

RESOLUTION PC-1685

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, RECOMMENDING TO THE CITY COUNCIL DENIAL OF MUNICIPAL CODE TEXT AMENDMENT 24-04, A REQUEST TO AMEND THE SCENIC EASEMENT AND FENCE LINES “AS BUILT” ON THE PROPERTY LOCATED AT 905 WELLINGTON ROAD (APN: 8426-031-021) WITHIN SPECIFIC PLAN 4, AREA 1.

WHEREAS, an Amendment to the San Dimas Municipal Code has been duly initiated by:

Eugene Chen, Ginkgo Construction Inc. 17203 E. Fracisquito Ave. West Covina, CA 91791 on behalf of the property owner Lan Gao, 905 Wellington Road San Dimas, CA 91773; and

WHEREAS, the Amendment is described as a request to amend Chapter 18.504 Specific Plan No. 4, Exhibit C, modifying the scenic easement and fence lines “as built” on the property located at 905 Wellington Road (APN: 8426-031-021); and

WHEREAS, the Amendment would affect 905 Wellington Road (APN: 8426-031-021); and

WHEREAS, on July 18, 2024, the Planning Commission considered a request to initiate a Municipal Code Text Amendment to modify the scenic easement and fence lines “as built” on the property located at 905 Wellington Road within Specific Plan 4, Area I and voted 5-0 to approve the initiation and allow the Applicant to submit a Municipal Code Text Amendment application; and

WHEREAS, notice was duly given of the public hearing on the matter and that public hearing was held on August 29, 2024 at the hour of 6:00 p.m.; and

WHEREAS, 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.

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.

Approval of the proposed amendments would allow for development and use within an area that is currently designated as a scenic easement. The scenic easement as discussed in Specific Plan No. 4 was intended to be left in its natural vegetated state with minimal disturbance or use. The scenic easement areas only allow for native landscaping, limited fencing for equestrian lots and walkways with minor retaining walls when necessary for the path. The loss of this scenic

easement area could affect the enjoyment of adjoining neighbor to the west and the area in question would now allow for more intense uses than currently allowed. There may also be a negative visual effect to the subject area with man-made structures vs. possible native vegetation material that can be grown in the same area. While the scenic easement area on the subject site has been graded flat with no natural vegetation, there is no documentation that approved the modification of the area or the placement of the existing fence.

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

The proposed amendments would allow for the subject area to be used for more uses including additional housing units on an area that was intended to be left undisturbed. Intensifying the subject area could impact the adjacent property as the subject area was meant to be left undisturbed and in a natural vegetated state. While a portion of the scenic easement area was modified and graded flat, there is no documentation that supports the amendment which conflicts with SP-4. As previously mentioned, modifying the easement line could lead to the construction of additional housing units, but it would also allow the property to be further subdivided to create an additional parcel. Without documentation to support the change, the amendment could impact the surrounding area as it would conflict with SP-4.

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

The proposed amendments is not consistent with Chapter II, Land Use Element which discusses in the Goals Statement, Objectives that "preserving open space" helps maintain the rural small town low density atmosphere of San Dimas. Also in Chapter VI, Conservation Element discusses the extensive undeveloped area of potential wildlife habitat and wildlife that flourish in these areas and the importance of preserving these areas for the community. Approving the proposed amendment would go against the Land Use and Conservation Elements. Per Specific Plan No. 4, the area in question was intended to be left in its natural vegetated state with minimal disturbance or use. Since there is no documentation that approved the modification of the area or the placement of the existing fence, the amendment would not be consistent with SP-4 and the General Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED, PURSUANT TO THE ABOVE FINDINGS, that the Planning Commission recommends to the City Council denial of Municipal Code Text Amendment 24-04.

PASSED, APPROVED and ADOPTED, the 29th day of August, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David A. Bratt, Chairman
San Dimas Planning Commission

ATTEST:

Kimberly Neustice, Senior Management Analyst