

# ATTACHMENT 2

## ORDINANCE 1306

**AN ORDINANCE OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, APPROVING ZONE CHANGE 21-0001, A REQUEST TO CHANGE THE ZONE FROM LIGHT AGRICULTURE (AL) TO LIGHT MANUFACTURING (M-1) FOR THE DEVELOPMENT OF A 63,749 SQUARE-FOOT CONCRETE TILT-UP WAREHOUSE/OFFICE MULTI-TENANT BUILDING FOR THE PROPERTIES LOCATED AT 309 W. ALLEN AVENUE, 917 N. CATARACT AVENUE, AND 929 N. CATARACT AVENUE (APN'S: 8392-016-008, -048, 047).**

**WHEREAS**, a Zone Change has been duly initiated by:

Ignacio Crespo  
OC Design & Engineering  
7901 Crossway Drive  
Pico Rivera, CA 90660

**WHEREAS**, the Zone Change is described as a request to change the zone from Light Agriculture (AL) to Light Manufacturing (M-1); and

**WHEREAS**, the Zone Change would affect the the following real properties located at 309 W. Allen Avenue, 917 N. Cataract Avenue, and 929 N. Cataract Avenue (APN'S: 8392-016-008, -048, 047); and

**WHEREAS**, the Zone Change implements the policies of the General Plan by providing an orderly, functional, and compatible land use pattern; and

**WHEREAS**, the proposed Zone Change is requested to provide consistency between the General Plan and Zoning Map; and

**WHEREAS**, the downzoning of the three (3) residential properties leads to a reduction of three (3) lots zoned Light Agriculture (AL) which allows for one (1) single-family residence per lot, causing the No Net Loss provision, as required by Government Code section 66300, to come into effect. To satisfy this provision, Zone Change 24-03, also approved by the City Council at their regular meeting on September 24, 2024, rezones two Housing Element Housing Inventory Sites; one of which is described as APNs: 8386-006-015 & 029, and consists of a rezoning from MF-15, which allows up to 15 units per acre, to MF-25 which will allow up to 25 units per acres, meeting the No Net Loss provisions; and

**WHEREAS**, pursuant to and in accordance with the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*; herein referred to as "CEQA") the State of California Guidelines for the Implementation of the California Environmental Quality Act (commencing with Section 15000 of Title 14 of the California Code of Regulations; herein referred to as the "CEQA Guidelines"), the City is the "lead agency" for the preparation and consideration of environmental documents for the Proposed Project; and

**WHEREAS**, a Draft Mitigated Negative Declaration was prepared in accordance with CEQA Guidelines to evaluate the physical environmental impacts of the Proposed Project. The Mitigated Negative Declaration was circulated for a 20-day public review on March 7, through March 27, 2023 and was also made available for review on the City's website at

www.sandimasca.gov. A complete copy of the Mitigated Negative Declaration is on file and can be viewed in the Planning Division at 245 E. Bonita Avenue, San Dimas, California; and

**WHEREAS**, the City gave notice of its intent to adopt the Mitigated Negative Declaration to (a) the public pursuant to Section 15072(b) of the CEQA Guidelines, (b) individuals and organizations, if any, that previously submitted written requests for notice pursuant to Section 15072(b) of the CEQA Guidelines, (c) responsible and trustee and other agencies with jurisdiction over resources that will be affected by the Proposed Project pursuant to Section 15073(c) of the CEQA Guidelines, and (d) the Clerk of the County of Los Angeles pursuant to Section 15072(a) of the CEQA Guidelines; and

**WHEREAS**, on May 4, 2023, the Planning Commission held a public hearing, notice of said public hearing having been duly given as required by law to consider the Mitigated Negative Declaration and adopted Resolution PC-1666, recommending approval of the Zone Change to the City Council; and

**WHEREAS**, on May 14, 2024, the City Council held a public hearing, notice of said public hearing having been duly given as required by law to consider the Zone Change and to hear and consider evidence for and against the proposed Project and related actions and to investigate and make findings and recommendations in connection therewith, and voted 5-0 to continue the Project to the May 28, 2024 City Council meeting; and

**WHEREAS**, on May 28, 2024, the City Council held a public hearing, notice of said public hearing having been duly given as required by law to consider the Zone Change and to hear and consider evidence for and against the proposed Project and related actions and to investigate and make findings and recommendations in connection therewith, and voted 5-0 to continue the Project to a date uncertain; and

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

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

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

The Zone Change will allow the development of a 63,749 square-foot concrete tilt-up warehouse/office multi-tenant building, which will be consistent with the existing light industrial buildings adjacent to the project area. The surrounding zoning to the north, east and west is currently Light Manufacturing (M-1). Additionally, the Zone Change is required pursuant to Government Code Section 65860 to provide consistency between the zoning and the General Plan Land Use designation. Therefore, the Zone Change will not adversely affect adjoining property as to value, precedent or be detrimental to the area.

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

The Zone Change will allow the development of a new 63,749 square-foot concrete tilt-up warehouse/office multi-tenant building being proposed in conjunction with this request.

The affected parcels were occupied by nine (9) single-family residences. The Zone Change will facilitate the development of a new warehouse/office building, which will provide additional job opportunities for current residents. The new development will include new infrastructure throughout the project area to include, but not limited to, storm drain and sewer, and off-site improvements such as new sidewalks and the removal of several overhead utility lines. Therefore, the Zone Change will improve the overall area and will further the public health, safety and general welfare.

C. The proposed Zone Change is consistent with the General Plan.

The proposed Zone Change from Light Agriculture (AL) to Light Manufacturing (M-1) will provide consistency between the zoning and General Plan Land Use designation, which is currently Industrial. Additionally, the Zone Change is required pursuant to Government Code Section 65860 to provide consistency between the zoning and the General Plan Land Use designation.

The proposed Zone Change is consistent with the General Plan Land Use Element as follows:

Land Use Element Goal L-4: *Plan and create an urban form that efficiently utilizes urban infrastructure and services. Plan for orderly growth rather than leap frog development.*

Objective 4.1: *Promote future land use and development patterns which reduce costs of infrastructure construction, encourages transit to make better use of existing facilities, and achieve a good match between future growth and phasing of existing facilities or expansion of new ones.*

The proposed Zone Change will be consistent with the uses to the north, west and east, and will allow for a contiguous area of M-1 zoning, eliminating an instance of leap frog development where industrial uses surrounded a residentially zoned area. The new zoning will also help to achieve a good match between the current industrial zoned properties and new industrial development on the properties to be rezoned.

**NOW, THEREFORE, BE IT FURTHER RESOLVED, PURSUANT TO THE ABOVE FINDINGS,** that the City Council approves Zone Change 21-0001 changing the zoning classification for the subject properties as set forth on the Land Use Map in Exhibit "A" attached hereto.

**SECTION 1. SEVERABILITY.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

**SECTION 2. CEQA DETERMINATION.** The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment. Thus, the adoption of this ordinance is exempt from the

requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

**SECTION 3. EFFECTIVE DATE AND PUBLICATION.** This Ordinance shall take effect 30 days after its final passage. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within 15 days after passage and adoption as may be required by law in a newspaper of general circulation in the City of San Dimas hereby designated for that purpose; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within 15 days after adoption, the City Clerk shall cause to be published, the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

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

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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

**ATTEST:**

**APPROVED AS TO FORM:**

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

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

I, DEBRA BLACK, CITY CLERK of the City of San Dimas, do hereby certify that Ordinance 1306 was introduced at a regular meeting of the City Council of the City of San Dimas on the 24<sup>th</sup> day of September, 2024, and thereafter passed, approved and adopted at a regular meeting of said City Council held on the 8<sup>th</sup> day of October, 2024.

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

**Exhibit A**

Existing Zoning Map

Proposed Zoning Map



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