

ATTACHMENT 1

RESOLUTION 2024-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, APPROVING VESTING TENTATIVE TRACT MAP 24-01 (VTTM 84436), A REQUEST TO SUBDIVIDE TWO (2) ADJOINING PARCELS INTO FIVE (5) PARCELS LOCATED AT 720 N. OAKWAY AVENUE (APN: 8392-020-034 AND AN UNADDRESSED PARCEL (APN: 8392-015-041) WITHIN THE SINGLE-FAMILY AGRICULTURE 16000 ZONE.

WHEREAS, an application was duly filed for Vesting Tentative Tract Map 24-01 (VTTM 84436) by:

Dean Hakkak on behalf of HMZ Holdings LLC
P.O. Box 4636
Covina, CA 91723

WHEREAS, the Vesting Tentative Tract Map 24-01 (VTTM 84436) is described as:

A request to subdivide two (2) adjoining parcels into five (5) parcels ranging from 18,900 square feet to 33,075 square feet in lot size at the properties located at 720 N. Oakway (APN: 8392-020-034) and APN: 8392-015-041 within the Single-Family Agriculture 16000 Zone; and

WHEREAS, the Vesting Tentative Tract Map 24-01 (VTTM 84436) applies to the following described real property:

720 N. Oakway Avenue (APN: 8392-020-034) and APN: 8392-015-041; and

WHEREAS, the Vesting Tentative Tract Map 24-01 (VTTM 84436) was submitted to all appropriate agencies as required under Section 17.12.030 of the San Dimas Municipal Code with a request for their report and recommendations; and

WHEREAS, the Planning Commission has received the report and recommendation of such agencies as have submitted information including the written report and recommendation of Staff; and

WHEREAS, notice was duly given of the Planning Commission's public hearing on the matter and that a public hearing was held on November 21, 2024 at the hour of 6:00 p.m., with all testimony received being made a part of the public record; and

WHEREAS, notice was duly given of the City Council public hearing on the matter and that public hearing was held on December 10, 2024 at the hour of 7:00 p.m., with all testimony received being made part of the public record; and

WHEREAS, the Planning Division has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines. The project qualifies under the Class 32 exemption under the State CEQA Guidelines Title 14, Section 6, Chapter 3, Article 19, Section 15332 Class 32, In-Fill Development Projects. In addition, there is no substantial evidence that the project may have a significant effect on the environment. The Planning Commission and City Council has reviewed the Planning Division's determination of exemption, and based on their own independent judgment, concurs in the staff's determination of exemption.

NOW, THEREFORE, in consideration of the evidence received at the Planning Commission hearing; and or the reasons discussed by the Planning Commissioners at the November 21, 2024 hearing, and the evidence received at the City Council hearing; and or the reasons discussed by the City Council at the December 10, 2024 hearing, and subject to the Conditions attached as "Attachment 1", the City Council now finds as follows:

- A. That the proposed tract map is consistent with the General Plan and the applicable Land Use Zone.

The Vesting Tentative Tract Map creates five (5) new parcels from two adjoining parcels, which will be developed consistent with the General Plan and the Single-Family Agriculture 16000 zone. The five (5) new parcels will range in size from 18,900 gross square feet to 33,075 gross square feet. The newly created parcels meet all the development standards of the Single-Family Agriculture 16000 zone and the underlying General Plan designation of Single-Family Very Low.

- B. That the design or improvement of the proposed subdivision is consistent with the General Plan and the applicable Land Use Zone.

The proposed Vesting Tentative Tract Map is consistent with the General Plan Land Use Element Policies, Goal L-1, Policy 1.1.2, "enhance the rural/equestrian image north of Gladstone Street. Retain large lot development and improve circulation." The five (5) new lots, when developed, will meet the minimum lot size of 16,000 square feet, as required by the Single-Family Agriculture 16,000 zone. Maintaining the minimum lot size to be 16,000 square feet and creating a new private driveway access for the five (5) new lots is consistent with the underlying General Plan designation of Single-Family Very Low and the stated goal of "retain large lot development and improve circulation." Although there are no residences being proposed at this time, any future residence will be required to meet all of the development requirements of the Single-Family Agriculture 16000 zone.

- C. That the site is physically suitable for the type of development proposed.

The subdivision creates five (5) new lots that range from 18,900 gross square feet to 33,075 gross square feet in size. Although there is not a proposed development at this time, the five (5) lots are large enough to accommodate residential development which will fit the scale and type of the surrounding neighborhood. Proposed Lot 1 has already been approved to be developed with one two-story single-family residence with an attached three-car garage by the Development Plan Review Board on August 25, 2022, per DPRB Case No. 21-16 and the removal of eight (8) mature trees under Tree Permit No. 21-45 on August 25, 2022.

- D. That the site is physically suitable for the proposed density of the development.

The Vesting Tentative Tract map would create five (5) residential parcels within an existing residential neighborhood. All of the new parcels are large lots, which can easily accommodate a single-family residence, which will be consistent with the Single Family Very Low Land Use designation and Single-Family Agriculture 16000 zoning of the subject site.

- E. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure wildlife or their habitat.

The proposed subdivision to create five (5) new parcels will comply with all applicable codes and regulations. There is no development proposed at this time; however, any future development will be required to comply with all applicable codes. While both the subdivision and future residential development are exempt from the Environmental Quality Act (CEQA), as Infill Development, they are not likely to cause substantial environmental damage or substantially and avoidably injure wildlife or their habitat.

- F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

The proposed tract map and required off-site improvements are not likely to cause serious public health problems. The project will create five (5) parcels for future residential development that will be required to comply with all applicable codes and regulations to prevent serious public health problems.

- G. That the design of the subdivision or the proposed improvements will not conflict with easements, acquired by the public at-large, for access through or use of the property within the proposed subdivision.

There exists a 30-foot access easement that runs east west through the subject property, which will be improved to meet the Los Angeles County Fire Department requirements for use as a private driveway and fire lane. Therefore, the new tract map will not conflict with any existing easements.

- H. That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board. Conditions are imposed to protect the public health, safety and general welfare and to implement the intent and purpose of the General Plan.

The proposed subdivision will create five (5) residential parcels; however, no development is proposed at this time. At the time of any future development, the Applicant will be required to comply with all Regional Water Quality Control Board requirements. In addition, the Conditions of Approval for the project require compliance with BMP's to protect the public health, safety and general welfare and the intent and purpose of the General Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED, PURSUANT TO THE ABOVE FINDINGS, that the City Council of the City of San Dimas grants approval of Vesting Tentative Tract Map No. 24-01 (VTTM 84436), subject to the Applicant's compliance with the Conditions as set forth in Attachment 1.

PASSED, APPROVED and ADOPTED, the 10th day of December, 2024.

Emmett G. Badar, Mayor

ATTEST:

Debra Black, City Clerk

I Debra Black, City Clerk, hereby certify that Resolution 2024-90 was adopted by the City Council of San Dimas at its regular meeting of December 10, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Debra Black, City Clerk

Exhibit A

**Conditions of Approval for
Vesting Tentative Tract Map 24-01 (VTTM 84436)
ACCELA PROJ-24-13**

A request to subdivide two (2) adjoining parcels into five (5) parcels (18,900 square feet to 33,075 square feet in size) located at 720 N. Okaway Avenue within the Single-Family Agriculture 16000 zone. No residences are proposed at this time (APN: 8392-020-034 and APN: 8392-015-041).

PLANNING DIVISION - (909) 394-6250

GENERAL

1. The Applicant/Developer shall agree to defend at his sole expense any action brought against the City, its agents, officers or employees because of the issuance of such approval, or in the alternative, to relinquish such approval. The Applicant shall reimburse the City, its agents, officers or employees for any Court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve Applicant of his obligations under this condition.
2. The Applicant/Developer shall be responsible for any City Attorney costs incurred by the City for the project, including, but not limited to, consultations, and the preparation and/or review of legal documents. The Applicant shall deposit funds with the City to cover these costs in an amount to be determined by the City.
3. The Applicant/Developer shall comply with all requirements of the Single-Family Agriculture 16000 (SF-A16000) Zone.
4. The Applicant/Developer shall sign an affidavit accepting all Conditions and all Standard Conditions prior to Final Map recordation.
5. The Vesting Tentative Tract Map shall expire twenty-four months following approval, unless an extension for a period or periods not to exceed a total of twenty-four months is granted by the City Council. A subdivider may request an extension by written application to the Director of Community Development. Such application shall be filed at least thirty days before the Vesting Tentative Tract Map is due to expire. Requests for all extensions shall be accompanied by a processing fee as prescribed by resolution of the City Council.
6. The Vesting Tentative Tract Map is subject to City Council approval. Should the City Council approve the Vesting Tentative Tract Map, the Applicant/Developer shall comply with all Conditions of Approval as approved by the City Council on a date to be determined.
7. The entire site shall be kept free from trash and debris at all times and in no event shall trash and debris remain for more than 24 hours.
8. The perimeter walls for Lot 1 shall be installed as required by DPRB 21-16 approved on August 25, 2022. The perimeter walls for Lots 2 through 5 shall be constructed in conjunction with the development of single family residences. The walls shall consist of a six-foot high decorative block wall consisting of tan split face block with a finished cap.

ENGINEERING DIVISION – (909) 394-6240

9. The Applicant/Developer shall provide a signed copy of the City's certification statement declaring that the contractor will comply with Minimum Best Management Practices (BMPs) required by the MS4 permit for Los Angeles County as mandated by the National Pollutant Discharge Elimination System (NPDES).
10. A Final Vesting Tract Map prepared by or under the direction of a Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the County Recorder.
11. All easements existing at the time of the Final Vesting Tract Map approval must be accounted for on the approved Vesting Tentative Parcel Map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location.
12. A preliminary title report and guarantee is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement holders. The account for this title report should remain open until the final map is filed with the County Recorder.
13. The Applicant/Developer engineer or surveyor shall set durable monuments to the satisfaction of the City Engineer in conformance with Section 66495 of the Subdivision Map Act. The Applicant/Developer shall also provide a Monumentation Bond in an amount sufficient to guarantee the setting of monumentation specified in writing by a Registered Engineer or Licensed Land Surveyor of Record.
14. A preliminary title report and guarantee is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement holders. The account for this title report should remain open until the final map is filed with the County Recorder.
15. The Applicant/Developer shall Contact the Los Angeles County Sanitation District for any required annexation, extension, or sewer trunk fee. Proof of payment/clearance is required before the City will issue any sewer permit.
16. The Applicant/Developer shall provide drainage improvements to carry runoff of storm waters in the area proposed to be developed, and for contributory drainage from adjoining properties to be reviewed and approved by the City Engineer. The Applicant/Developer shall make a good faith effort to negotiate with the downstream property owner for all required downstream storm drain improvements. The proposed drainage improvements shall be based on a detailed Hydrology Study conforming to the current Los Angeles County methodology. The developed flows outletting into the existing downstream system(s) from this project cannot exceed the pre-existing storm flows.
17. Due to construction, the Applicant/Developer shall be responsible for any repairs within the limits of the development, including but not limited to streets and paving, curbs and gutters, sidewalks, and street lights as determined by the City Engineer and Public Works Director.

18. The Applicant/Developer shall obtain a Public Works permit for all work within or adjacent to the public right-of-way and shall be subject to review and approval of the Public Works Director and the work shall be in accordance with applicable standards of the City of San Dimas; i.e. Standard Specifications for Public Works Construction (Green Book) and the California Manual of Uniform Traffic Control Devices (CA MUTCD), and further that the construction equipment ingress and egress be controlled by a plan approved by Public Works.
19. For all projects subject to Low Impact Development (LID) regulations, Applicant/Developer must submit a site-specific drainage concept and stormwater quality plan to implement LID design principles.
20. A fully executed "Maintenance Covenant for LID Requirements" shall be recorded with the L.A. County Registrar/Recorder and submitted to the Public Works Department prior to the Certificate of Occupancy. Covenant documents shall be required to include an exhibit that details the installed treatment control devices as well as any site design or source control Best Management Practices (BMPs) for post construction. The information to be provided on this exhibit shall include, but not be limited to:
 - i. 8 ½" x 11" exhibits with record property owner information.
 - ii. Types of BMPs (i.e., site design, source control and/or treatment control) to ensure modifications to the site are not conducted without the property owner being aware of the ramifications to BMP implementation.
 - iii. Clear depiction of location of BMPs, especially those located below ground.
 - iv. A matrix depicting the types of BMPs, frequency of inspection, type of maintenance required, and if proprietary BMPs, the company information to perform the necessary maintenance.
 - v. Calculations to support the sizing of the BMPs employed on the project shall be included in the report. These calculations shall correlate directly with the minimum treatment requirements of the current MS4 permit. In the case of implementing infiltration BMPs, a percolation test of the affected soil shall be performed and submitted for review by the City Engineer.
 - vi. This document shall be reviewed by and concurred with Public Works to ensure the covenant complies with the MS4 Permit.
21. Improvement plans and necessary letters of credit, cash, and/or bonds to secure the construction of all streets, storm drains, water, sewer, grading, and multi-use trails shall be submitted and approved by the City Engineer, and the subdivision agreement and other required agreements approved by the City Attorney, prior to the recordation of the Final Map.
22. The Applicant/Developer shall record a Maintenance Agreement to guarantee maintenance of the private driveway and drainage improvements in perpetuity and must be processed through the City Engineer prior to being filed with the County Recorder. Failure to maintain driveway will lead to code compliance action.
23. The subject development is located within an area of Special Flood Hazard as identified by the Federal Emergency Management Agency (FEMA). The Applicant/Developer shall meet all conditions and requirements as set forth in Title 15, Chapter 15.60 of the San Dimas Municipal Code.

24. The Applicant/Developer shall underground all new utilities and utility drops.
25. The Applicant/Developer shall provide mailboxes per City of San Dimas standards. Mailbox locations are subject to the approval of the local postmaster and the City Engineer.
26. The Applicant/Developer shall submit water plans to be reviewed and approved by the City Engineer and the Los Angeles County Fire Department.

PARKS & RECREATION – (909) 394-6230

27. The Applicant/Developer shall comply with City regulations regarding payment of Park, Recreation and Open Space Development Fee per SDMC Chapter 3.26. Fees shall be paid prior to issuance of building permits.’;
28. The Subdivision Applicant/Developer shall comply with Chapter 17.36 of the San Dimas Municipal Code regarding Park Land Dedication (Quimby Act). The City may require fees in lieu of land or a combination thereof based on the market value of the land to be dedicated. Fees shall be paid prior to recordation.

LOS ANGELES COUNTY FIRE DEPARTMENT – (323) 890-4243

29. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires an all-weather access surface to be clear to sky.
30. The Private Driveways proposed as private streets for access throughout the development shall be labeled as “Private Driveway” on the Final Map. The portion of the private driveway intended for fire apparatus access shall be identified as “Fire Lane” on the Final Map. All widths and dimensions shall be clearly delineated with a reciprocal access agreement is required for the private driveway. Compliance required prior to Final Map clearance.
31. The Final Map shall be submitted to the Los Angeles County Fire Department Land Development Unit for review and approval prior to recordation.
32. A common access agreement shall be provided for the private driveway since multiple units are sharing the same access. Said agreement shall be submitted to the Los Angeles County Fire Department Land Development Unit for review and approval prior to the Final Map clearance.

End of Conditions