOA have stricter requirements?

**Assistant Planner Galindo** stated that the proposed code amendments are due to changes in the state law so if a Homeowner's Association (HOA) wanted further restrictions on ADU's, then it would be up to the HOA to enforce them.

**Vice-Chairman Davis** asked if homeowners have been using the ADU concept to build structures they do not intend to use as an ADU, such as a pool house.

**Director of Community Development Torrico** stated he thinks there is a property that built a pool house that looked and functioned as an ADU, but the code allows for pool houses.

**Planning Manager Espinoza** stated they don't restrict how the homeowners eventually use the ADU, and they can decide to rent it out or not.

**Vice-Chairman Davis** stated they could potentially use it as another home or a pool house because if you look at the plans, we aren't going to say that's not an ADU.

**Planning Manager Espinoza** stated it depends on what the applicant calls the structure. Someone can design an ADU to look like a pool house but what you label the structure is how we are going to set the requirements.

**Director of Community Development Torrico** stated that state law doesn't allow HOA's to prohibit ADU's, but it does allow them to have reasonable requirements.

**Vice-Chairman Davis** asked if the owner of the property has to live in the ADU or the house, or if they can rent both.

**Assistant Planner Galindo** stated that the proposed amendments remove the owner occupancy requirement to align with state law.

**Vice-Chairman Davis** stated that his HOA requires the owner to occupy the ADU and asks if that is now against the law.

**Director of Community Development Torrico** stated yes, that is one of the portions of the code that was removed.

**Chairman Bratt** asked if the HOA would still be bound by state law.

**Planning Manager Espinoza** stated yes, they would. Some HOA's will be restrictive, but they can't be too restrictive if the state law doesn't allow them to do so.

**Director of Community Development Torrico** stated the City Attorney recommends the City amend the code for the structures, but if the HOA has different requirements, they will have to enforce them upon the homeowner.

**Commissioner Shirley** pointed out that the City has sixty days to approve a project and you see the project will take more than sixty days is there interpretation that allows that. He asks if they are required to have the project approved within the sixty days.

**Assistant Planner Galindo** stated the City has sixty days to deem the application incomplete or complete, it's not an approval of the project within sixty days, she stated they have more time to review once the application is deemed complete.

**Commissioner Shirley** asked for clarification of the timelines on page 38 of the ordinance.

**Director of Community Development Torrico** stated they currently process ADU's in under sixty days, so they are in compliance. He stated that if someone submits an ADU by itself, the city has sixty days to say they can build, or they cannot build. However, if they submit a house and an ADU, then the city can take as long as they need to review the house. If the review is done concurrently the sixty days are put on hold.

**Chairman Bratt** asked for clarification about the EV charging stations. He asked if the City has control over the processing timeline.

**Director of Community Development Torrico** stated the City does have control, but they have to streamline the process with the ultimate goal of making it an administrative process. The state wants cities processes to be efficient and cost efficient for private and commercial use as they see EV charging stations as necessary infrastructure.

**Chairman Bratt** stated in his HOA this is a common issue. Residents will purchase electric vehicles, and some will put the chargers on the exterior of the building and some on the inside of the garage.

**Director of Community Development Torrico** stated the City has a checklist on our website that complies with the State requirements for commercial and residential projects. Most residential installations are inside the garage and small enough that it doesn't impact the parking area in the garage.

**Planning Manager Espinoza** stated that staff tries to get the EV chargers placed behind a wall or screened, but if the homeowner pushes back, we can't require it.



**Chairman Bratt** stated that's the issue his HOA is having, people want to put the EV charger outside of the garage and the HOA would prefer it to be more hidden.

**Director of Community Development Torrico** stated there is a change that needs to be made on page twenty-five of the agenda packet, to add the language "purpose". The current statement says "an ADU is an accessory use for the purpose of calculating allowable density under the general plan and zoning and does not count towards the allowable density." Staff suggests simplifying the sentence to "an ADU and Jr. ADU is for accessory use and does not count towards the allowable density".

**Vice-Chairman Davis** asked if someone wanted to build on government property and they built a bunch of ADU's, would we count it toward density.

**Director of Community Development Torrico** stated no, for a single-family property the City has to allow at least eight hundred square feet, but the city can't regulate density. He stated they can use lot coverage and it's written into law as to how many units a property can have. Right now, it says one ADU and one Jr. ADU. The state is pushing for two ADU's, but the City does not interpret the current law this way.

**Planning Manager Espinoza** stated the code does not require a garage for the ADU, so if the property doesn't have the space for one then all you get is the eight hundred square-foot ADU.

**Chairman Bratt** opened the public hearing.

No communications were made at this time.

**Chairman Bratt** closed the public hearing.

#### RESOLUTION PC-1691

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 24-01, WHICH AMENDS TITLE 18 - ZONING, CHAPTER 18.3 ACCESSORY DWELLING UNITS, AND CHAPTER 18.170 ELECTRIC VEHICLE CHARGING STATIONS, ALONG WITH ASSOCIATED CLEAN UP ITEMS TO ENSURE COMPLIANCE WITH STATE LAW AND ALIGNMENT WITH THE INTENT OF THESE CHAPTERS.**

**MOTION:** Moved by **Commissioner Barnes** to approve Resolution PC-1691, seconded by **Vice-Chairman Davis** recommending City Council adopt Municipal Code Text Amendment 24-01. Motion carried 5-0.

## **ORAL COMMUNICATIONS**

### **a. Community Development Department**

**Director of Community Development Torrico** updated Planning Commission.

- Changes to SP-11 were approved by City Council, which allows properties in Area 1 to do additional grading.
- The subdivision of Oakway was approved by City Council.
- At the last City Council meeting, Planning brought forward an informational item about the objective design standards, which take into consideration current housing bills the state is adopting for Multi-Family Residential.

### **b. Members of the Audience**

No communications were made.

### **c. Planning Commission**

**Vice-Chairman Davis** asked if the City has determined the terms of the Planning Commissioners and if terms will be offset

**Senior Management Analyst Neustice** stated the Planning Commissioners were appointed for a two-year term and reappointment/reelection around June. The City Clerk will ask if the Commissioner is interested in reappointment and if so, the City Clerk will let the Councilmember of that District know and it will be up to the Councilmember to either reappoint or accept new applications.

**Vice-Chairman Davis** asked about the Little Store project.

**Director of Community Development Torrico** stated there will be six homes built and building plans have been approved. Once grading is approved, they can begin their project.

**Commissioner Green** asked if they are tearing down the house by the Little Market.

**Director of Community Development Torrico** stated yes, the demo of the existing house is part of the project.

**Vice-Chairman Davis** asked if the 905 Wellington Scenic Easement item went to Council.

**Planning Manager Espinoza** stated the applicant had a personal issue, so they postponed until after the holidays. Staff will contact them in January to see if they want to move forward.

**ADJOURNMENT**

**MOTION:** *Chairman Green* moved, seconded by *Vice-Chairman Davis*. Motion carried 5-0-0. The meeting adjourned at 7:07 p.m. to the regular Planning Commission Meeting scheduled for Thursday, January 16, 2025.

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David A. Bratt, Chairman  
San Dimas Planning Commission

ATTEST:

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Caitlyn Cortez  
Administrative Assistant

Approved: February 20, 2025

# CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting  
January 16, 2025, at 6:00 p.m.  
245 East Bonita Avenue, City Council Chamber

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## **PRESENT**

Chairman David Bratt  
Vice-Chairman John Davis  
Commissioner Margie Green  
Commissioner James Shirley  
Commissioner Doran Barnes  
Planning Manager Marco Espinoza  
Senior Management Analyst Kimberly Neustice

## **CALL TO ORDER AND FLAG SALUTE**

**Commissioner Bratt** called the regular meeting of the Planning Commission to order at **6:00 p.m.** and **Commissioner Green** led the flag salute.

## **PUBLIC HEARING**

**PH 1.** Municipal Code Text Amendment 24-11; Discussion and Consideration of a Municipal Code Text Amendment to amend the City of San Dimas Municipal Code, Title 18 as necessary to remove verbiage regarding the Development Plan Review Board (DPRB) and to remove the "Initiation/Petition" process for municipal code text amendments.

Staff is requesting the Planning Commission open the public hearing to hear any public comments and continue the public hearing to the next regularly scheduled Planning Commission meeting of February 20, 2025

**Chairman Bratt** opened the public hearing.

No communications were made.

**Chairman Bratt** closed the public hearing.

**MOTION:** Moved by **Commissioner Green**, seconded by **Commissioner Shirley** to continue the public hearing to the next regularly scheduled Planning Commission meeting of February 20, 2025

**ORAL COMMUNICATIONS**

**a. Community Development Department**

No communications were made.

**b. Members of the Audience**

No communications were made.

**c. Planning Commission**

No communications were made.

**ADJOURNMENT**

**MOTION:** *Chairman Green* moved, seconded by *Commissioner Shirley*. Motion carried 5-0. The meeting adjourned at 6:11 p.m. to the regular Planning Commission Meeting scheduled for Thursday, February 20, 2025.

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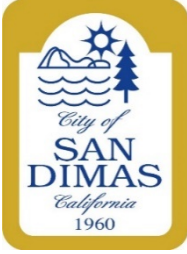
David A. Bratt, Chairman  
San Dimas Planning Commission

ATTEST:

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Kimberly Neustice  
Senior Management Analyst

Approved: February 20, 2025



## Agenda Item Staff Report

**To:** Honorable Chair and Members of Planning Commission  
*For the Meeting of February 20, 2025*

**From:** Luis Torrico, Director of Community Development

**Prepared by:** Marco Espinoza, Planning Manager

**Subject:** Municipal Code Text Amendment 24-11; Discussion and Consideration of a Municipal Code Text Amendment to amend the City of San Dimas Municipal Code, Title 18 as necessary to amend the process for zone changes and amendments to Title 18 and to eliminate the Development Plan Review Board.

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### **SUMMARY**

For the past several years, staff has been auditing the San Dimas Municipal Code (SDMC) to identify ways to make the Code more functional, as well as more user-friendly for residents, contractors, and staff to understand and navigate. To this end, Staff identified several Chapters of the SDMC Title 18-Zoning that should be amended, updated, deleted and/or modified.

On April 27, 2021, the City Council approved the initiation of a Municipal Code Text Amendment (MCTA) to amend the Chapters identified by Staff. The MCTA was broken up into three (3) separate MCTA actions. Due to the complexity of MCTA Action No. 1, it will be done in phases. This amendment will include amending Chapter 18.208, specifically amending the process by which zone changes and amendments to the municipal code are processed, which is part of MCTA Action No. 1.

Additionally, on July 11, 2023, the City Council initiated a MCTA to eliminate and transfer the Development Plan Review Board (DPRB) authority to the Planning Commission. This action will also amend the Code to eliminate the DPRB and transfer the Board's review authority to applicable bodies.

### **RECOMMENDATION**

Staff recommends that the Planning Commission adopt Resolution PC-1692 recommending approval of MCTA 24-11 to the City Council

### **GOVERNMENT CODE §84308 APPLIES:**

<https://leginfo.legislature.ca.gov>

No

## **FISCAL IMPACT**

There is no fiscal impact for the recommended action.

## **BACKGROUND**

On April 27, 2021, City Council voted 5-0 to initiate a MCTA to amend, update, delete and/or modify several chapters of the City's municipal code. The MCTA initiation was broken up into three separate MCTA actions. MCTA Action No. 1 consists of amending SDMC Section 17.12 Preliminary and Tentative Maps – Filing Procedures, Chapter 18.12 Development Plan Review Board, Chapter 18.196 Temporary Uses, Chapter 18.200 Conditional Use Permits, Chapter 18.204 Variances, Chapter 18.208 Zone Changes and Amendments, and Chapter 18.212 Appeal Procedures. MCTA Action No. 2 consists of amending Chapter 18.20 Residential Zones Generally, Chapter 18.24 S-F Single-Family Residential Zone, and Chapter 18.35 SF-DR Single-Family Downtown Residential Zone of the San Dimas Municipal Code. MCTA Action No. 3 consists of amending Chapter 18.08 Definitions and Chapter 18.188 Explosives. In addition, the initiation included the amendment of other applicable chapters as required.

MCTA Action No. 1 will be done in parts due to its complexity. As part of MCTA Action No. 1, this amendment will include amending Chapter 18.208, specifically amending the process by which zone changes and amendments to the municipal code are processed. MCTA Action No. 2 was presented to the Planning commission on November 21, 2024, and will be presented to the City Council for review and approval in early 2025. MCTA Action No. 3 will be presented to Planning Commission at a later date.

In addition, on July 11, 2023, the City Council initiated a MCTA to eliminate and transfer the Development Plan Review Board (DPRB) authority to the Planning Commission. This amendment will also amend the Code to eliminate the DPRB and transfer the Board's review authority to applicable bodies. In addition to architectural review of buildings and structures, the DPRB also service as the License and Permit Hearing Board that is responsible for reviewing and approving Reasonable Accommodation Request Applications. This amendment will also be consistent with one of the recommendations from the Development Process Performance Audit that was completed in 2023 by Matrix Consulting Group. Based on the consultant's assessment and analysis, they recommended that the City Staff re-allocate DPRB decision authority to either the Director/Planning staff or to the Planning Commission, with largely technical decisions delegated to Staff, while more complex decisions delegated to the Planning Commission.

## **DISCUSSION/ANALYSIS**

As previously mentioned, this amendment will address two (2) items:

1. Amending the process for zone changes and amendments to Title 18
2. The elimination the Development Plan Review Board.

### **1. Zone Changes and Amendments – Chapter 18.208**

Chapter 18.208 Zone Changes and Amendments sets forth the procedures for zone changes and amendments to Title 18. Before a formal application for a MCTA can be submitted, an initiation to petition the change must first be submitted to be considered by the Planning Commission. After Staff reviews the initiation request, a staff report is prepared and presented to the Planning Commission. The Commission will consider whether the proposed zone change or code

amendment (i.e. MCTA or GPA) is a reasonable request and if the applicant can proceed with a formal application and will either approve the initiation request to allow the applicant to move forward with a formal MCTA application, or deny the initiation request.

It should be noted that there is no fee for the initiation request and submittal requirements for the initiation request and formal MCTA application are the same. The information presented in the initiation staff report is the same information that is presented in the MCTA staff report. The only difference is that the initiation request is not a public hearing while the MCTA request is. It's also important to note that if the Commission were to deny the initiation request, the City would still have to accept the applicant's MCTA application if they chose to move forward.

Should this amendment be approved, the first part of the process (Initiation) will no longer be required saving the applicant precious time in the entitlement process. The applicant or property owner or their representative would now submit a formal MCTA application along with the required fee to request a zone change or code amendment. The rest of the process will continue to be the same, which will first be reviewed by the Planning Commission at a public hearing during which the Commission will provide a recommendation to the City Council. Subsequently, the City Council, at a public hearing, will make the final determination on the request. Under the proposed amendments, the City Council and the Planning Commission will still have the ability to direct Staff to process a zone change or code amendment.

In surveying some of the surrounding cities, San Dimas is the only city that has this process. Removing this procedure will make the process more efficient and will not affect the final outcome of the process. As such, Staff had identified this as a process that is redundant, confusing and time consuming for the applicant; therefore, warrants elimination of the process.

## **2. Removal of DPRB**

The DPRB was created per Chapter 18.12 for the review and approval of certain development projects under a development plan review process. The Board is composed of six (6) members, the president of the Chamber of Commerce; a member of the Planning Commission; the Director of Public Works; the City Manager; the Director of Community Development; or their designated representatives; and an appointed member of the general public at large. The Board meets twice a month, on the second and fourth Thursday of every month at 8:30 a.m. at City Hall. If no items are to be heard the meeting is cancelled. When items are to be heard, neighbor notifications are sent the week before the meeting date, to adjacent neighbors, notifying them of the item and requesting their participation in the DPRB review process. The agenda and the staff reports are also posted on the City's website for the public's viewing. The Board may continue, approve or disapprove the applicants' request at the meeting. If the item is approved there is a 14-day appeal period from the date of approval by the Board. If no appeal is submitted, the applicant may then proceed with the next step in projects entitlements or implementation such as for tree removals. Table 1 identifies the current review authority for different development projects including the Board's review authority. Under the current review process, projects in the Exemptions column are reviewed and approved by the Planning Manager or their designee (Planning Staff), and projects in the Director of Development Services are also reviewed and approved at Staff level but also require that neighbors be notified about the project's approval.



<b>Table 18.12.050</b>		
<b>Development Plan Review Authority</b>		
<b>Exemptions</b>	<b>Director of Development Services</b>	<b>Development Plan Review Board (DPRB)</b>
Single-family residential additions or structural modifications where addition is 1-story in height and where designed to match existing building exterior	Single-family residential additions or structural modifications where addition is greater than 1-story in height; provided neighbors are notified	New single-family residences; new multiple-family residences, office, commercial, institutional, public, industrial and other nonresidential buildings
Accessory dwelling units and/or junior accessory dwelling units		
Ground-mounted mechanical equipment where screened from view of adjoining properties and public streets	Roof-mounted mechanical equipment	
Patios, gazebos, decks and similar accessory residential structures without cantilever design or retaining wall support and not visible from public rights-of-way	Patios, gazebos, decks and similar accessory residential structures with cantilever design or retaining wall support	
Swimming pools and spas without retaining walls or with not more than 50 cubic yards of grading(excluding pool excavation)	Swimming pools and spas with retaining walls or with more than 50 cubic yards of grading (excluding pool excavation)	
Second-story decks and balconies less than 200 square feet, which are not on street-facing side of home and which are not located in a zero lot line or attached residential project; provided that neighbors are notified	Second-story decks and balconies greater than 200 square feet, which are not on street-facing side of home and which are not located in a zero lot line or attached residential project; provided that neighbors are notified	
Signs complying with approved sign program	Monument signs which comply with Chapter <b>18.152</b> and additional wall signs allowed by Chapter <b>18.152</b>	Sign programs
Wall signs and on-site directional signs		
Temporary signs and banners		
Sign face changes		
Minor additions and structural modifications to multiple-family residential and nonresidential uses and structures, for which there is no increase in intensity of use or additional parking required. Examples: interior remodels, trash enclosures and similar facilities	Additions and structural modifications to multiple-family residential and nonresidential uses and structures, which increase intensity of use or additional parking required. Examples: exterior remodeling, exterior color and material changes and similar modifications	Additions or structural modifications to an historic structure
Demolition of nonhistoric buildings		Demolition of historic buildings
Grading and reforming of land of not more than 50 cubic yards or other minor grading in isolated, self-contained areas not intended to support structures	Grading and reforming of land greater than 50 cubic yards and which is not in anticipation of a development plan requiring DPRB review	Grading associated with a development plan requiring DPRB review
Fencing and landscape plans complying with an approved community fencing or landscape plan	Community fencing or landscape plans	

Satellite dishes which are less than 24 inches in diameter and not visible from public rights-of-way	Satellite dishes 24 inches or greater in diameter or visible from public rights-of-way, flag poles, communication towers and other similar accessory facilities	
Other development of similar scale or impact, as determined by the director of development services, provided that no development explicitly subject to review under subsection <b>C</b> or <b>D</b> of this section shall be exempted	Other development of similar scale or impact, as determined by the director of development services; provided, that no development explicitly subject to review under subsection <b>D</b> of this section shall be reviewed pursuant to this subsection.	Other development plans not governed by subsections <b>B</b> and <b>C</b> of this section

Table 1 – Development Plan Review Authority (SDMC 18.12.050)

The DPRB is listed as the authoritative body for various forms of development projects throughout Title 18 of the City’s Municipal Code, thus numerous sections of the Municipal Code were required to be amended. The proposed amendments to the San Dimas Municipal Code will simplify the Municipal Code by clearly laying out the process needed for each type of administrative and discretionary action as well as establishing the authority for review of each action. By delegating review and approval authority from the DPRB to either City Staff, Community Development Director, or the Planning Commission; or a combination of the aforementioned authorities.

The DPRB’s function is attached to many aspects of the City Code, approving the design of all new residential and non-residential buildings, modifications to historic structures, master sign programs, tree removals (4 or more trees), community fence plans, to name a few items. The Board also reviews and approves Reasonable Accommodation Request Applications allowing for deviations from the Municipal Code based on their medical or health conditions. Additionally, the Board has an additional role as the Permit and License Hearing Board, the Board reviews and approves live entertainment permits and also permits for specific business that required additional review such as locksmiths, patrol systems, non-certified massage technicians, sidewalk vendors, and others.

The Board’s functions in recent years have been more of approving projects that have already been vetted by staff for compliance with the Code’s development standards and architectural design aesthetics compatible with the city’s standards than of them vetting out the design. These projects also have been approved with conditions of approval that have been standardized by staff, in addition to case specific conditions. This has helped to streamline the Board’s review of certain projects, however the process of preparing a staff report, neighbor notification and the agenda takes time and delays an applicant’s project by up to two (2) months. All the functions the Board currently facilitates can be absorbed by Staff or the Planning Commission, streamlining the process for the process. Table 2 below is the proposed Development Plan Review Authority table that shows the review and approval body for the different developments and/or uses. Staff is not proposing major changes to the review authority. Currently, any new development is reviewed by the DPRB. Under the proposed changes, the Planning Commission would absorb those responsibilities, except for a new single-family residence. Should the proposed changes be approved, a new single family residence would be subject to Director’s review which would be at Staff level but would require that all property owners within one hundred feet of the subject site be notified. However, if the single family residence is proposed as part of a new subdivision, the application will be subject to review by the Planning Commission and City Council due to the Parcel/Tract Map. Staff is also proposing to simplify the review process for swimming pools and commercial signs by requiring that they be reviewed at Staff level. The table below shows all the changes that Staff is proposing.

<b>Table 18.12.050</b>		
<b>Development Plan Review Authority*</b>		
<b>Exemptions Administrative - Planning Division Staff</b>	<b>Director of Community Development Services</b>	<b>Planning Commission Development Plan Review Board (DPRB)</b>
Single-family residential additions or structural modifications where addition is 1-story in height and where designed to match existing building exterior	<u>New single-family residences.</u> Single-family residential additions or structural modifications where addition is greater than 1-story in height; <del>provided neighbors are notified</del>	<u>New multifamily residential projects, where the underlying zone does not allow as a permitted use; new office, commercial, institutional, public, industrial and other nonresidential buildings.</u>  <u>Precise Plan; recommend to city council.</u> <del>New single-family residences; new multiple-family residences, office, commercial, institutional, public, industrial and other nonresidential buildings</del>
Accessory dwelling units and/or junior accessory dwelling units		
Ground-mounted mechanical equipment where screened from view of adjoining properties and public streets. <u>Roof-mounted mechanical equipment for non-residential uses, or residential uses with flat roof and screened by a parapet wall or roof equipment-well.</u>	<del>Roof-mounted mechanical equipment</del>	
Patios, gazebos, <u>first floor/ground</u> decks and similar accessory decks and similar accessory residential structures without cantilever design or retaining wall support and not visible from public rights-of-way	Patios, gazebos, <u>first floor/ground</u> decks and similar accessory residential structures with cantilever design or retaining wall support <u>and visible from public rights-of-way.</u>	
Swimming pools and spas <u>with or</u> without retaining walls <del>or with not more than 50 cubic yards of grading(excluding pool excavation)</del>	<del>Swimming pools and spas with retaining walls or with more than 50 cubic yards of grading (excluding pool excavation)</del>	

Second-story decks and balconies less than 200 square feet, <del>which are not on street-facing side of home and which are not located in a zero lot line or attached residential project; provided that neighbors are notified</del>	Second-story decks and balconies greater than 200 square feet, <del>which are not on street-facing side of home and which are not located in a zero lot line or attached residential project; provided that neighbors are notified</del>	
<del>Signs complying with approved sign program</del> Wall signs, <del>and</del> on-site directional signs <del>and other signs which comply with Chapter 18.152</del>	<del>Monument signs which comply with Chapter 18.152 and additional wall signs allowed by Chapter 18.152</del>	Sign programs
Temporary signs and banners <del>which comply with Chapter 18.152</del>		
Sign face changes		
<del>Monument Signs which comply with Chapter 18.152</del>		
	<a href="#">Sign Programs</a>	
Minor additions and structural modifications to multiple-family residential and nonresidential uses and structures, for which there is no increase in intensity of use or additional parking required. Examples: interior remodels, trash enclosures and similar facilities	Additions and structural modifications to multiple-family residential and nonresidential uses and structures, which increase intensity of use or additional parking required <del>or substantially modifies the exterior look of the building(s)</del> . Examples: exterior remodeling, exterior color and material changes and similar modifications	
	<a href="#">Additions and structural modifications to residential and nonresidential structures on the City's historic inventory list.</a>	Additions or structural modifications to a <del>an</del> <a href="#">designated</a> historic structure
Demolition of nonhistoric buildings	<a href="#">Demolition of buildings on City's historic inventory list, subject to review of a historical significance evaluation</a>	Demolition of <a href="#">designated</a> historic buildings, <a href="#">subject to review of a historical significance evaluation</a>
Grading and reforming of land of not more than 50 cubic yards or other minor grading in isolated, self-contained areas not intended to support structures <del>or not associated with a swimming pool</del>	Grading and reforming of land greater than 50.1 cubic yards and which is <del>not associated with a swimming pool or</del> in anticipation of a development plan requiring <a href="#">Planning Commission DPRB</a> review	Grading associated with a development plan requiring <a href="#">Planning Commission DPRB</a> review

Fencing and landscape plans <del>complying with an approved</del>	<del>Community fencing or landscape plans</del>	
<a href="#">Community fencing or landscape plan</a>		<a href="#">Modification to community fencing plan</a>
<del>Satellite dishes which are less than 24 inches in diameter and not visible from public rights-of-way</del>	Satellite dishes 24 36 inches or greater in diameter or visible from public rights-of-way, flag poles, communication towers and other similar accessory facilities	
<a href="#">Flag poles</a>		
Other development of similar scale or impact, as determined by the director of <a href="#">community development services</a> , provided that no development explicitly subject to review under subsection C or D of this section shall be exempted	Other development of similar scale or impact, as determined by the director of <a href="#">community development services</a> ; provided, that no development explicitly subject to review under subsection D of this section shall be reviewed pursuant to this subsection.	Other development plans not governed by subsections B and C of this section
	<a href="#">Tennis courts</a>	

\*Structures or developments which are not included in Table 18.12.050 may be allowed, upon a determination by the director of community development that they are similar and not more obnoxious or detrimental than the structures or developments listed above.

Table 2 – Proposed Development Plan Review Authority (SDMC 18.12.050)

In addition to deleting DRPB from Chapter 18.12, the DPRB is intertwined in almost every other Section within Chapter 18 - Zoning. Within Title18 there are 77 sections that were all reviewed and amended to delete the DPRB and reassign a review body for the different development and or uses. At this time, Staff is also proposing to delete a confusing process that was changed by through a Policy approved by the City Council. The Code requires in some of the residential Specific Plans, the submittal of a Conditional Use Permit (CUP) Application for accessory structures (i.e. patio cover, decks, detached garages, pools, etc.). These CUP Applications are to be reviewed by the DPRB and not the Planning Commission who reviews and approves CUP's. This requirement is costly and time-consuming for residential property owners seeking to make minor improvements to their backyards. Staff is proposing to make this an administrative process, which would significantly reduce the cost and review time, and would be consistent with the review process for the other single-family residential zones in the City.

The Board is also responsible for reviewing Reasonable Accommodation Request Applications; however, in recent years, this has been become problematic due to the Health Insurance Portability and Accountable Act of 1996 (HIPAA), which limits the amount of health information that can be discussed. Therefore, reassigning this process for zoning related issues to the Director of Community Development would be better suited for the City and the applicant. The

application can be reviewed and approved without having a public meeting and discussing aspects of the application in public.

Another function of the Board is to act as the License and Permit Hearing Board (LPHB) that reviews certain permits and licenses; live entertainment at a business, and certain businesses that at the time of creation of these code sections may not of had a review process or requirements of licenses of permits or certifications from other governmental agencies. Many of the processes and requirements of the LPHB are outdated and can be deleted and/or absorbed by the land use section of the City's Municipal Code. Staff believes that deleting the LPHB would make the process more efficient; however, this direction was not given by the Council. Therefore, since the DPRB will be eliminated, at this time Staff is proposing to redefine the LPHB to be made up of the Assistant City Manager, and Directors of Administrative Services, Parks and Recreation, Public Works and Community Development. This will still allow the LPHB to function, until Staff brings back a request to eliminate the LPHB to the Planning Commission and City Council.

In addition to the deletion of DPRB and the initiation/petition process, the Code was also amended to correctly refer to the Director of Community Development rather than Planning Director or Director of Community Services to be consistent with the City's Municipal Code Title 18.

Lastly, with the proposed changes to the review authority table and how the City will review Reasonable Accommodation and LPHB applications, Staff will have to propose new fees. These will be proposed separately to the City Council as fees are not under the purview of the Planning Commission.

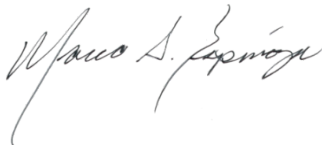
### **ALTERNATIVES**

There are currently no alternatives proposed for this request; however, the Planning Commission may recommend changes to the proposed MCTA language.

### **ENVIRONMENTAL REVIEW**

Pursuant to CEQA guidelines Section 15061 (b)(3), CEQA does not apply to this item because there is no potential for causing a significant effect on the environment. Therefore, no additional environmental review is needed at this time.

Respectfully submitted,



Marco Espinoza  
Planning Manager

Attachments:

1. Resolution PC-1692
2. July 11, 2023 City Council Report and Action Summary
3. April 27, 2021, City Council Report and Action Summary

RESOLUTION PC-1692

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 24-11, A REQUEST TO AMEND THE CITY OF SAN DIMAS MUNICIPAL CODE TITLE 18 AS NECESSARY TO REMOVE AMEND THE PROCESS FOR ZONE CHANGES AND AMENDMENTS TO TITLE 18 AND TO ELIMINATE THE DEVELOPMENT PLAN REVIEW BOARD.**

**WHEREAS**, an Amendment to the San Dimas Municipal Code has been duly initiated by the City of San Dimas; and

**WHEREAS**, the Amendment is described as a Municipal Code Text Amendment to amend the City of San Dimas Municipal Code, Title 18 as necessary to amend the process for zone changes and amendments to Title 18 and to eliminate the Development Plan Review Board; and

**WHEREAS**, the Amendment would affect City wide; and

**WHEREAS**, notice was duly given of the public hearing on the matter and that public hearing was held on December 19, 2024 at the hour of 6:00 p.m., and at such meeting staff requested the item be continued to the next regularly scheduled meeting of January 16, 2025, and at such meeting staff again requested the Planning Commission continue the item to the next regularly scheduled meeting of February 20, 2025, which the Planning Commission granted and with all testimony received being made a part of the public record; and

**WHEREAS**, all requirements of the California Environmental Quality Act and the City's Environmental Guidelines have been met for the consideration of whether the project will have a significant effect on the environment.

**WHEREAS**, the proposed amendments will also be consistent with one of the recommendations from the Development Process Performance Audit that was completed in 2023 by Matrix Consulting Group. Based on the consultant's assessment and analysis, they recommended that the City Staff re-allocate DPRB decision authority to either the Director/Planning staff or to the Planning Commission, with largely technical decisions delegated to Staff, while more complex decisions delegated to the Planning Commission.

**NOW, THEREFORE**, in consideration of the evidence received at the hearing, and for the reasons discussed by the Commissioners at the hearing, the Planning Commission now finds as follows:

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

The proposed Municipal Code Text Amendments are intended to eliminate duplicative processes, reduce procedural ambiguity, and improve efficiency for applicants. The proposed amendments will not adversely affect property values, establish negative precedents, or result in detrimental impacts to the community. Instead, the proposed amendments seeks to promote a more efficient and transparent review process by directing development project evaluations to the appropriate review bodies and eliminating unnecessary procedural steps and saving the applicant's time.

- B. The proposed Municipal Code Text Amendment will further the public health, safety and general welfare.

The proposed amendments advance the general welfare of San Dimas by refining the review process to remove redundancies and reduce confusion in the application procedures. It eliminates the previously required steps of review by either the Development Plan Review Boards or the License and Permit Hearing Board, thereby creating a more efficient and streamlined approach. This ensures that applications are processed in a manner that is clear, consistent, and supportive of public health, safety, and welfare.

C. The proposed Municipal Code Text Amendment is consistent with the General Plan.

The proposed amendments are aligned with the following goals from the General Plan.

Housing Element

- a. Goal Statement HE-3.3 seeks to 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.
- b. Goal Statement HE-3.4 aims to maintain an efficient entitlement process with coordinated permit processing, objective design review and standards, and environmental clearance procedures.

**NOW, THEREFORE, BE IT FURTHER RESOLVED, PURSUANT TO THE ABOVE FINDINGS,** that the Planning Commission recommends to the City Council approval of Municipal Code Text Amendment 24-11 as set forth in attached EXHIBIT A:

**PASSED, APPROVED and ADOPTED,** the 20th day of February, 2025 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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David A. Bratt, Chairman  
San Dimas Planning Commission

ATTEST:

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Kimberly Neustice, Senior Administrative Analyst



## EXHIBIT A

- New text changes are in Blue Underlined
- Deleted text is in ~~Red Strikethrough~~

**SECTION 1.** Section 18.208. is hereby amended to read as follows:

**18.208.010 Purpose.**

The purpose of this chapter is to set forth procedures by which this title may be amended to impose regulations not heretofore imposed, to remove or modify any regulation heretofore imposed, and to change zones or alter boundaries of districts. (Ord. 37 § 650.0, 1961; Ord. 286 § 2, 1970)

**18.208.020 Procedure.**

A. ~~Initiation.~~ A change of zone or other amendment described in Section 18.208.010 may be initiated by the city council, ~~by the~~ planning commission or an applicant as follows: ~~pursuant to a petition filed as provided in this chapter.~~

1. A change of zone or other amendment may also be initiated by filing the appropriate application and fee with the Community Development Department by an applicant or the owner(s) or authorized agents of property for which the zone change is being sought. If the property is under multiple ownership all owners or their authorized agents shall join in filing the application.

~~B. Petition—Filing Fee. Upon paying a filing fee as adopted by city council resolution, a property owner or his authorized representative may file with the director a petition for a change of zone or other amendment on forms provided by the city.~~

B.C. Application Petition—Contents for Zone Change. The application ~~petition~~ shall be complete and shall show:

1. When was existing zoning effective and are there changed conditions to warrant other or additional zoning?
2. Will the proposed change of zone adversely affect the adjoining property as to value, precedent, or be detrimental to the area?
3. Will a change of zone be in the interest of furtherance of public health, safety and general welfare?
4. Such other information as the commission deems necessary.

The application ~~petition~~ shall be verified, dated and accompanied by a certified list as shown on the latest available assessment roll of the county of the names and addresses of all persons to whom all property is assessed within three hundred feet of the exterior boundaries of the property described in the application ~~petition~~.

C.D. Application Petition —Contents for Other Than Zone Change. The application ~~petition~~ shall be complete and shall show:

1. The nature of the amendment sought.
2. The sections of this title affected.
3. The reasons for the proposed amendment.
4. Will the amendment further the public health, safety and welfare?
5. Will the amendment adversely affect other properties?
6. Are there changed conditions to warrant the amendment?
7. Such other information as the commission deems necessary.

~~E. Duty of Commission. A petition for a change of zone or other amendment shall be construed as a suggestion only. The commission shall not be required to hold a hearing upon the filing of a petition. The filing fee shall be refunded should the commission elect not to hold a hearing.~~

**D.F.** Investigation. The planning department shall investigate the facts bearing on the proposed zone change or other amendment to provide information necessary to assure action consistent with the intent of this title and the general plan.

~~**G.** Determination Regarding Hearing. The petition and the investigation of the planning department shall be submitted to the planning commission. If the planning commission deems it necessary or desirable, it shall order the planning director to set a hearing thereon. The hearing shall be set not less than fifteen nor more than sixty days thereafter.~~

**E.H.** Notice of Hearing. Notice of public hearing shall be given in the following ways, and shall contain the date, time and place of the hearing and, in the case of a hearing for a change of zone, a general description of the property for which a change of zone is sought.

1. Notice shall be published in a newspaper of general circulation in the city not less than ten days before the date of hearing.

2. Notices shall be posted not less than ten days before the date of the hearing in a conspicuous place at City Hall, the Los Angeles County public library, and the post office.

3. Except in those cases where the planning commission determines that notice by United States Mail is impractical, notices for a hearing for a change of zone shall be mailed not less than ten days before the hearing to owners of property within a radius of three hundred feet of the exterior boundaries of the property described in the petition, as shown on the latest available assessment roll of the county.

**F.I.** Commission Recommendations. The commission shall recommend to the city council approval or disapproval of the proposed change of zone or other amendment ~~within forty days after the conclusion of the hearing~~. The recommendation shall include the reasons therefor along with the following findings:

1. Whether or not the proposed change of zone or other amendment will adversely affect the adjoining property as to value, precedent or be detrimental to any area.

2. Whether or not the change of zone or other amendment will further the public health, safety and general welfare.

3. Whether or not the change of zone or other amendment is consistent with the general plan and any applicable special plans.

~~The recommendation shall be filed with the council and a copy thereof mailed to the petitioner.~~

**G.J.** Council Procedure. Upon receipt of the recommendation of the planning commission, the council shall hold a public hearing; provided, however, that if the matter under consideration is an amendment to a zoning ordinance to change property from one zone to another, and the planning commission has recommended against the adoption of such amendment, the city council shall not be required to take any further action thereon unless an appeal is made in accordance with the provisions of Chapter 18.212, except as modified by subsection ~~K~~ **H** of this section.

**H.K.** Council Action. The council may approve, modify or disapprove the recommendation of the commission; ~~provided, that any modification of the proposed ordinance or amendment by the council shall first be referred to the planning commission for report and recommendation, but the planning commission shall not be required to hold a public hearing thereon. Failure of the planning commission to report within forty days after the reference, or such longer period as may be designated by the council, shall be deemed to be approval of the proposed modification.~~

**I.L.** Notification. The petitioner shall be notified by mail of the council's final action.

**SECTION 2.** Section 5.12.010 is hereby amended to read as follows:

The Assistant City Manager, and Directors of Administrative Services, Parks and Recreation, Public Works and Community Development ~~development plan review board~~ is designated as the license and permit hearing board of the city. Such board shall have the power to grant all permits required by Chapters 5.28, 5.32, 5.36 and 5.68 and to revoke or suspend any permit or license

granted or issued under the provisions of this title. Such board shall be governed by the procedures set out in this title.

**SECTION 3.** Chapter 1.30.080 is hereby amended to read as follows:

**1.30.080 Process for determination—Zoning-related applications.**

A. Receipt of Application. The director of community development or his or her designee, shall investigate the facts bearing on the application, and compile the information necessary for a decision on the application.

B. Review. The ~~application shall be forwarded to the~~ director of community development ~~shall forward the application to the development plan review board~~ for consideration within thirty days of the submittal of a complete application. At such review, the ~~director development plan review board~~ shall conduct a review on the request for reasonable accommodation at which all reasonable evidence ~~and credible testimony~~ shall be considered. The ~~director development plan review board~~ may, at ~~their~~ ~~its~~ discretion or upon request of an applicant, continue the matter as deemed necessary if additional information will facilitate more complete consideration of the matter.

C. Decision. The ~~development plan review board~~ ~~director of community development~~ shall issue a written decision and may grant the accommodation request, deny the request, offer approval of an alternate accommodation, or approve the request with conditions. The written decision is to be based on the contents of the application, ~~the staff report, the~~ ~~any~~ testimony ~~requested by the applicant and or associated individuals,~~ and ~~evidence presented at the hearing, and~~ a consideration of the factors set forth in Section 1.30.060 of this chapter. The decision shall:

1. Contain the factual findings, conclusions and reasons for the decision;
2. Give notice of the right to appeal pursuant to Section 1.30.090 of this chapter;
3. Be sent to the applicant by mail. (Ord. 1146 § 1, 2005)

**SECTION 4.** Chapter 8.36.030 is hereby amended to read as follows:

**8.36.030 Fixed and mobile noise sources.**

On or after the effective date of the ordinance codified in this chapter, unless a permit has been granted by the ~~development plan review board~~ ~~director of community development~~, it is unlawful for any person to operate or cause to be operated, any single or combination fixed source or mobile source type of equipment or machinery, that individually or collectively constitute an identifiable noise source in such a manner as to cause the sound level at any point on the property line of any property to exceed the noise level limits set forth in Section 8.36.040 of this chapter, however, that if all provisions of Section 8.36.110 are complied with, this section shall not apply to construction equipment used in connection with construction operations. (Ord. 868 § 1, 1987)

**SECTION 5.** Chapter 15.04.030 is hereby amended to read as follows:

**15.04.030 Reroofing requirements.**

Roofs of existing multi-family residential buildings (including duplexes, townhomes and condominiums) of Type V construction in ~~the Severely High~~ Fire Zone ~~III~~ shall be reroofed with ~~fire-retardant~~ ~~Class A roofing~~ materials. In ~~the Severely High~~ Fire Zone ~~IV~~, all new roofs and reroofing of existing buildings shall be with ~~fire-retardant~~ ~~Class A roofing~~ materials. In the case of reroofing of existing structures, the ~~fire-retardant~~ roof materials shall be compatible with other roofs in the surrounding community, as determined by the city ~~building planning~~ division. ~~Any appeal of the decision of the building official shall be to the development plan review board.~~

**SECTION 6.** Chapter 18.12.010 is hereby amended to read as follows:

**§ 18.12.010. Purpose.**

The purpose of this chapter is to permit the city to review proposed development projects to ensure compliance with the general plan goals, policies and objectives favoring high-quality development which is both internally balanced and harmonious and is complimentary to adjacent properties.

The city recognizes that architectural design and treatment of buildings and structures, integrity of design, orientation and configuration of buildings and structures upon a site, compatibility of development with adjacent development, traffic circulation and parking, and landscaping and open areas are all factors which should be addressed with respect to development of any property so as to create attractive, desirable and healthy neighborhoods for work and residence. The city's objective is to encourage and to promote development which is not only functional and attractive, but is also functionally and aesthetically compatible with surrounding development and enhancing to the area in which it is located. In furtherance of this purpose, this chapter provides for detailed site plan review of development proposals to ensure compliance with the zoning ordinance and other regulations of the city by ~~creating a development plan review board~~ designating the appropriate review authorities to review such proposals and impose such conditions as the board deems necessary to carry out the purposes of this chapter. Where the proposed development plan creates adverse effects on surrounding properties, or environmental impacts are found to so require, the review authority ~~director of development services or the development plan review board~~, as the case may be, may establish more stringent regulations than those otherwise specified.

~~§ 18.12.020. Development plan review board created.~~

- ~~A. Creation. There is created a development plan review board consisting of the president of the Chamber of Commerce; a member of the city council; a member of the planning commission; the director of public works; the city manager; the director of development services; or their designated representatives; and, an appointed member of the general public at large with a designated alternate. In the event that the board attendance is not sufficient to reach a quorum, the director of community development shall appoint a temporary board member(s). The term "DPRB," when used in this chapter, refers to the development plan review board. The DPRB shall carry out the duties prescribed in this chapter.~~
- ~~B. Meetings. The DPRB shall meet regularly in open meeting at a time to be determined by the development plan review board.~~
- ~~C. Rules of Procedure. The DPRB may adopt such procedural rules as are necessary for the conduct of its business~~

§ 18.12.0230. Review required.

§ 18.12.0340. Submission of development plan.

...  
C. Contents. The development plan shall be the building plans and shall include, but not be limited to, the following:

...  
14. Such other data as the review authority ~~development services department staff or DPRB~~ may require to make necessary findings.  
(Ord. 37 § 795.6, 1961; Ord. 99 § 4, 1964; Ord. 292 § 1, 1970; Ord. 703 § 1, 1980; Ord. 750 § 4, 1981; Ord. 897 § 1 (E), 1989; Ord. 1117 § 2, 2001; Ord. 1170 § 1, 2007)

§ 18.12.04540. Resubmittal of denied application.

Following denial of a development plan review application ~~case~~, no similar or substantially similar

application for development plan review on the same property, or portion thereof, shall be filed for one year from the date that the denial becomes final; unless the denial was made without prejudice.

(Ord. 1144 § 3, 2004; Ord. 1170 § 1, 2007)

§ 18.12.050. Review authority.

This section, along with Table 18.12.050 identifies the review authority for reviewing and making decisions on development plan review applications. Multiple applications for the same project shall be processed concurrently and shall be reviewed and approved or denied by the highest review authority designated under this section for any of the applications, with other required reviewing bodies providing a recommendation on the application.

- A. ~~Informal~~ Preliminary Review. Applicants may, at their option, submit preliminary drawings to the planning division for informal review and comment prior to the preparation of working drawings. The plan review shall be completed by the Community Development staff and any other department deemed necessary, subject to filing fees as determined by resolution of the City Council.
- B. Development Plans – Administrative Review by Planning Division Staff.—~~Exempt.~~ Planning Division Staff may approve or disapprove those development plan applications, subject to the criteria set forth in Section 18.12.060, as shown below in the first column of Table 18.12.050. ~~The following development is exempt from development plan review and approval as shown below in the first column of Table 18.12.050.~~ These developments shall conform to all applicable provisions of the San Dimas Municipal Code and this chapter. For development plans specified in this subsection, the community development director ~~director of development services~~ may approve reductions in setbacks or other development standards where this title allows ~~the development plan review board~~ to do so. The director of community development services may, upon a determination that the development could be incompatible with or have an adverse effect on existing and surrounding property, require that the development plan be reviewed pursuant to subsection C or D, as deemed appropriate, of this section.
- C. Development Plans – Review by the Director of Community Development. —~~Review by Director of Development Services.~~ The director of community development ~~of development services~~ may approve, conditionally approve, or disapprove those development plan applications, subject to the criteria set forth in Section 18.12.060, as shown below in the second column of Table 18.12.050. The director of community development ~~of development services~~ may approve reductions in setbacks or other development standards where this title allows ~~the development plan review board~~ to do so. The director of community development ~~of development services~~ may, upon a determination that the development could be incompatible with or have an adverse effect on existing and surrounding property, require that the development plan be reviewed pursuant to subsection D of this section.
- D. Development Plan – Review by the Planning Commission. —~~Review by Development Plan Review Board.~~ The Planning Commission ~~development plan review board~~ may approve, conditionally approve, or disapprove those development plan applications, subject to criteria set forth in Section 18.12.060, as shown below in the third column of Table 18.12.050.
- ~~E.—Development Plan—Review by City Council. Where the applicant is a city council member or commissioner for the city of San Dimas, a member of the development plan review board, or any designated employee of the city of San Dimas required to file a statement of economic interests, the DPRB shall forward their recommendation to the city council. The city council~~

~~may approve, conditionally approved, or disapprove development plan applications, subject to criteria set forth in Section 18.12.060.~~

<b>Table 18.12.050</b>		
<b>Development Plan Review Authority*</b>		
<b><u>Exemptions Administrative - Planning Division Staff</u></b>	<b>Director of <u>Community Development Services</u></b>	<b><u>Planning Commission Development Plan Review Board (DPRB)</u></b>
Single-family residential additions or structural modifications where addition is 1-story in height and where designed to match existing building exterior	<u>New single-family residences.</u> Single-family residential additions or structural modifications where addition is greater than 1-story in height.; <del>provided neighbors are notified</del>	<u>New multifamily residential projects, where the underlying zone does not allow as a permitted use; new office, commercial, institutional, public, industrial and other nonresidential buildings.</u>  <u>Precise Plan; recommend to city council.</u> <del>New single-family residences; new multiple-family residences, office, commercial, institutional, public, industrial and other nonresidential buildings</del>
Accessory dwelling units and/or junior accessory dwelling units		
Ground-mounted mechanical equipment where screened from view of adjoining properties and public streets. <u>Roof-mounted mechanical equipment for non-residential uses, or residential uses with flat roof and screened by a parapet wall or roof equipment-well.</u>	<del>Roof-mounted mechanical equipment</del>	
Patios, gazebos, <u>first floor/ground</u> decks and similar accessory decks and similar accessory residential structures without cantilever design or retaining wall support and not visible from public rights-of-way	Patios, gazebos, <u>first floor/ground</u> decks and similar accessory residential structures with cantilever design or retaining wall support <u>and visible from public rights-of-way.</u>	
Swimming pools and spas <u>with or</u> without retaining walls <del>or with not more than 50 cubic yards of grading(excluding pool excavation)</del>	<del>Swimming pools and spas with retaining walls or with more than 50 cubic yards of grading (excluding pool excavation)</del>	

Second-story decks and balconies less than 200 square feet, <del>which are not on street-facing side of home and which are not located in a zero lot line or attached residential project; provided that neighbors are notified</del>	Second-story decks and balconies greater than 200 square feet, <del>which are not on street-facing side of home and which are not located in a zero lot line or attached residential project; provided that neighbors are notified</del>	
<del>Signs complying with approved sign program</del> Wall signs, <del>and</del> on-site directional signs <del>and other signs which comply with Chapter 18.152</del>	<del>Monument signs which comply with Chapter 18.152 and additional wall signs allowed by Chapter 18.152</del>	<del>Sign programs</del>
Temporary signs and banners <del>which comply with Chapter 18.152</del>		
Sign face changes		
<del>Monument Signs which comply with Chapter 18.152</del>		
	<a href="#">Sign Programs</a>	
Minor additions and structural modifications to multiple-family residential and nonresidential uses and structures, for which there is no increase in intensity of use or additional parking required. Examples: interior remodels, trash enclosures and similar facilities	Additions and structural modifications to multiple-family residential and nonresidential uses and structures, which increase intensity of use or additional parking required <del>or substantially modifies the exterior look of the building(s)</del> . Examples: exterior remodeling, exterior color and material changes and similar modifications	
	<a href="#">Additions and structural modifications to residential and nonresidential structures on the City's historic inventory list.</a>	Additions or structural modifications to a <del>a</del> <a href="#">designated</a> historic structure
Demolition of nonhistoric buildings	<a href="#">Demolition of buildings on City's historic inventory list, subject to review of a historical significance evaluation</a>	Demolition of <a href="#">designated</a> historic buildings, <a href="#">subject to review of a historical significance evaluation</a>
Grading and reforming of land of not more than 50 cubic yards or other minor grading in isolated, self-contained areas not intended to support structures <del>or not associated with a swimming pool</del>	Grading and reforming of land greater than 50.1 cubic yards and which is <del>not associated with a swimming pool or</del> in anticipation of a development plan requiring <a href="#">Planning Commission DPRB</a> review	Grading associated with a development plan requiring <a href="#">Planning Commission DPRB</a> review
Fencing and landscape plans <del>complying with an approved</del>	<del>Community fencing or landscape plans</del>	

<a href="#">Community fencing or landscape plan</a>		<a href="#">Modification to community fencing plan</a>
<del>Satellite dishes which are less than 24 inches in diameter and not visible from public rights-of-way</del>	Satellite dishes <del>24</del> <u>36</u> inches or greater in diameter or visible from public rights-of-way, flag poles, communication towers and other similar accessory facilities	
<a href="#">Flag poles</a>		
Other development of similar scale or impact, as determined by the director of <a href="#">community development services</a> , provided that no development explicitly subject to review under subsection C or D of this section shall be exempted	Other development of similar scale or impact, as determined by the director of <a href="#">community development services</a> ; provided, that no development explicitly subject to review under subsection D of this section shall be reviewed pursuant to this subsection.	Other development plans not governed by subsections B and C of this section
	<a href="#">Tennis courts</a>	

\*Structures or developments which are not included in Table 18.12.050 may be allowed, upon a determination by the director of community development that they are similar and not more obnoxious or detrimental than the structures or developments listed above.

§ 18.12.060. Findings—Standard of review.

- A. Consideration and Review of Development Plan. In reviewing any development plan presented pursuant to the provisions of this chapter, the [review authority](#) ~~planning manager, director of development services or the DPRB~~, as the case may be, shall consider the following:  
....
- B. Findings. In approving or conditionally approving a development plan pursuant to the requirements of this chapter, the [review authority](#) ~~planning manager, director of development services or the DPRB~~, as the case may be, shall find that as modified by any imposed conditions:

§ 18.12.070. Procedure.

- A. Completeness. The director of [community development services](#) shall review a development plan application pursuant to Section 18.12.040 to determine if the application is complete within thirty days after receiving the application. If determined incomplete, the applicant shall be advised in writing of all information needed to complete the application. A determination of completeness by the director of [community development services](#) shall not prevent the ~~DPRB~~ [review authority](#) from requesting supplemental information to facilitate its decision.



The applicant must supply the requested plans and/or information within ~~sixty~~ ninety days of the notice of incomplete filing or the application may be deemed to have been withdrawn and no action will be taken on the application, unless an extension is approved by the Director of Community Development for good cause shown. If the applicant subsequently wishes to pursue the project, a new application, including all fees, plans and other materials, must be filed in compliance with this Chapter. Upon receipt of the required items by the community development ~~services~~ department, the information shall be reviewed for completeness and a determination of completion shall be made within thirty days.

B. ....

C. Notice.

~~1.~~ 1. Planning Commission Review. Written notice shall be sent to the applicant prior to consideration of the development plan application by the ~~development plan review board~~ Planning Commission, pursuant to Section 18.200.080 of this Municipal Code. ~~Written notice shall be also sent to adjoining property owners prior to consideration of any development plan application by the DPRB~~

2. Director of Community Development Review. Written notice of the director of community development's decision of the development plan application shall be sent to the applicant and to all property owners within one hundred feet of the external boundaries of the property described in the application. properties within five days of the director's decision.

D. Decision. The review authority ~~director of development services or the development plan review board~~ shall consider any application in a timely manner after it is deemed complete. In approving a development plan, the director of community development or the Planning Commission ~~development plan review board~~ shall be empowered to impose conditions to ensure conformance to the general plan, zoning code, specific plans, applicable regulations of the San Dimas Municipal Code and the provisions of this chapter. ~~The DPRB may, from time to time, continue its consideration of any development plan.~~

E. Execution of Approved Plan. The decision of the director of community development ~~services or development plan review board~~ Planning Commission, together with the findings and any conditions, shall be made in writing and shall be kept on file in the community development ~~services~~ department. A copy of such decision shall be mailed to the applicant and to any person who has made written request for such notice. The decision shall be final fourteen days after mailing of the notice, unless the decision is appealed in accordance with subsection H of this section.

F. Extension. Upon receiving a written request prior to the expiration of any approval time period, the director of community development ~~services~~ may grant an extension of the development plan approval for a period ~~not exceeding one year~~ of up to two years; providing, that it is found that there has been no subsequent change in the findings, conditions of approval, and applicable regulations governing the development plan approval.

G. ....

H. Appeals. Any decision, determination or action of the director of community development ~~services~~ pursuant to this chapter may be appealed by any aggrieved party or person to the ~~development plan review board~~ Planning Commission; provided, that such appeal is filed within fourteen days after the issuance of the decision, determination or action by the director of development ~~services~~. Any decision, determination or action by the ~~development plan review board~~ Planning Commission may be appealed by an aggrieved party or person to the city council provided that such appeal is filed within fourteen days after issuance of the

decision, determination or action by the ~~development plan review board~~ [Planning Commission](#). Except for the time period specified herein, appeals shall be governed by the provisions of Chapter 18.212.

§ 18.12.090. Issuance of permit.

Before a building permit or relocation permit is issued for any building or structure, the building department shall ensure that:

- A. The proposed building is in conformity with the development and conditions approved by the [review authority](#) ~~DPRB or director of development services~~, and the applicant has signed a file copy of the approved development plan, accepting the conditions thereon.

~~§ 18.12.120. Limitation on board authority.~~

~~No provision of this chapter shall give the review board or planning commission authority to deny any use permitted by the zone in which the property lies.~~

**SECTION 7.** Section 18.14.090. is hereby amended to read as follows:  
**18.14.090. Minor deviations.**

...

- C. The director of [community](#) development ~~services~~ department decision may be appealed to [planning commission](#) ~~development plan review board~~ in writing pursuant to the provisions of Chapter 18.212.

**SECTION 8.** Section 18.24.040. is hereby amended to read as follows:  
**18.24.040. Property development standards.**

...

D. Building Height.

...

1. No building or structure erected in this zone shall have a height greater than thirty-five feet or two stories, whichever is less, except that a steeple, spire or other similar projection above a building used primarily for religious purposes, may extend the total height of the structure and steeple, spire or other similar projections as high as forty-five feet, provided that the heights of the steeple, spire, or other similar projection is harmonious in design with the building or structure and with the surrounding neighborhood and a development plan is approved by the [review authority](#) ~~development plan review board~~ in accordance with Chapter 18.12 of this title.

**SECTION 9.** Section 18.32.140. is hereby amended to read as follows:  
**18.32.140. Lot coverage.**

Maximum lot coverage of all structures shall not exceed thirty-five percent of the total area of a lot or parcel. To limit the mass and bulk on larger properties, the ~~development plan review board~~ [the review authority, in accordance with Chapter 18.12 of this title](#), may reduce this maximum lot coverage on lots or parcels greater than twenty thousand square feet in total area.

**SECTION 10.** Section 18.32.180. is hereby amended to read as follows:  
**18.32.180. Review requirements.**

Before any grading or building is erected on any lot or parcel that is subject to the requirements and limitations of this chapter, a development plan shall be submitted for review and approvals to the [review authority development plan review board and the planning commission](#), pursuant to the provisions of Chapter 18.12 of this title. The decision of the [review authority planning commission](#) shall be final unless that decision is appealed ~~to the city council pursuant to Chapter 18.212 of the title; provided, that the decision of the planning commission shall be automatically appealed to the city council if the decision of the planning commission is by less than the unanimous vote of all of the members present and participating.~~ In addition to the standard development plan findings, the ~~above bodies~~ [review authorities](#), in approving a development plan for any lot or lots that are subject to the requirements and limitations of this chapter shall make the findings as listed in Section 18.32.020.

**SECTION 11.** Section 18.35.040. is hereby amended to read as follows:  
**18.35.040. Property development standards.**

...  
 C. Building Height. The following building height standards shall apply:

- ...  
 2. Exception. A steeple, spire or other similar projection above a building used primarily for religious purposes, may extend the total height of the structure and steeple, spire or other similar projections as high as forty-five feet; provided, that the height of the steeple, spire or other similar projection is harmonious in design with the building or structure and with the surrounding neighborhood and a development plan is approved by the [review authority development plan review board](#) in accordance with Chapter 18.12 of this title.

**SECTION 12.** Section 18.35.070. is hereby amended to read as follows:  
**18.35.070. Design guidelines.**

...  
 B. Architectural. Development, additions and remodels within the downtown residential should be compatible with the surrounding and existing residences as well as reflect early California architecture. Consistency of building materials and colors, as well as historical integrity, should be reflected in new construction, remodels and additions. Additions, remodels and similar improvements to historically significant residential structures may be subject to review by the [review authority in accordance with Chapter 18.12 of this title.](#) ~~development plan review board pursuant to the determination of the director of community development.~~

C. Incentives. Development which the [review authority development plan review board](#) determines demonstrates architectural quality and historical integrity shall be eligible for modifications to the following development standards:

**SECTION 13.** Section 18.35.080. is hereby amended to read as follows:  
**18.35.080. Provisions for existing residential and noncommercial improvements.**

...  
 C. Existing nonconforming residential and noncommercial improvements, or portions of nonconforming residential and noncommercial improvements, destroyed or substantially damaged by natural catastrophe may be repaired, rebuilt, or enlarged pursuant to the following provisions:

- ...  
 2. Approval of such work shall be obtained from the [review body in accordance with Chapter 18.12 of this title](#) ~~development plan review board~~, which shall review the development plans and other pertinent information to ~~e~~insure that all other applicable provisions of this chapter are satisfied and that no new nonconformity will be created.

**SECTION 14.** Section 18.42.050. is hereby amended to read as follows:  
**18.42.050. Property development standards.**

...

C. Building Height.

1. No building or structure erected in this zone shall have a height greater than thirty feet or two stories, except as provided by the following:

...

- b. A steeple, spire or other similar projection above a building used primarily for religious purposes may extend the total height of the structure and steeple, spire or other similar projection as high as forty feet, provided that the height of the steeple, spire or other similar projections shall be harmonious in design with the building or structure and with the surrounding neighborhood. Such increase in height shall be approved by the [review authority](#) ~~development plan review board~~ in accordance with Chapter 18.12 [of this title](#).

**SECTION 15.** Section 18.48.040. is hereby amended to read as follows:

**18.48.040. Property development standards.**

...

D. Building Height.

1. No building or structure erected in this zone shall have a height greater than thirty feet or two stories, whichever is less, except that a steeple, spire or other similar projection above a building used primarily for religious purposes, may extend the total height of the structure and steeple, spire or other similar projection as high as forty feet, provided that the height of the steeple, spire or other similar projection shall be harmonious in design with the building or structure and with the surrounding neighborhood and a development plan is approved by the [review authority](#) ~~development plan review board~~ in accordance with Chapter 18.12 of this title.

...

G. Fences and Walls.

4. Fencing. Interior unit fencing for private yards shall be provided. Precise design shall be submitted to the [review authority in accordance with Chapter 18.12 of this title](#) ~~development plan review board~~ for review and approval.

**SECTION 16.** Section 18.52.040. is hereby amended to read as follows:

**18.52.040. Development plan approval.**

...

~~O. Central Antennas. Central antennas shall be installed for development in RPD zone and individual buildings and structures shall be connected to the central antenna by underground wiring, or may receive other underground cable service, but permanent separate outdoor television and radio antennas are not permitted for individual buildings and structures in the RPD zone. Central antennas shall be no larger nor installed in any other location than permitted by the development plan review board.~~

**SECTION 17.** Section 18.92.020. is hereby amended to read as follows:

**18.92.020. Permitted uses.**

A. Generally. Buildings, structures and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, 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 of this title. The determination of the director may be appealed to the [planning commission](#) ~~development plan review board~~ and, thereafter, the city council pursuant to Chapter 18.212 of this title.

**SECTION 18.** Section 18.92.040. is hereby amended to read as follows:  
**18.92.040. Prohibited uses.**

...

F. Other uses which are inconsistent with the intent and provisions of the zone, as determined by the director of community development, in accordance with Section 18.192.040. The determination of the director of community may be appealed to the [planning commission](#) ~~development plan review board~~ and thereafter the city council in accordance with Chapter 18.212 of this title.

**SECTION 19.** Section 18.92.060. is hereby amended to read as follows:  
**18.92.060. Development plan approval.**

Before any building or structure is erected on any lot or parcel in this zone, a site plan shall have been submitted to and approved ~~by the review board~~ pursuant to the provisions of Chapter 18.12.

**SECTION 20.** Section 18.96.020. is hereby amended to read as follows:  
**18.96.020. Uses permitted.**

A. Generally. Buildings, structures and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, 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 of this title. The determination of the director may be appealed to the [planning commission](#) ~~development plan review board~~ and thereafter the city council pursuant to Chapter 18.212 of this title.

**SECTION 21.** Section 18.96.040. is hereby amended to read as follows:  
**18.96.040. Prohibited uses.**

...

G. Other uses which are inconsistent with the intent and provisions of the 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 [planning commission](#) development plan review board and thereafter the city council in accordance with Chapter 18.212 of this title.

**SECTION 22.** Section 18.96.060. is hereby amended to read as follows:  
**18.96.060. Development plan approval.**

Before any building is erected on any lot or parcel in this zone, a development plan shall have been submitted to and approved ~~by the review board~~ pursuant to the provisions of Chapter 18.12.

**SECTION 23.** Section 18.108.060. is hereby amended to read as follows:  
**18.108.060. Plan review.**

...

B. Residential Property. The following plan review requirements shall apply:

...

2. The provisions of Chapter 18.12 shall apply for all other types of improvements on residential property. The director of community development may determine that any application for improvement be reviewed by [the planning commission](#) ~~development plan review board~~ if such improvement is determined to have a potential for an adverse impact upon the adjacent scenic highway.

**SECTION 24.** Section 18.108.080. is hereby amended to read as follows:  
**18.108.080. Precise plan disposition.**

...

A. Within thirty days from the determination of a complete precise plan application by the department of community development, the [planning commission](#) ~~development plan review board~~ shall review the plan. It shall recommend to the ~~planning commission~~ [city council](#) approval, or approval with such conditions as are necessary to protect the public peace, health and safety, and to minimize the impact of the development and/ or improvements upon the scenic corridor(s), or disapproval of the plan.

~~B. Upon receipt of the recommendation of the development plan review board, the planning commission shall review the precise plan. If it finds that the plan with the provisions and intent of the scenic highway overlay zone, and that such conditions as recommended by the development plan review board are acceptable, the planning commission may approve the plan pursuant to the findings and conditions of the development plan review board. If the planning commission deems necessary, additional conditions, and/ or the alteration of recommended conditions may be made to the plan.~~

~~C.~~B. Upon receipt of the recommendations of the planning commission, the city council shall review the precise plan. If it finds that the plan complies with all of the provisions of the zoning code, the scenic highway overlay zone and the purpose and intent of said zone, it may approve the plan, or approve it with such conditions as necessary to protect the public peace, safety and welfare and to minimize the impact of the development and/or improvement upon the scenic corridor(s). In all other cases, it shall disapprove the plan.

~~D.~~C. The decision of the city council shall be final.

**SECTION 25.** Section 18.124.050. is hereby amended to read as follows:

**18.124.050. Development plan approval.**

Before any building or structure is erected on any parcel in this zone, or before any land is used, a development plan shall have been submitted to and approved by the review [authority](#) ~~board~~ pursuant to the provisions of Chapter 18.12.

**SECTION 26.** Section 18.128.050. is hereby amended to read as follows:

**18.128.050. Property development standards.**

...

M. Development Plan Approval. Before any building or structure is erected on any lot in this zone, a development plan shall be submitted to and approved ~~by the, review board,~~ pursuant to the provisions of Chapter 18.12.

N. Outdoor Storage.

...

2. Trees, shrubs and ground cover shall be provided in addition to other screening, and shall be sprinklered by an [city-approved](#) automatic system. Landscaping and sprinkler plans are to be approved by the [planning division](#) ~~development plan review board~~. Landscaping may totally replace other methods of screening if approved by the [planning division](#) ~~development plan review board~~.

**SECTION 27.** Section 18.128.090. is hereby amended to read as follows:

**18.128.090. Conditional uses.**

...

R. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the [planning division](#) ~~development plan review board~~ is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall

comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses on-site to the satisfaction of the planning commission.

**SECTION 28.** Section 18.128.110. is hereby amended to read as follows:

**18.128.110. Property development standards.**

...

D. Building Types.

...

2. Existing residential structures may be used only when directly related and accessory to a permitted use on the same lot, subject to the following requirements:

...

b. The exterior features of such structures shall be modified in accordance with its proposed use, as approved by the ~~development plan review board~~ review authority in accordance with Chapter 18.12 of this title.

~~3. Metal buildings may be permitted upon elevation review and approval by the planning commission in accordance with Chapter 18.12 of this title to ensure reasonable compatibility with adjacent development. It is recognized that metal buildings are uniquely capable of extreme diversity in appearance and quality, and have a potential for a negative impact on surrounding properties.~~

34. The planning commission shall consider the compatibility of metal buildings with surrounding structures and their impact on neighborhood character, property values, and future development.

45. Caretaker units shall be constructed upon permanent foundations, and may utilize Type V construction, and otherwise comply with specific building types for the M-1 zone. Caretaker facilities shall be approved by the director of community development ~~development plan review board~~ for architectural design and the planning commission, pursuant to Chapter 18.200. for compatibility with adjacent development and/or land uses pursuant to the provision off this title.

M. Development Plan Approval. Before any building or structure is erected on any lot in this zone, a development plan shall have been submitted to and approved ~~by the review board~~, pursuant to the provisions of Chapter 18.12.

N. Outdoor Storage.

...

2. Trees, shrubs and ground cover shall be provided in addition to other screening, and shall be sprinklered by an city-approved automatic system. Landscaping and sprinkler plans are to be approved by the Planning division ~~development plan review board~~. Landscaping may totally replace other methods of screening if approved administratively by the planning division ~~development plan review board~~

**SECTION 29.** Section 18.132.020. is hereby amended to read as follows:

**18.132.020. Permitted uses.**

A. Generally. Buildings, structures and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, 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 on Section 18.192.040 of this title. The determination of the director may be appealed to the planning commission ~~development plan review board~~ and thereafter the city council pursuant to Chapter 18.212 of this title. All uses and storage shall be conducted within a totally enclosed building except

for outdoor storage which is accessory to a permitted or conditional use and screened from view from the public right-of-way.

**SECTION 30.** Section 18.132.040. is hereby amended to read as follows:

**18.132.040. Joint uses.**

A. The director of community development may approve ancillary or incidental uses to be established on properties used for public/ semipublic purposes subject to conditions, including but not limited to conditions which regulate the nature, operation, frequency, or duration of the joint use. The following uses may be allowed, 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 of this title. The determination of the director may be appealed to the [planning commission](#) ~~development plan review board~~ and thereafter the city council pursuant to Chapter 18.212 of this title.

**SECTION 31.** Section 18.132.060. is hereby amended to read as follows:

**18.132.060. Plan review.**

Development plan review shall be required. No person shall construct any building or structure, or relocate, rebuild, alter, enlarge, or modify any existing structure until a development plan has been reviewed and approved ~~by the~~ pursuant to ~~development plan review board in accordance with~~ the provisions of Chapter 18.12 of this title.

**SECTION 32.** Section 18.132.070. is hereby amended to read as follows:

**18.132.070. Appeals.**

Appeals of decisions and determinations by the director of community development, ~~development plan review board~~ and planning commission may be filed by an ~~aggrieved~~ party pursuant to the provisions of Chapter 18.212 of this title.

**SECTION 33.** Section 18.136.020. is hereby amended to read as follows:

**18.136.020. Uses permitted.**

A. Generally. Buildings, structures and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, 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 [planning commission](#) ~~development plan review board~~ and thereafter the city council pursuant to Chapter 18.212 of this title. All uses shall be subject to the property development standards in Section 18.136.050. All uses and storage shall be conducted within a totally enclosed building with the exception of public utilities substations.

**SECTION 34.** Section 18.136.040. is hereby amended to read as follows:

**18.136.040. Prohibited uses.**

...

J. Other uses which are inconsistent with the intent and provisions of this zone, as determined by the director of community development, in accordance with Section 18.192.040. This determination of the director of community development may be appealed to the [planning commission](#) ~~development plan review board~~ and thereafter the city council in accordance with Chapter 18.212 of this title.

**SECTION 35.** Section 18.140.090. is hereby amended to read as follows:

**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 [planning commission](#) ~~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, 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 18.299. 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 use, and there shall be no expansion, change or alteration of any building or structure that is nonconforming on the subject property.

A. Area 3 – Mixed Use....

...

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 [planning commission](#) ~~development plan review board~~ and, thereafter, the city council in accordance with Chapter 18.212 of this title.

6. Area 3 – Property Development Standards.

a. Building Height. No provisions. Allowable building height shall be determined by the [review authority pursuant to Chapter 18.12 of this title.](#) ~~development plan review board.~~

B. Area 4 – Commercial/ Light Industrial....

1. Permitted Uses.

...

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 [planning commission](#) ~~development plan review board~~ and, thereafter, the city council in accordance with Chapter 18.212 of this title;

3. Prohibited Uses.

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 [planning commission](#) ~~development plan review board~~ and, thereafter the city council in accordance with Chapter 18.212 of this title.

**SECTION 39.** Section 18.140.100. is hereby amended to read as follows:

**18.140.100. Property development standards.**

...

K. Landscaping. The [review authority](#) ~~review board~~ may require landscaping in addition to required yards as follows:

**SECTION 40.** Section 18.150.030. is hereby amended to read as follows:

**18.150.030. Definitions.**

...

“Wireless communication facilities master plan” means a requirement for all local service providers to identify all proposed local sites. The wireless communication facilities master plan shall require review and approval by the [planning commission](#) ~~development plan review board~~.

**SECTION 41.** Section 18.150.050. is hereby amended to read as follows:

**18.150.050. Process.**

...

B. The wireless communication facilities master plan shall require review and approval by the [planning commission](#) ~~development plan review board~~. In addition, facilities that are designed as a public art piece shall be reviewed and approved by [the planning commission](#) ~~and by the~~ city council [by consent](#).

C. Co-location wireless facilities master plan shall be administratively approved through the issuance of a building permit and shall not be subject to discretionary ~~development plan review board~~ ~~or city council~~ approval, if it satisfies the following requirements:

...

2. The proposed facility is located with an existing wireless telecommunications facility that received approval [through a discretionary review](#). ~~from the development plan review board~~ ~~and/or the city council~~. Any new facility which includes co-location shall meet the requirements of this chapter.

**SECTION 42.** Section 18.150.090. is hereby amended to read as follows:

**18.150.090. Design standards.**

...

D. Public Art. Wireless communication facilities may be designed within a piece of public art. Public art may be a functional item such as a clock tower or be some type of attraction such as a historic water tower or historical monument. All such designs are subject to [planning commission](#) ~~development plan review board~~ approval ~~and city council approval~~ (see Exhibit C for example).

**SECTION 43.** Section 18.150.130. is hereby amended to read as follows:

**18.150.130. Deviation from standards.**

For monopoles only, the [planning commission](#) ~~development plan review board~~ shall have the ability to alter the standards for height, diameter of the monopole base and separation between monopoles when it can be shown that the deviation creates a more appropriate design. The intent of this deviation provision is to allow for co-location when necessary; however, deviation may also be acceptable where a better overall design is achieved.

**SECTION 44.** Section 18.152.040. is hereby amended to read as follows:

**18.152.040. Permits required.**

Except as otherwise provided in this chapter, no sign shall hereafter be erected, constructed, relocated, painted on buildings or structures, altered, a sign program implemented or a sign face changed, until an approval and/or permit for the same has been issued by the appropriate decision making body as stated in Chapter 18.12 of this title and as required by the ~~development plan review board~~, planning department and the building official as required by this chapter.

A. Review Required. No person shall install or construct a sign or implement a sign program until a sign plan or sign program has been reviewed and approved ~~by the development plan review board~~ in accordance with Chapter 18.12 of this title, unless otherwise provided within this chapter, [pursuant to the following provisions:](#)

- [1. Signs proposed in accordance with a sign program reviewed and approved pursuant to Chapter 18.12 of this title.](#)
- [2. Wall signs which conform to the design guidelines of this chapter, unless otherwise provided.](#)
- [3. Temporary signs and banners.](#)
- [4. On-site directional and informational signs as defined by this chapter.](#)

~~B. Disposition by Director. The planning director may approve or conditionally approve, upon determining that the sign design, colors and materials are compatible with the structure and/or facility that the sign is proposed to identify, or may disapprove signs pursuant to the following provisions:~~

- ~~1. Signs proposed in accordance with a sign program reviewed and approved by the development plan review board pursuant to Chapter 18.12 of this title.~~
- ~~2. Wall signs which conform to the design guidelines of this chapter, unless otherwise provided.~~
- ~~3. Temporary signs and banners.~~
- ~~4. On-site directional and informational signs as defined by this chapter.~~

BC. Application for Permits. Application for sign approvals shall be made upon forms provided by the planning division. Additional information as required by the planning director shall be provided to show full compliance with this and other regulations of the city.

CD. Revocation of Permit.

1. All rights and privileges acquired under the provisions of this chapter, or any amendments thereto, are revocable for cause by the city council or other authorized person or body, and all such permits shall contain notice of such revocability. The building official is authorized and empowered to revoke any permit issued by him upon failure of the holder thereof to comply with any provisions of this chapter.

2. Permits for any sign that has been permitted and that has been visually or structurally altered shall be subject to revocation, at the discretion of the planning director.

**SECTION 45.** Section 18.152.150. is hereby amended to read as follows:

**18.152.150. Signs in the historic downtown area.**

...

D. Primary Wall Signs....

....

4. Signs may be constructed out of individual letters, be designed as letters of a sign board, be sandblasted or be painted on a sign board. ~~Sign design is subject to the approval of the development plan review board or its designee.~~

E. Secondary Wall Sign....

...

5. Signs may be constructed out individual letters, be designed as letters of a sign board, be sandblasted or be painted on a sign board. ~~Sign design is subject to the approval of the development plan review board or its designee~~

**SECTION 46.** Section 18.152.164. is hereby amended to read as follows:

**18.152.164. Window signs.**

...

B. All window signs shall comply with the following additional standards:

...

6. In a commercial building without storefront or similar windows, the planning division ~~development plan review board~~ may authorize temporary signs equivalent to window signs provided such approval is consistent with the standards and intent of this section.

C. Window graphic signs may be permitted by the director of community development, ~~development plan review board~~ pursuant to Chapter 18.12 of this title and may exceed the fifty percent coverage standard where the board finds and determines that the window graphic signs exhibit a unique artistic characteristic, the signs effectively obscure storage areas of the rear portion of interior displays and that the sign does not primarily serve a commercial purpose. The ~~board~~ director may impose conditions on any approval.

**SECTION 47.** Section 18.152.200. is hereby amended to read as follows:

**18.152.200. Other signs.**

...

F. Off-site directional guide signs located on private property for public, charitable or religious institutions pursuant to review and approval by the director of community development ~~development plan review board~~ as provide by this chapter.

1. When the director of community development ~~development plan review board~~ finds that exceptional circumstances exist demonstrating hardship in terms of geographic location or access routes, directional signs may be permitted. Such signs shall be limited to copy that includes the facility name and minimum information to provide direction. The intent for this type of sign is to provide clear directions to motorists and pedestrians, so the size and location should be similar to traffic signs. In some cases,

**SECTION 48.** Section 18.152.240. is hereby amended to read as follows:

**18.152.240. Signs associated with public art and murals.**

It is the city's desire to encourage appropriate public art and murals that provide interest and beauty to the city. Any entity that is responsible for funding and constructing public art and murals may be entitled to some identification space in association with the public art and mural. The size, design and location of the sign is subject to ~~the~~ administrative review and approval ~~of the~~ by the planning division ~~development plan review board or its designee~~. The design of any public art or mural is generally intended to contribute to the historic or cultural character of the city and not further a commercial interest.

**SECTION 49.** Section 18.152.250. is hereby amended to read as follows:

**18.152.250. Historic signs.**

It is the city's desire to preserve historic signs that contribute to the preservation of the history or culture of the past. Signs having recognized historic or cultural significance which do not meet the standards set forth in this chapter may be exempted from these regulations by the director of community development or their designee ~~development plan review board~~ and approved in addition to the number of signs and sign area otherwise allowed. Any such sign shall be preserved in appropriate condition consistent with its historic character.

**SECTION 50.** Section 18.162.020. is hereby amended to read as follows:

**18.162.020. Definitions.**

...

"Undeveloped property," for the purpose of this chapter, refer to any parcel or parcels of land which does not contain physical man-made improvements, and may be improved in conformance with the applicable development standards of the zoning classification where the property is located. Undeveloped property shall also refer to any parcel or parcels of land which may or may not contain improvements and on which development applications including, but not limited to, development plan review ~~board~~, variance, zone change and subdivision, have been submitted.

**SECTION 51.** Section 18.162.030. is hereby amended to read as follows:

**18.162.030. Permits required – Undeveloped property.**

...

G. The ~~development plan review board~~ planning division, the director of community development or their designee, ~~and~~ or the planning commission as applicable, may determine that trees on the project site not defined as mature significant trees by Section 18.162.020(A) are desirable to retain. In such case, the provisions of this chapter shall apply.

**SECTION 52.** Section 18.162.040. is hereby amended to read as follows:

**18.162.040. Permits required – Developed property.**

Mature significant trees may be removed from developed property with the approval of the director of community development services or ~~development plan review board~~, or the planning commission subject to the following procedures:

A. Request to remove or relocate up to, but not exceeding, three mature significant trees may be approved administratively by the ~~director of development services~~ planning division pursuant to the following information:

...

4. Action by the planning division ~~director of development services~~ is subject to findings provided for in Section 18.162.070 of this chapter;

5. When, in the sole opinion of the director of community development services, circumstances are such that removal of three or fewer trees might have an adverse impact on other properties in the area of the proposed tree removal, the director of community development services may refer the matter to the planning commission ~~development plan review board~~.

B. Request to remove or relocate more than three mature significant trees may be approved by the director of community development. The director may, upon a determination that the request could be incompatible with or have an adverse effect on existing and surrounding property, require that the tree permit application be reviewed by the planning commission. ~~development review board~~ When making a decision, the director shall consider ~~pursuant to~~ the following information:

...

4. Action by the director of community development services is subject to findings provided for in Section 18.162.070 of this chapter;

C. The ~~development plan review board~~ director of community development, and the planning commission as applicable, may determine that trees on the project site not define as mature significant trees by Section 18.162.020(A) are desirable to retain. In such case, the provisions of this chapter shall apply.

**SECTION 53.** Section 18.162.060. is hereby amended to read as follows:

**18.162.060. Conditions imposed.**

An approval to remove or relocate mature significant trees by the director of community development services or the planning commission ~~development plan review board~~ are subject to conditions of approval as deemed necessary to implement the provisions of this chapter including, but not limited to:

**SECTION 54.** Section 18.162.100. is hereby amended to read as follows:

**18.162.100. Tree maintenance.**

...

D. Any tree removal and/or replacement permit granted by the director of community development services pursuant to Section 18.162.0340 and the planning commission ~~development plan review board~~ pursuant to Section 18.162.0540 shall include a condition requiring an objective observable maintenance and care program to be initiated to insure the continued health and care of mature significant tree(s) on the property. Such program shall specify length of maintenance program, maintenance plan and method of inspection. Said tree maintenance program and plan is not required of the applicant when trees are to be relocated to an approved off-site location pursuant to the provisions of this chapter.

**SECTION 55.** Section 18.168.030. is hereby amended to read as follows:

**18.168.030. Required when.**

After the effective date of the ordinance codified in this chapter, all new residential development in the city, including each multiple-family building and each single-family dwelling unit, shall be provided with an alternative energy system to provide domestic hot water. An alternative energy system shall also be provided for heating any swimming pool constructed for a multiple-family

building or in a residential planned development (“RPD”). The capacity and efficiency of such alternative energy systems shall conform to standards ~~adopted by resolution of the development plan review board~~ which are consistent with the intent of this chapter. Solar energy shall be primary energy system unless other alternative energy systems are demonstrated to be of equivalent capacity and efficiency.

**SECTION 56.** Section 18.168.070. is hereby amended to read as follows:

**18.168.070. Approval ~~process by development plan review board~~.**

A. The development plan for every residential building or structure submitted ~~to the Planning Division~~ in accordance with Chapter 18.12 shall satisfy the requirements of this chapter. Any such development plan shall be reviewed and acted upon by the ~~review authority development plan review board~~ in accordance with and subject to all procedures, requirements, findings, and considerations contained in Chapter 18.12.

B. The ~~review authority pursuant to Chapter 18.12 of this title development plan review board~~ may require roof pitch and directional alignment of buildings for the placement of solar energy collecting devices. The ~~review authority development plan review board~~ may ~~by resolution~~ specify a range of permissible roof pitches and directional alignments which will optimize efficiency of solar energy systems.

C. To achieve the intent of this chapter, the ~~review authority pursuant to Chapter 18.12 of this title development plan review board~~ in reviewing any development plan shall consider skylights, operable windows, thermal mass, landscaping, reduction of mechanical systems for lighting, heating, cooling and ventilation, and other design elements.

...

E. The ~~development plan review board~~ ~~review authority pursuant to Chapter 18.12 of this title~~ may ~~by resolution~~ adopt standards and regulations to effectuate the purposes of this chapter.

**SECTION 57.** Section 18.170.050. is hereby amended to read as follows:

**18.170.050. Procedure.**

...

~~B. Proposals which deviate from the standards set forth in Section 18.170.040 are subject to review by the development plan review board. The development plan review board is granted the authority to permit deviations when it finds that the deviations result in an equal or better site design or operational layout and when the deviations do not negatively impact the public health, safety, or welfare.~~

**SECTION 58.** Section 18.500.030. is hereby amended to read as follows:

**18.500.030. Plan review.**

A. Review Requirements. Unless otherwise provided in Section 18.12.050, a development plan shall be submitted for review and approval pursuant to the plan disposition procedures provisions of Chapter 18.12. The decisions of the ~~planning commission~~ ~~review authority~~ shall be final unless that decision is appealed to the city council pursuant to the provisions of Chapter 18.212. In addition to the standard development plan findings, the above bodies, in approving any development plan in Specific Plan No. 2 shall make the following findings:

**SECTION 59.** Section 18.500.040. is hereby amended to read as follows:

**18.500.040. Permitted uses.**

...

B. The determination of the director may be appealed to the ~~planning commission development plan review board~~ and, thereafter the city council pursuant to Chapter 18.212 of this title.

**SECTION 60.** Section 18.502.040. is hereby amended to read as follows:

**18.502.040. Plan review.**

A development plan review shall be required. No person shall construct any building or structure, or relocate, rebuild, alter, enlarge, or modify any existing building or structure, until a development plan has been reviewed and approved [by the review authority](#) in accordance with the provisions of Chapter 181.2 of this title. ~~Prior to the submittal of a formal application to the development plan review board, the applicant may request that the board review and approve a conceptual design plan for the project. An application for conceptual design review shall be accompanied by the following materials:~~

- ~~A. Scaled site plan.~~
- ~~B. Conceptual architectural floor plans and building elevations.~~
- ~~C. A preliminary grading plan.~~
- ~~D. A conceptual landscape plan.~~
- ~~E. Written description of all proposed uses.~~

~~Prior to any submittal to the development plan review board, applicants shall submit the above items to city staff for informal review and comments regarding city development standards and policies. Such meetings will serve to reduce expenditures of time and money through the development process.~~

**SECTION 61.** Section 18.502.130. is hereby amended to read as follows:  
**18.502.130. Setbacks.**

...

B. All other setbacks shall be as approved by the [review body pursuant to Chapter 18.12 of this title](#) ~~development plan review board.~~

**SECTION 62.** Section 18.504.060. is hereby amended to read as follows:  
**18.504.060. Incidental and accessory uses.**

A. In the Specific Plan No. 4 area, the following uses are permitted when incidental or accessory to an approved primary uses:

1. In the "residential development" portion of all lots in Specific Plan No. 4:
  - a. Detached garages;
  - b. Swimming pools;
  - c. Storage sheds and workshops ~~up to two hundred square feet;~~
  - d. Household pets as described and regulated in Chapter [18.20](#) Residential Zones Generally;
  - e. Noncommercial agricultural and gardening uses including greenhouses up to two hundred square feet;
  - f. [Lighted and nonlighted recreational courts \(tennis courts, basketball courts, volleyball courts, etc.\);](#)
  - g. [Storage sheds, workshops and greenhouses two hundred square feet and larger;](#)
  - h. [Cabanos;](#)
  - i. [Retaining wall supported or cantilevered patios and decks.](#)
  - ~~j. Other similar uses which the [director of community](#) development ~~plan review board~~ determines are consistent with the spirit and intent of this chapter.~~

**SECTION 63.** Section 18.504.080. is deleted in its entirety:  
**~~18.504.080. Conditional uses.~~**

~~A. The following uses are subject to a conditional use permit on the "residential development" portion of Type B and C lots only.~~

- ~~1. Lighted and nonlighted recreational courts (tennis courts, basketball courts, volleyball courts, etc.);~~
- ~~2. Storage sheds, workshops and greenhouses two hundred square feet and larger;~~
- ~~3. Cabanas;~~
- ~~4. Retaining wall supported or cantilevered patios and decks.~~

AB. The following uses are subject to a conditional use permit on the "equestrian" portion of Type B and C lots only.

1. Lighted recreational courts (tennis courts, basketball courts, volleyball courts, etc.) and ~~horse keeping corrals and~~ equestrian arenas where requirements of Section 18.504.070(A)(4)(b) through (f) are met, when lighting is shielded from off-site views and when hours of lighting are limited in the conditional use permit.

**SECTION 64.** Section 18.504.110. is hereby amended to read as follows:  
**18.504.110. Grading design.**

...

B. Lot Type Classification. All lots within the specific plan have been classified into one of three categories: Type A, Type B or Type C lots. Lot classification are indicated on Exhibit B.

...

2. Type B Lots. Type B lots are grouped throughout the specific plan. These lots are characteristically located on minor incline terrain that represents moderately sensitive landform. Grading on Type B lots is permitted for the placement of an access to permitted uses. This grading may include a slab-on-grade foundation and driveway access to the garage. The grading of the entire lot is not consistent with the intent of a Type B classification. The drainage of runoff will follow its natural course. Minor grading outside the house pad and access may be permitted ~~with~~ by the review authority pursuant Chapter 18.12 of this title. ~~development plan review board~~ approval. For the purposes of this section, minor grading shall mean grading that does not exceed a total of two hundred cubic yards of cut and fill (e.g., one hundred fifty cubic yards of cut and fifty cubic yards of fill). The two hundred cubic yard limit does not count export required for in-ground pools and spas. The maximum height of retaining walls created by minor grading shall be four feet. In cases where the review authority ~~development plan review board~~ determines that additional grading will reduce the overall mass and bulk of the proposed structure, the two hundred cubic yard limit may be increased to five hundred total cubic yards (e.g., three hundred cubic yard of cuts and two hundred cubic yards of fill).

3. Type C Lots. Type C lots are predominately located along major changes in topography and are highly visible to the surrounding community. These lots are located on the most sensitive landform. Grading on Type C lots is restricted to only that earth movement necessary for roadway access and excavation for retaining-type building foundations where there will be no visible signs of grading beyond the structure's main walls. The drainage of runoff will follow its natural course. Minor grading outside the house pad and access may be permitted with review authority ~~development plan review board~~ approval. For the purposes of this section, minor grading shall mean grading that does not exceed a total of two hundred cubic yards of cut and fill (e.g., one hundred fifty cubic yards of cut and fifty cubic yards of fill). The two hundred cubic yard limit does not count export required for in-ground pools and spas. The maximum height of retaining walls created by minor grading shall be four feet. In cases where the review authority ~~development plan review board~~ determines that additional grading will reduce the overall mass and bulk of the proposed structure, the two hundred cubic yard limit may be increased to five hundred total cubic yards (e.g., three hundred cubic yards of cut and two hundred cubic yards of fill).



**SECTION 65.** Section 18.504.120. is hereby amended to read as follows:

**18.504.120. Building height.**

...

B. The following lots, to the maximum extent possible, should be designed to the low profile performance standards described in Exhibit H. These lots shall be specifically approved by [the director of community development](#) ~~development plan review board~~:

1. Lots 4-19, 22-27, 29-32, 58, 68-73 Tract No. 24857; and

...

**SECTION 66.** Section 18.504.150. is hereby amended to read as follows:

**18.504.150. Off-street parking and driveways.**

...

B. Driveways and drives shall be designed to a grade and alignment that will provide the maximum safety and convenience for vehicular, emergency and pedestrian use and in a manner that will not interfere with drainage or public use of the sidewalks or street area. Driveways should be located and designed to minimize disturbance to natural terrain. Driveways shall have a minimum width of sixteen feet, unless modified to preserve natural terrain, as approved by the [planning division unless associated with a development at which, it shall be subject to review pursuant to Chapter 18.12.](#) ~~development plan review board~~.

**SECTION 67.** Section 18.504.160. is hereby amended to read as follows:

**18.504.160. Trails and walkways.**

...

B. Equestrian Trails. Equestrian trails shall be provided where indicated on Exhibit B. They shall be constructed of decomposed granite or other city-approved material. The width shall be a minimum of twelve feet, unless modified by the [director of community development.](#) ~~development plan review board~~.

**SECTION 68.** Section 18.504.180. is hereby amended to read as follows:

**18.504.180. Landscaping.**

...

D. Landscaping in the Scenic Easement and Equestrian Areas. To the maximum extent possible, these areas shall remain in their natural state with no removal of vegetation. Native and native-compatible vegetation may be planted and temporary irrigation installed, with approval of the plans by the [planning division.](#) ~~development plan review board~~.

E. Landscape Design Standards. All landscaping within Specific Plan No. 4 shall comply with the following design standards:

1. Landscape Plan. Prior to the issuance of any building permits, a conceptual landscape and irrigation plan for all developer-installed landscape areas shall be approved by the [planning division](#) ~~development plan review board~~. For each phase, a corresponding final landscape and irrigation plan shall be approved by the [planning division](#) ~~development plan review board~~. The landscape and irrigation plan shall clearly indicate the general location, size and species of plant material and the proposed irrigation of the area.
2. Plant Material List. Unless specifically approved by the [planning division](#) ~~development plan review board~~, all landscape material shall be compatible with the Landscape Planting Guidelines for Specific Plan No.4 that is on file in the community development department.

**SECTION 69.** Section 18.504.200. is hereby amended to read as follows:

**18.504.200. Lighting.**

A. All hillside public streets shall be provided with a level of street lighting designed to protect the health, safety and welfare of those living within the hillside areas. Streetlights shall be mounted on ornamental electroliers. Prior to the installation of any lighting or other developer-installed

community lighting other than street lighting, a general lighting plan shall be approved by the [planning division](#) ~~development plan review board~~.

**SECTION 70.** Section 18.504.210. is hereby amended to read as follows:

**18.504.210. Fencing.**

A. Prior to the issuance of any building permits, a conceptual fencing plan for the entire development described in this chapter shall be approved by the [d planning division](#) ~~development plan review board~~. For each phase, a corresponding final fencing plan shall be approved by the [planning division](#) ~~development plan review board~~. The community fencing plan shall clearly indicate the location, height, type and materials and color selection for fencing along Valley Center Avenue and Lyman Avenue. In addition to the provisions of the fencing plan, the following standards shall apply:

...

5. No fencing of any type is permitted in the scenic easement area, indicated on the concept plan, Exhibit C of this chapter, with the exception of equestrian "E" lots on which black tubular steel fencing six feet in height, or other approved fencing, may be approved [by the planning division](#) ~~with development plan review board approval~~.

6. The maximum height of fencing for recreational courts shall be eight feet in height on the sides of the court and ten feet in height on the ends of the court; however, the [director of community development or their designee](#) ~~development plan review board~~ may reduce the maximum allowed height of individual fences based on the impact of the proposed fence. Chain-link fencing is not permitted unless it is vinyl dipped in a color compatible with the surrounding landscape.

**SECTION 71.** Section 18.504.220. is hereby amended to read as follows:

**18.504.220. Patio and deck areas.**

...

B. Any person wishing to install a patio or deck area, shall do so in accordance with a development plan approved by the [planning division](#) ~~development plan review board, pursuant to Chapter 18.12 of this title~~.

**SECTION 72.** Section 18.504.260. is hereby amended to read as follows:

**18.504.260. Incidental and accessory uses.**

A. The following uses are permitted when incidental or accessory to an approved primary use:

1. In the "development" portion of all lots:

...

e. Other similar uses which the [director of community](#) development ~~plan review board~~ determines are consistent with the spirit and intent of this chapter.

**SECTION 73.** Section 18.504.380. is hereby amended to read as follows:

**18.504.380. Fencing.**

A. Prior to the issuance of any building permits, a conceptual fencing plan for Area 2 shall be approved by the [planning division](#) ~~development plan review board~~. The community fencing plan shall clearly indicate the location, height, type and materials and color selection for fencing along Gainsborough Road and the Valley Center Avenue extension. In addition to the provisions of the fencing plan, the following standards shall apply:

...

4. In the non-development portion of the lot only black tubular steel fencing six feet in height, or other approved fencing, may be approved [by with the planning division](#).

**SECTION 74.** Section 18.504.390. is hereby amended to read as follows:

**18.504.390. Landscaping.**

...

B. Landscaping in the Non-Development Area and Common Areas. To the maximum extent possible, these areas shall remain in their natural state with no removal of vegetation. Native and native-compatible vegetation may be planted and temporary irrigation installed, with approval of plans by the [planning division development plan review board](#). No planting other than native and native compatible vegetation is permitted in these areas and all planting shall conform to the Specific Plan No. 4 Planning Guidelines adopted by the city council.

C. Landscape Design Standards. All landscaping shall comply with the following design standards:

1. Landscape Plan. Prior to the issuance of any building permits, a conceptual landscape and irrigation plan for all developer-installed landscape areas shall be approved by the [planning division development plan review board](#). The landscape and irrigation plan shall clearly indicate the general location, size and species of plant material and the proposed irrigation of the area.
2. Plant Material List. Unless specifically approved by the [planning division development plan review board](#), all landscape material shall be compatible with the Landscape Planting Guidelines for Specific Plan No. 4 on file in the community development department.

**SECTION 75.** Section 18.506.040. is hereby amended to read as follows:

**18.506.040. Plan review.**

A. ~~Before any grading or construction is undertaken on any lot or parcel within the Specific Plan No. 5 area, development plans shall be reviewed and approved pursuant to Chapter 18.12 of this title. Review Requirements. Unless otherwise provided in Section 18.12.050, before any grading or building is erected on any lot or parcel in the SP-5 area, a development plan shall be submitted for review and approval to the development plan review board and the planning commission pursuant to the plan disposition procedures provisions of Chapter 18.12. The decision of the planning commission shall be final unless that decision is appealed to the city council pursuant to the provisions of Chapter 18.212. In addition to the standard development plan findings, the above bodies, in approving any lot or lots in SP-5 shall make the following findings:~~

- ~~1. The proposed improvements will maintain or enhance the existing character and purpose of SP-5;~~
  - ~~2. Structures and appurtenances are sited in a manner that minimizes visual impact and disturbance to the natural terrain;~~
  - ~~3. The architectural character, style and use of materials harmonize with the natural settings;~~
- and
- ~~4. In the estate area, the architectural character, style and massing minimize two-story construction elements, provide sufficient offsets, varying roof-line heights, or otherwise minimize the perception of building bulk.~~

~~B. Prior to submitting development plans, the applicant may meet with city planning and engineering staff members to discuss and review the general purpose and objectives of Specific Plan No. 5 in relation to any development concepts proposed by the applicant.~~

~~C. The applicant shall submit to the department of community development and/or public works plans, specifications and fees pursuant to the submittal and application procedure required by the department of community development.~~

**SECTION XX.** Section 18.506.050 shall be deleted in its entirety:

**§ 18.506.050 Plan disposition.**

~~A. Development plan review shall be required. No person shall construct any building or structure, or relocate, rebuild, alter, enlarge or modify any existing structure, until a development plan has been reviewed and approved in accordance with the provisions of Chapter 18.12 of this title, or~~

~~until an amendment to approved plan or a minor modification has been approved pursuant to the provisions of this chapter.~~

~~B. Amendments to Approved Plans. Development plans may be amended by the same procedure provided for approval.~~

~~C. Minor Modifications. Minor alterations to approved development plans may be approved by the director of community development when these modifications do not substantially change the concept or integrity of an approved development plan.~~

**SECTION 76.** Section 18.506.060. is hereby amended to read as follows:

**18.506.060. Permitted uses.**

...

C. Accessory Uses. The following uses are accessory uses when they are accessory to the primary permitted uses, and when their location and design has first been approved by the planning division ~~development plan review board~~, unless otherwise provide in Section 18.12.050:

....

7. Other accessory uses of a similar nature which the director of community development ~~development plan review board~~ finds consistent with the spirit and intent of this specific plan.

**SECTION 77.** Section 18.506.090. is hereby amended to read as follows:

**18.506.090. Provisions for existing communication transmission facilities.**

...

C. Expansion of Use. The facilities shall not have additions to, or enlargements or expansions of the tower structure, except to change, upgrade or add antennae pursuant to subsection B of this section. The facilities may have additions, modifications, strengthening or rehabilitation of the tower structure and/ or accessory building(s), greater than 10% of the existing structure/ building, subject to the review and approval of the planning commission ~~development plan review board~~ pursuant to subsection F of this section. Any proposed addition, modification, rehabilitation, relocation or reconstruction less than 10% of the existing structure/building are subject to the review and approval of the director of community development pursuant to Chapter 18.12 of this title.

D. Reconstruction. If the facilities are damaged or destroyed due to natural and/ or unnatural causes, the facilities may be repaired to reconstructed subject to the review and approval of the planning commission ~~development plan review board~~ pursuant to subsection F of this section provided the proposed facilities do not exceed the size, scale or intensity of use as the facilities in existence at the time of destruction of the facilities.

....

F. Review and Approval. Any proposed addition, modification, rehabilitation, relocation or reconstruction greater than 10% of the existing structure/ building allowed pursuant to subsection C and D of this section shall be subject to the review and approval of the planning commission, pursuant to Chapter 18.200 of this title, ~~development plan review board.~~ Any proposed addition, modification, rehabilitation, relocation or reconstruction less than 10% of the existing structure/building are subject to a director's review pursuant Chapter 18.12 of this title.

...

**SECTION 78.** Section 18.506.110. is hereby amended to read as follows:

**18.506.110. Grading.**

No grading permits shall be issued unless the grading plans have first been approved by ~~the development plan review board and~~ planning division unless associated with a development at which, it shall be subject to review pursuant to Chapter 18.12 of this title, ~~the planning commission~~, and it has been found that the grading design conforms to the provisions set forth in this section. Pre- and post-grading models may be required at the discretion of the director of community development.

...

D. Grading for Pools and Detached Accessory Structures. In the estate lot area, grading for pools and/ or detached accessory structures shall only be permitted where the existing terrain permits such improvements without grading in excess of fifty cubic yards, excluding pool excavation. Such grading shall be in conjunction with design approval by the ~~development plan review board~~ [planning division](#), ~~pursuant to the provisions of Chapter 18.12.~~

**SECTION 79.** Section 18.506.130. is hereby amended to read as follows:

**18.506.130. Setbacks.**

A. Front Yard Setbacks. Front yard setbacks shall vary according to topographic conditions and shall be as approved by the ~~development plan review board~~ [review authority pursuant to the provisions of Chapter 18.12](#), ~~planning commission and city council~~ in accordance with the provisions of Section 18.506.040 of this chapter.

...

C. Rear Yard Setbacks. In the estate area, rear yard setbacks shall vary according to topographic conditions, prominence, and visibility and shall be approved the ~~development plan review board~~, [review authority pursuant to the provisions of Chapter 18.12](#), ~~planning commission and city council~~ in accordance with the provisions of Section 18.506.040 of this chapter. Portions of rear yards which include severe and prominent slopes and which are intended to be natural landscape areas pursuant to the landscape plan required under Section 18.506.170 may have building restrictions imposed as a condition of development plan review.

**SECTION 80.** Section 18.506.170. is hereby amended to read as follows:

**18.506.170. Landscaping.**

...

B. Landscape Plan and Plant Materials List. Prior to the issuance of any building permits in a given tract, a conceptual landscape plan for all common areas and/or developer-installed landscape areas shall be submitted to the [planning division](#) ~~development plan review board~~ by the developer for review and approval by the [planning division](#) ~~development plan review board~~. In the estate area, the landscape plan shall also include the lower portions of estate lots abutting San Dimas Avenue, Via Amarilla, Calle, Canela, and the canyon located in the southern portion of Tract 39492. The landscape plan shall indicate natural areas, introduced landscape areas and fire prevention areas. In addition to the landscaping to be provided by the developer, the developer shall submit with the landscape plan required by this section, a complete plant material list for use by individual homeowners in their selection of plan materials.

**SECTION 81.** Section 18.506.180. is hereby amended to read as follows:

**18.506.180. General development standards.**

...

C. Signs. The following signs are permitted within Specific Plan No. 5 as follows:

1. Community identification and directional signs. Community identification, directional and informational signs are permitted pursuant to the approval of a community sign program by the [review authority](#) ~~development plan review board~~ as provided in Chapter 18.12 of this title;

...

E. Fencing. Prior to the issuance of any building permits in a given tract, a conceptual fencing plan for the entire tract shall be prepared by the developer and submitted to the [planning division](#) ~~development plan review board~~ for review and approval. The fencing plan shall clearly indicate the location, height, type of materials and color selections to be utilized for fencing walls.

...

4. Retaining walls may be permitted as approved by the [planning division](#) ~~development plan review board~~, [however, the review may be elevated to a director's review pursuant to Chapter 18.12 of this title if there is the potential to impact adjacent or surrounding properties.](#)

**SECTION 82.** Section 18.506.190. is hereby amended to read as follows:

**18.506.190. Appeals.**

Appeals of decisions and determinations by the director of community development, ~~development plan review board~~ and the planning commission may be filed ~~by any aggrieved party~~ pursuant to the provisions of Chapter 18.212 of this title.

**SECTION 83.** Section 18.508.080. is hereby amended to read as follows:

**18.508.080. Area I – Industrial uses.**

...

C. Conditional Uses.

...

6. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the ~~planning division development plan review board~~ is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses on-site to the satisfaction of the planning commission.

**SECTION 84.** Section 18.508.120. is hereby amended to read as follows:

**18.508.120. Property development standards - Area I.**

...

H. Lighting.

1. Design and fixture type shall be submitted for review by the planning division, unless associated with a development plan, at which it shall be subject to the review authority pursuant to Chapter 18.12 of this title ~~development plan review board~~.

I. Trash Storage.

1. Location and quantity of trash storage areas shall be subject to ~~development plan review board~~ review ~~and approval~~ by the planning division unless associated with a development plan, at which it shall be subject to the review authority pursuant to Chapter 18.12 of this title;

J. Landscaping.

1. landscaping shall be installed pursuant to a landscape and sprinkler plan ~~prepared for the developer by a state registered landscape architect and~~ submitted for review by the planning division, unless associated with a development plan, at which it shall be subject to the review authority ~~to and reviewed and approved by the development plan review board~~ review body pursuant to Chapter 18.12 of this title;

K. Mechanical Equipment.

1. Roof-mounted mechanical equipment is subject to review by the planning division unless associated with a development plan, at which it shall be subject to the review authority ~~precise design review by the development plan review board pursuant to Chapter 18.12 of this title~~. Roof-mounted equipment may be prohibited in visually sensitive areas.

2. All ground-mounted mechanical and electrical equipment shall be screened from view by fencing and/or landscaping compatible to the building architecture. Screening is subject to review and approval by the review authority pursuant to Chapter 18.12 of this title ~~development plan review board~~ prior to installation.

**SECTION 85.** Section 18.508.130. is hereby amended to read as follows:

**18.508.130. Property development standards - Area 2.**

...

C. Building Type. Tilt-up concrete, brick, decorative block, and all other types must be submitted for review and approval by the ~~development plan review board~~ [review authority pursuant to Chapter 18.12 of this title](#). Metal buildings are prohibited.

**SECTION 86. Chapter Article II Land Use Plan Development** is hereby amended to read as follows:

**18.510.130 Conditional [Accessory](#) structures**

**SECTION 86.** Section 18.510.100. is hereby amended to read as follows:

**18.510.100. Incidental uses.**

...

C. Other uses similar to those stated in subsection A and B of this section which the [director of community development](#) ~~plan review board~~ finds consistent with the spirit and intent of this specific plan.

**SECTION 87.** Section 18.510.110. is hereby amended to read as follows:

**18.510.110. Accessory uses.**

The following uses are permitted when they are accessory to the primary permitted uses, and when their location and design has first been recommended and approved by the [planning division](#) ~~development plan review board~~ as consistent with the spirit and intent of the specific plan.

...

E. Other accessory uses of a similar nature which the [planning division](#) ~~development plan review board~~ finds consistent with the spirit and intent of this specific plan.

**SECTION 88.** Section 18.510.120. is hereby amended to read as follows:

**18.510.120. Temporary uses.**

Temporary uses in the Specific Plan No. 7 area are as follows:

A. Model homes, real estate offices and parking compounds associated with the sale of residential homes, subject to approval by the [planning division](#) ~~development plan review board only~~;

**SECTION 89.** Section 18.510.130. is hereby amended to read as follows:

**18.510.130. Conditional [Accessory](#) structures.**

A. ~~Conditional [Accessory](#) structures shall [be reviewed and approved pursuant to Chapter 18.12 of this title](#). include, but not be limited to, cabanas and cantilevered or retaining wall-supported patios, decks, swimming pools, tennis courts, or other such structures, as may be determined by the Director of Community Development, which are determined to be similar and not obnoxious or detrimental than the foregoing. The determination of the Director of Community Development as to whether a structure is within the scope of this section may be appealed to the development plan review board and thereafter to the city council in accordance with Section 18.12.070.~~

~~B. Unless otherwise provided pursuant to Section 18.12.050, conditional structures must be approved by the development plan review board. When in the opinion of the Director of Community Development, the installation of the conditional structures does not require grading which changes the characteristics of the landform or scenic quality of the surrounding area, the action of the development plan review board shall be final unless appealed in accordance with Section 18.12.070.~~

**SECTION 90.** Section 18.510.170. is hereby amended to read as follows:

**18.510.170. Lot sizes, dimensions, setbacks and unit size.**

...

D. Side Yard Setbacks. The minimum required side yard for detached single-family residential development shall be five and twelve feet, with the twelve foot side yard being provided on the driveway side on the lot. On corner lots, the side yard adjacent to the street shall be a minimum of ten feet.

Setbacks for accessory structures shall be established by the [director of community development](#) ~~development plan review board~~, but not less than five feet to the side or rear yard property line.

**SECTION 91.** Section 18.510.190. is hereby amended to read as follows:

**18.510.190. Grading design.**

...

B. Planning Areas I, II, and III. Grading is permitted under the following guidelines:

...

5. Prior to the issuance of a grading permit, the developer shall submit a tree removal plan for review and approval [pursuant to Chapter 18.162 of this title](#). ~~development plan review board indicating trees with trunks six inches in diameter or larger to be removed. A letter of explanation of why the tree(s) is being removed and the alternative mitigation measures shall be provided.~~

**SECTION 92.** Section 18.510.260. is hereby amended to read as follows:

**18.510.260. Landscaping.**

...

B. Landscape Plan and Materials List. Prior to the issuance of building permits, a conceptual landscape plan for all developer-installed landscape areas shall be submitted to the [planning division](#) ~~Director of Community Development~~ for review and approval. The landscape plan shall include design features sensitive to maintaining solar access for each dwelling unit where possible, subject to the approval of the [planning division](#) ~~development plan review board~~.

**SECTION 93.** Section 18.510.270. is deleted in its entirety

~~18.510.270. Signs.~~

~~Prior to installation of any sign, a sign program shall be submitted to the planning manager or their designee development plan review board for review and approval. The sign program shall show signs drawn to scale, dimensioned and easily readable, containing but not limited to, the following:~~

~~A. General location and bulk of major community identification or directional signs;~~

~~B. Location of major community components, such as streets, permanent open space, entry statements, and development areas;~~

~~C. Model complex signs.~~

**SECTION 94.** Section 18.510.280. is hereby amended to read as follows:

**18.510.280. Lighting.**

All public streets shall be provided with a level of street lighting designed to protect the health and safety and welfare of those living within the development. Street lights shall be mounted on city standard electroliers. Prior to the installation of any lighting or other developer-installed community lighting other than street lighting, a general lighting plan shall be submitted to the [planning division](#) ~~development plan review board~~ for review and approval. ~~Further, street lighting engineering data shall be approved by for the Director of Community Development.~~

**SECTION 95.** Section 18.510.300. is hereby amended to read as follows:

**18.510.300. Fencing.**

A fencing restrictions plan is included as Exhibit 4 which indicates the general area where fences are prohibited. The purpose of this plan is to prohibit the arbitrary placement of fences on the visible slopes of the hillside areas. Prior to the issuance of building permits, a community fencing plan shall be submitted to the [planning division](#) ~~development plan review board~~ for review and approval. The community fencing plan shall clearly indicate the location, height, type of materials and color selections to be utilized for fencing. Areas prohibited from fencing shall be indicated on the community



fencing plan. Homeowner installed fencing shall be reviewed and approved by the [planning division](#) ~~Director of Community Development.~~

**SECTION 96.** Chapter 18.510 Article IV Plan Review and Disposition is hereby amended to read as follows:

**18.510.3.70 Review Requirements – Development plans.**

~~18.510.380 Precise plan review requirements.~~

~~18.510.390 Plan Disposition~~

**SECTION 96.** Section 18.510.310. is hereby amended to read as follows:

**18.510.310. Patio or deck areas.**

Unless required as a condition of approval, a developer shall not be required pursuant to this article to install a patio or deck area. However, any persons wishing to install a patio or deck area shall do so in accordance with [Chapter 18.12 of this title](#), ~~a development plan approved by the Director of Community Development and the development plan review board.~~ The development plan shall provide for the installation of the patio or deck area by one or more of the following methods:

...

**SECTION 97.** Section 18.510.320. is hereby amended to read as follows:

**18.510.320. Purpose.**

The purpose of the architectural guidelines is three-fold:

...

C. To provide guidance to the ~~development plan review board,~~ [the director of community development](#), planning commission and the city council in the subsequent review of building plans as noted in the plan review and plan disposition procedures.

**SECTION 98.** Section 18.510.370. is hereby amended to read as follows:

**18.510.370. Review requirements – Development plans.**

A. Before any grading or [construction](#) for residential development is undertaken on any lot or parcel within the Specific Plan No.7 area, [development plans shall be reviewed and approved pursuant to Chapter 18.12 of this title.](#) ~~unless otherwise provided in accordance with Section 18.12.050, development plans for any planning area shall be submitted for review and approval by the development plan review board and planning commission, pursuant to the provisions of Chapter 18.12 and the plan disposition procedure. Development plans shall consist of the followings:~~

- ~~1. A scaled plot plan or site plan;~~
- ~~2. Conceptual architectural floor plans and elevations where applicable;~~
- ~~3. Rough grading plan;~~
- ~~4. Conceptual landscaping plan.~~

~~B. Unless otherwise provided in accordance with Section [18.12.050](#), all development plans shall be subject to final review and approval by the development plan review board and the planning commission, unless appealed to the city council in accordance with the provisions of Chapter [18.212](#).~~

~~C. In addition to the standard development plan findings, the development plan review board, planning commission and the city council, in approving a development plan for any lot or lots in Specific Plan No. 7, shall make the following findings:~~

~~1. The proposed improvements will maintain or enhance the existing character and purpose of Specific Plan No. 7;~~

~~2. Structures and appurtenances are sited in a manner that minimizes visual impact and disturbance to the natural terrain and are in conformance to the intent of Specific Plan No. 7;~~

~~3. The architectural character, style, and use of materials harmonize with the natural setting.~~

~~D. Prior to submitting development plans, the applicant shall meet with city community development and community services staff members to discuss and review the general purpose and objectives of the specific plan in relation to any development concepts proposed by the applicant.~~

**SECTION 99.** Section 18.510.380 shall be deleted in its entirety:

~~**§ 18.510.380 Precise plan review requirements.**~~

~~A. The applicant shall submit four sets of scaled plans to the planning and building divisions which shall include the following where applicable:~~

~~1. Precise grading plan;~~

~~2. Signing plan;~~

~~3. Fencing plan;~~

~~4. Lighting plan;~~

~~5. Landscaping plan;~~

~~6. Architectural floor plans and elevations.~~

~~Precise plans shall be reviewed and approved by the development plan review board only. Appeals are subject to the provisions of Section 18.12.070 (C).~~

~~B. The development plan review board shall make the findings in accordance with Section 18.12.060.~~

**SECTION 100.** Section 18.510.390. shall be deleted in its entirety:

~~**18.510.390. Plan disposition.**~~

~~A. Required tentative tract map submittals shall be considered by the subdivision committee review board on an advisory basis to the planning commission. The planning commission shall hold a public hearing and shall consider the plans and recommend to the city council approval, conditional approval or disapproval based upon the public health, safety and general welfare within thirty days of submission and formal acceptance by the city. Upon receipt of the recommendation from the planning commission, the city council shall also hold a public hearing to approve, conditionally approve, or disapprove the tentative tract map.~~

~~B. Within thirty days after submission of development plans, the development plan review board shall consider the plans, and shall recommend to the planning commission approval, conditional approval or disapproval of the plans with any conditions deemed necessary to protect the public health, safety and general welfare. Appeals shall be subject to provisions outlined in Section 18.510.370 (A) of this article.~~

~~C. Within thirty days after submission of precise plans, the development plan review board shall consider the plans and shall approve, conditionally approve or disapprove the plans. Appeals shall be in accordance with the provisions of Section 18.12.060.~~

~~D. Amendments to Approved Plans. Development plans and precise plans may be amended by the same procedure provided for approval. Minor modifications which do not substantially change the concept of an approved development plan or precise plan, may be approved by the director of community development and reported to the development plan review board.~~

**SECTION 103. Chapter 18.512 Specific Plan No. 8** is hereby amended to read as follows:  
**18.512.090. Conditional uses permitted. Accessory structures**

**SECTION 101.** Section 18.512.070. is hereby amended to read as follows:

**18.512.070. Primary uses permitted.**

...

C. Other uses similar to those stated in this section which the director of community development-plan review board finds consistent with the spirit and intent of this specific plan.

**SECTION 102.** Section 18.512.080. is hereby amended to read as follows:

**18.512.080. Accessory uses permitted.**

...

~~F. The following special purpose, or accessory structures as approved by the director of community planning, pursuant to the provisions of Chapter 18.12.~~

~~1. Greenhouses, workshops, and storage sheds, when less than six hundred square feet in floor area;~~

~~2. Gazebos not in excess of two hundred square feet, and enclosed or covered patios when less than six hundred square feet in floor area;~~

~~3. Room additions, when less than six hundred square feet in floor area;~~

~~4. Swimming pools and spas where not more than fifty cubic yards of grading and retaining wall and/or cantilevered supports are necessary;~~

~~FG.~~ Other accessory uses of a similar nature, which the [director of community development plan review board](#) finds to be consistent with the spirit and intent of this specific plan.

**SECTION 103.** Section 18.512.090. is hereby amended to read as follows:

**18.512.090. Conditional uses permitted. Accessory structures**

~~A. Accessory structures shall be reviewed and approved pursuant to Chapter 18.12 of this title.~~ Greenhouses, workshops, and storage sheds, when six hundred square feet or larger in floor area;

~~B. Gazebos in excess of two hundred square feet, and enclosed or covered patios, when the floor or roof area of such structure is six hundred square feet or larger;~~

~~C. Tennis courts;~~

~~D. Decks, that are not attached to the dwelling unit or where more than fifty cubic yards of grading or where retaining wall and/or cantilevered support are necessary;~~

~~E. Two-story room additions;~~

~~F. Detached domestic quarters.~~

~~Note. All conditional uses are subject to review and approval by the development plan review Sections [18.512.240](#) and [18.512.250](#) of this chapter.~~

**SECTION 104.** Section 18.512.100. is hereby amended to read as follows:

**18.512.100. Architectural guidelines.**

...

~~B.~~ To provide guidance to the [director of community development](#), planning commission, ~~the development plan review board~~ and the city council in the subsequent review of building plans as noted in the plan review and plan disposition procedures.

**SECTION 105.** Section 18.512.160. is hereby amended to read as follows:

**18.512.160. Building height.**

...

~~C.~~ Notwithstanding the provisions of subsections A and B of this section, the height of structures on lots 1,2,3,4,5,6,25 and 26 of tract No.43068 may exceed twenty-two feet, provided all the following conditions are met:

...

~~3.~~ A permit for such excess height is first obtained. An application for such a permit shall be submitted to the ~~city~~ director of community development, accompanied by a site plan, landscaping plan, architectural drawings, and such other information as the director deems necessary for ~~a comprehensive review by the planning commission.~~ ~~the hearing body to determine if the criteria set forth in this subsection are met.~~ ~~A hearing on the application shall be held by the development plan review board and city council at a joint meeting of the board and council.~~ ~~A majority vote of those present at the joint meeting shall be required to approve or disapprove the application.~~ Any approval shall be subject to such conditions as

~~the hearing body deems necessary to assure compliance with the criteria set forth in this subsection~~

**SECTION 106.** Section 18.512.170. is hereby amended to read as follows:

**18.512.170. Building setbacks.**

Building setbacks in the Specific Plan No.8 area are as follows:

...

D. Rear, ten feet minimum.

~~1. As approved by the director of community planning, for minor structures less than four hundred square feet in floor area;~~

~~2. As approved by the development plan review board, for structures four hundred square feet or greater in floor area;~~

~~2. As approved by the development plan review board, for structures four hundred square feet or greater in floor area;~~

**SECTION 107.** Section 18.512.200. is hereby amended to read as follows:

**18.512.200. Fences and walls.**

A. Community Fencing. Perimeter fencing, along lot lines, shall be open in style and consistent in material and height throughout the entire project area. Fencing within the building footprint area may be solid, if composed of decorative masonry materials, as approved by the planning division ~~development plan review board~~, pursuant to Section 18.512.250 (B) of this chapter. All such fencing shall be installed by the developer, at the time of the development.

**SECTION 108.** Section 18.512.240. is hereby amended to read as follows:

**18.512.240. Plan review.**

A. Unless otherwise provided in accordance with Section 18.12.050, before any grading or establishment of any permitted use is undertaken on any lot within the limits of Specific Plan No. 8, the property owner shall submit development plans for review and approval pursuant to Chapter 18.12 of this title ~~by the development plan review board and/or planning commission, as applicable.~~

**SECTION 109.** Section 18.512.250. is hereby amended to read as follows:

**18.512.250. Plan disposition.**

...

B. Proposals for new single-family residence shall be submitted for review and approval pursuant to Chapter 18.12 of this title. ~~by the development plan review board. Within thirty days after submission of the required plans, staff the board shall recommend to the planning commission approval, conditional approval or disapproval with any conditions deemed necessary to protect the public health, safety and general welfare. The applicant may extend the thirty-day time limit, if written request is received within sufficient time, by the director of community development.~~

~~The planning commission shall consider the recommendation of the board within twenty-one days of the board's action. The planning commission shall review the plans, pursuant to Section 18.512.250 (C), and thereafter approve, conditionally approve or disapprove the plans, with any conditions deemed necessary to protect the public health, safety and general welfare.~~

~~Should the decision by the commission be less than a unanimous one, the commission's action shall be reviewed by the city council, at the next regularly scheduled council meeting following the commission's action. The action of the council shall be final.~~

~~C. Proposals for conditional uses, as listed in Section 18.512.090 shall be submitted for review and approval by the development plan review board. Within thirty days after submittal of development plans, as required by the director of community development, the board shall approve, conditionally~~

~~approve or disapprove the plans, with any conditions deemed necessary to protect the public health, safety and general welfare. The board may deny such development plans, upon making findings that:~~

- ~~1. The proposed use will result in a detrimental modification to the natural landform;~~
- ~~2. The proposed use will create a significant visual impact beyond those already present in this hillside area; and~~
- ~~3. The proposed use does not implement the purpose and provisions of Specific Plan No. 8.~~

~~The property owner/developer may appeal all decisions by the board to the planning commission, by filing an application for a conditional use permit, pursuant to Chapter 18.200 of this title.~~

~~D. Proposals for accessory use shall be reviewed by the development plan review board. The board shall act on these proposals within thirty days following submittal by the property owner/ applicant, and shall approve, conditionally approve or disapprove, any conditions deemed necessary to protect the public health, safety and welfare. The decision of the board shall be final.~~

**SECTION 110.** Section 18.514.080. is hereby amended to read as follows:

**18.514.080. Area Four – Highway retail.**

...

C. Permitted Uses. Uses permitted shall include those businesses listed in this section which operate in compliance with the intent and the standards of this district. Each business shall be evaluated in terms of its operational characteristics and specific site location.

...

4. Other uses which are consistent with the intent and provisions of the specific plan, as determined by the director of [community](#) development ~~services~~, in accordance with Section 18.192.040. The determination of the director of [community](#) development ~~services~~ may be appealed to the [planning commission](#) ~~development plan review board~~ and thereafter to the city council in accordance with Chapter 18.212 of this title.

D. Additional Uses Permitted in Conjunction with Overflow Parking Lot...

...

13. Other uses which are consistent with the intent and provisions of the specific plan, as determined by the director of [community](#) development ~~services~~, in accordance with Section 18.192.040. The determination of the director of [community](#) development ~~services~~ may be appealed to the [planning commission](#) ~~development plan review board~~ and thereafter to the city council in accordance with Chapter 18.212 of this title.

...

F. Prohibited Uses. The following uses are prohibited:

...

15. Other uses which are inconsistent with the intent and provisions of the zone, as determined by the director of [community](#) development ~~services~~, in accordance with Section 18.192.040. the determination of the director of [community](#) development ~~services~~ may be appealed to the [planning commission](#) ~~development plan review board~~ and thereafter the city council in accordance with Chapter 18.212 of this title.

**SECTION 111.** Section 18.516.100. is hereby amended to read as follows:

**18.516.100. Incidental uses.**

...

B. Other uses similar to those stated in subsection A of this subsection which the [director of community](#) development ~~plan review board~~ finds consistent with the spirit and intent of this specific plan.

**SECTION 112.** Section 18.516.110. is hereby amended to read as follows:

**18.516.110. Accessory structures.**

...

E. Other accessory uses of a similar nature which the [director of community](#) development ~~plan review board~~ finds consistent with the spirit and intent of this specific plan.

**SECTION 113.** Section 18.516.120. is hereby amended to read as follows:

**18.516.120. Temporary uses.**

Temporary uses in Specific Plan No. 10 are as follows:

A. Model homes, real estate offices and compounds associated with the sale of residential homes, subject to approval by the [planning division](#).

**SECTION 114.** Section 18.516.180. is hereby amended to read as follows:

**18.516.180. Setbacks.**

...

C. Condominiums/ Townhouses:

1. Front, rear, and side yards, to be determined by a precise plan to be approved by ~~the development plan review board and~~ the planning commission pursuant to Section 18.516.270 of this chapter.

**SECTION 115.** Section 18.516.210. is hereby amended to read as follows:

**18.516.210. Landscaping.**

...

B. Landscape Plan and Plant Materials List. Prior to the issuance of any building permits, a conceptual landscape plan for all developer-installed landscape areas shall be submitted to the ~~director of community~~ [planning division](#) for review and approval. The landscape plan shall include design features sensitive to maintaining solar access for each dwelling unit where possible, subject to the approval of the [planning division](#) ~~development plan review board~~.

For each phase, a corresponding final landscape plan shall be [submitted to the planning division for review and approval](#) ~~approved by the same board~~.

The landscape plan shall clearly indicate general location, size and species of plan materials. In addition, a suggested plant material list for use by individual homeowners in their selection of plant materials shall be submitted.

**SECTION 116.** Section 18.516.220. is hereby amended to read as follows:

**18.516.220. Signs.**

~~Signs shall be installed pursuant to Chapters 18.12 and 18.152 of this title. Prior to the installation of any sign, a sign program shall be approved by the development plan review board. The sign program may show signs drawn to scale, dimensioned and easily readable, containing, but not limited to, the following:~~

- ~~A. General location and bulk of major community identification or directional signs;~~
- ~~B. Locations of major community components, such as streets, permanent open space, entry statements, and development areas;~~
- ~~C. Model complex signs;~~
- ~~D. Identification of property owner, architect, landscape architect, land planner, and contractor.~~

**SECTION 117.** Section 18.516.230. is hereby amended to read as follows:

**18.516.230. Lighting.**

All public streets shall be provided with a level of street lighting designed to protect the health, safety and welfare of those living within the development. Street lights shall be mounted on ornamental electroliers. Prior to the installation of any lighting or other developer-installed community

lighting other than street lighting, a general lighting plan shall be approved by the [planning division](#) ~~development plan review board~~.

**SECTION 118.** Section 18.516.240. is hereby amended to read as follows:

**18.516.240. Fencing.**

A. Prior to the issuance of any building permits, a community fencing plan for the entire development described herein shall be approved by the [planning division](#) ~~development plan review board~~. For each phase, a corresponding final fencing plan shall be the [planning division](#) ~~same board~~.

**SECTION 119.** Section 18.516.260. is hereby amended to read as follows:

**18.516.260. Patio and deck areas.**

All development plans shall show a patio or deck area on each hillside lot where appropriate. Unless required as a condition of approval, a developer shall not be required, pursuant to this section, to install a patio or deck area. However, any person wishing to install a patio or deck area shall do so in accordance with a development plan approved by the director of community ~~planning and the development plan review board~~. The development plan shall provide for the installation of the patio and decks.

**SECTION 120.** Section 18.516.270. is hereby amended to read as follows:

**18.516.270. Review requirements.**

A. [Before any grading or construction for residential development is undertaken on any lot or parcel within the Specific Plan No. 10 area, development plans shall be reviewed and approved pursuant to Chapter 18.12 of this title.](#) ~~Unless otherwise provided in accordance with Section 18.12.050, before any building or structure is erected on any lot or parcel in the Specific Plan No. 10 area, a development plan and conceptual landscape plan shall be submitted for review and approval to the development plan review board and the planning commission, pursuant to the provisions of Chapter 18.12 of this title. The signing, fencing and lighting plans, all final plans, including landscaping, architectural plans as noted in the architectural guidelines and minor additions shall be subject to final review and approval by the development plan review board, unless otherwise provided in accordance with Section 18.12.050 or appealed in accordance with Section 18.12.170. The proposed improvement will maintain or enhance the existing character and purpose of Specific Plan No.10.~~

~~B. Prior to submitting development plans, the applicant may meet with city planning and engineering staff members to discuss and review the general purpose and objectives of the specific plan in relation to any development concepts proposed by the applicant.~~

~~C. The applicant shall submit six sets of scaled plans to the department of community development which shall include the following:~~

- ~~1. Signing;~~
- ~~2. Fencing;~~
- ~~3. Lighting;~~
- ~~4. Landscaping;~~
- ~~5. Architectural plans;~~

~~These plans shall be required in addition to required site plan and tentative tract map submittals.~~

~~D. Within the thirty days after submission of the signing, fencing, lighting, landscaping and architectural plans as described in subsection C of this section, the development plan review board shall consider the plans and shall approve, conditionally approve or disapprove the plans with any conditions deemed necessary to protect the public health, safety and general welfare.~~

~~E. Required site plans and tentative tract map submittals shall be considered by the development plan review board on any advisory basis to the planning commission within thirty days. The thirty-day time limit may be extended upon the consent of the applicant. The planning commission shall consider the plans and approve, conditionally approve or disapprove based on the public health, safety and general welfare. The decision of the planning commission shall be final unless that decision is appealed to the city council, provided that the decision of the planning commission shall~~

~~be automatically appealed to the city council if the decision of the planning commission is by less than unanimous vote of all the members present and participating.~~

~~F. Plans may be amended by the same procedure provided for approval. Minor modifications which do not substantially change the concept of an approved development plan may be approved the development plan review board.~~

**SECTION 121.** Section 18.516.280. is hereby amended to read as follows:

**18.516.280. Purpose.**

The purpose of the architectural guidelines is threefold:

...

C. To provide guidance to ~~the~~ [review authority pursuant to Chapter 18.12 of this title](#) ~~development plan review board and the planning commission~~ in the subsequent review of building plans as noted in the plan review and plan disposition procedures.

**SECTION 122.** Section 18.518.170. is hereby amended to read as follows:

**18.518.170. Grading design.**

...

E. Planning Areas II, III, IV and V – Single-family Detached Residential.

1. Grading is permitted under the following guidelines:

...

d. Maximum vertical height of cuts and fills, exposed or retained by walls, shall not exceed the requirements as listed in subparagraph (b) of this subdivision, except when necessary to provide circulation access, or when an alternate is approved by the [director of community development or their designee](#). ~~development plan review board.~~

...

**SECTION 123.** Section 18.518.220. is hereby amended to read as follows:

**18.518.220. Setbacks.**

A. Front Yard Setbacks.

1. Planning Area I. Front yard setbacks for all residential land uses shall vary according to topographic conditions and shall be approved [by the review body pursuant to Chapter 18.12 of this title](#) pursuant to the ~~development plan review board~~ disposition procedures described in Article V.

**SECTION 124.** Section 18.518.360. is hereby amended to read as follows:

**18.518.360. Review requirements – Development plans.**

A. Before any grading for residential development is undertaken on any lot or parcel within the Specific Plan No.11 area, unless otherwise provided in accordance with Section 18.12.050, development plans for any planning area shall be submitted for review and approval ~~by the development plan review board and planning commission~~, pursuant to the provisions of Chapter 18.12.

**SECTION 125.** Chapter 18.520 Article II Land Use Development Plan is hereby amended to read as follows:

...

18.520.120 ~~Conditional Uses~~ [Accessory structures.](#)

**SECTION XX.** Chapter 18.520 Article V Plan Review and Disposition is hereby amended to read as follows:



**18.520.350 Review Requirements – Development plans.**~~**18.520.360 Precise plan review requirements.**~~~~**18.520.370 Plan Disposition.**~~**SECTION 126.** Section 18.520.090. is hereby amended to read as follows:**18.520.090. Incidental uses.**

Incidental uses permitted in Specific Plan No. 12 are as follows:

...

C. Other uses similar to those stated in subsection A and B of this section which the [director of community](#) development ~~plan review board~~ finds consistent with the spirit and intent of this specific plan.

**SECTION 127.** Section 18.520.100. is hereby amended to read as follows:**18.520.100. Accessory uses.**

Accessory uses permitted in Specific Plan No. 12 are the following uses when they are accessory to the primary permitted uses, ~~and when their location and design has first been recommended and approved by the development plan review board as consistent with the spirit and intent of this specific plan.~~

...

D. Other accessory uses of a similar nature which the [director of community](#) development ~~or their designee~~ ~~plan review board~~ finds consistent with the spirit and intent of this specific plan.

**SECTION 127.** Section 18.520.110. is hereby amended to read as follows:**18.520.110. Temporary uses.**

Temporary uses permitted in Specific Plan No. 12 are as follows:

A. Model homes, real estate offices and parking compounds associated with the sale of residential homes, subject to approval by the [planning division](#) ~~development plan review board~~;

**SECTION 128.** Section 18.520.120. is hereby amended to read as follows:**18.520.120. ~~Conditional uses.~~ Accessory structures.**

A. [Accessory structures shall be reviewed and approved pursuant to Chapter 18.12 of this title.](#) ~~Conditional uses shall include, but not be limited to, landscape components such as cabanas and cantilevered and retaining wall supported patios, decks, swimming pools and tennis courts.~~

~~B. Unless otherwise provided in accordance with Section 18.12.050, conditional structures must be approved by the development plan review board. When the installation of the conditional structures does not require grading which changes the characteristics of the landform or scenic quality of the surrounding area, the action of the development plan review board shall be final. In all other cases, the development plan review board shall provide a recommendation to the planning commission and approval by the planning commission shall be required.~~

**SECTION 129.** Section 18.520.160. is hereby amended to read as follows:**18.520.160. Lot size, dimensions and unit size.**

Lot sizes, dimensions and setbacks for all residential planning areas shall be established and approved on the site plan and tentative tract map.

A. Planning Area I. Lot sizes, dimensions and unit size shall be as follows:

1. Minimum Lot Size. Lot size may be reduced to no less than fifteen thousand square feet. The exact square footage shall be shown on the final recorded map and shall be determined in accordance with the following procedures:

...

- b. The ~~precise~~ [development](#) plan shall be reviewed [and approved pursuant to Chapter 18.12 of this title.](#) ~~by the development plan review board and its recommendation shall be made to the planning commission for review and approval,~~

...

d. The home builder, not the master developer, as a condition of approval, shall construct a decorative open fence or solid masonry fence as approved by the review authority pursuant to Chapter 18.12 of this title ~~development plan review board~~ along the property line,

**SECTION 130.** Section 18.520.180. is hereby amended to read as follows:

**18.520.180. Grading design.**

Grading on the site shall conform to the standards set forth in this section....

A. Planning Area I – Single-family Detached Custom Lots and Open Space.

...

2. Maximum vertical heights of cuts and fills as described in A(1)(c) of this section may be exceeded on difficult lots when authorized by ~~the~~ a director's review pursuant to Chapter 18.12 of this title. ~~development plan review board~~;

**SECTION 131.** Section 18.520.200. is hereby amended to read as follows:

**18.520.200. Setbacks.**

A. Front Yard Setbacks.

1. Planning Area I. Front yard setbacks for all residential land uses shall vary according to topographic conditions and shall be ~~as approved pursuant to the~~ reviewed by a director's review pursuant to Chapter 18.12 of this title and ~~development plan review board~~ disposition procedure described in Article V.

2. Planning Areas II through IV. Minimum front yard setback shall be eighteen feet from back of sidewalk or if no sidewalk exists it shall be measured from property line. The average front yard setback shall be twenty feet. In those areas where physical hardship exists, a lesser minimum setback may be ~~reviewed and approved by~~ a director's review ~~the pursuant to Chapter 18.12 of this title.~~ ~~development plan review board.~~

...

E. Setbacks for Accessory Structures. Setbacks for accessory structures shall be ~~as established by the development plan review board, but no less than~~ five feet to the side or rear yard property line.

**SECTION 132.** Section 18.520.240. is hereby amended to read as follows:

**18.520.240. Landscaping.**

...

B. Landscape Plan and Plant Materials List. Prior to the issuance of building permits, a conceptual landscaping plan for all developer-installed landscape areas shall be submitted to the planning division ~~director of community development~~ for review and approval. The landscape plan shall include design features sensitive to maintaining solar access for each dwelling unit where possible, subject to the final review and approval if necessary by the planning division ~~development plan review board.~~

...

D. Installation and Maintenance Responsibility.

1. All cut and fill slopes in excess of five feet in vertical height shall be planted and irrigated with an automatic irrigation system to promote growth of plants and ground cover to prevent erosion. In developing a site, the developer shall plan and maintain all slopes until the property is occupied by reason of purchase. Developer shall provide suitable guarantees satisfactory to the director of community development ~~and the development plan review board~~ for planting and maintenance as required in this chapter.

**SECTION 133.** Section 18.520.250. is hereby amended to read as follows:

**18.520.250. Signs.**

Prior to the installation of any sign, a sign program shall be approved [pursuant to Chapter 18.152 of this title](#), ~~by the development plan review board. The sign program shall show signs drawn to scale, dimensioned and easily readable, containing but not limited to, the following:~~

- ~~A. General location and bulk of major community identification or directional signs;~~
- ~~B. Location of major community components, such as streets, permanent open space, entry statements, and development areas;~~
- ~~C. Model complex signs;~~
- ~~D. Identification of property owner, architect, landscape architect, engineer, land planner and contractor.~~

**SECTION 134.** Section 18.520.260. is hereby amended to read as follows:

**18.520.260. Lighting.**

All public streets shall be provided with a level of street lighting designed to protect the health, safety and welfare of those living within the development. Street lights shall be mounted on ornamental electroliers. Prior to the installation of any lighting other than street lighting, a general lighting plan shall be approved by the [planning division](#) ~~development plan review board~~.

**SECTION 135.** Section 18.520.270. is hereby amended to read as follows:

**18.520.270. Fencing.**

A. Prior to the issuance of any building permits, a community fencing plan for the entire development described in this chapter shall be approved by the [planning division](#) ~~development plan review board~~. For each phase a corresponding final fencing plan shall be approved by ~~the same,~~ [planning division](#) ~~board~~. The community fencing plan shall clearly indicate the location, height, type of materials and color selections to be utilized for fencing. Areas prohibited from fencing shall be indicated on the community fencing plan. Homeowner installed fencing shall be reviewed and approved by the director of community development.

**SECTION 136.** Section 18.520.280. is hereby amended to read as follows:

**18.520.280. Patio or deck areas.**

All development plans shall show a patio or deck area on each hillside lot where appropriate. Unless required as a condition of approval, a developer shall not be required, pursuant to this section, to install a patio or deck area. However, any person wishing to install a patio or deck area shall do so in accordance with a development plan approved by the director of community development ~~and the development plan review board~~. The development plan shall provide for the installation of the patio or deck area by one or more of the following methods:

**SECTION 137.** Section 18.520.300. is hereby amended to read as follows:

**18.520.300. Purpose.**

The purpose of this article is threefold:

...

C. To provide guidance to the [review authority pursuant to Chapter 18.12 of this title](#) ~~planning commission, the development plan review board and the city council~~ in the subsequent review of building plans as noted in the plan review and plan disposition procedures.

**SECTION 138.** Section 18.520.350. is hereby amended to read as follows:

**18.520.350. Review requirements – Development plans.**

A. [Before any grading or construction for residential development is undertaken on any lot or parcel within the Specific Plan No. 12 area, development plans shall be reviewed and approved pursuant to Chapter 18.12 of this title.](#) ~~Before any grading for residential development is undertaken on any lot or parcel within the Specific Plan No. 12 area, unless otherwise provided in accordance with Section 18.12.050, development plans for any planning area shall be submitted for review and~~

~~approval by the development plan review board and planning commission, pursuant to the provisions of Chapter 18.12. Development plans shall consist of the following:~~

- ~~1. A scaled plot plan or site plan;~~
- ~~2. Conceptual architectural floor plans and elevations where applicable;~~
- ~~3. Rough grading plan;~~
- ~~4. Conceptual landscaping plan.~~

~~B. Unless otherwise provided in accordance with Section 18.12.050, all development plans shall be subject to final review and approval by the development plan review board and thereafter the planning commission, unless appealed to the city council in accordance with the provisions of Chapter 18.12.~~

~~C. In addition, to the standard development plan findings, the development plan review board, the planning commission and the city council, in approving a development plan for any lot or lots in Specific Plan No. 12, shall make the following findings:~~

~~1. The proposed improvements will maintain or enhance the existing character and purpose of Specific Plan No. 12;~~

~~2. Structures and appurtenances are sited in a manner that minimizes visual impact and disturbance to the natural terrain and are in conformance to the intent of Specific Plan No. 12;~~

~~3. The architectural character, style, and use of materials harmonize with the natural setting, if applicable.~~

~~D. Prior to submitting development plans, the applicant shall meet with city planning and engineering staff members to discuss and review the general purpose and objectives of the specific plan in relation to any development concepts proposed by the applicant.~~

~~(Ord. 791 § 1 (E), 1983; Ord. 897 § 10 (C), (D), 1989)~~

**SECTION XXX.** Section 18.520.360 shall be deleted in its entirety:

~~§ 18.520.360 Precise plan review requirements.~~

~~A. The applicant shall submit four sets of scaled plans to the planning department which shall include the following where applicable:~~

- ~~1. Grading plan;~~
- ~~2. Precise site plan;~~
- ~~3. Architectural floor plans and elevations;~~
- ~~4. Fencing plan;~~
- ~~5. Landscaping plan;~~
- ~~6. Lighting plan;~~
- ~~7. Signing plan.~~

~~Precise plans shall be reviewed and approved by the development plan review board only. Appeals are subject to the provisions of Section 18.12.070 (C).~~

~~B. The development plan review board shall make the findings in accordance with Section 18.12.060.~~

**SECTION XXX.** Section 18.520.370 shall be deleted in its entirety:

~~§ 18.520.370 Plan disposition.~~

~~A. Required tentative tract map submittals shall be considered by the subdivision committee review board on an advisory basis to the planning commission. The planning commission shall consider the plans and recommend to the city council approval, conditional approval or disapproval based upon the public health, safety and general welfare within thirty days of submission and formal acceptance by the city. Upon receipt of the recommendation from the planning commission, the city council shall approve, conditionally approve, or disapprove the tentative tract map.~~

~~B. Within thirty days after submission of development plans, the development plan review board shall consider the plans, and shall recommend to the planning commission approval, conditional approval or disapproval of the plans with any conditions deemed necessary to protect the public health, safety and general welfare. Appeals shall be subject to the provisions outlined in Section 18.520.350 (A).~~

~~C. Within thirty days after submission of precise plans, the development plan review board shall consider the plans and shall approve, conditionally approve or disapprove the plans. Appeals shall be in accordance with the provisions of Section 18.12.070 (C).~~

~~D. Amendments to the Approved Plans. Development plans and precise plans may be amended by the same procedure provided for approval. Minor modifications, which do not substantially change the concept of an approved development plan or precise plan may be approved by the director of community development and reported to the development plan review board.~~

**SECTION 141.** Section 18.522.080. is hereby amended to read as follows:

**18.522.080. Incidental uses permitted.**

Incidental uses in Specific Plan No. 13 are as follows:

...

B. Other uses similar to those stated in subsection A which the [director of community development](#) ~~plan review board~~ finds consistent with the spirit and intent of this specific plan.

**SECTION 142.** Section 18.522.120. is hereby amended to read as follows:

**18.522.120. Plan review and disposition.**

A. [Before any grading or construction for residential development is undertaken on any lot or parcel within the Specific Plan No. 13 area, development plans shall be reviewed and approved pursuant to Chapter 18.12 of this title.](#) ~~Review Requirements. Before any building or structure is erected on any lot or parcel in the Specific Plan No. 13 area, a development plan and conceptual landscape plan shall be submitted for review and approval to the development plan review board and the planning commission, unless otherwise provided in accordance with Section 18.12.050. The signing, fencing and lighting plans, all final plans including landscaping, architectural plans as noted in the architectural guidelines and minor additions shall be subject to final review and approval by the development plan review board, unless appealed in accordance with Section 18.12.070 (C).~~

~~The proposed improvements will maintain or enhance the existing character and purpose of Specific Plan No. 13.~~

~~B. Prior to submitting development plans, the applicant may meet with city planning and engineering staff members to discuss and review the general purpose and objectives of the specific plan in relation to any development concepts proposed by the applicant.~~

~~C. The applicant shall submit six sets of scaled plans to the department of community development which shall include the following:~~

- ~~1. Signing;~~
- ~~2. Fencing;~~
- ~~3. Lighting;~~
- ~~4. Landscaping;~~
- ~~5. Architectural plans;~~

~~These plans shall be required in addition to required site plan and tentative tract map submittals.~~

~~D. Within thirty days after submission of the signing, fencing, lighting, landscaping and architectural plans as described in subsection C, the development plan review board shall consider the plans, and shall approve, conditionally approve or disapprove the plans with any conditions deemed necessary to protect the public health, safety and general welfare.~~

~~E. Required site plans and tentative tract map submittals shall be considered by the development plan review board on an advisory basis to the planning commission within thirty days. The thirty-day time limit may be extended upon the consent of the applicant. The planning commission shall consider the plans and approval, conditional approval or disapproval based upon the public health, safety and general welfare. The decision of the planning commission shall be final unless that decision is appealed to the city council, provided that the decision of the planning commission shall be automatically appealed to the city council if the decision of the planning commission is by less than the unanimous vote of all of the members present and participating.~~

~~F. Plans may be amended by the same procedure provided for approval. Minor modifications which do not substantially change the concept of the approved development plan may be approved by the development plan review board.~~

**SECTION 143.** Section 18.522.130. is hereby amended to read as follows:

**18.522.130. Purpose.**

The purpose of the architectural guidelines is threefold:

...

C. To provide guidance to the [review authority pursuant to Chapter 18.12 of this title](#) ~~planning commission, the development plan review board and the city council~~ in the subsequent review of building plans as noted in the plan review and plan disposition procedures.

**SECTION XX.** Chapter 18.524 Article V Plan Review and Disposition is hereby amended to read as follows:

**18.524.380 Review Requirements – Development plans.**

~~18.524.390 Precise plan review requirements.~~

~~18.524.400 Plan Disposition.~~

**SECTION 147.** Chapter 18.524 Article II Land Use Development Plan is hereby amended to read as follows:

**18.524.130. Conditional uses** [Accessory structures](#).

**SECTION 144.** Section 18.524.100. is hereby amended to read as follows:

**18.524.100. Incidental uses.**

Incidental uses in Specific Plan No. 15 are as follows:

...

C. Other uses similar to those stated in subsections A and B which the [director of community development](#) ~~or their designee~~ ~~plan review board~~ finds consistent with the spirit and intent of this specific plan.

**SECTION 145.** Section 18.524.110. is hereby amended to read as follows:

**18.524.110. Accessory uses permitted.**

The following uses are permitted when they are accessory to the primary permitted uses ~~and when their location and design has first been recommended and approved by the development plan review board as consistent with the spirit and intent of the specific plan.~~

...

E. Other accessory uses of a similar nature which the [director of community development](#) ~~or their designee~~ ~~plan review board~~ finds consistent with the spirit and intent of this specific plan.

**SECTION 146.** Section 18.524.120. is hereby amended to read as follows:

**18.524.120. Temporary uses.**

Temporary uses in Specific Plan No. 15 are as follows:

A. Model homes, real estate offices and parking compounds associated with the sale of residential homes, subject to approval by the [planning division](#) ~~development plan review board only~~;

**SECTION 147.** Section 18.524.120. is hereby amended to read as follows:

**18.524.130. Conditional uses Accessory structures.**

A. [Accessory structures shall be reviewed and approved pursuant to Chapter 18.12 of this title.](#) ~~Unless otherwise provided in accordance with Section 18.12.050, conditional uses shall include, but not be limited to, landscape components such as cabanas and cantilevered and retaining wall-supported patios, decks, swimming pools, tennis courts and other such structures, as may be determined by the director of community development, which are determined to be similar and not more obnoxious or detrimental than the foregoing. The determination of the director of community development may be appealed to the development plan review board and thereafter to the city council in accordance with Section 18.12.070.~~

~~B. Unless otherwise provided in accordance with Section 18.12.050, conditional structures must be approved by the development plan review board. The action of the development plan review board shall be final unless appealed in accordance with Section 18.12.070.~~

**SECTION 148.** Section 18.524.180. is hereby amended to read as follows:

**18.524.180. Setbacks.**

...

Setbacks for accessory structures shall ~~be as established by the development plan review board, but no less than~~ five feet to the side or rear yard property line.

**SECTION 149.** Section 18.524.210. is hereby amended to read as follows:

**18.524.210. Grading design.**

Grading of this site shall conform to the standards set forth in this section. Construction grading permits shall not be issued unless the grading plans have first been reviewed and approved by the [planning division unless associated with a development at which, it shall be subject to review pursuant to Chapter 18.12.](#) ~~director of community services and the director of community development.~~

...

B. Planning Areas I, II, and III. Grading is permitted under the following guidelines:

...

4. Maximum vertical height of cuts or fills, exposed or retained by walls, shall not exceed the requirements as listed in subdivision (2) of this subsection, except when necessary to provide circulation access, or when an alternate is approved by ~~the~~ [a director's review pursuant to Chapter 18.12 of this title.](#) ~~development plan review board.~~

...

8. Prior to the issuance of a grading permit, the developer shall submit a tree removal plan for review and approval [pursuant to Chapter 18.162 of this title.](#) ~~by the development plan review board indicating trees with trunks six inches in diameter or larger to be removed.~~

**SECTION 150.** Section 18.524.280. is hereby amended to read as follows:

**18.524.280. Landscaping.**

...

B. Landscape Plan and Plant Materials List.

1. Prior to the issuance of building permits, a conceptual landscape plan for all developer-installed landscape areas shall be submitted to the [planning division](#) ~~director of community development~~ for review and approval. The landscape plan shall include design features sensitive to maintaining solar access for each dwelling unit where possible, subject to the approval of the [planning division](#) ~~development plan review board.~~

**SECTION 151.** Section 18.524.290. is hereby amended to read as follows:

**18.524.290. Signs.**

Prior to installation of any sign, a sign program shall be [reviewed and approved pursuant to Chapter 18.152 of this title](#)

~~submitted to director of community development or their designee development plan review board for review and approval. The sign program shall show signs drawn to scale, dimensioned and easily readable, containing but not limited to, the following:~~

- ~~A. General location and bulk of major community identification or directional signs;~~
- ~~B. Location of major community components, such as streets, permanent open space, entry statements, and development areas;~~
- ~~C. Model complex signs.~~

**SECTION 152.** Section 18.524.300. is hereby amended to read as follows:

**18.524.300. Lighting.**

All public streets shall be provided with a level of street lighting designed to protect the health, safety and welfare of those living within the development. Street lights shall be mounted on city standard electroliers. Prior to the installation of any lighting or other developer-installed community lighting other than street lighting, a general lighting plan shall be submitted to the [planning division](#) ~~development plan review board~~ for review and approval. Further, street lighting engineering data shall be approved by the [planning division](#) ~~director of community services~~.

**SECTION 153.** Section 18.524.310. is hereby amended to read as follows:

**18.524.310. Fencing.**

A fencing restrictions plan is included in Exhibit C which indicates the general areas where fences are prohibited. The purpose of this plan is to prohibit the arbitrary placement of fences on visible slopes of the hillside areas. Prior to the issuance of grading permits, a community fencing plan shall be submitted to the [planning division](#) ~~development plan review board~~ for review and approval. The community fencing plan shall clearly indicate the location, height, type of materials and color selections to be utilized for fencing. Areas prohibited from fencing shall be indicated on the community fencing plan. Homeowner installed fencing shall be reviewed and approved by the director of community development.

**SECTION 154.** Section 18.524.320. is hereby amended to read as follows:

**18.524.320. Patio or deck areas.**

All development plans shall show a patio or deck area on each hillside lot where appropriate. Unless required as a condition of approval, a developer shall not be required, pursuant to this section, to install a patio or deck area. However, any persons wishing to install a patio or deck area shall do so in accordance with [Chapter 18.12 of this title](#). ~~a development plan approved by the director of community development and the development plan review board. The development plan shall provide for the installation of the patio or deck area by one or more of the following methods. (a) cut/fill; (b) retaining wall(s); (c) cantilevered deck(s); (d) at-grade construction. The planning commission shall be resolution adopt standards and findings governing the designation and installation of patio or deck areas.~~

**SECTION 155.** Section 18.524.330. is hereby amended to read as follows:

**18.524.330. Purpose.**

The purpose of the architectural guidelines is threefold:

...

C. To provide guidance to the [review authority pursuant to Chapter 18.12 of this title](#) ~~planning commission, the development plan review board and the city council~~ in the subsequent review of building plans as noted in the plan review and plan disposition procedures.

**SECTION 156.** Section 18.524.380. is hereby amended to read as follows:



**18.524.380. Review requirements – Development plans.**

~~A. Before any grading or construction for residential development is undertaken on any lot or parcel within the Specific Plan No. 15 area, development plans shall be reviewed and approved pursuant to Chapter 18.12 of this title. Before any grading for residential development is undertaken on any lot or parcel within Specific Plan No. 15, unless otherwise provided in accordance with Section 18.12.050, development plans for any planning area shall be submitted for review and approval by the development plan review board and planning commission, pursuant to the provisions of Chapter 18.12. Development plans shall consist of the following:~~

- ~~1. A scaled plot plan or site plan;~~
- ~~2. Conceptual architectural floor plans and elevations where applicable;~~
- ~~3. Conceptual landscaping plan.~~

~~B. Unless otherwise provided in accordance with Section 18.12.050, all development plans shall be subject to final review and approval by the development plan review board and thereafter the planning commission, unless appealed to the city council in accordance with the provisions of Chapter 18.212.~~

~~C. In addition to the standard development plan findings, the development plan review board, the planning commission and the city council, in approving a development plan for any lot or lots in Specific Plan No. 15, shall make the following findings:~~

~~1. The proposed improvements will maintain or enhance the existing character and purpose of Specific Plan No. 15;~~

~~2. Structures and appurtenances are sited in a manner that minimizes visual impact and disturbance to the natural terrain and are in conformance with the intent of Specific Plan No. 15;~~

~~3. The architectural character, style and use of materials harmonize with the natural setting.~~

~~D. Prior to submitting development plans, the applicant shall meet with city planning and engineering staff members to discuss and review the general purpose and objectives of the specific plan in relation to any development concepts proposed by the applicant.~~

**SECTION XX.** Section 18.524.390. shall be deleted in its entirety:

~~§ 18.524.390 Precise plan review requirements.~~

~~A. The applicant shall submit four sets of scaled plans to the planning department which shall include the following where applicable:~~

- ~~1. Precise grading plan;~~
- ~~2. Signing plan;~~
- ~~3. Fencing plan;~~
- ~~4. Lighting plan;~~
- ~~5. Landscaping plan;~~
- ~~6. Architectural floor plans and elevations.~~

~~Precise plans shall be reviewed and approved by the development plan review board only. Appeals are subject to the provisions of Section 18.12.070 (C).~~

~~B. The development plan review board shall make the findings in accordance with Section 18.12.060.~~

**SECTION XX.** Section 18.524.400. shall be deleted in its entirety:

~~§ 18.524.400 Plan disposition.~~

~~A. Required tentative tract map submittals shall be considered by the subdivision committee review board on an advisory basis to the planning commission. The planning commission shall consider the plans and recommend to the city council approval, conditional approval or disapproval based upon the public health, safety and general welfare within thirty days of submission and formal~~

~~acceptance by the city. Upon receipt of the recommendation from the planning commission, the city council shall approve, conditionally approve, or disapprove the tentative tract map.~~

~~B. Within thirty days after submission of development plans, the development plan review board shall consider the plans, and shall recommend approval, conditional approval or disapproval of the plans with any conditions deemed necessary to protect the public health, safety and general welfare. Appeals shall be subject to provisions outlined in Section 18.524.380 (A).~~

~~C. Within thirty days after submission of precise plans, the development plan review board shall consider the plans and shall approve, conditionally approve or disapprove the plans. Appeals shall be in accordance with the provisions of Section 18.12.070 (C).~~

~~D. Amendments to Approved Plans. Development plans and precise plans may be amended by the same procedure provided for approval. Minor modifications, which do not substantially change the concept of an approved development plan or precise plan may be approved by the director of community development and reported to the development plan review board.~~

**SECTION 159.** Section 18.526.090. is hereby amended to read as follows:

**18.526.090. Development standards.**

The following department standard shall apply:

...

**N. Graded Design.**

1. No grading permit shall be issued unless a grading plan and drainage plan has first been submitted for review and approval by the planning division unless associated with a development at which, it shall be subject to review pursuant to Chapter 18.12. ~~development plan review board based upon the recommendation from the directors of community development and community services;~~

**P. Tree Removal Plan.** Prior to the issuance of a grading permit, the developer shall submit a tree removal plan for review and approval pursuant to Chapter 18.162 of this title. ~~by the development plan review board. Tree six inches in diameter or larger are to be identified on the tree removal plan. The trees shall be replaced with trees of a similar character in a ratio of three tree replaced for each tree removed, minimum of twenty-four inch box.~~

**SECTION 160.** Section 18.526.120. is hereby amended to read as follows:

**18.526.120. Plan review and disposition.**

**A.** Before any grading or construction for residential development is undertaken on any lot or parcel within the Specific Plan No. 13 area, development plans shall be reviewed and approved pursuant to Chapter 18.12 of this title ~~Review Requirements. Unless otherwise provided in accordance with Section 18.12.050, before any building or structure is erected on any lot or parcel in Specific Plan No. 16, a development plan and conceptual landscape plan shall be submitted for review and approval to the development plan review board and the planning commission, pursuant to the provisions of Chapter 18.12. The signing, fencing and lighting plans, all final plans including landscaping architectural plans as noted in the architectural guidelines and minor additions shall be subject to final review and approval by the development plan review board unless appealed in accordance with Section 18.12.070.~~

~~The proposed improvements will maintain or enhance the existing character and purpose of Specific Plan No. 16.~~

~~Prior to submitting development plans, the applicant may meet with city planning and engineering staff members to discuss and review the general purpose and objectives of the specific plan in relation to any development concepts proposed by the applicant.~~

~~C. The applicant shall submit six sets of the scaled plans to the department of community development which shall include the following:~~

- ~~1. Signing;~~
- ~~2. Fencing;~~

~~3. Lighting;~~

~~4. Landscaping;~~

~~5. Architectural plans.~~

~~These plans shall be required in addition to required site plan and tentative tract map submittals.~~

~~D. Within thirty days after submission of the signing, fencing, lighting, landscaping, and architectural plans as described in subsection C, the development plan review board shall consider the plans, and shall approve, conditionally approve or disapprove the plans with any conditions deemed necessary to protect the public health, safety and general welfare.~~

~~E. Required site plans and tentative tract map submittals shall be considered by the development plan review board on an advisory basis to the planning commission within thirty days. The thirty-day time limit may be extended upon the consent of the applicant. The planning commission shall consider the plans and approval, conditional approval or disapproval based upon the public health, safety and general welfare. The decision of the planning commission shall be final unless that decision is appealed to the city council, provided that the decision shall be automatically appealed to the city council if the decision of the planning commission is by less than the unanimous vote of all the members present and participating.~~

~~F. Plans may be amended by the same procedure provide for approval. Minor modifications which do not substantially change the concept of an approved development plan may be approved by the development plan review board.~~

**SECTION 161.** Section 18.526.130. is hereby amended to read as follows:

**18.526.130. Purpose.**

The purpose of the architectural guidelines is threefold:

...

C. To provide guidance to the [review authority pursuant to Chapter 18.12 of this title](#) ~~planning commission, the development plan review board and the city council~~ in the subsequent review of building plans as noted in the plan review and plan disposition procedures.

**SECTION XX.** Chapter 18.528 Article V Plan Review and Disposition is hereby amended to read as follows:

**18.528.380 Review Requirements – Development plans.**

~~18.528.390 Precise plan review requirements.~~

~~18.528.400 Plan Disposition.~~

**SECTION 162.** Section 18.528.050. is hereby amended to read as follows:

**18.528.050. Area I – Service station use.**

The purpose of Area I is to provide for the aesthetically pleasing development for service station use to serve the needs of the community and its citizens. It is further provided that development of a service station is in a manner ensuring compatible use of land, encouraging creative and imaginative site planning and ensuring integrated design and control of design.

...

C. Prohibited Uses.

...

9. Other uses inconsistent with the intent and provisions of this zone, as determined by the director of community development, in accordance with Section 18192.040. The determination of the director of community development may be appealed to the city [planning commission](#) ~~development plan review board~~ and, thereafter, the city council in accordance with Chapter 18.192.

**SECTION 163.** Section 18.528.090. is hereby amended to read as follows:

**18.528.090. Area I – Service station.**

Development standards in Area I are as follows:

...

D. Building Height. No building or structure erected in this area shall exceed twenty feet. Exceptions to this may be approved by the [director of community development or their designee](#) ~~plan review board~~, up to twenty-five percent.

**SECTION 164.** Section 18.528.105. is hereby amended to read as follows:

**18.528.105. Area III – Open space use.**

...

C. Building/ Structural Setbacks:

1. For the cellular telephone transceiver facility, setbacks shall be determined by the [director of community development or their designee](#) ~~development plan review board~~.

D. Height. For the cellular telephone transceiving facility, structures shall not exceed a height of fifteen feet above existing grade, or as otherwise approved by the [director of community development or their designee](#) ~~development plan review board~~, not to exceed twenty-five feet in total height.

E. Landscaping.

1. Prior to development of the cellular telephone transceiving facility, a landscape plan shall be submitted for review and approval by the [director of community development or their designee](#) ~~development plan review board~~.

...

G. Design Requirements. All structures shall be constructed, maintained, designed and painted to blend with the natural terrain, as approved by the [director of community development or their designee](#) ~~development plan review board~~.

**SECTION 165.** Section 18.528.140. is hereby amended to read as follows:

**18.528.140. Grading.**

All graded slopes are to be contoured and blended to harmonize the natural slopes.

...

F. Any off-site excavation of dirt to fill this property, if the dirt is coming from the Via Verde area or other parts of the city will require the submittal of a grading and precise plan for review and approval by ~~the hillside development committee and~~ the [planning division unless associated with a development at which, it shall be subject to review pursuant to Chapter 18.12.](#) ~~development plan review board~~ prior to the issuance of grading permits for the project.

**SECTION 166.** Section 18.528.170. is hereby amended to read as follows:

**18.528.170. Review requirements – Development plans.**

A. [Before any grading or construction is undertaken on any lot or parcel within the Specific Plan No. 17 area, development plans shall be reviewed and approved pursuant to Chapter 18.12 of this title.](#) ~~Before any grading for development is undertaken on any lot or parcel within the Specific Plan No. 17 area, development plans for any planning area shall be submitted for review and approval by the development plan review board pursuant to the provisions of Chapter 18.12 and the plan disposition procedure.~~

~~Development plans shall consist of the following:~~

~~1. A scaled plot plan or site plan;~~

~~2. Conceptual architectural floor plans and elevations where applicable;~~

~~3. Rough grading plan;~~

~~4. Conceptual landscaping plan.~~

~~B. All development plans shall be subject to final review and approval by the development plan review board unless appealed to the city council in accordance with Section 18.12.070. The~~

~~decision of the development plan review board shall be final unless that decision is appealed to the city council under one of the following conditions:~~

~~1. Appeal by the applicant for review and approval by the city council.~~

~~C. In addition to the standard development plan findings the development plan review board, in approving a development plan for any lot or lots in Specific Plan No. 17 shall make the following findings:~~

~~1. The proposed improvements will maintain or enhance the existing character and purpose of Specific Plan No. 17;~~

~~2. Structures and appurtenances are sited in a manner that minimizes visual impact and disturbance, to the natural terrain and are in conformance with the intent of Specific Plan No. 17;~~

~~3. The architectural character, style, and use of materials harmonize with the natural setting, if applicable.~~

~~D. Prior to submitting development plans, the applicant shall meet with city planning and engineering staff members to discuss and review the general purpose and objectives of the specific plan in relation to any development concepts proposed by the applicant.~~

~~E. If CalTrans does not allow grading of their property, the provisions in subsection C of this section shall be waived. Reference to the landscaping requirements shall be waived on the CalTrans property only. All other requirements shall remain in effect.~~

**SECTION XXX.** Section 18.528.180 shall be deleted in its entirety:

~~§ 18.528.180 Precise plan review requirements.~~

~~A. The applicant shall submit four sets of scaled plans to the planning department which shall include the following where applicable:~~

~~1. Precise grading plan;~~

~~2. Signing plan;~~

~~3. Fencing plan;~~

~~4. Lighting plan;~~

~~5. Landscaping plan;~~

~~6. Architectural floor plans and elevations.~~

~~B. Precise plans shall be reviewed and approved by the development plan review board only. Appeals are subject to the provisions of Section 18.12.070(C). The development plan review board shall make the findings in accordance with Section 18.12.060.~~

**SECTION XXX.** Section 18.528.190 shall be deleted in its entirety:

~~§ 18.528.190 Plan disposition.~~

~~A. Within thirty days after submission of development plans, the development plan review board shall consider the plans and shall approve, conditionally approve, or disapprove the plans with any conditions deemed necessary to protect the public health, safety and general welfare. Appeals shall be subject to the provisions outlined in Section 18.528.180.~~

~~B. Within thirty days after submission of precise plans, the development plan review board shall consider the plans and shall approve, conditionally approve or disapprove the plans. Appeals shall be in accordance with the provisions of Section 18.12.070(C).~~

~~C. Amendments to Approved Plans. Development plans and precise plans may be amended by the same procedure provided for approval. Minor modifications, which do not substantially change the concept of an approved development plan or precise plan may be approved by the director of community development and reported to the development plan review board.~~

**SECTION 169.** Section 18.530.060. is hereby amended to read as follows:

**18.530.060. Permitted use.**

Permitted uses in area I of Specific Plan No. 18 are as follows:

A. any retail, other than auto and truck sales, or service business, which is conducted entirely within a totally enclosed building, provided that no business involves manufacture, fabrication or wholesaling, secondary and incidental to another permitted use unless it has received 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 [planning commission](#) ~~development plan review board~~ and, thereafter, the city council in accordance with Chapter 18.212;

...

E. Uses which are directly related to the needs of freeway travelers and which are dependent on large traffic volume including, but not limited to, department stores, minor commercial uses related, secondary and incidental to an otherwise permitted use, and similar freeway oriented uses which may be approved by the director of community development upon finding that they are not more obnoxious or detrimental to the public health, safety and welfare than any other permitted uses. The determination of the director of community development may be appealed to the [planning commission](#) ~~development plan review board~~ and, thereafter, the city council in accordance with Chapter 18.212;

**SECTION 170.** Section 18.530.120. is hereby amended to read as follows:

**18.530.120. Prohibited uses.**

Prohibited uses in area II of Specific Plan No. 18 are as follows:

...

G. 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 [planning commission](#) ~~development plan review board~~ and thereafter, the city council in accordance with Chapter 18.192.

**SECTION 171.** Section 18.530.124. is hereby amended to read as follows:

**18.530.124. Permitted use.**

Permitted uses in area III of Specific Plan No. 18 are as follows:

A. Any retail, other than auto and truck sales, or service business, which is conducted entirely within a totally enclosure building, provided that no business involves manufacture, fabrication or wholesaling, secondary and incidental to another permitted use unless it has received prior written approval from the director of community development upon finding that it is not more 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 [planning commission](#) ~~development plan review board~~ and, thereafter, the city council in accordance with Chapter 18.212;

...

E. Uses which are directly related to the need of freeway travelers and which are dependent on large traffic volume including, but not limited to, department stores, minor commercial uses related, secondary and incidental to an otherwise permitted use, and similar freeway oriented uses which may be approved by the director of community development upon finding that they are not more obnoxious or detrimental to the public health, safety and welfare than any other permitted uses. The determination of the director of community development may be appealed to the [planning commission](#) ~~development plan review board~~ and, thereafter, the city council in accordance with Chapter 18.212;

**SECTION 172.** Section 18.530.140. is hereby amended to read as follows:

**18.530.140. Area I – Community commercial center.**

Development standards in area I of Specific Plan No. 18 are as follows:

...

D. Building Height. No building or structure erected in this area shall exceed thirty feet. Exceptions to this may be approved by the [director of community](#) development [or their designee](#) ~~plan review board~~, up to twenty-five percent;

...

G. Outside Storage. There shall be no outside storage of any materials at any time on the property. Further, no parking of commercial vehicles, except for loading and unloading purposes, except as approved by the [planning commission](#) ~~development plan review board~~;

**SECTION 173.** Section 18.530.150. is hereby amended to read as follows:

**18.530.150. Area II – Corporate Office park.**

Development standards in area II of Specific Plan No. 18 are as follows:

...

F. Signs. [Signs shall be reviewed pursuant to Chapter 18.12 of this title.](#) ~~Free-standing, low silhouette, double-faced, or single-faced signs identifying the office building shall be permitted pursuant to the following conditions:~~

- ~~1. One square foot of sign area shall be permitted for each lineal foot of building frontage. Maximum sign area permitted shall not exceed one hundred square feet per face;~~
- ~~2. Not more than one such double-faced or single-faced sign may be installed on a street frontage, and the sign may be installed within the required setback if it does not present a hazard to vehicular traffic;~~
- ~~3. The height shall be determined by the director of community development, subject to his or her finding that the height limit established is sufficient based on the suitability of the sign for communication purposes and upon the sign's architectural compatibility to the structure it serves. Maximum height shall be ten feet;~~
- ~~4. Directional signs shall be permitted pursuant to the following conditions:
 
  - ~~a. One exterior directory sign shall be permitted at each main building entrance not to exceed sixteen square feet;~~
  - ~~b. Directory signs shall be five feet in height maximum;~~~~
- ~~5. Nameplate identifying the name of a business occupying each office space is permitted, not to exceed one square foot per occupant;~~
- ~~6. Building mounted signs may be provided subject to the following conditions:
 
  - ~~a. Building wall signs, no part of which shall extend above the highest part of the wall to which it is affixed, shall be mounted flush to the building wall;~~
  - ~~b. Maximum sign area for all building wall signs shall not exceed one hundred fifty square feet per building;~~
  - ~~c. Design, sign area and location are subject to review and approval by the development plan review board pursuant to the provisions of Chapter 18.12 of this title.~~~~

G. Outside Storage. There shall be no outside storage of any materials at any time on the property. Further, no parking of commercial vehicles, except for loading and unloading purposes, except as approved by the [planning commission](#) ~~development plan review board~~.

**SECTION 174.** Section 18.530.152. is hereby amended to read as follows:

**18.530.152. Area III – Highway commercial center.**

Development standards in area III of this specific plan are as follows:

...

D. Building Height. No building or structure erected in this area shall exceed thirty feet. Exceptions to this may be approved by the [director of community](#) development [or their designee](#) ~~plan review board~~ up to twenty-five percent.

...

G. Outdoor Storage. There shall be no outside storage of any materials at any time on the property. Further, no parking of commercial vehicles, except for loading and unloading purposes, except as approved by the [planning commission](#) ~~development plan review board~~.

**SECTION 175.** Section 18.530.170. is hereby amended to read as follows:

**18.530.170. Review requirements – Development plans.**

A. ~~Before any grading or construction for residential development is undertaken on any lot or parcel within the Specific Plan No. 18 area, development plans shall be reviewed and approved pursuant to Chapter 18.12 of this title. Before any grading for development is undertaken on any lot or parcel within the Specific Plan No. 18 area, development plans for any planning area shall be submitted for review and approval by the development plan review board pursuant to the provisions of Chapter 18.12 and the plan disposition procedure. Development plans shall consist of the following:~~

- ~~1. A scaled plot plan or site plan;~~
- ~~2. Conceptual architectural floor plans and elevations where applicable;~~
- ~~3. Rough grading plan;~~
- ~~4. Conceptual grading plan;~~
- ~~5. Conceptual landscaping plan.~~

~~B. All development plans shall be reviewed by the development plan review board which shall consider the plans, and shall approve, conditionally approve or disapprove the plans with any conditions deemed necessary to protect the public health, safety and general welfare. The decision of the development plan review board shall be final unless the decision is appealed to the city council in accordance with Section 18.12.070.~~

~~C. In addition to the standard development plan findings, the development plan review board, in approving a development plan for any lot or lots in Specific Plan No. 18 shall make the following findings:~~

- ~~1. The proposed improvements will maintain or enhance the existing character and purpose of Specific Plan No. 18;~~
- ~~2. The architectural character, style and use of materials harmonize with the natural setting, if applicable.~~

~~D. Prior to submitting development plans, the applicant shall meet with city planning and engineering staff members to discuss and review the general purpose and objectives of the specific plan in relation to any development concepts proposed by the applicant.~~

~~E. Amendments to Approved Plans. Development plans may be amended by the same procedure provided for approval. Minor modifications, which do not substantially change the concept of an approved development plan may be approved by the director of community development and reported to the development plan review board.~~

**SECTION 176.** Section 18.532.070. is hereby amended to read as follows:

**18.532.070. Uses permitted.**

Buildings, structures, and land shall be used and buildings and structures shall hereafter be erected, structurally altered, or enlarged only for the following uses, plus such other uses as the director or community development ~~services~~ 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 planning commission ~~development plan review board~~ and, thereafter the city council pursuant to Chapter 18.192. All uses and storage shall be conducted within a totally enclosed building.

**SECTION 177.** Section 18.532.190. is hereby amended to read as follows:

**18.532.190. Signage.**



In addition to signage permitted by Chapter 18.152, an entry monument sign may be permitted subject to the approval [pursuant to Chapter 18.12 of this title.](#) ~~of the development plan review board and in accordance with the center's master sign program.~~

**SECTION 178.** Section 18.532.210. is hereby amended to read as follows:

**18.532.210. Architecture.**

Structures shall be designed utilizing an Early California architecture design and shall be approved by the review [authority pursuant to Chapter 18.12 of this title.](#) ~~development plan review board. The use of wood and/ or stucco is preferred for the exterior.~~

**SECTION 179.** Section 18.532.230. is hereby amended to read as follows:

**18.532.230. Uses permitted - Generally.**

Buildings, structures and land shall hereafter be erected, structurally altered or enlarged only for the following uses, plus other uses as the director of [community](#) development ~~services~~ 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 [planning commission](#) ~~development plan review board~~ and, thereafter, the city council pursuant to Chapter 18.192. All uses and storage shall be conducted within a totally enclosed building unless otherwise permitted.

**SECTION 180.** Section 18.532.240. is hereby amended to read as follows:

**18.532.240. Permitted uses.**

Uses permitted in Area II shall include those businesses listed in this section which operate in compliance with the intent and standards of this district. Each business shall be evaluated in terms of its operational characteristics and specific site location.

...

O. Other uses which are consistent with the intent and provisions of the specific plan, as determined by the director of [community](#) development ~~services~~, in accordance with Section 18.192.040. The determination of the director of [community](#) development ~~services~~ may be appealed to the [planning commission](#) ~~development plan review board~~ and thereafter to the city council in accordance with Chapter 18.212 of this accordance with Chapter 18.212 of this title.

**SECTION 181.** Section 18.532.250. is hereby amended to read as follows:

**18.532.250. Conditional uses.**

...

L. Other uses which are consistent with the intent and provisions of the specific plan, as determined by the director of [community](#) development ~~services~~, in accordance with Section 18.192.040. The determination of the director of [community](#) development ~~services~~ may be appealed to the [planning commission](#) ~~development plan review board~~ and thereafter to the city council in accordance with Chapter 18.212 of this title.

**SECTION 182.** Section 18.532.260. is hereby amended to read as follows:

**18.532.260. Prohibited Uses.**

The following uses are prohibited in Specific Plan No. 20, Area II:

...

S. Other uses which are inconsistent with the intent and provisions of the zone, as determined by the director of [community](#) development ~~services~~, in accordance with Section 18.192.040. The determination of the director of [community](#) development ~~services~~ may be appealed to the [planning commission](#) ~~development plan review board~~ and thereafter the city council in accordance with Chapter 18.212 of this title.

**SECTION 183.** Section 18.532.350. is hereby amended to read as follows:

**18.532.350. Signage.**

In addition to signage permitted by Chapter 18.152, an entry monument sign may be permitted subject to the approval [pursuant to Chapter 18.12 of this title.](#) ~~of the development plan review board and in accordance with the center's master sign program.~~

**SECTION 184.** Section 18.532.370. is hereby amended to read as follows:

**18.532.370. Architecture.**

A. Due to the highly visible location of this site, a common architectural theme is encouraged to provide a high quality product. Structures shall be designed utilizing an Early California architecture design and shall be approved by the [review authority pursuant to Chapter 18.12 of this title.](#) ~~development plan review board. The use of wood and/or stucco is preferred for the exterior.~~

...

D. Architectural and design treatment illustrations are included in this chapter as examples to be used in designing within this specific plan area. Final review and approval shall be by the [review authority pursuant to Chapter 18.12 of this title](#) ~~development plan review board.~~

**SECTION 185.** Section 18.532.430. is hereby amended to read as follows:

**18.532.430. Entry treatments.**

All driveway entrances along Arrow Highway shall incorporate a stamped/[decorative](#) concrete treatment. Additional entry treatment may be required by the [review authority pursuant to Chapter 18.12 of this title.](#) ~~development plan review board.~~

**SECTION 186.** Section 18.532.460. is hereby amended to read as follows:

**18.532.460. Outdoor display/ storage areas.**

Outdoor display and/or storage areas may be permitted when incidental and secondary to a permitted use subject to review and approval by the [director of community development](#) ~~development plan review board.~~ The uses shall not be located or operated in such a manner as to be detrimental to the visual quality of the primary use nor the negatively impact adjacent properties by means of noise, odor, appearance or other characteristics. In approving the display or storage area, the [director of community development](#) ~~development plan review board~~ may impose buffers consisting of decorative walls, landscaping, or combinations thereof to mitigate any perceived impacts.

**SECTION 187.** Section 18.532.480. is hereby amended to read as follows:

**18.532.480. Walls.**

A. Required Walls. Solid decorative masonry walls shall be erected on the zone boundary line between Area I and II, and adjacent to any residentially zoned district. Walls should be not less than six feet nor more than eight feet in height and shall be reduced to not less than three feet in height in any required yard abutting a street. Additional walls may be required by the [director of community development](#) ~~plan review board~~ as part of the approval process.

**SECTION 188.** Section 18.532.500. is hereby amended to read as follows:

**18.532.500. Plan review and disposition.**

A. A development plan review will be required. No person shall construct any building or structure, or relocate, rebuild, alter, enlarge, or modify any existing building or structure, until a development plan has been reviewed and approved in accordance with the provisions of Chapter 18.12.

~~B. Prior to formal application to the development plan review board, the applicant may request that the board review and approve a conceptual design for the project. Application for conceptual design review shall be accompanied by the followings:~~

- ~~1. scaled site plan;~~
- ~~2. Conceptual architectural floor plans and elevations;~~
- ~~3. A preliminary grading plan;~~
- ~~4. A conceptual landscape plan;~~

~~5. Breakdown of land uses: i.e., parking (compact vs. regular), floor area(s), coverage(s), landscape coverage, etc.;~~

~~6. Written description of proposed uses.~~

~~C. Prior to the submittal to the development plan review board, applicants are encouraged to meet with city staff for informal review and comments regarding city development policies and standards. Such meetings can serve to reduce expenditures of time and money through the development process.~~

**SECTION 189.** Section 18.534.140. is hereby amended to read as follows:

**18.534.140. Tentative site plan.**

A copy of the proposed site plan has been included with this specific plan as Exhibit B to indicate how the specific plan is intended to be implemented by the applicant. Any modifications within the scope of Specific Plan No. 21 to the proposed plan will be determined via the city's standard development plan review ~~board~~ process.

**SECTION 190.** Section 18.534.170. is hereby amended to read as follows:

**18.534.170. Use subject to conditional use permits.**

Uses subject to conditional use permits are as follows:

...

B. The following uses may be permitted subject to a conditional use permit pursuant to Chapter 18.200:

...

16. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approved by the [planning division](#) ~~development plan review board~~ is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment.

**SECTION 200.** Section 18.534.240. is hereby amended to read as follows:

**18.534.240. Signage.**

In addition to signage permitted by Chapter 18.152, entry monumentation may be permitted subject to the approval [pursuant to Chapter 18.12 of this title.](#) ~~of the development plan review board.~~

**SECTION 201.** Section 18.534.260. is hereby amended to read as follows:

**18.534.260. Architecture.**

A. A common architectural theme is encouraged to provide a high-quality project. Structures shall be designed utilizing concrete tilt-up construction and shall be approved [by the review authority pursuant to Chapter 18.12 of this title.](#) ~~development plan review board.~~

...

D. Architectural and design treatment illustrations are included as examples to be used in designing within this specific plan area. ~~Final review and approval shall be by the development plan review board.~~

**SECTION 202.** Section 18.534.340. is hereby amended to read as follows:

**18.534.340. Outdoor display/ storage area.**

Outdoor display and/or storage areas may be permitted when incidental and secondary to a permitted use subject to review and approval by the [director of community development](#) ~~development plan review board~~. The uses shall not be located or operated in such a manner as to be detrimental to the visual quality of the primary use nor to negatively impact adjacent properties by means of noise,

odor, appearance or other characteristic. The uses shall not encroach into any required parking, loading or maneuvering areas. In approving the display or storage area the [director of community development](#) ~~development plan review board~~ may impose buffers consisting of decorative block walls, landscaping or combinations thereof to mitigate any perceived impacts.

**SECTION 203.** Section 18.534.360. is hereby amended to read as follows:

**18.534.360. Walls.**

A. Required Walls. To screen truck areas, and storage where allowed, interior walls may be required by the [director of community development or their designee](#) ~~development plan review board~~ as part of the approval process. The walls shall be solid concrete tilt-up or decorative masonry walls. The height of the walls shall be governed by the viewshed from the surrounding area, which shall take into consideration the height of the tallest truck and other such factors as may be appropriate. All screen walls shall be architecturally compatible with the buildings within the project and shall incorporate vertical landscaping such as vines, trees and shrubbery adjacent to them facing the public right-of-ways to provide visual relief from the horizontal expanse.

**SECTION 204.** Section 18.534.500. is hereby amended to read as follows:

**18.534.500. Plan review and disposition.**

A. A development plan review shall be required. No person shall construct any building or structure, or relocate, rebuilt, alter, enlarge or modify any existing building or structure, until a development plan has been reviewed and approved in accordance with the provisions of Chapter 18.12.

~~B. Prior to formal application to the development plan review board, the applicant may request that the board review and approve a conceptual design for the project. Application for conceptual design review shall be accompanied by the following:~~

~~C. Prior to any submittal to the development plan review board, applicants shall submit the above items to city staff for informal review and comments regarding city development policies and standards. Such meetings will serve to reduce expenditures of time and money through the development process.~~

**SECTION 205.** Section 18.536.060. is hereby amended to read as follows:

**18.536.060. Special conditions.**

...

B. The common open space area shall contain a variety of amenities to provide for the interests of all residents and shall include, but not limited to, equestrian facilities, a pool, jacuzzi recreation hall, and gazebo with barbeques and a sand volleyball court, subject to approval of the [director of community development or their designee](#) ~~development plan review board~~ pursuant to Section 18.536.340.

**SECTION 206.** Section 18.536.110. is hereby amended to read as follows:

**18.536.110. Accessory uses.**

Accessory uses in Specific Plan No. 22 are as follows:

...

D. Other uses similar to those stated in this section which the [director of community development](#) ~~plan review board~~ finds consistent with the spirit and intent of this specific plan.

**SECTION 207.** Section 18.536.120. is hereby amended to read as follows:

**18.536.120. Accessory structures.**

Unless otherwise provided in accordance with Section 18.12.050, the following structures are permitted when they are accessory to the primary permitted uses. ~~and when their location and design have first been reviewed and approved by the development plan review board.~~

...

E. Other accessory uses of a similar nature which the [director of community development plan review board](#) finds consistent with the spirit and intent of this specific plan.

**SECTION 208.** Section 18.536.130. is hereby amended to read as follows:

**18.536.130. Temporary uses.**

Temporary Uses in Specific Plan No. 22 are as follows:

A. Model homes, real estate offices and parking compounds associated with the sale of residential homes, subject to approval by the [planning division development plan review board only](#);

**SECTION 209.** Section 18.536.160. is hereby amended to read as follows:

**18.536.160. Lot dimensions, setbacks and unit sizes.**

The design intent is to provide buildable home sites with minimum lot sizes of five thousand five hundred square feet, permitted in conjunction with permanent preservation of open space.

...  
D. Side Yard Setbacks.

...  
2. Setbacks for accessory structures shall be ~~as established by development plan review board but no less than~~ five feet to the side or rear yard property lines.

**SECTION 210.** Section 18.536.200. is hereby amended to read as follows:

**18.536.200. Landscaping.**

...  
F. The development plan shall provide for the protection of mature trees (trunk diameter of four inches or larger) in place. In the event that the [review authority pursuant to Chapter 18.12 of this title development plan review board](#) determines protection in place is feasible, then one of the following shall occur: oak trees shall be relocated on site, all other trees may be removed, but a tree of like species and size shall be installed elsewhere on site.

**SECTION 211.** Section 18.536.210. is hereby amended to read as follows:

**18.536.210. Signs.**

Prior to installation of any sign, a sign program shall be submitted to the [review authority pursuant to Chapter 18.12 of this title development plan review board](#) for review and approval. The sign program shall show signs drawn to scale, dimensioned and easily readable, containing, but not limited to, the following:

**SECTION 212.** Section 18.536.220. is hereby amended to read as follows:

**18.536.220. Lighting.**

All public streets shall be provided with a level of street lighting designed to protect the health, safety and welfare of those living within the development. Street lights shall be mounted on city standard electroliers. Prior to the installation of any lighting or other developer-installed community lighting other than street lighting, a general lighting plan shall be submitted to the [planning division development plan review board](#) for review and approval. ~~Further, street lighting engineering data shall be approved for the director of community services.~~

**SECTION 213.** Section 18.536.230. is hereby amended to read as follows:

**18.536.230. Walls and fences.**

...  
B. A community fencing plan shall be submitted to the [planning division development plan review board](#) for review and approval. The community fencing plan shall clearly indicate the location, height, type of materials and color selections to be utilized for fencing. Areas prohibited from fencing shall be indicated on the community fencing plan. Homeowner-installed fencing shall be per the specific plan and must be reviewed and approved by the planning [division department](#).

**SECTION 214.** Section 18.536.300. is hereby amended to read as follows:

**18.536.300. Purpose.**

The purpose of the architectural guidelines is threefold:

...

C. To provide guidance to the [review authority pursuant to Chapter 18.12 of this title](#) ~~planning commission, the development plan review board and the city council~~ in the subsequent review of building plans as noted in the plan review and plan disposition procedures.

**SECTION 215.** Section 18.536.350. is hereby amended to read as follows:

**18.536.350. Plan review and disposition.**

A. Unless otherwise provided in accordance with Section 18.12.050, no person shall construct any building or structure, relocate, rebuild, alter, enlarge or modify any existing building or structure until a development plan has been reviewed and approved in accordance with the provisions of Chapter 18.12.

~~B. Prior to a formal request to the development plan review board, the application may request that the board review and approve a conceptual design for the project. Application for conceptual design review shall be accompanied by the following:~~

~~1. A scaled site plan;~~

~~2. Conceptual architectural floor plans and elevations;~~

~~3. A preliminary grading plan;~~

~~4. A conceptual landscape plan;~~

~~5. A breakdown of land uses: i.e. parking (compact vs. regular), floor area(s), coverage(s), landscape coverage, etc.;~~

~~6. Written description of proposed uses.~~

~~C. Prior to any submittal to the development plan review board, applicants are encouraged to meet with the city staff for informal review and comments regarding city development policies and standards. Such meetings can serve to reduce expenditures of time and money through the development process.~~

**SECTION 217.** Section 18.538.110. is hereby amended to read as follows:

**18.538.110. Planning area I – Mixed Use – Residential/Industrial.**

T The Mixed Use - Residential/Industrial area is uniquely suited for residential, specialized light industrial and business uses. The Mixed Use area is intended to allow for residential projects and careful combination of high quality light industrial, warehousing, passive commercial, office and business uses, developed separately on each block. The minimum parcel size for residential development shall be three acres and shall not be combined with industrial uses. The industrial development may be a single, high quality user, or as a high quality, amenity oriented, architecturally sophisticated business park.

A. Permitted Uses. Limited light industrial, general business, office, passive commercial, and multi-family residential uses as set forth below. Each use shall be evaluated in terms of its operational characteristics and development plan in respect to the potential relationship with the adjoining residential neighborhood.

Buildings, structures, and land shall be used, and buildings and structures shall be altered or enlarged only for those uses specified herein. In addition, those uses the approving body may deem as similar but not more obnoxious or detrimental to the public health, safety and general welfare as those listed below may be permitted pursuant to the provisions of Chapter 18.12 of this title. All uses shall be conducted within a totally enclosed building, except as permitted by a conditional use permit.

...

15. Other similar uses which the [director of community](#) development ~~plan review board~~ finds compatible and similar to the permitted uses described here, subject to a determination of use pursuant to Chapter 18.12 of this title.

...

C. The following residential and industrial uses have their own development standards as follows:

1. Development Standards. The following standards shall apply to all improvements, structures and uses within Planning Area I for industrial uses:

1. Building setbacks.

...

ii. Interior Property Lines. Interior property lines which abut residential property shall maintain a minimum fifteen foot setback. Where an interior property line abuts a non-residential use, no setback is required. However, each project shall be required to submit illustrative line-of-site drawings to demonstrate that the project is designed sufficiently to accommodate the type of uses permitted in accordance with the development standards in this section. The review authority pursuant to Chapter 18.12 of this title ~~development plan review board~~ may require greater setbacks as deemed appropriate ~~pursuant to protect the public health, safety and general welfare pursuant to Chapter 18.12 of this title.~~

g. Architecture. Building and structural architecture shall be compatible with the surrounding towncore residential area and shall be approved by the review authority ~~development review board~~ pursuant to Chapter 18.12 of this title. Architecture shall be high quality using textures, materials, colors and architectural treatments and fixtures to accomplish the following goals:

**SECTION 218.** Section 18.538.150. is hereby amended to read as follows:

**18.538.150. Industrial general provisions.**

The following standards shall apply to all developments/ improvements within Specific Plan No. 23.

...

D. Walls/Fences. Walls shall be permitted and/ or required pursuant to the following provisions. All walls shall be constructed of decorative concrete tilt-up or masonry described in Definitions in this section.

1. Required Walls. Walls shall be required to screen truck and storage areas where allowed by this specific plan. Interior walls may be required by the review authority pursuant to Chapter 18.12 of this title ~~development plan review board~~ as a component of the design review process. All screening walls shall be architecturally compatible with the buildings within the project and shall incorporate vertical landscaping such as vines, trees and shrubbery. The vertical landscaping elements shall be located on the public right-of-way side to provide visual relief from the horizontal expanse. The height of the screening walls shall be governed by the view shed from the surrounding areas which shall take into consideration the height of equipment and/or trucks to be stored behind said walls.

**SECTION 219.** Section 18.538.160. is hereby amended to read as follows:

**18.538.160. Industrial review requirements.**

A development plan review shall be required. No person shall construct any building or structure, or relocate, rebuilt, alter, enlarge or modify any existing building or structure, until a development plan has been reviewed and approved in accordance to the provisions of Chapter 18.12 of this title, or until a minor modification has been approved by the director of community development in accordance with the provisions of Section 18.538.170. Prior to the submittal of any formal application to the community development department ~~development plan review board~~, the applicant may request an informal review and comments regarding the city development policies and standards ~~that the board review and approve a conceptual design plan for the project.~~ An application for conceptual design review shall be accompanied by any applicable fee and the following materials:

...

~~Prior to any submittal to the development plan review board, applicants shall submit the above items to the city staff for informal review and comments regarding city development standards and policies.~~

~~Such meetings will serve to reduce expenditures of time and money through the development process.~~

**SECTION 220.** Section 18.538.180. is hereby amended to read as follows:

**18.538.180. Appeal provisions.**

The determination of the director of community development, ~~development plan review board~~ and/or the planning commission as applicable, may be appealed to the city council pursuant to the provisions of Chapter 18.212 of this title.

**SECTION XX.** Chapter 18.540 Article IX Plan Review and Disposition is hereby amended to read as follows:

**18.540.800 Review Requirements – Development plans.**

~~18.540.810 Precise plan review.~~

~~18.540.820 Plan disposition~~

~~18.540.8130 Minor modifications~~

**SECTION 221.** Section 18.540.040. is hereby amended to read as follows:

**18.540.040. General notes.**

The project area of Specific Plan No. 24 is designated as commercial and industrial by the city general plan. All development, uses and activity shall be subject to, but not limited to, the following general provisions:

...

G. Any permitted uses or conditionally permitted use not specifically provided by the San Dimas Specific plan No. 24 shall not be permitted without a determination of use by the [director of community development](#) ~~development plan review board~~ pursuant to provisions of Chapter 18.12 of this title; and

**SECTION 222.** Section 18.540.120. is hereby amended to read as follows:

**18.540.120. Permitted uses.**

Uses permitted in Area I shall include those businesses listed in this section which operate in compliance with the intent and standards of this specific plan area. Each business shall be evaluated in terms of its operational characteristics and specific site location.

...

B. Uses which are directly related to the needs of freeway travelers and which are dependent on large traffic volume, including, but not limited to, department stores, minor commercial uses related, secondary and incidental to an otherwise permitted use, and similar freeway oriented uses which may be approved by the director of community development upon finding that they are not more obnoxious or detrimental to the public health, safety and welfare than any other permitted uses. The determination of the director of community development may be appealed to the [planning commission](#) ~~development plan review board~~ and, thereafter, the city council in accordance with Chapter 18.212 of this title;

**SECTION 223.** Section 18.540.240. is hereby amended to read as follows:

**18.540.240. Signage.**

The provisions of Chapter 18.152 of this title shall apply. No signs shall be installed until a master sign program for the project has been approved by the [review authority pursuant to Chapter 18.12 of this title](#) ~~development plan review board~~.

**SECTION 224.** Section 18.540.250. is hereby amended to read as follows:

**18.540.250. Architecture.**



A. Due to the highly visible location of this site, a common architectural theme is encouraged to provide a high quality product. Structures shall be designed utilizing a western or Early California architecture design and shall be approved by the [review authority pursuant to Chapter 18.12 of this title](#) ~~plan review board. The use of wood and/or stucco is preferred for the exterior.~~

...

D. Detailed architectural guidelines shall be prepared for final review and approval by the [planning commission](#) ~~development plan review board~~ prior to the granting of precise plan approvals for any development within Area I-B.

**SECTION 225.** Section 18.540.690. is hereby amended to read as follows:

**18.540.690. Entry treatments.**

All driveway entrances shall incorporate decorative pavement treatment. Additional entry treatment may be required by the [review authority pursuant to Chapter 18.12 of this title](#) ~~development plan review board~~.

**SECTION 226.** Section 18.540.710. is hereby amended to read as follows:

**18.540.710. Outdoor display/ storage areas.**

Outdoor display and/or storage areas may be permitted when incidental and secondary to a permitted use subject to review and approval by the [director of community development or designee](#) ~~development plan review board~~. The uses shall not be located or operated in such a manner as to be detrimental to the visual quality of the primary user nor to negatively impact adjacent properties by means of noise, odor, appearance or other characteristics. In approving the display or storage area, the [director of community development or designee](#) ~~development plan review board~~ may impose buffers consisting of decorative block walls, berming, landscaping, or combinations thereof to mitigate any perceived impacts.

**SECTION 227.** Section 18.540.760. is hereby amended to read as follows:

**18.540.760. Walls.**

Walls shall be permitted and/or required pursuant to the following provisions. All walls shall be constructed of decorative concrete tilt-up, masonry or other approved durable material.

A. Required Walls. Walls shall be required to screen truck and storage areas where allowed by this chapter. Interior walls may be required by the [the review authority pursuant to Chapter 18.12 of this title](#) ~~development plan review board~~ as a component of the design review process. All screening walls shall be architecturally compatible with the buildings with the project and planning unit, and shall incorporate vertical landscaping such as vines, trees and shrubbery. The vertical landscaping elements shall be located on the public right-of-way side to provide visual relief from the horizontal expanse. The height of the screening walls shall be governed by the view shed from the surrounding areas which shall take into consideration the height of equipment and/or trucks to be stored behind the walls.

**SECTION 228.** Section 18.540.800. is hereby amended to read as follows:

**18.540.800. Review requirements – Development plans.**

A. [Before any grading or construction is undertaken on any lot or parcel within the Specific Plan No. 24 area, development plans shall be reviewed and approved pursuant to Chapter 18.12 of this title.](#) ~~Before any grading is undertaken on any lot or parcel within the Specific Plan No. 24 area, a precise plan shall be submitted for review and approval by the development plan review board, planning commission and city council.~~

~~B. Unless otherwise provided in accordance with Section 18.12.050 of this title, precise plans shall be subject to final review and approval by the development plan review board, the planning commission and the city council.~~

~~C. In addition to the standard development plan review findings, the development plan review board, the planning commission and the city council, in approving a precise plan for any lot or lots in Specific Plan No. 24, shall make the following findings:~~

~~1. The proposed improvements will maintain or enhance the existing character and purpose of Specific Plan No. 24, as set forth in Section 18.542.010 of this title;~~

~~2. The architectural character, style and use of materials harmonize with the natural setting, if applicable.~~

~~D. Prior to submitting development plans, the applicant shall meet with planning staff members to discuss and review the general purpose and objectives of the specific plan in relation to any development concepts proposed by the applicant.~~

**SECTION 229.** Section 18.540.810. shall be deleted in its entirety:

~~**18.540.810. Precise plan review.**~~

~~A. The applicant shall submit a minimum of four sets of scaled plans to the planning department which shall include the following, where applicable:~~

~~1. Precise grading plan and site plan;~~

~~2. Architectural floor plans and elevations;~~

~~3. Grading plan;~~

~~4. Lighting plan;~~

~~5. Conceptual landscaping plan;~~

~~6. Fencing plan;~~

~~7. Access and circulation plan;~~

~~8. Utility plan;~~

~~9. Master sign program.~~

~~B. Precise plans shall be reviewed and approved as set forth in Section 18.542.800 of this title.~~

~~C. The approving authority shall make the findings in accordance with Section 18.12.060 of this title.~~

**SECTION 230.** Section 18.540.820. shall be deleted in its entirety:

~~**18.540.820. Plan disposition.**~~

~~A. The development plan review board shall consider the plans and shall recommend to the planning commission approval, conditional approval or disapproval of the plans with any conditions deemed necessary to protect the public health, safety and general welfare.~~

~~B. The planning commission shall consider the plans and recommend to the city council approval, conditional approval or disapproval of the plans with any conditions deemed necessary to protect the public health, safety and general welfare.~~

~~C. Upon receipt of the recommendation from the planning commission, the city council shall approve, conditionally approve or disapprove the precise plan.~~

~~D. Amendments to Approved Plans. Development plans and precise plans may be amended by the same process provided for approval. Minor modifications, which do not substantially change the concept of an approved development plan or precise plan may be approved by the director of community development and the development plan review board.~~

**SECTION XX.** Section 18.540.830 is hereby amended to read as follows:

**18.540.8130 Minor modifications**

**SECTION XX.** Chapter 18.542 Article V Plan Review and Disposition is hereby amended to read as follows:

**18.542.600 Review Requirements – Precise plans.**

~~**18.542.610 Review requirements – Land divisions.**~~

~~**18.542.620 Precise plan review requirements.**~~

~~**18.542.630 Plan disposition**~~

**SECTION 231.** Section 18.542.140. is hereby amended to read as follows:

**18.542.140. Accessory uses.**

Accessory uses in Planning Areas One and Two of Specific Plan No. 25 are as follows:

...

F. Other uses similar to those stated which the [director of community development](#) ~~plan review board~~ finds consistent with the spirit and intent of this specific plan.

**SECTION 232.** Section 18.542.230. is hereby amended to read as follows:

**18.542.230. Grading.**

Grading of the site shall conform to the standards set forth in this section. Construction grading shall not be issued unless the grading plans have first been reviewed and approved by the director of [community development](#) ~~planning~~ and city engineer, according to the terms of the applicable city approvals.

...

C. Prior to the issuance of a grading permit, the developer shall submit a tree removal plan for review and approval [pursuant to Chapter 18.162 of this title](#). ~~by the development plan review board. Trees six inches in diameter or larger to be removed shall be identified on the tree removal plan.~~

**SECTION 233.** Section 18.542.260. is hereby amended to read as follows:

**18.542.260. Setbacks.**

A. Setbacks for Planning Area One shall be as follows:

1. Front Yard Setbacks. Front yard setbacks shall be a minimum of twenty feet but a lesser minimum setback may be reviewed and approved by [director of community development or designee](#) ~~development plan review board~~ if warranted by topographic conditions or to otherwise comply with the intent of standards set forth in this specific plan.
2. Side Yard Setbacks. Side yard setbacks shall be a minimum of twenty-five feet combined but a lesser minimum setback may be reviewed and approved by the [director of community development or designee](#) ~~development plan review board~~ if warranted by topographic conditions or to otherwise comply with the intent of standards set forth in this specific plan.
3. Setbacks for Accessory Structures. Setbacks for accessory structures shall be as established by the [director of community development or designee](#) ~~development plan review board~~, but no less than twenty feet to the side or rear yard property line but a lesser minimum setback may be reviewed and approved by the [director of community development](#) ~~development plan review board~~ if warranted by topographic conditions or to otherwise comply with the intent of standards set forth in this specific plan.

B. Setbacks for Planning Area Two shall be as follows:

1. Front Yard Setbacks. Front yard setbacks shall be a minimum of fifty feet but a lesser minimum setback may be reviewed and approved by [director of community development or designee](#) ~~development plan review board~~ if warranted by topographic conditions or to otherwise comply with the intent of standards set forth in this specific plan.
2. Side Yard Setbacks. Side yard setbacks shall be a minimum of forty feet but a lesser minimum setback may be reviewed and approved by the [director of community development or designee](#) ~~development plan review board~~ if warranted by topographic conditions or to otherwise comply with the intent of standards set forth in this specific plan.
3. Setbacks for Accessory Structures. Setbacks for accessory structures shall be as established by the [director of community development or designee](#) ~~development plan review board~~, but no less than forty feet to the side or rear yard property line but a lesser minimum setback may be reviewed and approved by the [director of community development or designee](#) ~~development plan review board~~ if warranted by topographic conditions or to otherwise comply with the intent of standards set forth in this specific plan.

**SECTION 234.** Section 18.542.370. is hereby amended to read as follows:

**18.542.370. Fencing.**

A conceptual fencing plan shall be submitted which indicates the general areas where fences are permitted. The purpose of this plan is to prohibit the arbitrary placement of fences on the visible slopes of the hillside areas. Prior to the issuance of grading or building permits, a fencing plan shall be submitted to the [planning division](#) ~~development plan review board~~ for review and approval. The fencing plan shall clearly indicate the location, height, and type of materials and color selection to be utilized for fencing. Areas prohibited from fencing shall be indicated on the plan.

**SECTION 235.** Section 18.542.500. is hereby amended to read as follows:

**18.542.500. Purpose.**

A. The purpose of the architectural guidelines is threefold:

...

C. To provide guidance to the [review authority pursuant to Chapter 18.12 of this title](#) ~~planning commission, the development plan review board and the city council~~ in the subsequent review of building plans as noted in the plan review and plan disposition procedures.

**SECTION 236.** Section 18.542.600. is hereby amended to read as follows:

**18.542.600. Review requirements – Precise plans.**

A. [Before any grading or construction is undertaken on any lot or parcel within the Specific Plan No. 25 area, development plans shall be reviewed and approved pursuant to Chapter 18.12 of this title.](#) ~~Before any grading for residential development is undertaken on any lot or parcel within the Specific Plan No. 25 area, a precise plan shall be submitted for review and approval by the development plan review board, planning commission and city council.~~

~~B. Unless otherwise provided in accordance with Section 18.12.050, precise plans shall be subject to final review and approval by the development plan review board, the planning commission and the city council.~~

~~C. In addition to the standard development plan findings, the development plan review board, the planning commission and the city council, in approving a precise plan for any lot or lots in Specific Plan No. 25, shall make the following findings:~~

~~1. The proposed improvements will maintain or enhance the existing character and purpose of Specific Plan No. 25, as set forth in Section 18.542.010(D);~~

~~2. Structures and appurtenances are sited in a manner that minimizes visual impact and disturbance to the natural terrain and are in conformance with the intent of Specific Plan No. 25;~~

~~3. The architectural character, style and use of materials harmonize with the natural setting, if applicable.~~

~~D. Prior to submitting development plans, the applicant shall meet with planning staff members to discuss and review the general purpose and objectives of the specific plan in relation to any development concepts proposed by the applicant.~~

~~§ 18.542.610 Review requirements – Land divisions.~~

~~Before any division of land is undertaken on any lot or parcel within the Specific Plan No. 25 area, a tentative parcel or tract map, pursuant to Title 17 and the State Subdivision Map Act, shall be submitted for review and approval by the development plan review board, planning commission and city council. The following additional requirements shall apply.~~

~~A. Three-dimensional model;~~

~~B. Viewshed analysis;~~

~~C. Identification of building pad locations for all proposed development, including type of foundation construction and three-dimensional building envelope.~~

~~§ 18.542.620 Precise plan review requirements.~~

~~A. The applicant shall submit a minimum of four sets of scaled plans to the planning department which shall include the following, where applicable:~~

- ~~1. Precise grading plan and site plan;~~
- ~~2. Architectural floor plans and elevations;~~
- ~~3. Grading plan;~~
- ~~4. Lighting plan;~~
- ~~5. Conceptual landscaping plan;~~
- ~~6. Fencing plan;~~
- ~~7. Access and circulation plan;~~
- ~~8. Utility plan;~~
- ~~9. Viewshed analysis;~~
- ~~10. Three-dimensional model.~~

~~B. Precise plans shall be reviewed and approved as set forth in Section 18.542.630.~~

~~C. The approving authority shall make the findings in accordance with Section 18.12.060.~~

~~§ 18.542.630 Plan disposition:~~

~~A. The development plan review board shall consider the plans and shall recommend to the planning commission approval, conditional approval or disapproval of the plans with any conditions deemed necessary to protect the public health, safety and general welfare.~~

~~B. The planning commission shall consider the plans and recommend to the city council approval, conditional approval or disapproval of the plans with any conditions deemed necessary to protect the public health, safety and general welfare.~~

~~C. Upon receipt of the recommendation from the planning commission, the city council shall approve, conditionally approve or disapprove the precise plan.~~

~~D. Amendments to Approved Plans. Development plans and precise plans may be amended by the same process provided for approval. Minor modifications, which do not substantially change the concept of an approved development plan or precise plan may be approved by the director of planning and reported to the development plan review board.~~

**SECTION XX.** Chapter 18.544 Article VII Plan Review and Disposition is hereby amended to read as follows:

**18.544.800 Review Requirements – Development plans.**

~~**18.544.810 Precise Plan review**~~

~~**18.544.820 Plan disposition.**~~

**18.544.8310. Minor modifications.**

**SECTION 240.** Section 18.544.040. is hereby amended to read as follows:

**18.544.040. General notes.**

The project area of Specific Plan No. 26 is designated as commercial by the city general plan (proposed amendment to mixed use) “as a Specific Plan Area for commercial and/or residential development.” All development, uses and activity shall be subject to, but not limited to, the following general provisions:

...

G. Any permitted use or conditionally permitted use not specifically provided by the San Dimas Specific Plan No. 26 shall not be permitted without a determination of use by the [Community Development Department](#) ~~development plan review board pursuant to provisions of Chapter 18.12 of this title~~; and

**SECTION 241.** Section 18.544.110. is hereby amended to read as follows:

**18.544.110. Permitted uses.**

Uses permitted in Area I shall include those businesses listed in this section which operate in compliance with the intent and standards of this specific plan area. Each business shall be evaluated in terms of its operational characteristics and specific site location.

...  
 E. Other uses. Other similar permitted and conditional uses determined by the director of [community development services](#) 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 [planning commission development plan review board](#) and, thereafter, the city council in accordance with Chapter 18.212 of this title.

**SECTION 242.** Section 18.544.240. is hereby amended to read as follows:

**18.544.240. Signage.**

The provisions of Chapter 18.152 of this title shall apply. No signs shall be installed until a master sign program for the project has been approved by the [review authority pursuant to Chapter 18.12 of this title. development plan review board.](#)

**SECTION 243.** Section 18.544.250. is hereby amended to read as follows:

**18.544.250. Architecture.**

A. Theme. Due to the highly visible location of this site, a common architectural theme is encouraged to provide a high quality product. Structures shall be approved by the [review authority pursuant to Chapter 18.12 of this title development plan review board.](#) ~~The use of wood and/or stucco is preferred for the exterior.~~

**SECTION 244.** Section 18.544.710. is hereby amended to read as follows:

**18.544.710. Entry treatments.**

All driveway entrances shall incorporate decorative pavement treatment. Additional entry treatment may be required by the [review authority pursuant to Chapter 18.12 of this title development plan review board.](#)

**SECTION 245.** Section 18.544.770. is hereby amended to read as follows:

**18.544.770. Walls.**

Walls shall be permitted and/or required pursuant to the following provisions. All walls shall be constructed of decorative concrete tilt-up, masonry or other approved durable material.

A. Required Walls. Walls shall be required to screen truck and storage areas where allowed by this chapter. Interior walls may be required by the [review authority pursuant to Chapter 18.12 of this title development plan review board](#) as a component of the design review process. All screening walls shall be architecturally compatible with the buildings within the project and planning units, and shall incorporate vertical landscaping such as vines, trees and shrubbery. The vertical landscaping elements shall be located on the public right-of-way side to provide visual relief from the horizontal expanse. The height of the screening walls shall be governed by the view shed from the surrounding areas which shall take into consideration the height of equipment and/ or trucks to be stored behind the walls.

**SECTION 246.** Section 18.544.800. is hereby amended to read as follows:

**18.544.800. Review requirements – Development plans.**

A. [Before any grading or construction is undertaken on any lot or parcel within the Specific Plan No. 26 area, development plans shall be reviewed and approved pursuant to Chapter 18.12 of this title.](#) ~~Before any grading is undertaken on any lot or parcel within the Specific Plan No. 26 area, a precise plan shall be submitted for review and approval by the development plan review board, planning commission and city council.~~

~~B. Unless otherwise provided in accordance with Section 18.12.050 of this title, precise plans shall be subject to final review and approval by the development plan review board, the planning commission and the city council.~~

~~C. In addition to the standard development plan findings, the development plan review board, the planning commission and the city council, in approving a precise plan for any lot or lots in Specific Plan No. 26, shall make the following findings:~~

~~1. The proposed improvements will maintain or enhance the existing character and purpose of Specific Plan No. 26, as set forth in Section 18.542.010 of this title;~~

~~2. The architectural character, style and use of materials harmonize with the natural setting, if applicable.~~

~~D. Prior to submitting development plans, the applicant shall meet with planning staff members to discuss and review the general purpose and objectives of the specific plan in relation to any development concepts proposed by the applicant.~~

**SECTION XXX.** Section 18.544.810 shall be deleted in its entirety:

~~§ 18.544.810 Precise plan review.~~

~~A. The applicant shall submit a minimum of four sets of scaled plans to the planning department which shall include the following, where applicable:~~

~~1. Precise grading plan and site plan;~~

~~2. Architectural floor plans and elevations;~~

~~3. Grading plan;~~

~~4. Lighting plan;~~

~~5. Conceptual landscaping plan;~~

~~6. Fencing plan;~~

~~7. Access and circulation plan;~~

~~8. Utility plan;~~

~~9. Master sign program.~~

~~B. Precise plans shall be reviewed and approved as set forth in Section 18.542.800 of this title.~~

~~C. The approving authority shall make the findings in accordance with Section 18.12.060 of this title.~~

**SECTION XXX.** Section 18.544.820 shall be deleted in its entirety:

~~§ 18.544.820 Plan disposition.~~

~~A. The development plan review board shall consider the plans and shall recommend to the planning commission approval, conditional approval or disapproval of the plans with any conditions deemed necessary to protect the public health, safety and general welfare.~~

~~B. The planning commission shall consider the plans and recommend to the city council approval, conditional approval or disapproval of the plans with any conditions deemed necessary to protect the public health, safety and general welfare.~~

~~C. Upon receipt of the recommendation from the planning commission, the city council shall approve, conditionally approve or disapprove the precise plan.~~

~~D. Amendments to Approved Plans. Development plans and precise plans may be amended by the same process provided for approval. Minor modifications, which do not substantially change the concept of an approved development plan or precise plan may be approved by the director of development services and reported to the development plan review board.~~

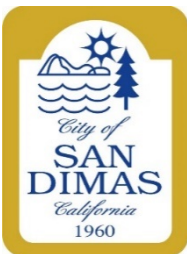
**SECTION 249.** Section 18.544.830. is hereby amended to read as follows:

**18.544.8310. Minor modifications.**

The director of [community](#) development ~~services~~ without public hearing may grant minor modifications to the provisions of this specific plan limited to the following:

...





## Agenda Item Staff Report

**To:** Honorable Mayor and Members of City Council  
*For the Meeting of July 11, 2023*

**From:** Chris Constantin, City Manager

**Prepared by:** Henry Noh, Director of Community Development

**Subject:** Analysis for the Consideration, Review and Direction on Transferring the Review Authority and Duties from the Development Plan Review Board to the Planning Commission

### **SUMMARY**

At the February 4, 2023 Study Session to review the Boards, Commissions, and Committees Handbook, the City Council directed Staff to bring back a discussion item pertaining to an analysis regarding the pros and cons of transferring the review authority and duties of the Development Plan Review Board (DPRB) to the Planning Commission (PC).

### **RECOMMENDATION**

Staff recommends that the City Council:

1. Initiate a Municipal Code Text Amendment eliminating and transferring the Development Plan Review Board (DPRB) review authority and duties to the Planning Commission and to make all necessary Development Code Amendments to codify these changes; and
2. Amend the Boards, Commissions, and Committees Handbook to align with the above Development Code Amendments.

### **FISCAL IMPACT**

There is no fiscal impact for the recommended action.

### **BACKGROUND**

On February 4, 2023, the City Council reviewed the Boards, Commissions, and Committees Handbook and directed Staff to bring back a discussion item pertaining to an analysis regarding

the pros and cons of transferring the review authority of the Development Plan Review Board (DPRB) to the Planning Commission.

At the March 14, 2023 Study Session, the City Council heard a Staff Report pertaining to the requirements, history and intent of the DPRB and Planning Commission (See Attachment 1: March 4, 2023 DPRB/PC Memo). The City Council then directed Staff to research surrounding cities that have an Architectural Review Board (ARB) and to bring back information regarding:

1. How these cities select their ARB Board Members (appointment by the City Council or comprised of Staff).
2. Qualifications, if any, for the ARB Board Members of the Board.
3. Applicability or review authority of the ARB.
4. Number of Meetings.
5. Pros and Cons of having an ARB in their jurisdiction.

### **DISCUSSION/ANALYSIS**

Staff contacted eleven (11) jurisdictions that includes Pasadena, Whittier, Claremont, Duarte, Monrovia, Rancho Cucamonga, Glendora, La Verne, Walnut, Arcadia, and Covina. Of these jurisdictions three (3) had City Council only appointed members of the public (Pasadena, Whittier and Claremont); three (3) had Staff Only Boards (Duarte, Monrovia and Rancho Cucamonga) and five (5) did not have an ARB (Glendora, La Verne, Walnut, Arcadia and Covina). Below are the findings of Staff's research:

#### **City Council Appointed ARB:**

1. Pasadena - Design Commission
  - a. Consists of nine (9) members, City Council nominates five (5) members from the public, and the Transportation, Arts/Culture, Cultural Heritage & Planning Commissions each nominate one member from the public.
    - i. Must reside in the City and have professional design related experience (architecture, landscape architecture, city planning, historic preservation, artist, urban design, engineering & transportation planning).
  - b. Planning Entitlements: Located within the Central District: Commercial: greater than 5,000 SF, Residential greater than 10 dwelling units; Outside of Central District: Commercial: greater than 25,000 SF.
  - c. Meets twice a month.
  - d. Design Commission (DC) is a noticed public hearing and staff reports are prepared and presented. Process does add time to review, but the process assists with achieving the quality expected in the City. Process consists of three steps:
    - i. Preliminary consultation,

- ii. Concept design review - public hearing and DC approves project in concept,
  - iii. Final Review - address any outstanding issues from Concept Design review. When items require both DC and PC, it goes to PC first. If approved, it then goes to DC for architectural review.
2. Whittier - Design Review Board
- a. Consists of five (5) members of the public that are City Council appointed.
    - i. Must reside in the City and at least two members shall be licensed architect/landscape architect or have professional expertise in related field.
  - b. New buildings and exterior remodels within multi-family, commercial and industrial zoned areas.
  - c. Meets twice a month.
  - d. Design Review Board (DRB) is a noticed public hearing and staff reports are prepared and presented. Process provides a buffer between Staff and the applicant. When item requires both DRB and PC review; DRB reviews/approves architectural portion and PC reviews/approves land use portion. Majority of actions that require a higher review authority than the DRB are approved by the PC. Often times it's difficult for City to find members of the public that have the required design experience.
3. Claremont - Architectural Commission
- a. Consists of seven (7) members of the public that are City Council appointed.
    - i. Must reside in the City and one (1) member shall be an architect & two (2) shall be design professionals.
  - b. New buildings and structures except those in single-family zones, exterior modifications for non-single-family developments.
  - c. Meets twice a month.
    - i. Architectural Commission (AC) is a noticed public hearing and staff reports are prepared and presented. For projects that require both AC and PC, AC approves the architectural portion and PC approves land use portion. It does delay the entitlement process but is beneficial if you have the right board members that provide good input. Majority of actions that require a higher review authority than the AC are approved by the PC. City has difficulties finding member of the public that are architect/landscape architect; often City must bring back people after they have termed out.

Staff Member ARB:

4. Duarte - Architectural Review Board
- a. Architectural Review Board (ARB) consists of five (5) members four (4) City Staff and one (1) member of the public.
    - i. Member of the public must reside in the City and have experience in architecture, engineering, landscape architecture, or a similar design-related field.
  - b. ARB Recommendation to PC: Multi-family; Non-residential: new structures, additions greater than 2,500 SF; outdoor dining greater than 800 SF; Planned Developments; Specific Plan; Condo subdivision.

- c. ARB Decision: New/additions in R-3 & R-4 zones; Non-residential: additions less than 2,500 SF; Sign programs; Freeway signs; does not review any proposed new or additions to single-family homes.
  - d. Meets twice a month.
    - i. Meeting is a noticed and posted but is not a public hearing and staff reports are prepared and presented. For projects that require both ARB and PC, ARB gives a recommendation to the PC. It does slow down the entitlement process, but believes the process is beneficial and can be more streamlined without a member of the public. Often, it's difficult for City to find members of the public that has the required design experience.
5. Monrovia - Design Review Committee
- a. Consists of five (5) Staff members: Director of Community Development, Police Chief, Fire Chief, Director of Public Works and the Director of Community Services.
  - b. Design Review Committee (DRC) looks at the entire entitlement package, design, site planning and use. DRC reviews new development proposals, additions, façade changes, signage & oak tree trimming/removal, minor exceptions, minor conditional use permits and advisory review for conditional use permits, variances and zone changes. Also considers Use Determinations.
  - c. Meets twice a month.
  - d. There are no DRC staff reports, only presentations. Only certain applications are noticed such as Minor CUP or larger projects (greater than 10,000 SF), and the public is invited to attend. DRC recommends conditions of approval to the PC. Staff believes the DRC makes PC meetings more streamlined and is beneficial. Staff wants to recommend removing signage and grading from DRC review and approval.
6. Rancho Cucamonga - Design Review Committee
- a. Consists of three (3) members: Two (2) Planning Commissioners and a Planning Staff (Principal Planner).
  - b. Design Review Committee (DRC) reviews all new construction projects greater than 10,000 SF, additions / reconstruction of projects which are equal to 50 percent or greater of the existing building floor area or exceed 10,000 SF. Additionally, all projects within the Mixed-Use zoning district requires DRC review.
  - c. Meets twice a month.
  - d. Staff reports are prepared, and applicant participates but the meeting is not public or noticed. For projects that require both DRC and PC review, DRC provides a recommendation to the PC. Majority of actions that require a higher review authority than the DRC are approved by the PC. Staff believes that the process does not delay the entitlement process; however, for items that require both DRC and PC review, Staff believes it would be more efficient to bypass DRC since majority of the Committee (two Planning Commissioners) will review the project twice and provide recommendations to themselves/PC.

In addition to the Architectural Review Board research, Staff wanted to advise the City Council that the State passed Senate Bill 330 (SB 330) that established the Housing Crisis Act of 2019 (HCA) and went into effect on January 1, 2020. Additionally, Senate Bill 8 (SB 8) was signed into

law on September 16, 2021 that made some clarifications and updated SB 330, extending the HCA from January 1, 2025 to January 1, 2030. These laws were passed by the State to try and address the current “housing crisis” in the State by 1) increasing residential unit development; 2) protect existing housing inventory; and 3) expediting permit processing.

HCA defines a “housing development project” as a project that proposes:

1. Residential units only,
2. Mixed-use development in which at least two-thirds of the square footage is residential, or
3. Transitional, supportive, or emergency housing.

HCA states that cities and counties are prohibited from denying a housing development project or reduce its density based on a subjective design standard. A project can only be reviewed against “objective, quantifiable, written development standards, conditions and policies,” and can only be denied if certain findings described in Gov. Code §65589.5(j) are met. SB 330 clarified the term “objective standards” and is consistent with SB 35, which states that “objective standards” involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and the public official (Gov. Code §66300(a)(7)). Staff has been working with a consultant to develop the applicable city-wide objective standards and expects to begin the public hearing process for the MCTA to adopt the objective standards in the upcoming months.

Lastly, SB 330 limits residential development projects that complies with the applicable, objective general plan and zoning standards in effect at the time an application is deemed complete to five (5) public hearings (Gov. Code §65905.5(a)). SB 8 further clarified the definition of “hearing” and states that it covers a broad range of meetings of a board, commission, council, department, or subcommittee, including “any public hearing, workshop, or similar meeting, including any appeal, conducted by the city or county,” with respect to the project (Gov. Code §65905.5). If the City continues a hearing to another date, the continued hearing shall count as one of the five (5) hearings allowed under SB 330. In addition, SB 8 clarifies that meetings related to the State Density Bonus Law (Gov. Code §65915) are considered a hearing under the five public hearing limit. “Hearing” does not include a hearing to review a legislative approval required for a proposed housing development project, including, but not limited to, a general plan amendment, a specific plan adoption or amendment, a planned community adoption or amendment, or a zoning amendment.

### **ENVIRONMENTAL REVIEW**

Pursuant to CEQA guidelines Section 15061 (b)(3), CEQA does not apply to this item because there is no potential for causing a significant effect on the environment. Therefore, no additional environmental review is needed at this time.

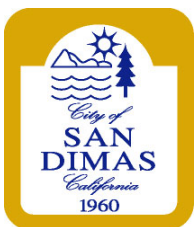
Respectfully submitted,



Henry K. Noh  
Director of Community Development

Attachments:

1. March 4, 2023 DPRB/PC Memo



## ***CITY OF SAN DIMAS MEMORANDUM***

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Date: March 14, 2023

TO: Chris Constantin, City Manager

FROM: Henry K. Noh, Director of Community Development

SUBJECT: Analysis for the Consideration, Review and Direction on Combining the Review Authority and Duties of the Development Plan Review Board with the Planning Commission.

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### **RECOMMENDATION**

Staff requests that the City Council:

1. Provide direction on combining the Development Plan Review Board (DPRB) and the Planning Commission; and
2. If City Council wishes to combine the DPRB and Planning Commission, then initiate a Municipal Code Text Amendment and amend the Boards, Commissions, and Committees Handbook to codify these changes.

### **BACKGROUND**

On February 4<sup>th</sup>, 2023, the City Council reviewed the Boards, Commissions, and Committees Handbook and directed Staff to bring back a discussion item pertaining to an analysis regarding the pros and cons of combining the review authority of the Development Plan Review Board (DPRB) and the Planning Commission.

Chapter 3 – Local Planning of the California Government Code Section 65100 et al. requires that the legislative body (City Council or County Board of Supervisors) of each city and county shall adopt by ordinance and assign the functions of a planning agency to a planning department, a planning commission, administrative hearing officer or body, or a combination it deems appropriate. The legislative body may create a planning commission which shall administer the City or County's zoning laws, ordinances and regulations and act as an advisory body to the legislative body. The planning commission shall be comprised of at least five (5) members who act in the public's interest. The planning commission shall perform functions such as:

1. Prepare, periodically review and revise as necessary the general plan.
2. Implement the general plan through actions including, but not limited to the administration of specific plans, zoning and subdivision ordinances.

When the City of San Dimas incorporated in 1960, Chapter 2.40 – Planning Commission of the Municipal Code was adopted and established a five (5) member planning commission. The Planning Commission is an advisory body to the City Council which is responsible for directing the short- and long-range growth and development of the City through maintenance and implementation of the City’s General Plan and associated specific plans. The Planning Commissioners must be residents of the City of San Dimas. In order to implement the General Plan, the Planning Commission is empowered to administer the City’s zoning laws, ordinances, rules and regulations which:

1. Regulate the use and appearance of buildings, structures and land.
2. Regulate signs.
3. Establish and regulate development standards such as building heights, building mass, off-street parking and loading requirements and building setback lines and lot coverage.
4. Review of environmental documents.

In 1970, the City Council adopted Ordinance No. 292 that created the DPRB. The DPRB consisted of seven members (7), now only six (6) members because the City Council member was deleted by the City Council during their review of the Boards, Commissions and Committee Handbooks in 2021. The other members include one Chamber of Commerce appointee, one Planning Commissioner, a resident of the City appointed by the City Council, the City Manager, the Director of Community Development and the Director of Public Works.

The purpose of the DPRB was to “permit the city to review proposed development projects to ensure compliance with the general plan goals, policies and objectives favoring high-quality development which is both internally balanced and harmonious and is complimentary to adjacent properties.” Applications that are subject to the DPRB’s review include, new single-family and multiple-family residences, new non-residential structures, new or updated sign programs, additions or structural modifications to a historic structure, demolition of historic structures, and grading associated with a development plan requiring DPRB review. The DPRB is also designated as the license and permit hearing board which reviews include, but are not limited to, live entertainment, arcade games, ambulance drivers and operators, and billiards.

In 2020, City Staff created the Development Review Committee (DRC) in an effort to improve the review process of entitlement applications subject to DPRB and Planning Commission review. The DRC is comprised of City staff from the Planning, Building, Public Works, Administration, and Parks and Recreation departments, and when applicable, staff from the Sheriff’s Department. The DRC allows Staff to provide conditions of approval, and collectively review projects to ensure compliance with the Municipal Code and goals and objectives of the City’s General Plan, prior to being presented to the DPRB, Planning Commission, and if applicable, the City Council.

### **DISCUSSION/ANALYSIS**

Per the direction provided by the City Council at their Special Study Session to review the Boards, Commissions and Committee Handbook on February 4, 2023, Staff is providing an analysis for the City Council to discuss the pros and cons of combining the functions and review authority of the DPRB and the Planning Commission.

The following are the pros associated with having a separate review authority for the DPRB and the Planning Commission:

1. Extra Layer of Review Authority.

The creation of the DPRB added an extra layer of entitlement review and approval authority that provides an additional step and more individuals to review and comment on proposed uses and development projects located within the City.

2. Additional Meeting for the Public to provide Comments.

The DPRB provides an extra meeting for the public to provide their comments on a proposed use or project.

The following are the cons associated with having the DPRB and Planning Commission as separate review authorities:

1. Created a bifurcated and disjointed review process.

With the creation of the DPRB, the review authority of the Planning Commission and the City's development and use review process became bifurcated and disjointed. As stated previously, the typical review and approval authority of a Planning Commission in reviewing a proposed entitlement project may include various standards such as, sign programs, proposed building placement and architecture, grading, landscaping and tree removals. With the creation of the DPRB these responsibilities were removed from the Planning Commission authority and were transferred to the DPRB.

In these instances, the only opportunity the Planning Commission has to review these items is if the proposed project includes a tentative parcel/tract map or a conditional use permit. Additionally, if the development project is located within the Scenic Highway Overlay Zone then the DPRB and Planning Commission are recommending bodies to the City Council.

2. Lengthened Entitlement Process.

If a proposed development project requires a tentative parcel/tract map, a Conditional Use Permit and is located within the Scenic Highway Overlay zone, then the entitlement review and approval process has been lengthened due to additional time needed to properly notice, draft and present staff reports to the DPRB, the Planning Commission and the City Council.

An example of a proposed project requiring the review by the DPRB, Planning Commission and City Council was a proposed full remodel of an existing Arco gas station and the conversion of the existing auto repair facility into a convenience store to allow for the sale of off-site beer and wine located at 645 E. Foothill Blvd. The property is located within the Scenic Highway Overlay Zone, therefore required the City Council to review and act on the proposed remodel.

The proposed project required approximately three (3) months (early March 2021 to end of May 2021) to conduct the required public meetings/hearings due to the



time required to properly notice the public meetings/hearings, draft the staff reports and associated documents and conduct the public meeting or hearing.

3. Can create a possible conflict for the DPRB-Planning Commission member.

If the proposed DPRB entitlement is required to be reviewed by the Planning Commission, the Planning Commission DPRB member has to recuse themselves from the DPRB recommendation if they wish to deliberate and act when the item is brought before the Planning Commission.

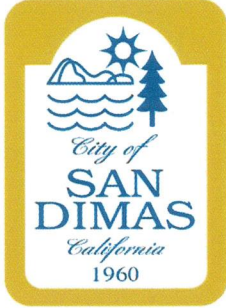
4. Planning Commission not Functioning as intended.

As previously stated, the responsibility and intent of the Planning Commission is reviewing and guiding the short- and long-range growth and development of the City through the maintenance and implementation of the City's General Plan by administering the City's zoning laws, ordinances, rules and regulations and assuring that they are consistent with the General Plan.

Currently, the Planning Commission does not appear to be functioning and operating as it was intended under state law or the original Development Code because the Planning Commission is not empowered to implement the City's General Plan by administering the City's zoning laws, ordinances, rules and regulations because these items were transferred to the DPRB.

Respectfully submitted,

Henry K. Noh  
Director of Community Development



# CITY COUNCIL

## ACTION SUMMARY MINUTES

### JULY 11, 2023 REGULAR MEETING

Council Members Present: Mayor Emmett Badar, Mayor Pro Tem John Ebner, Councilmember Eric Nakano, Councilmember Ryan A. Vienna, Councilmember Eric Weber

Staff: City Manager Chris Constantin, Assistant City Manager Brad McKinney, Director of Public Works Shari Garwick, Director of Administrative Services Michael O'Brien, Director of Parks and Recreation Scott Wasserman, Director of Community Development Henry Noh, City Attorney Jeff Malawy, City Clerk Debra Black

CLOSED SESSION ITEM	COMMENTS/RECOMMENDATIONS
1. CONFERENCE WITH LABOR NEGOTIATORS Agency designated representative: Jeff Malawy, City Attorney Unrepresented employee: City Manager	Following the closed session, City Attorney announced the Council will return to closed session to complete the discussion after the regular meeting.
CONSENT ITEMS	COMMENTS/RECOMMENDATIONS
1. Approve Resolution 2023-47, A Resolution of the City Council of the City of San Dimas, Approving Certain Demands for the June 30, 2023 Prepaid Warrant Register in the Amount of \$146,006.02 and the July 14, 2023 Warrant Register in the Amount of \$1,576,697.99 2. Approve Minutes of the June 27, 2023 Regular City Council Meeting	<b>MOTION:</b> Motion/seconded by Councilmembers Weber/Vienna to approve the consent calendar as presented. Motion carried 5-0.  <b>YES:</b> Badar, Ebner, Nakano, Vienna, Weber <b>NOES:</b> None <b>ABSENT:</b> None <b>ABSTAIN:</b> None

OTHER BUSINESS	COMMENTS/RECOMMENDATIONS
<p>1. Consideration, Review and Adoption on Amendments to the City’s Boards, Commissions, and Committees Handbook</p>	<p><b>MOTION:</b> Motion/seconded by Councilmembers Weber/Vienna to approve staff’s recommended updates, remove the duplicate word opportunities from Section I, change the Planning Commission meeting date to Thursday, and schedule a study session of 4 hours to discuss expanding commissions to 7 members and the selection process. Motion carried 5-0.</p> <p><b>YES:</b> Badar, Ebner, Nakano, Vienna, Weber  <b>NOES:</b> None  <b>ABSENT:</b> None  <b>ABSTAIN:</b> None</p>
<p>2. Analysis for the Consideration, Review and Direction on Transferring the Review Authority and Duties from the Development Plan Review Board to the Planning Commission</p>	<p><b>MOTION:</b> Motion/seconded by Councilmembers Vienna/Weber to initiate a Municipal Code Text Amendment eliminating and transferring the Development Plan Review Board review authority and duties to the Planning Commission and making all necessary Development Code Amendments to codify these changes; and direct staff to prepare amendments to the Boards, Commissions and Committees Handbook to align with the above Development Code Amendments. Motion carried 4-1 with Mayor Pro Tem Ebner opposed.</p> <p><b>YES:</b> Badar, Nakano, Vienna, Weber  <b>NOES:</b> Ebner  <b>ABSENT:</b> None  <b>ABSTAIN:</b> None</p>
CITY REPORTS	COMMENTS/RECOMMENDATIONS
<p>1. City Manager</p> <ul style="list-style-type: none"> <li>Discussion of Request for Agenda Item Related to Processing of Risk Management Claims</li> </ul>	<p>Consensus of the Council was that this item no longer needed an agendaized discussion.</p>
<p>2. City Attorney</p>	<p>None</p>
<p>3. Members of the City Council</p> <ul style="list-style-type: none"> <li>Reports on Meetings Attended AB 1234 (G.C. §53232.3(d))</li> </ul>	<p>None</p>
<p>4. Appoint Voting Delegates for the Cal Cities 2023 Annual Conference and Expo</p>	<p><b>MOTION:</b> Motion/seconded by Councilmembers Vienna/Weber to appoint Mayor Pro Tem Ebner as the Delegate and</p>

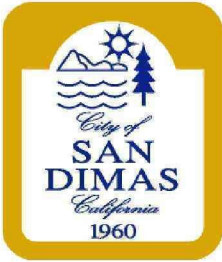
	<p>City Manager Constantin as the alternate. Motion carried 5-0.</p> <p><b>YES:</b> Badar, Ebner, Nakano, Vienna, Weber <b>NOES:</b> None <b>ABSENT:</b> None <b>ABSTAIN:</b> None</p>
<b>CITY COUNCIL REQUESTS FOR FUTURE ITEMS</b>	<b>COMMENTS/RECOMMENDATIONS</b>
	None
<b>CLOSED SESSION ITEM</b>	<b>COMMENTS/RECOMMENDATIONS</b>
<p>CONFERENCE WITH LABOR NEGOTIATORS</p> <p>Agency designated representative: Jeff Malawy, City Attorney Unrepresented employee: City Manager</p>	<p>Following the closed session, the City Attorney made a public announcement that the City Council met and discussed the one closed session item listed on the agenda, and that no reportable action was taken on that item.</p>

Adjourned: 10:40 pm.

I, Debra Black, City Clerk attest that these minutes are accurate and reflective of the actions taken by the City Council.

  
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Debra Black, City Clerk



## Agenda Item Staff Report

**To:** Honorable Mayor and Members of City Council  
*For the meeting of April 27, 2021*

**From:** Chris Constantin, City Manager

**Prepared by:** Ken Fichtelman, Assistant Planner  
Anne Nguyen, Associate Planner

**Subject:** Consideration of Municipal Code Text Amendments to amend, update, delete and/or modify Chapter Preliminary and Tentative Maps – Filing Procedures, Chapter 18.08 Definitions, 18.12 Development Plan Review Board, 18.20 Residential Zones Generally, 18.24 S-F Single Family Residential Zone, 18.35 SF-DR Single-Family Downtown Residential Zone, 18.188 Explosives, 18.196 Temporary Uses, 18.200 Conditional Use Permits, 18.204 Variances, 18.208 Zone Changes and Amendments, and 18.212 Appeal Procedures of the San Dimas Municipal Code.

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### SUMMARY

After a review of the Municipal Code, Staff has identified several Chapters that should be amended, updated, deleted and/or modified in order to make the Municipal Code user-friendly, provide clarity to avoid multiple interpretations and streamline the review and processing of applications.

### RECOMMENDATION

Staff recommend the City Council grant the Municipal Code Text Amendment initiation for the following Chapters:

1. 17.12 Preliminary and Tentative Maps – Filing Procedures;
2. 18.08 Definitions;
3. 18.12 Development Plan Review Board;
4. 18.20 Residential Zones Generally;

5. 18.24 S-F Single Family Residential Zone;
6. 18.35 SF-DR Single-Family Downtown Residential Zone;
7. 18.188 Explosives;
8. 18.196 Temporary Uses;
9. 18.200 Conditional Use Permits;
10. 18.204 Variances;
11. 18.208 Zone Changes and Amendments;
12. 18.212 Appeal Procedures; and
13. Other Applicable Chapters.

## **BACKGROUND**

The Planning Department staff has been auditing the San Dimas Municipal Code to identify ways to make the Code more functional, streamline our review process, as well as more user-friendly for residents, developers and staff to understand and navigate. To this end, staff has identified several Chapters of the San Dimas Municipal Code which should be deleted, amended, updated and/or modified in order to create a more functional and user-friendly experience and in certain instances, be brought up into compliance with State law.

The City's General Plan sets the Goals and Policies and the zoning ordinances are the primary implementing tool for the General Plan. The Zoning ordinances establish various regulations and procedures that guide development and ensure that it is consistent with the General Plan Goals and Policies. Zoning ordinances provide the following:

- **Establish zones.** Each land use designation identified in the General Plan needs at least one implementing zone. The zone provides regulations which regulate how a property can be used and developed, and are the primary implementation tool for determining consistency with the intent of the General Plan land use designations. Zones are applied to properties and approved on a zoning map as part of a zoning ordinance.
- **Determine what uses can go on a property.** Each zone has a list of allowed uses that are permitted by right and other that might be permitted through a discretionary approval (e.g., conditional use permit) that must be approved prior to establishing a particular use.
- **Define application procedures.** The processing procedure for each type of application is established so that the code can inform the public, City staff, and decision-makers about what is required with each type of development review and approval.
- **Establish standards of development.** Standards of development include both physical property development standards (e.g., setbacks, height, parking requirements) and operational standards (e.g., hours of operation, noise impacts, lighting standards) of permitted uses on the property. The standards are typically

designated by zone and use type (e.g., residential, commercial, industrial) or by specific use type (e.g., auto-related uses, outdoor storage).

### **DISCUSSION/ANALYSIS**

The proposed Municipal Code Text Amendments (MCTA), if initiated, will be developed and brought to the Planning Commission and the City Council for review and approval in separate actions, with related sections combined into a single Municipal Code Text Amendment such as the following:

#### MCTA Action No.1

1. Chapter 18.20 Residentially Zones Generally;
2. Chapter 18.24 S-F Single Family Residential Zone; and
3. Chapter 18.35 SF-DR Single Family Downtown Residential Zone.

#### MCTA Action No.2

1. 17.12 Preliminary and Tentative Maps – Filing Procedures;
2. Chapter 18.12 Development Plan Review Board;
3. Chapter 18.196 Temporary Uses;
4. Chapter 18.200 Conditional Use Permits;
5. Chapter 18.204 Variances;
6. Chapter 18.208 Zone Changes and Amendments; and
7. Chapter 18.212 Appeal Procedures.

#### MCTA Action No.3

1. Chapter 18.08 Definitions; and
2. Chapter 18.188 Explosives.

The MCTA covering Chapters 18.20 Residential Zones Generally, Chapter 18.24 S-F Single Family Residential Zone and Chapter 18.35 SF-DR Single Family Downtown Residential Zone are intended to clarify the intent of certain sections, add language to sections where policies have been in place but never codified, and amend procedural process to be in line with current and proposed processes.

The MCTA covering Chapter 17.12 Preliminary and Tentative Maps – Filing Procedures, Chapter 18.12 Development Plan Review Board, Chapter 18.196 Temporary Uses, 18.200 Conditional Use Permits, 18.204 Variances, 18.208 Zone Changes and Amendments, and Chapter 18.212 Appeal Procedures of the San Dimas Municipal Code will strive to simplify the San Dimas Municipal Code by clearly laying out the processes needed for each type of administrative and discretionary action as well as establishing the authority for review of each action.

In addition, the Municipal Code currently calls for permits in several instances without providing what type of permit is required. To address this issue, staff will be analyzing different types of administrative permits such as a Minor Conditional Use Permit (MCUP) which is reflective of best practices within the planning community. This permit would

cover instances where a full Conditional Use Permit (CUP) is not warranted but allows conditions of approval to be imposed on the project to minimize potential adverse impacts to surrounding uses.

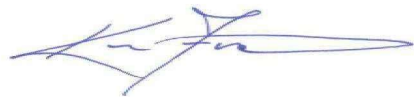
This MCTA would require staff to perform an extensive cleanup of the San Dimas Municipal Code, changing all references within the Code to the administrative and discretionary actions covered in these sections.

The final MCTA would amend Chapter 18.08 Definitions and remove Chapter 18.188 Explosives from the Municipal Code. Currently, the Municipal Code contains a number of chapters with definitions at the beginning of the chapter. Many of these definitions are redundant, providing the same definition multiple times. In addition, Chapter 18.08 Definitions contains a number of definitions for terms that are no longer used anywhere in the Municipal Code. The proposed MCTA would remove definitions from the beginning of each chapter, consolidate them in Chapter 18.08 Definitions.

Chapter 18.188 Explosives is no longer applicable, as federal laws for the handling, storage and use of explosives have surpassed the terms and conditions within the San Dimas Municipal Code, and will therefore be deleted.

If these code amendments are initiated, Staff will work with the Planning Commission to draft the changes that address the issues discussed above.

Respectfully submitted,

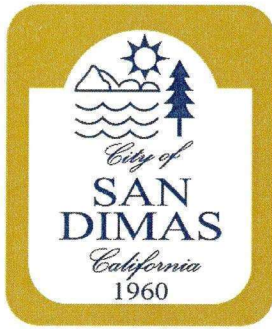


Ken Fichtelman, Assistant Planner &  
Anne Nguyen, Associate Planner

Attachments:

- 1 Exhibit A – Chapter 18.08 Definitions
- 2 Exhibit B – Chapter 18.12 Development Plan Review Board
- 3 Exhibit C – Chapter 18.20 Residential Zones Generally
- 4 Exhibit D – Chapter 18.24 S-F Single Family Residential Zone
- 5 Exhibit E – Chapter 18.35 SF-DR Single Family Downtown Residential Zone
- 6 Exhibit F – Chapter 18.188 Explosives
- 7 Exhibit G – Chapter 18.196 Temporary Uses
- 8 Exhibit H – Chapter 18.200 Conditional Use Permits
- 9 Exhibit I – Chapter 18.204 Variances
- 10 Exhibit J – Chapter 18.208 Zone Changes and Amendments
- 11 Exhibit K – Chapter 18.212 Appeal Procedure
- 12 Exhibit L – Chapter 17.12 Preliminary and Tentative Maps – Filing Procedures





**CITY COUNCIL  
ACTION SUMMARY  
APRIL 27, 2021 REGULAR MEETING**

Council Members Present: Mayor Emmett G. Badar, Mayor Pro Tem Denis Bertone, Councilmember John Ebner, Councilmember Ryan A. Vienna, Councilmember Eric Weber


Staff: City Manager Chris Constantin, Assistant City Manager Brad McKinney, Director of Public Works Shari Garwick, Director of Community Development Henry Noh, City Attorney Jeff Malawy, City Clerk Debra Black, Assistant Planner Ken Fichtelman

CONSENT ITEMS	COMMENTS/RECOMMENDATIONS
<ul style="list-style-type: none"> <li>a. Approve Resolution 2021-19, for the Warrant Register of April 30th, 2021 in the amount of \$955,592.14.</li> <li>b. Approve minutes of the February 23rd, 2021, City Council meeting.</li> <li>c. Approve Resolution 2021-20, Application for Proposition 68 Per Capita Grant Funds.</li> <li>d. Approve Resolution 2021-21 Authorizing Proposed Projects for Use of the Road Maintenance and Rehabilitation Act (RMRA) Funds.</li> <li>e. Approve Resolution 2021-22 Establishing A City-based Community Emergency Response Team and Approving Applicable Guidelines.</li> <li>f. Approve Resolution 2021-23 Alternative Retirement Plan for Part Time Employees.</li> <li>g. Consider MCTA 2.30.040 and 3.30.050 Informal Bidding Procedures (Second reading) Ordinance 1286</li> <li>h. San Gabriel Valley Council of Governments Updates</li> </ul>	<p><b>ACTION:</b> Motion/seconded by Councilmember Vienna/Mayor Pro Tem Bertone to approve the consent calendar as presented. The motion carried 5-0 vote.</p>
OTHER BUSINESS ITEMS	COMMENTS/RECOMMENDATIONS
<p>A consideration to initiate a Municipal Code Text Amendments to Amend, Update, Delete and/or Modify Chapter Preliminary and Tentative Maps – Filing Procedures, Chapter 18.08 Definitions, 18.12 Development Plan Review Board, 18.20 Residential Zones Generally, 18.24 S-F Single Family Residential Zone, 18.35 SF-DR Single-Family Downtown Residential Zone, 18.188 Explosives, 18.196 Temporary Uses, 18.200</p>	<p><b>ACTION:</b> Motion/seconded Councilmembers Vienna/Weber approving the initiation to the Municipal Code Text Amendments as recommended by Staff. Motion carried by 5-0</p>

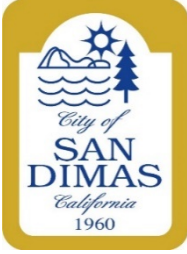
<p>Conditional Use Permits, 18.204 Variances, 18.208 Zone Changes and Amendments, and 18.212 Appeal Procedures of the San Dimas Municipal Code</p>	
<p>Approval of Memorandum of Agreement between the City of San Dimas and San Gabriel Valley Council of Governments for the San Gabriel Valley regional Vehicle Miles Traveled (VMT) Mitigation Fee Structure Program.</p>	<p><b>ACTION:</b> Motion/seconded by Mayor Pro Tem Bertone/Councilmember Weber to approve memorandum agreement. Motion carried by 5-0 vote.</p>
<p>Select Replacement Light Poles for City Hall/Civic Center.</p>	<p><b>ACTION:</b> Motion/seconded by Councilmember Vienna/Ebiner to recommend alternative 2 with amendments suggested by Councilmembers Ebiner and Vienna. Consensus of the Council to accept the suggested amendments.</p>
<p>Approve Updates and Amendments to the Boards Commissions and Committees Handbook.</p>	<p><b>ACTION:</b> Motion/seconded by Councilmembers Vienna/Weber to approve updates and amendments to the Boards Commissions and Committees Handbook. Motion carried by a 5-0 vote.</p> <p>Amendments: Page 9 : Amend language to distinguish commissioner between the youth commissioner. <i>(please see handbook for exact language)</i></p>
<p>COVID-19 Update</p> <p>Review and direction on changes to meeting structure due to COVID-19 related restrictions</p>	<p><b>ACTION:</b> Motion/seconded by Mayor Badar/Mayor Pro Tem Bertone to reopen Council Chambers to 50% capacity and the continuance of the Brown Act provisions with the Emergency exceptions until June 8<sup>th</sup>, 2021; then revert back to pre-pandemic Brown Act provisions allowing public comment at the end of the meeting for 3 minutes per speaker. Motion carried by a 4-1 vote with Councilmember Ebiner opposed.</p>
<p>Gold Line Update (Verbal)</p>	<p>City Manager Constantin provided update.</p>

Adjourned 9:40 p.m.

I, Debra Black, City Clerk attest that these draft minutes are accurate and reflective of the actions taken by the City Council.

  
\_\_\_\_\_

Debra Black, City Clerk



## Agenda Item Staff Report

**To:** Honorable Chair and Members of Planning Commission  
*For the Meeting of February 20, 2025*

**From:** Luis Torrico, Director of Community Development

**Prepared by:** Yasmin Dabbous, Assistant Planner

**Subject:** A request to initiate a Municipal Code Text Amendment to modify Section 18.500.050 Conditional Uses of the San Dimas Municipal Code to conditionally allow for the use of “Senior Independent Living Facility with Services” in the Commercial Area (Areas 1 & 2) of the Specific Plan No. 2 (SP-2) Zone.

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### SUMMARY

The Applicant is requesting a Municipal Code Text Amendment (MCTA) initiation to modify Section 18.500.050 Conditional Uses of the San Dimas Municipal Code (SDMC) to conditionally allow for the use of “Senior Independent Living Facility with Services” in the Commercial Area (Areas 1 & 2) of the Specific Plan No. 2 (SP-2) Zone.

Senior independent living facility with services would be considered a residential/commercial use that would allow for senior apartments for elderly clients in a semi-hotel environment. The use would allow for meals to be provided daily in a congregate setting, allow for cleaning services and allow for social and physical activities. The ideal users are ambulatory elders, that can take care of their own needs, do not need assistance with medication, and are self-sufficient with day-to-day tasks but can take advantage of the services provided.

### RECOMMENDATION

Staff recommends the Planning Commission approve the initiation to allow the Applicant to submit a formal Municipal Code Text Amendment application pursuant to the procedures outlined in Chapter 18.208 of the San Dimas Municipal Code, to modify Section 18.500.050 Conditional Uses of the San Dimas Municipal Code to conditionally allow for the use of “Senior Independent Living Facility with Services” in the Commercial Area (Areas 1 & 2) of the Specific Plan No. 2 (SP-2) Zone.

### GOVERNMENT CODE §84308 APPLIES:

<https://leginfo.legislature.ca.gov>

Yes

**FISCAL IMPACT**

There is no fiscal impact for the recommended action.

**BACKGROUND**

The Applicant is the property owner of 1359 W. Arrow Highway (See Figure 1), which is located within the Commercial Area (Area 1) of SP-2. In 2008, the property owner received initial approval from the Planning Commission to construct a 6,100 square-foot out-patient podiatrist surgical center; however, due to changing medical practice, the center was not constructed. The owner at this time would like to develop the property with a senior independent living facility that offers its resident's additional services not traditionally found in standard residential apartments. This use is currently not discussed as permitted, conditionally permitted or prohibited within the Commercial Area (Areas 1 & 2) of Specific Plan No. 2, therefore a Municipal Code Text Amendment (MCTA) is required. Although the applicant has a specific property for the development of the proposed use, the MCTA would be considered for all properties located within the Commercial Area (Areas 1 & 2) of the Specific Plan (See Figure 2). If the initiation is approved, the Applicant would then return with a formal MCTA Application in addition to Development Plan Review (DPRB) Application, and Environmental Review Application to be considered concurrently by the Development Plan Review Board, the Planning Commission and final decision by the City Council on all the applications.

The Commercial Area (Areas 1 & 2) currently has a variety of permitted by right and conditionally permitted uses, such as medical, restaurant, gas station, retail, professional services, grocery store, and other commercial service businesses (See Figure 3). The proposed use of senior independent living facility would be combatable with the other existing uses and would allow for its tenants to be in close proximity to many of the existing uses that are needed for daily living.

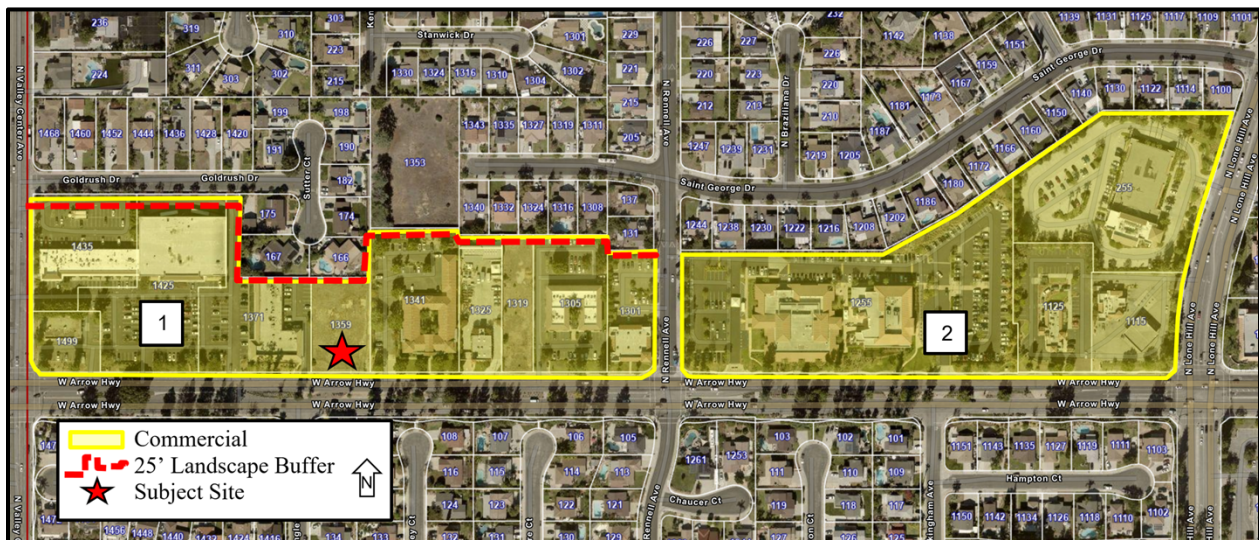


Figure 1: Commercial Areas of SP-2 (Areas 1 & 2)

**DISCUSSION/ANALYSIS**

The Applicant submitted a detailed request letter (See Attachment 1) that outlines the scope of the proposed use and the amenities that would be offered by the facility. The Applicant describes senior independent living as a commercial use that would provide senior apartments for elderly

clients in a semi-hotel environment. The proposed facility plans to provide meals in a congregate setting and provide clean linens for the residents (if requested). The ideal users are ambulatory elders, that are able to take care of their own needs, do not need assistance with medication, and are self sufficient with day to day tasks. This would include that the residents are able to dress themselves, can complete hygienic practices without assistance, retrieve their own mail, etc.

The following is a list of services and amenities the facility plans to provide:

- Commercial kitchen;
- Dining room for congregate meals;
- Laundry service, varies from once per month to once per week, as desired by the client;
- East facing central courtyard open to the sky for passive activities;
- Lounge area with a piano;
- Gym with exercise equipment;
- Meeting room for recreational activities and crafts;
- Laundry room with washer/dryer so that clients may do their own laundry if desired; and
- Passive and active recreation in the rear yard, where clients could sit outside and enjoy the landscaped open space area or pursue gardening activities in raised garden plots.

The facility is not intended to serve as end of life care, hospice care for the terminally ill, or assisted living. Their staff will not be responsible for tasks such as medical assistance or expertise, pain management services, medication management, on-site emergency response or general healthcare services.

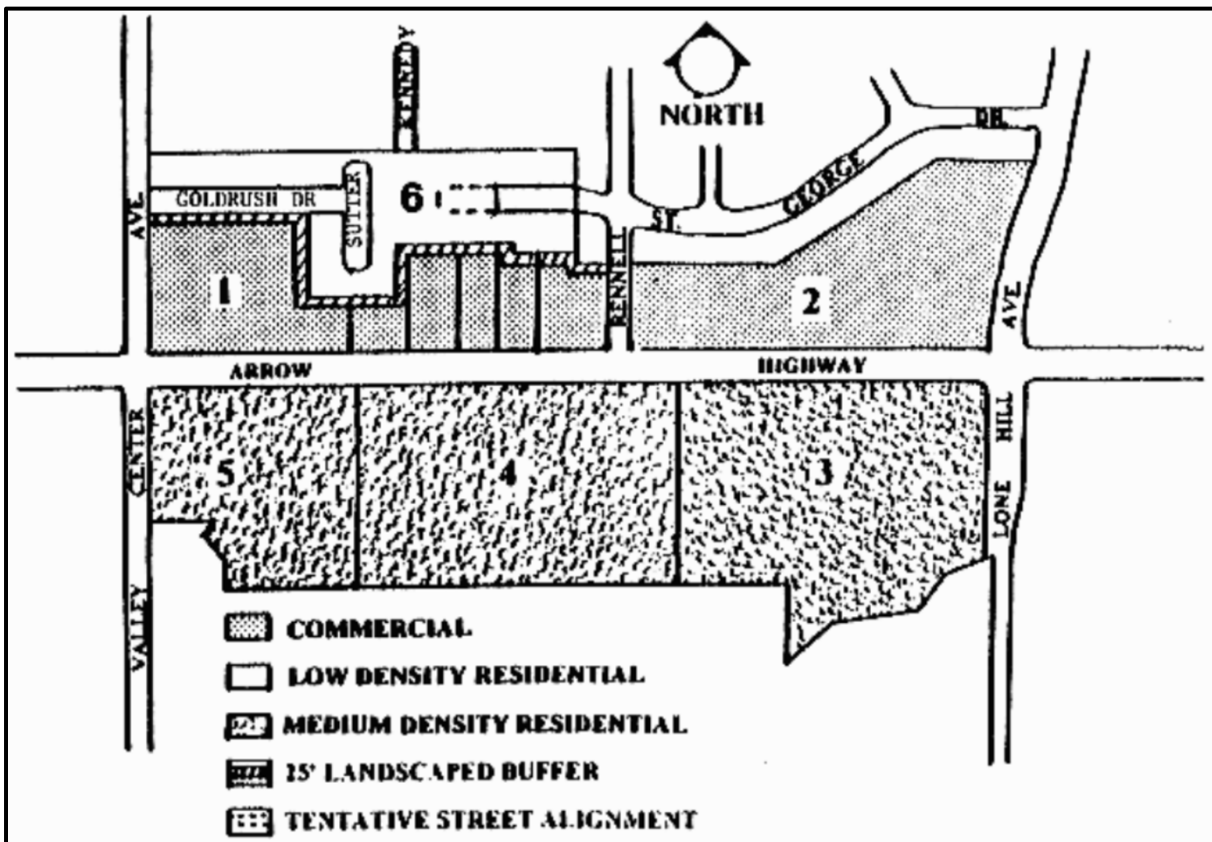


Figure 2: SP-2 Area Map

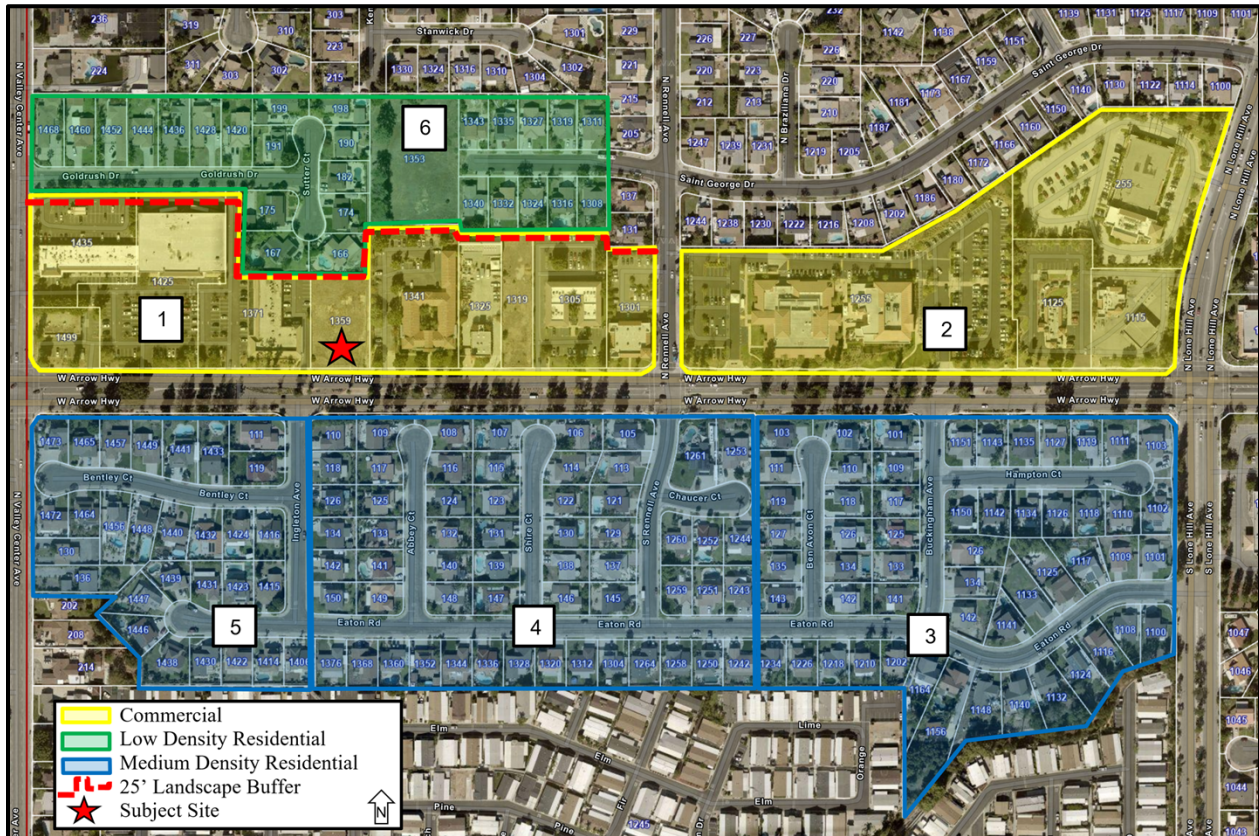


Figure 3: Current Aerial Image of SP-2

Per San Dimas Municipal Code (SDMC) Section 18.500.010, the purpose of Specific Plan No. 2 is to permit a range of land uses subject to economic demand and the suitability of the use in relation to the proposed site, and surrounding uses, and which is consistent with the overall city-wide balance of that use. During review of the initiation request, Staff believes the proposed use is compatible with the surrounding neighborhood. Specific Plan No. 2 offers a varied mixture of residential and commercial land use areas (see Figure 3). The use of senior independent living is compatible with both low-density residential uses and neighborhood commercial land uses. The senior independent living facility would have amenities such as an open courtyard, a gym, laundry areas, etc. The Applicant noted that as users naturally age they will reduce their necessity for cars, which will further lessen the facility's impact on traffic congestion along the adjacent streets.

Area 1 of SP-2 requires a rear yard landscape buffer of twenty-five (25) feet due to its adjacency to low density residential (see Figure 2). This landscape buffer was intended to create an additional barrier for the low-density residential properties to the north of the subject site. Although Area 2 of SP-2 does not specify a rear yard landscape buffer along the low-density residential properties located to the north, conditions to require a landscape buffer, if needed, may still be requested to reduce impacts to the neighboring residential properties. Therefore, the use of senior independent living facilities within the Commercial Areas (Areas 1 & 2) of SP-2 will not foreseeably have adverse impacts on the surrounding area.

Goals Statement L-3 in the Land Use Element of the General Plan outlines that the City is to ensure that all portions of the City are adequately served with essential services, utilities and recreational and open space facilities. This can be achieved through policy 3.1.5, to encourage the development of private care facilities to ensure the health and welfare of the citizens of San

Dimas. The proposed MCTA initiation encourages increased opportunities for the development of new senior housing. This will help achieve the goals and policies outlined in the General Plan.

Staff is in support of the request to initiate the MCTA to amend Section 18.500.050 Conditional Uses of the San Dimas Municipal Code to conditionally allow for the use of “Senior Independent Living Facility with Services” in the Commercial Area (Areas 1 & 2) of the Specific Plan No. 2 (SP-2) Zone.

### **ALTERNATIVES**

Alternative No. 1:

- The Planning Commission may approve the initiation to allow the Applicant to submit a formal MCTA application pursuant to the procedures outlined in Chapter 18.208 of the San Dimas Municipal Code, to modify Section 18.500.050 Conditional Uses of the San Dimas Municipal Code to conditionally allow for the use of “Senior Independent Living Facility with Services” within only Area 1 of SP-2. This alternative differs from the original proposal as it removes Area 2 of SP-2 from the applicable scope, ultimately reducing the total number of properties that can apply for such use. This alternative would have Staff incorporate additional language only designating Area 1 to conditionally allow for “Senior Independent Living Facility with Services”.

Alternative No. 2:

- The Planning Commission may deny the initiation request if the Commission believes that the proposed use would not be compatible with the surrounding land uses.

### **ENVIRONMENTAL REVIEW**

Pursuant to CEQA Guidelines Section 15061 (b)(3), CEQA does not apply to this item because there is no potential for causing a significant effect on the environment. The request to initiate an MCTA to introduce a new conditional use is an administrative change intended to only modify the zoning code, and thus, there is no direct environmental impact anticipated.

Respectfully submitted,



Yasmin Dabbous  
Assistant Planner

Attachments:

1. Applicant's MCTA Initiation Request Letter (Dated December 31, 2024)



**CARGILL PLANNING  
& PRE-DEVELOPMENT SERVICES**

December 31, 2024

City Council  
City of San Dimas  
245 East Bonita Avenue  
San Dimas CA 91776

Subject: Request for Authorization to Initiate a Municipal Code Text Amendment  
Reference: 1359 W. Arrow Highway, San Dimas  
42-unit Senior Independent Living Facility

Honorable Councilmembers:

The property owner, Dr. I. Michael Minehart, respectfully requests that the City Council consider authorization to initiate a Municipal Code Text Amendment to list Senior Independent Living Facility as a permitted Conditional Use within the SP2 Commercial Specific Plan Area.

Senior Independent Living is a commercial use that would provide senior apartments for elderly clients in a semi-hotel environment. This facility would provide meals in a congregate setting and would provide clean sheets and towels for residents. Independent living is for elderly people that are ambulatory, able to take care of their own needs and are self-sufficient. They are able to dress themselves, get their own mail and don't need any assistance with medication.

Project features:

- Commercial kitchen
- Dining room for congregate meals
- Laundry service, varies from once per month to once per week, as desired by the client
- East facing central courtyard open to the sky for passive activities
- Lounge area with a piano
- Gym with exercise equipment
- Meeting room for recreational activities & crafts
- Laundry room with washer & dryer so that clients may do their own laundry if desired
- Passive and active recreation in the rear yard, where clients could sit outside and enjoy the landscaped open space area or pursue gardening activities in raised garden plots

Senior Independent Living is a benign land use with little impact on surrounding uses. The proposed location adjacent to the Stater Brothers supermarket and neighborhood shopping services is an optimal location for this proposed land use. Senior housing is compatible with low density residential uses and neighborhood commercial land uses. Senior Independent Living will have minimal impact on traffic. Traffic generation from senior housing is much less than for apartments, condominiums or other kinds of residential uses. As clients age they will naturally give up use of their cars, so reduced parking will be appropriate for this facility. Your consideration of this request is sincerely appreciated.

Very Truly Yours,

Ronald Cargill  
Owner's Representative