



AGENDA
REGULAR CITY COUNCIL /
REDEVELOPMENT AGENCY MEETING
TUESDAY, FEBRUARY 9, 2010, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

CITY COUNCIL:

Mayor Curtis W. Morris
Mayor Pro Tem Denis Bertone
Councilmember Emmett Badar
Councilmember John Ebiner
Councilmember Jeff Templeman

1. CALL TO ORDER

2. RECOGNITIONS

- Recognize Alan Nash for his efforts on the annual Car Show and toy drive.

3. ANNOUNCEMENTS

- a. 50th Anniversary Flashbacks
- b. Pui-Ching Ho, Librarian, San Dimas Library

4. ORAL COMMUNICATIONS (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body 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. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

- a. Members of the Audience

5. 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 City Council requests separate discussion.)

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:

- (1) **RESOLUTION NO. 10-04**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF JANUARY AND FEBRUARY, 2010.

- b. Ordinances read by title, further reading waived, passage and adoption recommended as follows:

- (1) **ORDINANCE NO. 1193**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 09-04, TO ALLOW, AS REQUIRED BY SENATE BILL 2 (SB2) EMERGENCY AND YEAR-ROUND EMERGENCY SHELTERS BY RIGHT, AS WELL AS TRANSITIONAL AND SUPPORTIVE HOUSING AS CONDITIONAL USES. **SECOND READING AND ADOPTION**

(2) **ORDINANCE NO. 1194**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING TITLE 18 CHAPTER 150 OF THE SAN DIMAS MUNICIPAL CODE REGARDING CO-LOCATION OF CELL PHONE TOWERS. **SECOND READING AND ADOPTION**

- c. Approval of minutes for regular meeting of January 26, 2010 and special meeting of January 26, 2010.
- d. Renewal of the General Services Agreement with the County of Los Angeles.
- e. Approval to Transfer Budgeted General Funds and Award of Engineering and Pavement Design Contracts for the Unbudgeted 5th Street Reconstruction and Rehabilitation (Between Acacia Street and San Dimas Avenue) Project.
- f. Approval of change order to Cash Contract 2009-04, "Reconstruction, Rehabilitation, and Landscape Median project on San Dimas Avenue from Foothill Boulevard to Gladstone Street ESPL-5367 (006), EA No. 07-933288L" in the amount of \$38,771 to complete geotechnical services.

END OF CONSENT CALENDAR

6. SAN DIMAS REDEVELOPMENT AGENCY

- a. Oral Communications (This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.)
- b. Approval of minutes for meeting of January 26, 2010.
- c. Executive Director
- d. Members of the Agency

7. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five (5) minutes or as may be determined by the Chair.)
- b. City Manager
- c. City Attorney
- d. Members of the City Council
 - 1) Councilmembers' report on meetings attended at the expense of the local agency.
 - 2) Individual Members' comments and updates.

8. ADJOURNMENT

The next meeting is 7:00 p.m., February 23, 2010.

AGENDA STAFF REPORTS: COPIES OF STAFF REPORTS AND/OR OTHER WRITTEN DOCUMENTATION PERTAINING TO THE ITEMS ON THE AGENDA ARE ON FILE IN THE OFFICE OF THE CITY CLERK AND ARE AVAILABLE FOR PUBLIC INSPECTION DURING THE HOURS OF 8:00 A.M. TO 5:00 P.M. MONDAY THROUGH FRIDAY. INFORMATION MAY BE OBTAINED BY CALLING (909) 394-6216. CITY COUNCIL MINUTES AND AGENDAS ARE ALSO AVAILABLE ON THE CITY'S HOME PAGE ON THE INTERNET:
<http://www.cityofsandimas.com>

SUPPLEMENTAL REPORTS: AGENDA RELATED WRITINGS OR DOCUMENTS PROVIDED TO A MAJORITY OF THE SUBJECT BODY AFTER DISTRIBUTION OF THE AGENDA PACKET SHALL BE MADE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY CLERK'S OFFICE AT 245 EAST BONITA AVENUE DURING NORMAL BUSINESS HOURS. [PRIVILEGED AND CONFIDENTIAL DOCUMENTS EXEMPTED]

HEARING ASSISTANCE: THE CITY OF SAN DIMAS CITY COUNCIL CHAMBERS IS EQUIPPED WITH A HEARING ASSISTANCE SYSTEM. PLEASE CONTACT THE CITY CLERK (909) 394-6216 TO CHECK OUT A RECEIVER.

POSTING STATEMENT: ON FEBRUARY 5, 2010, A TRUE AND CORRECT COPY OF THIS AGENDA WAS POSTED ON THE BULLETIN BOARDS AT 245 EAST BONITA AVENUE (SAN DIMAS CITY HALL), 145 NORTH WALNUT AVENUE (LOS ANGELES COUNTY PUBLIC LIBRARY, SAN DIMAS BRANCH), AND 300 EAST BONITA AVENUE (UNITED STATES POST OFFICE), AND AS A CONVENIENCE, AT THE VONS SHOPPING CENTER (Puente/Via Verde) AND THE CITY'S WEBSITE AT www.cityofsandimas.com.

RESOLUTION NO. 10-04

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN DIMAS, CALIFORNIA, APPROVING
CERTAIN DEMANDS FOR THE MONTHS OF
JANUARY AND FEBRUARY 2010**

WHEREAS, the following listed demands have been audited by the Director of Finance;
and

WHEREAS, the Director of Finance has certified as to the availability of funds for
payment thereto; and

WHEREAS, the register of audited demands have been submitted to the City Council for
approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Dimas
does hereby approve Prepaid Warrant Register: 01/31/2010; 20 through 20971; in the amount of
\$3,705,401.44; Warrant Register: 02/16/2010; 129873 through 130031; in the amount of
\$552,218.94.

PASSED, APPROVED AND ADOPTED THIS 9th DAY OF FEBRUARY, 2010.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Ina Rios, CMC, City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by vote of the City
Council of the City of San Dimas at its regular meeting of February 9, 2010, by the following
vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Ina Rios, CMC, City Clerk

5267



***THE WARRANT DISBURSEMENT
JOURNAL IS NOT AVAILABLE TO
VIEW THROUGH LASERFICHE***

***A PAPER COPY IS AVAILABLE IN THE
FINANCE DEPARTMENT***

SORRY FOR ANY INCONVENIENCES.

DOCUMENT IMAGING DEPT.



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the meeting of February 9, 2010

From: Blaine Michaelis, City Manager *BM*

Initiated by: Marco Espinoza, Associate Planner

Subject: **ORDINANCE NO. 1193, SECOND READING AND ADOPTION ADOPTING MUNICIPAL CODE TEXT AMENDMENT 09-04, TO ALLOW AS REQUIRED BY SENATE BILL NO. 2 (SB2), EMERGENCY AND YEAR-ROUND EMERGENCY SHELTERS BY RIGHT, AS WELL AS TRANSITIONAL AND SUPPORTIVE HOUSING AS CONDITIONAL USES**

SUMMARY

In 2007, the State adopted Senate Bill 2 which mandates cities to allow by right emergency shelter, year-round emergency shelters in one or more zones; and to allow transitional and supportive housing as a residential use, subject only to those restrictions for like projects in the same zone.

The City's 2008-14 Housing Element addressed the requirements of SB2 as part of its objectives to comply with the law. The code amendments incorporate provisions to help facilitate the development of such uses and protect the integrity of the surrounding neighborhood.

The City Council introduced Ordinance No. 1193 at their January 26, 2010 meeting.

RECOMMENDATION

Adopt Ordinance No. 1193.

56 (1)

ORDINANCE NO. 1193

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING MUNICIPAL CODE TEXT AMENDMENT 09-04, TO ALLOW, AS REQUIRED BY SENATE BILL NO. 2 (SB2), EMERGENCY AND YEAR-ROUND EMERGENCY SHELTERS BY RIGHT, AS WELL AS TRANSITIONAL AND SUPPORTIVE HOUSING AS CONDITIONAL USES.

THE CITY COUNCIL OF THE CITY OF SAN DIMAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 18.08, Definitions of the San Dimas Municipal Code shall be amended, as provided for in Exhibit "A".

SECTION 2. Chapter 18.42, Multiple-Family (MF) Zone of the San Dimas Municipal Code shall be amended, as provided for in Exhibit "B".

SECTION 3. Chapter 18.132, Public/Semi-Public (PS) Zone of the San Dimas Municipal Code shall be amended, as provided for in Exhibit "C".

SECTION 4. Chapter 18.156, Vehicle Parking and Storage Zone of the San Dimas Municipal Code Shall be amended, as provided for in Exhibit "D"

SECTION 5. This Ordinance shall take effect 30 days after its final passage, and within 15 days after its passage the City Clerk shall cause it to be published in the Inland Valley Daily Bulletin, a newspaper of general circulation in the City of San Dimas hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED THIS 9th DAY OF FEBRUARY, 2010.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Ina Rios, CMC, City Clerk

I, INA RIOS, CITY CLERK of the City of San Dimas, do hereby certify that Ordinance No. 1193 was regularly introduced at the regular meeting of the City Council on January 26, 2010, and was thereafter adopted and passed at the regular meeting of the City Council held on February 9, 2010 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

I DO FURTHER CERTIFY that within 15 days of the date of its passage, I caused a copy of Ordinance 1193 to be published in the Inland Valley Daily Bulletin.

Ina Rios, City Clerk

EXHIBIT "A"

* Text changes are in blue and underlined.

Chapter 18.08

DEFINITIONS

Sections:

18.08.007	Accessory billiard use.
18.08.010	Accessory building or structure.
18.08.012	Accessory game arcade.
18.08.014	Accessory massage.
18.08.015	Accessory snack shop.
18.08.020	Aircraft.
18.08.030	Airport.
18.08.040	Apartment house.
18.08.050	Automobile storage space.
18.08.060	Basement.
18.08.070	Borrow pit.
18.08.080	Building.
18.08.090	Cellar.
18.08.100	Chapter.
18.08.110	City administrator.
18.08.120	Commission.
<u>18.08.125</u>	<u>Community Care Facility</u>
18.08.130	City.
18.08.140	Coin-operated game of skill or amusement.
18.08.145	Convenience store.
18.08.150	County.
18.08.160	Dairy.
18.08.170	Density.
18.08.180	Detached living quarters.
18.08.190	Domestic animal.
18.08.200	Dwelling unit.
18.08.210	Flag lot.
<u>18.08.215</u>	<u>Emergency Shelter.</u>
18.08.220	Floor area ratio.
18.08.230	Freeway.
18.08.240	Freeway, landscaped.
18.08.250	Front yard setback.
18.08.260	Grade (ground level).
18.08.270	Habitable building.
18.08.280	Height.

- 18.08.290 Hog ranch.
- 18.08.295 Homeless Person(s).
- 18.08.300 Hotel.
- 18.08.310 Household pets.
- 18.08.312 Incidental use.
- 18.08.320 Indoor recreation facility.
- 18.08.330 Kitchen.
- 18.08.335 Lot coverage.
- 18.08.340 Lot, nonconforming.
- 18.08.350 Lot, through.
- 18.08.360 Major highway.
- 18.08.370 Manufactured housing.
- 18.08.372 Massage.
- 18.08.380 Motel.
- 18.08.390 Natural catastrophe.
- 18.08.400 Oath.
- 18.08.410 Ordinance.
- 18.08.420 Outdoor advertising.
- 18.08.430 Parcel of land.
- 18.08.440 Person.
- 18.08.450 Pest control operator.
- 18.08.460 Private club.
- 18.08.470 Recreation room.
- 18.08.480 Residence.
- 18.08.490 Room.
- 18.08.500 Secondary highway.
- 18.08.510 Section.
- 18.08.520 Stand.
- 18.08.530 Structure.
- 18.08.535 Supportive Housing.
- 18.08.537 Target Population.
- 18.08.538 Transitional Housing.
- 18.08.540 Use.
- 18.08.544 Vehicular and equipment rental facility.
- 18.08.550 Waste disposal facility.
- 18.08.560 Writing.
- 18.08.565 Year Round Emergency Shelters.
- 18.08.570 Youth hostel.

18.08.007 Accessory billiard use.

“Accessory billiard use” means a use consisting of not more than four coin/token, time-rented or free-play billiard tables which are secondary and incidental to the primary use. The floor area devoted to accessory billiard use shall not exceed fifty percent of the total floor area of the establishment. (Ord. 1072 § 1, 1997)

18.08.010 Accessory building or structure.

“Accessory building” or “accessory structure” means a detached subordinate building or structure, the use of which is incidental to that of the predominate use of the land, and which is located in the same or less restrictive zone on the same lot or parcel with the predominate building, structure or use. (Ord. 659 § 2 (part), 1979; Ord. 37 § 120, 1961)

18.08.012 Accessory game arcade.

“Accessory game arcade” means a use consisting of a maximum of six token or coin-operated games of skill which are secondary and incidental to:

A. A restaurant, including pizza parlor, but not including other types of fast-food restaurants; or

B. An indoor recreation facility. The number of machines for an accessory game arcade may exceed six for an indoor recreation facility provided that the spatial requirements and floor space ratio standards set forth in Chapter 5.58 are complied with. (Ord. 911 § 12 (part), 1990)

18.08.014 Accessory massage.

A massage practice which is secondary and incidental to a primary use allowing the following businesses to offer accessory massages: health clubs, day spas, gyms, beauty salons, barber shops, chiropractor offices, physical therapy offices, medical doctor offices, hospitals and similar uses provided that the accessory massage shall be less than fifty percent of the floor area. Any change to this definition will change the definition of accessory massage in Chapter 5.08. (Ord. 1185 § 1, 2008; Ord. 1085 § 8, 1998)

18.08.015 Accessory snack shop.

“Accessory snack shop” means an accessory use generally not exceeding three hundred square feet in sales area, to a permitted or conditionally permitted use, which sells readily consumable food products, and fountain drinks, or an individual serving size. The accessory use shall draw a significant number of its customers from the primary use. Sales of alcoholic beverages is prohibited. (Ord. 1170 § 4 (part), 2007)

18.08.020 Aircraft.

“Aircraft” means any contrivance, now known or hereafter invented, for use or designed for navigation of or flight in the air. (Ord. 37 § 121, 1961)

18.08.030 Airport.

“Airport” means any area of land or water which is used or intended for use for the landing and taking off of aircraft and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon. (Ord. 37 § 122, 1961)

18.08.040 Apartment house.

“Apartment house” means any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the building, and shall include flats and apartments. (Ord. 37 § 123, 1961)

18.08.050 Automobile storage space.

“Automobile storage space,” when required by this title, means any permanently maintained space of not less than one hundred forty-four square feet of usable area and not less than eight feet wide at any place, on the same lot or parcel of land as is located the structure it is designed to serve, so located and arranged as to permit the storage of, and be readily accessible under its own power to, a passenger automobile of average size. (Ord. 37 § 125, 1961)

18.08.060 Basement.

“Basement” means that portion of a building which is partly below and partly above grade (as defined in Section 18.08.250), but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling. (Ord. 37 § 126, 1961)

18.08.070 Borrow pit.

“Borrow pit” means any place or premises where grit, soil, sand, gravel or other material is removed by excavation or otherwise below the grade of surrounding land for any purpose other than that necessary and incidental to grading or to building construction or operation on the premises. (Ord. 37 § 127, 1961)

18.08.080 Building.

“Building” means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind. (Ord. 37 § 128, 1961)

18.08.090 Cellar.

“Cellar” means that portion of a building between floor and ceiling which is wholly or partly below grade (as defined in Section 18.08.250) and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling. (Ord. 37 § 129, 1961)

18.08.100 Chapter.

“Chapter” means a chapter of this title unless some other statute or ordinance is mentioned. (Ord. 37 § 130, 1961)

18.08.110 City administrator.

“City administrator” shall be deemed to mean “city manager.” (Ord. 37 § 130.1, 1961)

18.08.120 Commission.

“Commission” means the planning commission of the city. (Ord. 37 § 131, 1961)

18.08.125 Community Care Facility.

“Community care facility” means any facility, place or building which is maintained and operated to provide nonmedical residential care, day treatment or adult day care, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons and abused or neglected children, and includes:

1. “Residential facility” means any family home, group care facility or similar facility, for twenty-four hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

2. "Residential care facility for the elderly" means a housing arrangement chosen voluntarily by persons sixty years of age or over, or their authorized representative, where varying levels and intensities of care and supervision, protective supervision, personal care or health-related services are provided, based upon the person's varying needs, as determined in order to be admitted and to remain in the facility.

Community care facility shall not include any alcoholism or drug abuse recovery facility, which is defined separately in this code.

18.08.130 City.

"City" means the city of San Dimas.
(Ord. 37 § 131.1, 1961)

18.08.140 Coin-operated game of skill or amusement.

"Coin-operated game of skill or amusement" means any table-based or wall-mounted game for entertainment purposes. Typical coin-operated games of skill include but are not limited to: pinball, shooting galleries, air hockey, football, electronic games and electronic screen games. Pool tables and billiard tables are not considered coin-operated games of skill or amusement. (Ord. 645 § 1 (part), 1978; Ord. 37 § 131.2, 1961)

18.08.145 Convenience store.

"Convenience store" means a primary use which sells consumable food products and food prepared on site, as well as other goods in an assortment of sizes. Sales of alcoholic beverages may be permitted with proper conditional use permit approvals. (Ord. 1170 § 4 (part), 2007)

18.08.150 County.

"County" means the county of Los Angeles.
(Ord. 37 § 132, 1961)

18.08.160 Dairy.

"Dairy" means premises where three or more cows, three or more goats, one or more cows and two or more goats, or two or more cows and one or more goats are milked. (Ord. 37 § 160, 1961)

18.08.170 Density.

Density shall be based upon lots size and shall be determined by dividing the net usable area of the parcel to be subdivided or parcelized by the required lot area. "Net usable area" is that area of a parcel exclusive of streets, alleys and similar public rights-of-way. (Ord. 1007 § 2 (part), 1993)

18.08.180 Detached living quarters.

"Detached living quarters" means living quarters within a detached accessory building located on the same premises as the main building, for use by temporary guests of the occupants of the premises. Such accessory building shall have no plumbing or plumbing facilities of any kind except for space heating, air conditioning, toilet or bath. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 134, 1961)

18.08.190 Domestic animal.

"Domestic animal" means an animal which is commonly maintained in residence with man.
(Ord. 1007 § 2 (part), 1993; Ord. 37 § 135, 1961)

18.08.200 Dwelling unit.

“Dwelling unit” means a building or portion thereof either designed or used as living quarters of one person living alone or a group of two or more persons living together whether related to each other by birth or not. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 136, 1961)

18.08.210 Flag lot.

“Flag lot” means a lot which does not abut or have access to a public road, other than by a narrow right-of-way which is part of the otherwise wider lot and which constitutes a significant portion of all of the width of the lot where the right-of-way is located. (Ord. 1007 § 2 (part), 1993; Ord. 797 § 1, 1983; Ord. 37 § 136.1, 1961)

18.08.215 Emergency Shelter.

“Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

18.08.220 Floor area ratio.

“Floor area ratio” means the numerical value obtained through dividing the gross floor area of the building or buildings located upon a lot or parcel of land by the total area of such lot or parcel of land. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 137, 1961)

18.08.230 Freeway.

“Freeway” means a highway in respect to which the owners of abutting lands have no right of access to or easement of access to or from their abutting lands, or in respect to which such owners have only limited or restricted right of easement of access and which is declared to be such in compliance with the Streets and Highways Code of the state; including principal roadways, interchange roadways connecting one freeway with another, and ingress and egress ramps connecting the freeway with other highways, but not including frontage roadways. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 138, 1961)

18.08.240 Freeway, landscaped.

“Landscaped freeway” means a section or sections of a freeway which is now, or hereafter may be, improved by the planting, at least on one side of the freeway right-of-way, of lawns, trees, shrubs, flowers or other ornamental vegetation which shall require reasonable maintenance. (Ord. 1007 § 2 (part), 1993; Ord. 130 § 1, 1965; Ord. 37 § 138.1, 1961)

18.08.250 Front yard setback.

“Front yard setback” means a yard extending across the front of a lot measured between the side yard lines and being the minimum horizontal distance between the highway line and the main building and any projection thereof. On corner lots the commission shall determine which is the front yard. In the absence of such determination, the front yard shall be provided on the highway upon which the front of the building faces. A yard, no portion of which is in the C-1 zone, adjoining a highway, to which, from such yard, there is no right of access of any kind, pedestrian or vehicular, shall not be deemed to be a front yard. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 139, 1961)

18.08.260 Grade (ground level).

“Grade” or “ground level” means the average grade of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of sidewalks, the aboveground level shall be measured at the sidewalks. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 140, 1961)

18.08.270 Habitable building.

“Habitable building” means a building or a portion thereof either designed, built, rented, leased, used or occupied as living quarters of one person living alone or a group of two or more persons living together, and includes detached living quarters, trailers and mobile home units. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 140.1, 1961)

18.08.280 Height.

“Height” means the vertical distance from the grade to the highest point of the coping of a flat roof or to the average height of the highest gable of a pitch or hip roof. In calculating the height, roof structures which comply with Chapter 36 of the building code shall not be considered. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 141, 1961)

18.08.290 Hog ranch.

“Hog ranch” means any premises where three or more weaned hogs are maintained. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 142, 1961)

18.08.295 Homeless Person(s).

“Homeless Person(s)” means an individual who lacks a fixed, regular, and adequate nighttime residence; and/or an individual who has a primary nighttime residence that is;

- A. A supervised, publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
- B. An institution that provides a temporary residence for individuals intended to be institutionalized; or
- C. A public or private place not designed for, or ordinarily used as, regular sleeping accommodation for human beings.

18.08.300 Hotel.

“Hotel” means any building containing six or more rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests. Hotels include dormitories and fraternity or sorority houses. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 143, 1961)

18.08.310 Household pets.

“Household pets” are defined for the purposes of this title as dogs, cats, or other domestic animals of similar size; rats, white mice, guinea pigs or similar small animals; birds; and turtles. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 144, 1961)

18.08.312 Incidental use.

“Incidental use” means a minor use incidental in all respects to the primary use permitted on the premises. An incidental use shall not be the only use of a parcel or commercial space. (Ord. 1007 § 2 (part), 1993; Ord. 645 § 1 (part), 1978; Ord. 37 § 144.5, 1961)

18.08.320 Indoor recreation facility.

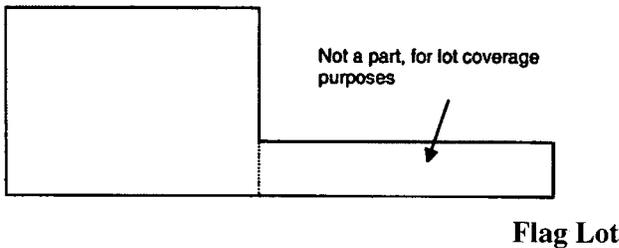
“Indoor recreation facility” means a building or structure in which a sports or recreational use is conducted. Such uses include a bowling alley, skating rink, health club, racket club and theater but do not include arcades. (Ord. 1007 § 2 (part), 1993; Ord. 911 § 12 (part), 1990)

18.08.330 Kitchen.

“Kitchen” means any room or space used, or intended or designed to be used for cooking or the preparation of food. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 145, 1961)

18.08.335 Lot coverage.

Lot coverage shall be calculated including all covered structures (dwellings, attached and detached garages, shops, sheds, porches, greenhouses, etc.) that require building permits, including lattice and other patio covers. Lot coverage does not include eaves that project two feet or less from building. Lot coverage is determined by the amount of coverage on the lot divided by the lot size, except for flag lots where the pole is not considered as part of the lot size when determining lot coverage (see illustration).



(Ord. 1144 § 4, 2004)

18.08.340 Lot, nonconforming.

“Nonconforming lot” means any lot having a minimum square footage of not less than six thousand five hundred square feet, and which was legally created prior to the effective date of the ordinance codified in this section, but which does not conform to the lot area and lot width standards for the zone within which the lot is located. Such lot may be developed for such uses and be subject to the same development standards as apply to the remainder of the properties in the zone; except that no animal uses may be permitted on the property unless the lot contains the square footage for such animal uses as required by the development standards. (Ord. 1109 § 1, 1999; Ord. 1007 § 2 (part), 1993; Ord. 591 § 1, 1977; Ord. 37 § 146.5, 1961)

18.08.350 Lot, through.

“Through lot” means a lot having frontage on two parallel or approximately parallel highways. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 146, 1961)

18.08.360 Major highway.

“Major highway” means a major highway as shown on the master plan of highways of the county. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 147, 1961)

18.08.370 Manufactured housing.

“Manufactured housing” means and includes “manufactured housing,” “mobile homes” and “factory-built housing” as such terms are defined in Division 13, Part 2.1, Chapter 1 and Division 13, Part 6, Chapter 2 of the Health and Safety Code. The term “manufactured housing” shall not include “commercial coaches,” “recreational vehicles,” or “travel trailers” as such are defined in Division 13, Part 2.1, Chapter 1 of the Health and Safety Code of the state. (Ord. 1007 § 2 (part), 1993; Ord. 747 § 3, 1981; Ord. 37 § 147.1, 1961)

18.08.372 Massage.

“Massage” shall mean and include any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, manipulation, or stimulating the external parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances, with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or similar preparations. “Massage” shall further include any bath, facial massage, fomentations, massage, electric or magnetic treatment, acupressure, shiatsu, alcohol rub, and Russian, Swedish or Turkish baths. Any change to this definition will change the definition of massage in Chapter 5.08. (Ord. 1185 § 3, 2008)

18.08.380 Motel.

“Motel” means a group of attached or detached buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage attached or automobile storage space conveniently located on the lot or parcel of land and which is designed, used or intended to be used wholly or in part for the accommodation of automobile transients. Motels include auto courts, motor lodges and tourist courts. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 149, 1961)

18.08.390 Natural catastrophe.

For the purposes of this title, “natural catastrophe” means damage or destruction to structural improvements and property occurring from fire, earthquake, flood or other act of God. A natural catastrophe shall not include destruction or damage incurred by demolition or other intentional act. (Ord. 1007 § 2 (part), 1993)

18.08.400 Oath.

“Oath” includes affirmation.
(Ord. 1007 § 2 (part), 1993; Ord. 37 § 150, 1961)

18.08.410 Ordinance.

“Ordinance” means an ordinance of the city.
(Ord. 1007 § 2 (part), 1993; Ord. 37 § 151, 1961)

18.08.420 Outdoor advertising.

A. “Outdoor advertising” means any card, cloth, paper, metal, painted or wooden sign of any character placed for outdoor advertising purposes on or to the ground or any tree, wall, bush, rock, fence, building, structure, advertising structure as defined in Section 5202 of the Business and Professions Code of the state, or thing, either privately or publicly owned.

- B. "Outdoor advertising" does not include:
1. Official notices issued by any court or public body or officer;
 2. Notices posted by any public officer in performance of a public duty or by any person in giving any legal notice;
 3. Directional, warning or informational signs or structures required by or authorized by law, or by federal, state, county or city authority;
 4. The tree, wall, bush, rock, fence, building, structure or thing upon which the sign is placed, other than the advertising structure as defined in Section 5202 of the Business and Professions Code;
 5. Temporary, unlighted, single or double-faced signs, not exceeding four square feet in area per face and not less than one thousand feet apart (except that every owner of property may have at least one such sign), advertising the sale, lease, trade or hire of the premises upon which such sign is placed. Such signs may be used within the front or side yard setbacks if not less than ten feet from the actual highway property line. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 152, 1961)

18.08.430 Parcel of land.

"Parcel of land" means a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same claimant or person. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 153, 1961)

18.08.440 Person.

"Person" means any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this and any other county, city and municipality, district or other political subdivision, or any other group or combination acting as a unit, other than the city. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 154, 1961)

18.08.450 Pest control operator.

"Pest control operator" means a person who engages in the business of eradicating or controlling any pest which is or is liable to be dangerous or detrimental to agriculture by the application of any substance, method or device, or who engages in the business of preventing, destroying, repelling, mitigating or correcting any disorder of plants by the same means, or both. "Pest control operator" does not include a person engaged in the business of termite eradication or control. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 155, 1961)

18.08.460 Private club.

"Private club" means an association of persons, whether incorporated or unincorporated, organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 156, 1961)

18.08.470 Recreation room.

"Recreation room" means any room in a building or accessory building, designed to be used primarily for games, the pursuit of hobbies, social gatherings and similar activities. A recreation room may not be designed, built, rented, leased, used or occupied as living quarters. (Ord. 1007 § 2 (part), 1993; Ord. 659 § 2 (part), 1979; Ord. 37 § 157, 1961)

18.08.480 Residence.

"Residence" means a building designed as living quarters for persons doing their own cooking in such building, which either complies with, or was erected before the effective date of the

requirements for group 1 occupancies in the city building code, entitled "An Ordinance adopting a building code to regulate the construction, erection, enlargement, razing, alteration, repairing, removal, maintenance, moving, use and height of buildings or structures in the unincorporated territory of the County of Los Angeles," adopted March 20, 1933. "Residence" does not include a trailer or an apartment house. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 158, 1961)

18.08.490 Room.

"Room" means an unsubdivided portion of the interior of a building excluding bathrooms, kitchens, closets, hallways and service porches. (Ord. 1007 § 2 (part), 1993; Ord. 659 § 3, 1979; Ord. 37 § 159, 1961)

18.08.500 Secondary highway.

"Secondary highway" means a secondary highway as shown on the master plan of highways of the county. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 160, 1961)

18.08.510 Section.

"Section" means a section of the ordinance codified in this title unless some other ordinance or statute is mentioned. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 161, 1961)

18.08.520 Stand.

"Stand" means a structure for the display and sale of products with no space for customers within the structure itself. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 163, 1961)

18.08.530 Structure.

"Structure" means anything constructed or built, any edifice or building of any kind, or any piece of work artificially built or composed of parts joined together in some definite manner, which is located on the ground or is attached to something located on the ground. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 163.3, 1961)

18.08.535 Supportive Housing.

"Supportive Housing" means housing with no limit on length of stay, that is occupied by the target population and that is linked to onsite or offsite services that assist the supportive housing resident in retaining housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

18.08.537 Target Population for Supportive and Transitional Housing.

"Target Population for Supportive and Transitional Housing" means adults with low-income having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided under the Lanterman Development Disabilities Services Act (Division 4.5 ((commencing with Section 4500)) of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals existing from institutional settings, veterans, or homeless people.

18.08.538 Transitional Housing.

"Transitional housing and transitional housing development" mean rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

18.08.540 Use.

“Use” means and includes construction, establishment, maintenance, alteration, moving onto, enlargement and occupation. Wherever this chapter prohibits the “use” of any premises for any purpose, such premises and any building, structure or improvement on such premises shall not be used, occupied, altered or improved for such purpose, and no building, structure or improvement on such premises shall be erected, constructed, established, maintained, allowed to remain, altered, moved onto, or enlarged which is designed, arranged or intended to be occupied or used for such purpose. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 164, 1961)

18.08.544 Vehicular and equipment rental facility.

“Vehicular and equipment rental facility” means a use or place of business where small or medium sized vehicles, light duty construction equipment and miscellaneous supplies are available for rent, generally for “do-it-yourself” use by homeowners and small businesses. Small or medium sized vehicles includes automobiles, light and medium duty trucks and vans not to exceed twenty-six feet in length. Light duty construction equipment includes trailers not exceeding twenty-six feet in length, dollies, small tractors not exceeding one hundred horsepower, forklifts less than five thousand pounds, concrete mixers, tillers, trenchers, mowers, grinders, lawn rollers, and similar equipment. (Ord. 1032 § 1, 1995)

18.08.550 Waste disposal facility.

“Waste disposal facility” means any dump, transfer station, land reclamation project, incinerator except household incinerators and wood refuse to be burned in a suitable furnace, or other similar site or facility which is used or intended to be used for the transfer, salvage or disposal of rubbish, garbage or industrial waste. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 165, 1961)

18.08.560 Writing.

“Writing” means and includes any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this title, it shall be made in writing in the English language unless it is expressly provided otherwise. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 166, 1961)

18.08.565 Year Round Emergency Shelters.

“Year Round Emergency Shelters” means any program that provides overnight shelter, two meals and case management services to homeless persons throughout the year. Shelter is provided free of charge. Although there is no predetermined set time limit on residence in the year round program, providers are encouraged to utilize a 90-day time frame in which to place clients into appropriate long-term housing. The ultimate goal of the program is to enable clients to move into long-term housing programs including permanent housing.

18.08.570 Youth hostel.

“Youth hostel” means a shelter for the use of pedestrian or bicycle travelers, not serving meals, under the auspices of a nonprofit organization. (Ord. 1007 § 2 (part), 1993; Ord. 37 § 167, 1961)

EXHIBIT "B"

* Text changes are in blue and underlined.

Chapter 18.42

MULTIPLE-FAMILY (MF) ZONE

Sections:

- 18.42.010 Purpose.**
- 18.42.020 Uses permitted.**
- 18.42.030 Uses permitted by conditional use permit.**
- 18.42.040 Density.**
- 18.42.050 Property development standards.**
- 18.42.060 Development plan approval.**

18.42.010 Purpose.

The purpose of the MF zone is to provide for the development of medium and high density multiple-family projects, to ensure that such development is compatible with contiguous uses, to encourage well-planned neighborhoods through creative and imaginative site planning and to ensure integrated design and unified control of design. (Ord. 965 § 2 (part), 1992)

18.42.020 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. All uses shall be subject to the property development standards set forth in this chapter.

- A. Primary Uses.
 - 1. Single-family dwelling, when located on lots which comply with the minimum lot area requirements of the SF-7500 zone.
- B. Incidental Uses.
 - 1. Home occupations.
 - 2. Household pets, provided that not more than three such pets or any combination thereof may be kept. (Ord. 965 § 2 (part), 1992)

18.42.030 Uses permitted by conditional use permit.

The following uses shall be permitted pursuant to the provisions of Chapter 18.200:

- A. Apartments, condominiums, townhouses and similar multiple-family developments.
- B. Churches.
 - 1. Day care centers, day nurseries, and nursery schools as an accessory use only.
- C. Convents.
- D. Rectories.
- E. Public utility substations.

F. Senior citizen housing projects, subject to the standards of Chapter 18.151, except where a conflict exists, then the more restrictive standard applies. (Ord. 965 § 2 (part), 1992)

G. Transitional and Supportive Housing

18.42.040 Density.

The following density standards shall apply to all land and buildings in the MF zone:

A. Method of Designation. A number specifying the maximum permitted number of dwelling units per net acre in the MF zone shall be appended to the base zoning district on the official zoning map to designate the density. (Example: a multiple-family zone allowing fourteen units per net acre would show on the official zoning map as MF (14).)

B. Density Bonus. A density bonus not to exceed twenty-five percent over the otherwise allowable maximum residential density may be allowed with the approval of a conditional use permit pursuant to Chapter 18.200. Such density bonus shall only be approved upon a finding that it will facilitate the establishment of affordable dwelling units or senior citizen housing within the development pursuant to the city general plan, the city zoning code, and California Government Code Section 65915 et seq. (Ord. 965 § 2 (part), 1992)

18.42.050 Property development standards.

The following property development standards shall apply to all land and buildings in the MF zone:

A. Site Area. There is no minimum site area, except as set forth for single-family dwellings in Section 18.42.020.

B. Ground Coverage. Maximum ground coverage shall not exceed sixty percent of the total lot or parcel area. All land covered by residential structures, parking facilities, including paved areas used for parking and vehicular access, shall be considered when computing ground coverage. Deckways, patios, patio and recreation structures and facilities shall be excluded.

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:

a. Building height may be increased to thirty-five feet and/or three stories with the approval of a conditional use permit pursuant to Chapter 18.200 when each of the following findings is made:

i. The building setback from adjacent single-family residential zones and public streets is increased to be at least equal to the building height;

ii. The architectural and site design of the project is enhanced by allowing the additional height;

iii. A sloping or pitched roof design, rather than a flat roof design, is used;

iv. The appearance of height and associated mass and bulk is mitigated by appropriate building and site design features.

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 projection shall be harmonious in design with the building or structure and with the surrounding neighborhood. Such increase in height shall be approved by the development plan review board in accordance with Chapter 18.12.

2. Where a building or structure is erected on sloping terrain having a gradient of twenty-five percent or greater, the height of the building or structure shall be measured from the highest adjoining ground surface level at the base of the building or structure.

D. Yards.

1. Front. There shall be a front yard setback having an average depth of twenty-five feet with a minimum depth of fifteen feet extending across the full width of the lot or parcel.

2. Side. Side yard setbacks shall be as follows:

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- a. When multifamily structure is adjacent to properties zoned for single-family use: twenty feet for single story and thirty feet for two or more stories.
 - b. When multifamily structure is not adjacent to properties zoned for single-family use: twenty feet.
 - c. When recreational vehicle parking is provided in a side yard: thirty feet.
 - d. When side yard is contiguous to a public street: twenty-five feet.
 - e. In all cases, there shall be a minimum of ten feet of landscaped setback adjacent to side property lines which shall be free from all structures, driveways, parking, trash enclosures and similar facilities. This may be reduced to five feet with the approval of a conditional use permit.
3. Rear. The minimum rear yard shall be twenty feet. Vehicular access, open parking or storage for recreational vehicles may be provided within a rear yard and, in such event, the setback shall be thirty feet; ten feet of such yard nearest the property line shall be landscaped. Said ten feet may be reduced to not less than five feet with the approval of a conditional use permit.
- E. Projections into Rear or Side Yards.
1. Garages or carports may be located on side or rear property lines except when the yard is contiguous to a single-family residential zone or adjacent to a street.
 2. Eaves, balconies, patio roofs and exterior stairways may project not more than fifty percent into the required yard.
 3. Fireplaces may project not more than twenty-four inches.
- F. Distance Between Buildings. The minimum distance between buildings shall be as follows:
1. Front to Front: thirty feet.
 2. Front to Side/Rear: twenty feet.
 3. Other: fifteen feet.
- For the purpose of this section, "front" means that wall which contains the primary entry to the unit.
- G. Floor Area of Dwelling Units.
1. The minimum floor area per dwelling unit for apartment, transitional, supportive housing and other types of rental housing shall be:
 - a. Units with no bedrooms: four hundred fifty square feet.
 - b. Units with one bedroom: six hundred fifty square feet.
 - c. Units with two bedrooms: Eight hundred fifty square feet.
 - d. Units with three bedrooms or more, additional area for each bedroom exceeding two: two hundred fifty square feet.
 2. The minimum floor area per dwelling unit for condominiums and other types of ownership housing shall be:
 - a. Units with no bedrooms: not permitted.
 - b. Units with one bedroom: eight hundred square feet.
 - c. Units with two bedrooms: one thousand square feet.
 - d. Units with three bedrooms or more, additional area for each bedroom exceeding two: two hundred fifty square feet.
 3. Senior citizen housing developments shall comply with the standards set forth in Section 18.151.090.
- H. Open Green Areas. A minimum of thirty percent of the total lot or parcel area shall be maintained as usable open green areas.
1. Open green areas shall be conveniently located and easily accessible from all dwelling units.
 2. Open green areas may include swimming pools, putting greens, court game facilities, playground areas and recreational buildings, provided that such buildings do not exceed more than six percent of the required open green area.
 - a. Accessory billiard use as defined by Section 10.08.007 of this title, in conjunction with a community recreation building or facility.

3. When a development includes one or more units containing more than two bedrooms, a portion of the open green area required by this chapter shall be improved with playground equipment intended specifically for use by children. The size, location and design of said area shall be established in conjunction with the project approval.

4. Open green areas shall not include streets, vehicle parking areas or accessways; distance between buildings of less than ten feet, or required yard setbacks, except that side and/or rear yard setbacks may be included with the approval of a conditional use permit when the following findings are made:

- a. The side and/or rear yards are designed to create usable open green areas.
- b. The overall site design is enhanced by allowing the use of the setbacks as open green areas.

I. Utilities

1. All utility services shall be installed underground.

2. For condominiums and other multiple-family projects with individual ownership, each unit shall have individual water, sewer and utility connections and each utility that is consumed within the unit shall be separately metered and/or have a separate lateral, as appropriate.

J. Landscaping. All required yards, spaces between buildings, and open green areas shall be landscaped pursuant to an approved landscape plan prepared by a landscape architect. Landscaping shall be maintained by an electric remote control automatic sprinkler system and kept weeded and disease-free.

K. Refuse Storage. All outdoor trash, garbage and refuse storage shall be screened on all sides from view by a minimum six-foot-high decorative concrete block or masonry wall and the opening provided with a durable wood or metal gate. The inside dimensions of such enclosure shall be eight feet by ten feet. They shall be provided with hose bibs for maintenance and shall be of adequate number and be conveniently located for all units. Additional requirements to accommodate recycling facilities may be required.

L. Building Length. No building shall exceed a length of one hundred fifty feet.

M. Lighting. All lighting of the buildings, landscape areas and storage areas shall be placed so as to not reflect onto adjoining properties. When necessary, a detailed lighting plan may be required.

N. Mechanical Equipment. All ground mechanical equipment shall be screened behind a permanent structure. All rooftop mechanical equipment shall be completely screened by architectural components integral to the design of the building.

O. Off-Street Parking. The provisions of Chapter 18.156 shall apply.

P. Signs. The provisions of Chapter 18.152 shall apply.

Q. Laundry Facilities. When laundry facilities are not provided in each unit, such facilities shall be provided within a totally enclosed permanent building, convenient to all units, and provided with automatic washers and dryers.

R. Fences and Walls.

1. Required. Where an MF zone abuts a single-family residential zone, there shall be a decorative masonry wall not less than six feet in height erected along and adjacent to the property line, except that such wall shall be reduced to not more than forty-two inches in height, or may be eliminated, in any required yard abutting a street.

2. Permitted. Fences, walls and retaining walls not greater than six feet in height shall be permitted on or within all rear and side property lines on interior lots and corner lots when abutting a street, on or to the rear of all front setback lines. (Ord. 1072 § 7, 1997; Ord. 995 § 1, 1993; Ord. 965 § 2 (part), 1992)

18.42.060 Development plan approval.

Before any building or structure is erected in this zone, a development plan shall have been submitted and approved in accordance with the provisions of Chapter 18.12. (Ord. 965 § 2 (part), 1992)

EXHIBIT "C"

* Text changes are in blue and underlined.

Chapter 18.132

PS PUBLIC/SEMIPUBLIC ZONE

Sections:

- 18.132.010 Purpose.**
- 18.132.020 Permitted uses.**
- 18.132.030 Conditional uses.**
- 18.132.040 Joint uses.**
- 18.132.050 Development standards.**
- 18.132.060 Plan review.**
- 18.132.070 Appeals.**

18.132.010 Purpose.

The purposes of the public/semi-public zone are to:

- A. Provide notice to all of the extent of a site approved for a public or semipublic use by delineating it on the zoning map;
- B. Retain and preserve public and semipublic areas needed for the growth and general welfare of the city as a whole;
- C. Allow for joint use and joint development opportunities between public, semipublic and private uses. (Ord. 1068 § 1 (part), 1997)

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 in Section 18.192.040 of this title. The determination of the director may be appealed to the development plan review board and thereafter the city council 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.

- B. Specifically.
 - 1. Public uses, including government agencies, libraries, post offices, fire stations, public safety facilities, museums, civic centers, community centers, and similar local, state or federal uses;
 - 2. Governmental research facilities;
 - 3. Governmental maintenance yards;
 - 4. Utility offices;
 - 5. Utility structures, substations, and distribution facilities provided all equipment and appurtenances are within an enclosed structure or screened from view;
 - 6. Water reservoirs and tanks;
 - 7. Parking facilities;

8. Wholesale nurseries, orchards, and the raising of field crops;
9. Parks and open space;
10. Wireless communication facilities pursuant to Chapter 18.150 of this title; ;
11. Accessory massage permitted with the following primary businesses: medical doctor's office and similar uses; ; (Ord. 1185 § 9, 2008; Ord. 1068 § 1 (part), 1997)
12. Emergency Shelter subject to the following provisions:
 - a. **Maximum Density.** The maximum number of beds/persons is 12;
 - b. **Parking.** Parking shall meet the requirements of Chapter 18.156 of the San Dimas Municipal Code;
 - c. **Waiting / In-Take Area.** The shelter may have a waiting and intake area no larger than 100 square feet combined;
 - d. **On-Site Manager.** The shelter must have a least one on-site manager at all times during hours of operation;
 - e. **Distance Requirements.** The distance between emergency shelters shall be a minimum of 300 feet. No emergency shelter shall be located within 300 feet of any public park and/or school;
 - f. **Security.** The emergency shelter shall provide a security plan that ensures the safety of the residents, visitors and employees. The plan shall be reviewed by the Director of Development Services and shall include, but is not limited to, the following:
 - i. Color, security surveillance system with recording capability;
 - ii. On-site security guard(s), the number of security guards shall be based on the following ratio of one guard for every ten patrons;
 - iii. Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and meets the requirements of Chapter 18.156.080(D)(11) of the San Dimas Municipal Code;
 - g. **Length of Stay.** Emergency shelter shall only be provided for a time period of six months for any individual resident;
 - h. **Laundry facility.** The shelter shall provide laundry facilities or services adequate for the number of residents;
 - i. **Outdoor Activities.** Any emergency shelter adjacent to a residential use shall limit outdoor activities to the following hours: 8:00 a.m. to 9:00 p.m. Monday through Sunday;
 - j. **Pay Phone.** There shall not be any outdoor public telephones on the site nor along the public right of way in front of the facility;
 - k. **Signage.** No signs are permitted on the property relating to its use as a shelter for the homeless;
 - l. **Toilets.** No outdoor toilets are allowed on the site unless during construction or a special event;
 - m. **Shelter Provider.** The agency or organization operating the emergency shelter shall comply with the following requirements:
 - i. Staff and services shall be provided to assist residents to obtain permanent shelter and income;
 - ii. A written management plan including, as applicable, provision for staff training, neighborhood outreach, security, screening of residents to insure compatibility with services provided at the facility, and for training, counseling, and treatment outreach programs for residents;
13. Year-Round Emergency Shelter subject to the following provisions:

Year-round emergency shelters shall comply with the same provisions of Emergency Shelters 18.132.020(B)(12) with the exceptions of length of stay for residents which is not limited to any number of days.

18.132.030 Conditional uses.

The following uses may be permitted provided a conditional use permit is first obtained pursuant to the provisions of Chapter 18.200 of this title:

- A. Medical, dental, and health services;

- B. Professional offices;
- C. General research facilities;
- D. Educational institutions;
- E. Vocational schools;
- F. Community care facilities, including resident schools;
- G. Church and related facilities;
- H. Child care centers;
- I. Hospitals;
- J. Animal hospitals and veterinary facilities;
- K. Utility structures, substations, and distribution facilities where equipment and appurtenances are not within an enclosed structure or screened from view. (Ord. 1068 § 1 (part), 1997)

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 development plan review board and thereafter the city council pursuant to Chapter 18.212 of this title.

- 1. Accessory and incidental retail, food service, or child care services related to the primary use, such as a school bookstore, hospital gift shop, cafeteria, or employer-provided child care;
- 2. Accessory storage facilities, including barns or greenhouses, in which the primary use may be either on-site or off-site;
- 3. Programs or fund-raising events, either on a temporary or regular basis;
- 4. Use of facilities for meetings or classes unrelated to the primary use;
- 5. Use of facilities by recreational clubs, leagues, or organizations;
- 6. Parking agreements;
- 7. Temporary uses pursuant to Chapter 18.196 of this title.

B. In approving a joint use, the director of community development shall make the following findings:

- 1. The proposed joint use is a secondary and minor use of the facility;
- 2. The proposed joint use shall not conflict with or impede the operational needs and/or orderly development of the primary use;
- 3. The proposed joint use is compatible with the various provisions of the municipal code, including parking, noise, signs, and business licenses;
- 4. The proposed joint use is a reasonable use of land consistent with the general plan land use designation and zoning classification. (Ord. 1068 § 1 (part), 1997)

18.132.050 Development standards.

A. Development standards shall be determined and approved at the time of development plan review; provided, that if the development plan fails to address a development standard(s), the standards set forth in the administrative professional zone shall apply.

B. An approved development plan may be amended subject to the review procedure as set forth in Section 18.132.060 of this chapter. (Ord. 1068 § 1 (part), 1997)

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 development plan review board in accordance with the provisions of Chapter 18.12 of this title. (Ord. 1068 § 1 (part), 1997)

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 any aggrieved party pursuant to the provisions of Chapter 18.212 of this title. (Ord. 1068 § 1 (part), 1997)

EXHIBIT "D"

* Text changes are in blue and underlined.

Chapter 18.156

VEHICLE PARKING AND STORAGE

Sections:

- 18.156.010 Purpose and intent.
- 18.156.020 Applicability of requirements.
- 18.156.030 Definitions.
- 18.156.040 General requirements.
- 18.156.050 Automobile parking spaces required.
- 18.156.060 Bicycle and motorcycle parking spaces required.
- 18.156.070 Loading spaces required.
- 18.156.080 Parking design requirements.
- 18.156.090 Transportation demand management standards.
- 18.156.100 Vehicle storage in single-family residential zones.
- 18.156.110 Shared parking.
- 18.156.120 Off-site parking.
- 18.156.130 Valet parking.
- 18.156.140 Parking structures.
- 18.156.150 Waiver of parking requirements.

18.156.010 Purpose and intent.

The regulations contained in this chapter are established so that parking facilities are designed to be of appropriate quality; useful to the community; provide for the parking needs of the community; provide adequate public safety; mitigate, as much as possible, impacts on surrounding properties; and to reduce, as much as possible, the demand for parking by encouraging car pooling, van pooling and similar means to reduce congestion locally.

It is the intent of this chapter to encourage proper parking, loading, circulation, storage of vehicles, and transportation demand management throughout the community. (Ord. 996 § 5, 1993)

18.156.020 Applicability of requirements.

Parking facilities, pursuant to this chapter, shall be provided for any building constructed or enlarged or for any change in use of an existing building where such use intensifies the required number of spaces. (Ord. 996 § 5, 1993)

18.156.030 Definitions.

As used in this chapter:

"Administrative offices" means an office use in which the primary use is management and administrative functions for a specific business or where such operations are performed centrally for other establishments. Administrative offices include, but are not limited to, accountants, advertising agencies,

appraisers, architects, attorneys, business and management consultants, designers, economists, engineers, geologists, interior designers, landscape architects, planners, public relations consultants, surveyors and similar uses. Administrative offices do not include medical offices, dental offices, veterinary offices and medical clinics.

“Alternative transportation” means the use of modes of transportation other than the single passenger motor vehicle, including but not limited to car pools, van pools, bus pools, public transit, walking and bicycling.

“Bus pool” means a vehicle carrying sixteen or more passengers commuting on a regular basis to and from work with a fixed route, according to a fixed schedule.

“Car pool” means a vehicle carrying two to six persons commuting together to and from work on a regular basis.

“California Environmental Quality Act (CEQA)” means a statute that requires all jurisdictions in the state of California to evaluate the extent of environmental degradation posed by proposed development.

“Commercial vehicle” means a vehicle of a type required to be registered under the Vehicle Code used or maintained for the transportation of persons for hire, compensation or profit, or designed, used or maintained primarily for the transportation of property, including, but not limited to, vehicles which have signs, racks, tools, equipment or other visible physical manifestations which indicates that the vehicles are used in connection with a business.

“Employee parking area” means the portion of total required parking at a development used by on-site employees. Unless specified in the city/county zoning/building code, employee parking shall be calculated as follows:

Type of Use	Percent of Total Required Parking Devoted to Employees
Commercial	30 percent
Office/professional	85 percent
Industrial/manufacturing	90 percent

“Fast food establishment” means an establishment whose principal business is the sale of preprepared food and rapidly prepared food where orders are not taken at individual tables and food is intended for consumption either on-site or off-site.

“Floor area” means the total gross floor area of a building or specific outside area, including all area within the building.

“Major shopping center” means a single uniformly planned and developed project with a minimum total land area of twenty acres and a minimum of two major tenants within the project occupying at least twenty thousand square feet each.

“Preferential parking” means parking spaces designated or assigned, through use of a sign or painted space markings for car pool and van pool vehicles carrying commuter passengers on a regular basis that are provided in a location more convenient to a place of employment than parking spaces provided for single-occupant vehicles.

“Property owner” means the legal owner of a development who serves as the lessor to a tenant. The property owner shall be responsible for complying with the provisions of this chapter either directly or by delegating such responsibility as appropriate to a tenant and/or his agent.

“Shared parking” may also be referred to as “joint use parking” and means the common use of a parking space or facility by more than one user which is required to provide off-street parking, where because of various criteria, such as staggered operating hours, the combined amount of parking required for the users is less than the amount of parking spaces separately required.

“South Coast Air Quality Management District (SCAQMD)” means the regional authority appointed by the California State Legislature to meet federal standards and otherwise improve air quality in

the South Coast Air Basin (the nondesert portions of Los Angeles, Orange, Riverside and San Bernardino Counties).

“Tenant” means the lessee of facility space at an applicable development project.

“Transportation Demand Management (TDM)” means the alteration of travel behavior, usually on the part of commuters, through programs of incentives, services and policies. TDM addresses alternatives to single occupant vehicles such as car pooling and van pooling, and changes in work schedules that move trips out of the peak period or eliminate them altogether (as in the case in telecommuting or compressed work weeks).

“Trip reduction” means reduction in the number of work-related trips made by single occupant vehicles.

“Van pool” means a vehicle carrying seven or more persons commuting together to and from work on a regular basis, usually in a vehicle with a seating arrangement designed to carry seven to fifteen adult passengers, and on a prepaid subscription basis.

“Vehicle” means any motorized form of transportation, including but not limited to automobiles, vans, buses and motorcycles. (Ord. 996 § 5, 1993)

18.156.040 General requirements.

A. Fractions. If the result of calculating the number of parking spaces required is a fraction of a parking space, one additional space shall be required if the fraction is equal to or greater than one-half of a space. However, in no case shall fewer than one space be required for a use.

B. Location of Spaces. All required parking spaces shall be located on-site, unless an off-site parking agreement is approved. On-street parking on both public and private streets shall not be used to meet the overall parking requirements listed in this chapter.

C. Timing. Parking spaces constructed or substantially reconstructed subsequent to the effective date of this chapter shall be subject to all applicable design standards set forth in this chapter.

D. Nonconforming Uses. A use which is nonconforming solely by reason of this chapter shall be permitted to perform any work upon its buildings or structures or change its uses, if such work or change in use does not result in an increase in the off-street parking requirements from that of the previous use. If the work or change in use results in an increase of off-street parking requirements, then compliance with this chapter shall be required for such work or change in use.

E. Space Requirements Not Listed. Space requirements for uses which are not listed in this chapter shall be determined by the approval body for the proposed use. All uses which fall into this category shall be required to provide a parking study which addresses the parking needs for the use in question, prepared by a registered traffic engineer or approved alternative, to the satisfaction of the director of community development.

F. Elimination or Reduction of Parking Spaces Prohibited. No required off-street parking space shall be eliminated or reduced and no required garage or carport facility shall be eliminated, reduced or converted to any other use. Any such facility shall be fully replaced prior to or at the same time as the issuance of a building permit to eliminate or convert a required facility.

G. Parking Requirements for Mixed Occupancies. In the case of mixed occupancies, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as specified in this chapter for shared parking as regulated by Section 18.156.110.

H. Applicability of Requirements for Existing Single Family Residences. Parking required as stated in Section 18.156.050(C)(1) shall not apply when the director of community development finds that:

1. The single-family residence complied with the parking requirements in effect at the time of construction;

2. The parking currently exists as originally provided and continues to be usable for that purpose; and
3. There has been no more than five hundred square feet of total livable square footage added to the residence since the time of construction of the residence. (Ord. 996 § 5, 1993)

18.156.050 Automobile parking spaces required.

Use	Minimum Off-Street Parking Required
A. Recreational Commercial Uses.	
1. Bowling alley	Three spaces per alley, plus spaces for any restaurant, bar, commercial or other use associated with the bowling alley.
2. Ice rink	Six spaces per 1,000 square feet of floor area
3. Fitness center	Five spaces per 1,000 square feet of floor area, plus four spaces per 1,000 square feet for exterior swimming areas, plus required spaces for other uses associated with the primary use
4. Golf course	Five spaces per hole, plus required parking for other uses on-site
5. Driving Range	One space per tee
6. Miniature golf center	Three spaces per hole
7. Equestrian stables	One space for each five horses boarded, plus required parking for other uses on-site
8. Movie theaters	One space for every three seats for complexes up to 800 seats; one space for every five seats for complexes in excess of 800 seats
9. Tennis and racquetball courts and similar facilities	Two spaces per court
10. Billiard parlor	Two spaces per table
B. Institutional Uses.	
1. Churches	One space for each three seats, plus required parking for other uses on-site, such as day care centers, schools and assembly area
2. Hospital	Two spaces per bed
3. Library	One space per 300 square feet of floor area
4. Mortuaries and funeral homes	One space for each 40 square feet of assembly rooms, plus one for each vehicle owned by establishment
5. Convalescent and nursing homes	One space per four beds based on maximum resident capacity

C. Residential Uses.

1. Single-family residences, including Transitional and Support Housing when designed as a single-family residence

Two garage spaces per unit

2. Second units

One covered space per unit, plus one additional covered or noncovered space if more than one bedroom is provided

3. Duplexes

Two garage spaces per unit

4. Apartments

Two covered spaces per unit, plus one noncovered space for each additional bedroom beyond two bedrooms per unit, plus one noncovered guest space for every three units.

5. Condominiums, townhomes and other similar complexes

Two garage spaces per unit, plus one noncovered space for each additional bedroom beyond two bedrooms per unit, plus one guest space for each three units

6. Senior citizen housing

One covered space per unit and one noncovered space per unit. All spaces shall be marked with the appropriate unit number and shall be within 100 feet of the unit they will serve

7. Mobile homes

Two spaces adjoining each mobile home unit, plus one space for every four units for guest parking

8. Fraternities, sororities, lodging houses, rooming houses, hostels and similar uses

One space for each sleeping room or one space for every two beds, whichever is greater

9. Emergency Shelters and Year-Round Emergency Shelters.

One space for every five residents in addition to one space for every employee on the maximum shift. Shelters within 1,000 feet of public transportation may reduce the overall parking requirement by 25 percent.

10. Transitional and Support Housing when designed as apartments

0.5 space per bedroom plus 1 guest space per 5 units.

D. Commercial Uses.

1. Hotels and motels

One space per room for projects up to 100 guest rooms, plus required spaces for other uses associated with the primary use. For projects over 100 rooms, parking shall be determined by the conditional use permit process and based on a parking study, prepared by a registered traffic engineer or approved alternative, provided by the applicant and approved by city

2. Bed and breakfast

One space per bedroom, plus two spaces for the manager

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| 3. Retail uses and service businesses | Minor tenants (individual tenant up to 20,000 square feet in floor area): one space per 225 square feet of floor area
Major tenants (individual tenant over 20,000 square feet in floor area): one space per each 225 square feet of floor area for the first 20,000 square feet; then one space for each 275 square feet for floor area over 20,000 square feet |
| 4. Major shopping center | Four and one-half spaces per 1,000 square feet of total floor area, provided that restaurants do not exceed 20% of total floor area |
| 5. Auto repair facilities | Three parking spaces per repair bay, with a minimum of 12 parking spaces |
| 6. Auto sales | One space for every 800 square feet of floor area of sales area, plus additional required spaces for other uses on-site |
| 7. Service stations | One space for each 400 square feet of floor area, not including service bay area; two spaces for each service bay |
| 8. Service stations when associated with a snack shop or convenience market | One space for each 225 square feet of floor area; however, one space may be reduced if eight or more gasoline pumps are provided. Two spaces shall be provided for each service bay |
| 9. Car wash | Full service: ten spaces or one space for each employee whichever is greater.
Self Service: one space per wash bay. The wash bay may not account for the required space |
| 10. Banks and savings and loans | See administrative office requirements |
| 11. Lumber yards and retail nurseries | One space for each 225 square feet on interior sales area, plus one space for every 1,000 square feet of outdoor sales and storage area |
| 12. Restaurants, cafes, nightclubs, bars and similar uses, excluding fast food restaurants | One space for every 75 square feet of floor area, plus one space for every 25 square feet of dance floor area |
| 13. Fast food restaurants | One space for every 75 square feet of floor area; however, for drive-through facilities, four spaces may be reduced from required total for fast food uses with a minimum of eight queuing spaces |
| 14. Furniture and appliance stores, hardware stores and household equipment shops | One space for each 300 square feet of floor area |
| E. Office Uses. | |
| 1. Administrative offices or complexes with over 15,000 square feet of floor area | One space for each 250 square feet of floor area |

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|--|--|
| 2. Administrative offices or complexes with up to 14,999 square feet of floor area | One space for each 200 square feet of floor area |
| 3. Medical and dental offices, clinics and veterinary offices | One space for each 200 square feet of floor area |

F. Industrial Uses.

- | | |
|--|--|
| 1. Warehouses, storage buildings, manufacturing uses and industrial plants, when the building is occupied by a single user or multiple users where all users exceed 20,000 square feet in floor area | One space for each 500 square feet of floor area up to 15,000 square feet; plus one space for each 2,000 square feet of floor area from 15,001 square feet to 30,000 square feet, plus one space for each 4,000 square feet of floor area for 30,001 square feet and greater |
| 2. Manufacturing uses, when the building is occupied by multiple users where one or more of the users have 20,000 square feet in floor area or less | One space for each 500 square feet of floor area |
| 3. Warehousing uses, when the building is occupied by multiple users where one or more of the users have a floor area of 20,000 square feet in floor area or less | One space for each 1,000 square feet of floor area |
| 4. Office uses accessory to industrial uses | One space for each 250 square feet, when the office use exceeds 10% of the total floor area of the industrial use or 5,000 square feet in total floor area, whichever is less. No additional parking spaces are needed if the office area does not exceed this criteria |
| 5. Research and development | One space for each 250 square feet of floor area |
| 6. Self Storage | One space for each 4,000 square feet of floor area with a minimum of 10 spaces plus, one space for each 250 square feet of office area plus; two covered parking spaces for a caretaker unit |

G. Miscellaneous Uses.

- | | |
|---|--|
| 1. Commercial day care facility | One space for each five children |
| 2. Large family day care facility, six to 12 children | The ability for two cars to be located in a driveway or other paved surface off of the public street |
| 3. Auditoriums, public assembly areas, stadiums and sports arenas | One space for each five fixed seats or one space for each 50 square feet of floor area where there are no fixed seats |
| 4. Elementary and high schools | Elementary: one space for each employee, plus one space for each five seats or forty square feet of public assembly area, whichever is greater
High school: one space for each eight students, plus one for each employee |

- 5. Colleges One space for each three students, plus one for each employee
- 6. Trade, business or private schools One space for each five seats or one space for each 100 square feet of floor area, whichever is greater

(Ord. 1143 §§ 1, 2, 2004; Ord. 996 § 5, 1993)

18.156.060 Bicycle and motorcycle parking spaces required.

- A. Bicycle Parking.
 - 1. Bicycle racks or other secure bicycle parking shall be provided in nonresidential projects based on the following standards:
 - a. A minimum of four spaces for all non-residential projects from twenty-five thousand square feet in floor area up to fifty thousand square feet of floor area, then one additional space for each additional fifty thousand square feet of floor area.
 - b. A bicycle parking facility may be an approved bicycle rack where a user can secure both wheels and the frame of the bicycle or may be a fully enclosed space or locker accessible only to the owner or operator of the bicycle, which protects the bike from inclement weather. Specific facilities and location (e.g., provision of racks, lockers or locked room) shall be to the satisfaction of the director of community development.
- B. Motorcycle Parking.
 - 1. Motorcycle parking shall be provided in nonresidential projects based on the following standards:
 - a. A minimum of two spaces for developments over twenty-five thousand square feet;
 - b. A minimum of four spaces for developments over fifty thousand square feet;
 - c. The minimum size of motorcycle spaces shall be seven feet in width by seven feet in depth.

(Ord. 996 § 5, 1993)

18.156.070 Loading spaces required.

- A. Number of Loading Spaces Required.
 - 1. For industrial uses, the minimum number of loading spaces shall be as follows:

Total Floor Area in Square Feet	Loading Spaces Required
3,000—19,999	1
20,000—49,999	2
50,000 +	3

- 2. For commercial uses, hospitals, institutions and office buildings, the minimum number of loading spaces shall be as follows:

Total Floor Area in Square Feet	Loading Spaces Required
10,000—49,999	1
50,000—99,999	2
100,000 +	3

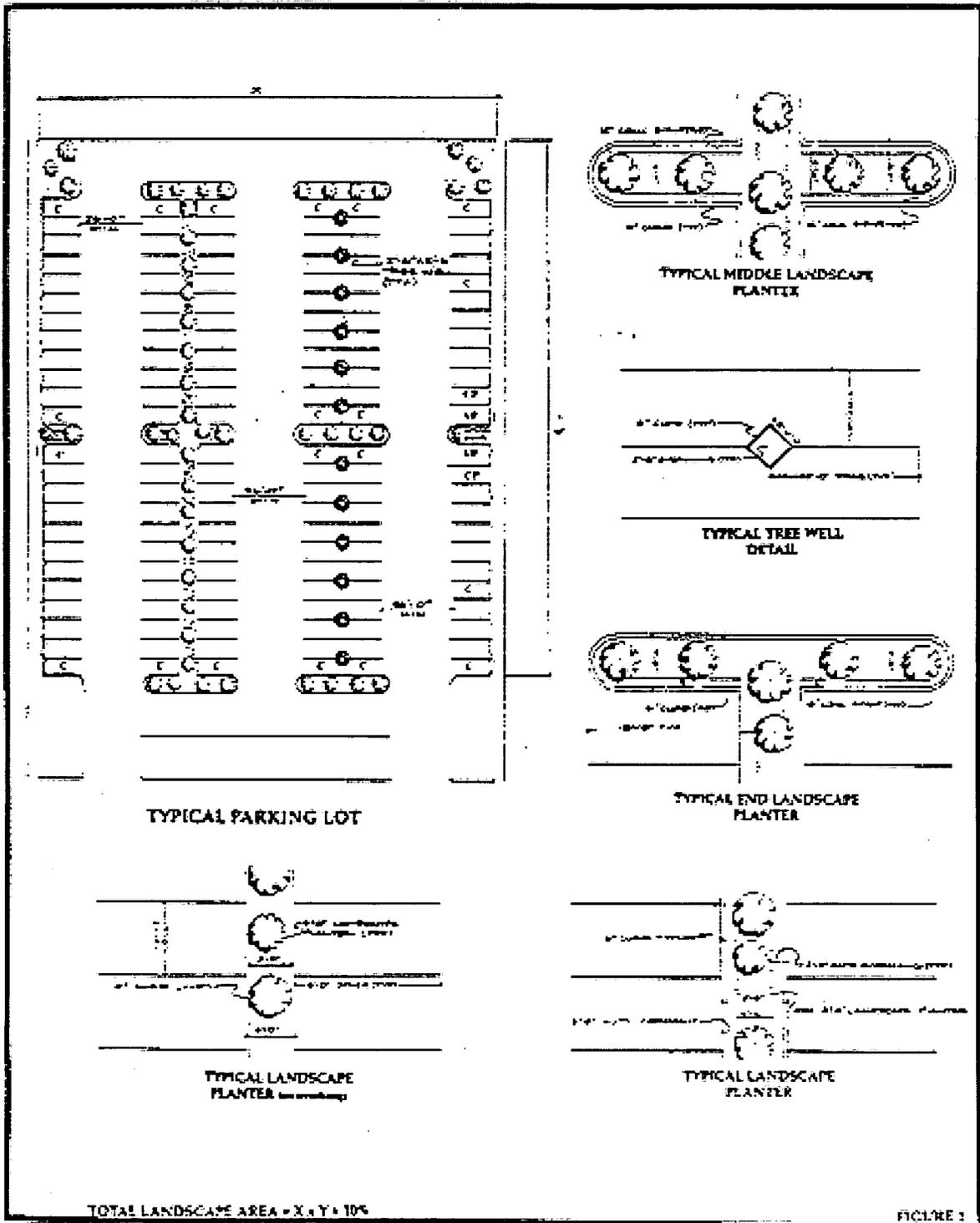
- B. Size of Loading Spaces.
 - 1. The minimum size of loading spaces shall be as follows:

- a. Industrial uses up to nineteen thousand nine hundred ninety-nine square feet in floor area, twelve feet in width by twenty-two feet in depth by fourteen feet in height;
 - b. Industrial uses twenty thousand square feet in floor area and greater, twelve feet in width by forty feet in depth by fourteen feet in height;
 - c. Sizes for loading spaces for commercial uses, hospitals, office buildings and other uses providing loading spaces shall be determined by the final decision making body for the project.
- C. Other Loading Requirements.
1. Loading areas, loading docks and similar facilities shall be located so that all maneuvering area to access the facilities are totally within an off-street parking facility.
 2. Where possible, loading areas, loading docks and similar facilities shall be totally screened from public view, through the use of screen walls, berming, landscaping and similar methods. (Ord. 996 § 5, 1993)

18.156.080 Parking design requirements.

- A. Size of Spaces for Residential Uses.
1. Garage and Covered Spaces. Each covered parking space shall be a minimum of ten feet in width by twenty feet in length of interior clear space.
 2. Noncovered Spaces. Each noncovered parking space shall be a minimum of nine feet in width by eighteen feet in depth.
 3. Compact Spaces. Compact spaces shall not be permitted in residential projects.
 4. Handicapped Spaces. The size of handicapped spaces shall be determined by the California State Accessibility Standards or other applicable state or federal regulations, as interpreted by the building official.
 5. Parallel Spaces. Each parallel parking space provided shall be a minimum of nine feet in width by twenty-two feet in depth.
- B. Size of Spaces for Nonresidential Uses.
1. Full-Sized Spaces. Each full-sized parking space shall be a minimum of nine feet in width by eighteen feet in depth.
 2. Compact Spaces. Each compact parking space shall be a minimum of eight feet in width by sixteen feet in depth. The maximum amount of compact parking spaces in a facility is addressed in subsection (D)(5) of this section.
 3. Car Pool and Van Pool Spaces. Spaces which are specifically allotted for car pool parking shall be a minimum of nine feet in width by sixteen feet in depth. Spaces which are specifically allotted for Van Pool parking shall be a minimum of nine and one-half feet in width by twenty feet in depth.
 4. Handicapped Spaces. The size of handicapped spaces shall be determined by the California State Accessibility Standards or other applicable state or federal requirement, as interpreted by the building official.
 5. Parallel Spaces. Each parallel parking space provided shall be a minimum of nine feet in width by twenty-two feet in depth.
- C. Landscape Requirements. (Also see Figure 1.)
1. A minimum of ten percent of the total off-street parking area shall be landscaped. The parking area shall be determined by adding all parking spaces, drive aisles, access drives and landscape areas. (See Figure 1.)
 2. The minimum dimension of landscape fingers shall be seven feet at the end of a row of parking spaces and eight feet when in the middle of a row of parking. (See Figure 1.)
 3. The minimum dimension of a landscape ribbon shall be five feet of interior clear space when no parking overhangs into planter. When parking overhangs into the planter area on both sides, the minimum dimension shall be eight feet. (See Figure 1.) When parking overhangs on one side of a landscape ribbon, the minimum dimension shall be six feet.

Figure 1



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- 4. No more than twelve spaces shall be located in one row, without being separated by a landscape finger.
- 5. In parking areas, planting areas shall be as evenly distributed as possible throughout the entire area.
- 6. Planting areas shall be protected by six-inch concrete curbs.
- 7. All landscaping shall be maintained by a complete automatic sprinkler system and kept in a weed-free and disease-free state.
- 8. All parking areas shall be screened as much as possible from public rights-of-way with various means of screening such as berms, low-profile walls, shrub plantings and similar screens.

D. General Parking Design Requirements.

- 1. Paving. All noncovered parking facilities shall be paved in asphalt, concrete, approved decorative paving or other impervious surface approved by the city. All covered parking spaces shall be paved with concrete at least four inches thick.
- 2. Drainage. All parking and loading facilities shall be properly graded with appropriate storm drainage facilities. Surfacing, curbing, guttering and other improvements shall be sufficient to preclude the free flow of water onto adjacent properties and public streets and to preclude standing pools of water within the parking facility.
- 3. Aisle Dimensions. The required minimum aisle dimensions shall vary depending on the type of circulation service provided. Aisle dimensions shall be as follows:

Type of Driveway	12 feet	16 feet	18 feet	20 feet	26 feet
i. Single-family residential, up to four storage spaces	X				
ii. Single-family residential, five or more storage spaces		X			
iii. Single-family residential, five or more spaces where driveway is 100 feet or longer in length				X	
iv. Multiple-family and nonresidential projects, one-way driveway	X				
v. Multiple-family and non-residential projects, two-way driveway				X	
vi. Where 30-degree parking spaces are provided		X			
vii. Where 45-degree parking spaces are provided			X		
viii. Where 60-degree parking spaces are provided				X	
ix. Where 90-degree parking spaces are provided					X

- 4. Striping. All noncovered parking spaces shall be separated by painted stripes or an approved alternative method of space separation. If a single stripe is used, the stripe shall be four inches in width. If a double stripe design is used, the double stripe shall be separated by eighteen inches and parking spaces shall be measured from the center to center of double stripes. Parking facilities shall be regularly restriped to provide clearly visible separation between spaces.
- 5. Compact Spaces. The maximum amount of compact spaces shall be twenty percent of the total number of spaces provided. For office and industrial complexes with over twenty-five thousand square

feet of administrative office area, twenty-five percent of the total number of spaces provided may be compact spaces. Compact spaces shall not be permitted in residential projects.

6. Compact Space Designation. Compact spaces shall be marked by either twelve-inch-high letters painted on the pavement stating "COMPACT," or by an eighteen-inch-high painted letter on the pavement stating "C." For parking lots that utilize decorative paving in parking stall areas, this requirement may be waived by the director of community development.

7. Car Pool and Van Pool Space Designation. Car pool and van pool spaces shall be designated as such, so that the designation is clearly visible. Space designation shall be either painted on the pavement or on a sign.

8. Wheel Stops. Parking spaces may overhang into landscape area or hardscape area based on the following criteria:

Angle of Space	Maximum Overhang
30 Degree	1.0 feet
45 Degree	1.5 feet
60 Degree	1.7 feet
90 Degree	2.0 feet

No parking overhang is permitted to encroach into a required setback or over pedestrian walkways. Wherever possible, parking facilities shall be designed to provide curb overhangs as opposed to a concrete bumper stop.

9. Trash Enclosures. Trash enclosures shall be provided for all uses and shall comply with city standards for size and design. For multiple-family projects, either a trash enclosure or an area within the garage that is of an appropriate size to allow storage of garbage cans and recycling bins shall be provided.

10. Use Separation Walls. Where a parking lot adjoins a residentially zoned parcel of land, a solid decorative, masonry wall not less than five feet in height and no greater than six feet in height shall be required. The wall shall be erected and maintained between the parking lot and the adjoining residential property. From the required front setback line to the front property line, the height of the wall shall be not less than thirty inches and not greater than forty-two inches. The height of the wall shall be measured from the side of the wall with the highest finished grade.

11. Lighting. When lights are provided in parking lots they shall be designed in such a way as to reflect light away from adjoining properties. All parking lot lighting systems shall be equipped with an automatic timing system and shall be set to turn off the portion of the lighting system not used for security lighting when the parking lot is not in use.

a. Light Pole and Fixture Height. Overall height of pole and fixture shall not exceed fifteen feet for all commercial and office projects. For industrial projects, the overall fixture height shall not exceed twenty feet or the building height, whichever is less. Height shall be measured from finished grade.

b. Light Fixture and Pole Design. Care should be taken to select light standards that maintain light emissions close to ninety degrees horizontal. Shielding may be implemented to reduce light emissions onto adjoining properties. Lighting standards may be decorative, where appropriate, and styles should be consistent throughout the project. Poles shall be steel, aluminum or other similar approved material. The style of poles shall compliment the fixture design.

c. Prohibited. Fixtures with tilt capabilities and "wall pack" fixtures are prohibited.

d. Architectural Lighting. All architectural accent and ground lighting fixtures shall be subterranean unless the fixture is designed as an architectural element.

e. Lamp Types. High pressure sodium lamps shall be utilized and shall not exceed two hundred fifty watts. Landscape and accent lighting may exceed this limitation, if necessary.

f. Lighting Level. Average footcandles shall not be less than one footcandle maintained. No greater than two footcandles shall be maintained. Uniformity ratio (average to minimum) shall not exceed 4:1. Maximum to minimum ratio shall not exceed 15:1.

g. Submittal Requirements. The following shall be submitted for all lighting plans: light fixture cuts with photometric data; lighting plan showing point-to-point photometric including footcandle levels throughout the site and thirty feet across all property lines, and pole details and bases shall be provided.

12. Backing Space in Residential Projects. A minimum of twenty-six feet of maneuvering space shall be provided for ingress and egress where the vehicle storage space is perpendicular to the way of access. Where angular spaces are provided, the parking layout shall be determined by the director of community development.

13. Garage Door Standards. Fully operational doors shall be provided for all garages. A roll-up or sectional garage door and an automatic opener shall be provided for all garages which are twenty feet or less from access to a public right-of-way or common access private driveway.

E. Other Related Design Requirements.

1. Shopping Cart Storage. Parking facilities for markets, drugstores and other uses that utilize shopping carts shall be equipped with cart corrals in the parking area. Cart corrals shall not take up required parking spaces and shall be conveniently located throughout the parking lot. Cart corrals shall be for the temporary storage of shopping carts. All permanent shopping cart storage shall be located within the building.

2. Drive-Through Facilities. The following shall apply for drive-through facilities:

a. There shall be a minimum of eight stacking spaces in each drive-through aisle for drive-through facilities associated with fast food facilities.

b. There shall be a minimum of four stacking spaces in each drive-through aisle for drive-through facilities associated with a bank or savings and loan facility.

c. The number of stacking spaces for drive-through facilities other than banks and savings and loans and fast food uses shall be determined by the final decision making body for an approval application. Uses in this category shall be required to submit a circulation study that addresses the stacking characteristics of the use requested.

F. Circular Driveways. All circular driveways shall be subject to the approval of the director of community development and the city engineer and shall meet the following minimum standards:

1. Only lots one hundred feet and wider at the public right-of-way are eligible for circular driveway.

2. The maximum width of a circular drive is eighteen feet, the minimum width is twelve feet.

3. There shall be a minimum distance of twenty-two feet between curb cuts.

4. There shall be a minimum setback of fifteen feet from the front curb to the closest arc of the circular driveway. (Ord. 1170 § 9, 2007; Ord. 996 § 5, 1993)

18.156.090 Transportation demand management standards.

A. This section has been designed to comply with state-mandated requirements for congestion management. The goal of TDM standards is to encourage trip reduction which in turn reduces congestion. All nonresidential developments with twenty-five thousand square feet of total floor area and over are subject to these requirements:

1. Display of Transportation Information. A bulletin board, display case or kiosk displaying transportation information shall be located where the greatest number of employees are likely to see it. The facility shall be subject to the approval of the director of community development. Information in the area shall include, but is not limited to, the following:

a. Current maps, routes and schedules for public transit routes serving the site;

- b. Telephone numbers for referrals on transportation information including numbers for the regional ride sharing agency and local transit operators;
 - c. Ride-sharing promotional material supplied by commuter-oriented organizations;
 - d. Bicycle route and facility information, including regional/local bicycle maps and bicycle safety information;
 - e. A listing of facilities available for car poolers, van poolers, bicyclists, transit riders and pedestrians at the site.
2. Number of Car Pool/Van Pool Spaces Required.

Total Square Footage of Nonresidential Development	Number of Car Pool Spaces, Van Pool Spaces or Combination Required
50,000 - 99,999	1
100,000 +	2

3. Standards for Car Pool/Van Pool Spaces for Nonresidential Developments Fifty Thousand Square Feet and Greater.

a. Not less than ten percent of employee parking, as defined in Section 18.156.030 (F), shall be located as close as is practical to the employee entrances, and shall be reserved for use by potential car pool/van pool vehicles, without displacing handicapped and customer parking needs. These spaces shall be signed or striped as car pool/van pool spaces as demand warrants, but in no case shall fewer spaces be signed or striped than required in subsection (A)(2) of this section. A statement that preferential car pool/van pool spaces for employees are available and a description of the method for obtaining such spaces shall be included on the required transportation information board.

b. In addition to the parking spaces size requirements listed in Section 18.156.080(B)(3), preferential parking spaces reserved for van pools must be accessible to van pool vehicles. When located within a parking structure, a minimum vertical interior clearance of eight feet two inches shall be provided for those spaces and accessways to be used by such vehicles.

4. Special Requirements for Nonresidential Developments One Hundred Thousand Square Feet and More. In addition to the requirements listed in Section 18.156.090(A)(1)—(3), nonresidential developments one hundred thousand square feet and over shall provide the following:

- a. A safe and convenient zone in which van pool and car pool vehicles may deliver or board their passengers;
- b. Sidewalks or other designated pathways following direct and safe routes from the external pedestrian circulation system to each building in the development;
- c. Bus stop improvements, if determined necessary by the city to mitigate the project impact. The city will consult with the local bus service providers in determining appropriate improvements. When locating bus stops and/or planning building entrances, entrances must be designed to provide safe and efficient access to nearby transit stations/stops;
- d. Safe and convenient access from the external circulation system to bicycle parking facilities on-site.

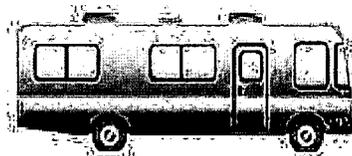
5. Potential Environmental Impacts.

a. Prior to approval of any development project for which an environmental impact report (EIR) will be prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) or based on a local determination, regional and municipal fixed-route transit operators providing service to the project shall be identified and consulted with. Projects for which a notice of preparation (NOP) for a draft EIR has been circulated pursuant to the provisions of CEQA prior to the effective date of the ordinance codified in this chapter shall be exempted from its provisions. The transit impact review worksheet,

contained in the Los Angeles County Congestion Management Program Manual, or similar worksheets, shall be used in assessing impacts. Pursuant to the provisions of CEQA, transit operators shall be sent a NOP for all contemplated EIR's and shall, as part of the NOP process, be given opportunity to comment on the impacts of the project, and to recommend mitigation measures which minimize automobile trips on the CNP network. Impacts and recommended mitigation measures identified by the transit operator shall be evaluated in the draft environmental impact report prepared for the project. Related mitigation measures adopted shall be monitored through the mitigation monitoring requirements of CEQA. (Ord. 996 § 5, 1993)

18.156.100 Vehicle storage in single-family residential zones.

- A. Vehicle Storage. No person shall keep, store or otherwise permit any of the following on a lot or parcel of land zoned for residential use:
 - 1. Any vehicle or component thereof used for commercial purposes in excess of ten thousand pounds gross vehicle weight;
 - 2. More than one commercial vehicle or component thereof used for commercial purposes weighing less than ten thousand pounds gross vehicle weight;
 - 3. Any vehicle or component thereof which is located between the public right-of-way and the dwelling unit, not located on either a paved driveway or a driveway surface approved by the director of development services.
- B. Recreational Vehicle, Boat and Trailer Parking.
 - 1. Purpose. The purpose of these regulations is to establish standards for the parking and storage of recreational vehicles, boats, truck camper, and trailers as an accessory use in residential zones in order to protect the integrity, value and character of residential neighborhoods along with public health and safety.
 - 2. Definitions.
 - a. "Recreational vehicle or RVs" mean both motorized and non-motorized vehicles that combine transportation and temporary living quarters for travel, recreation or camping. Does not include mobile homes or off-road vehicles.
 - b. "Motorized recreational vehicle" means a motorhome built on a truck or bus chassis or a van chassis. The following diagrams represent examples and are not meant to be a complete list of examples:

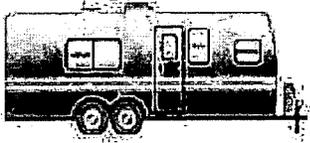


Motorhome
Type A

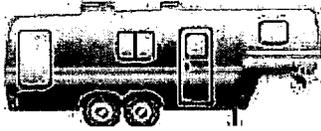


Motorhome
Type C

- c. "Non-motorized recreational vehicle" means a towable recreational vehicle that can be unhitched. Examples include conventional travel trailer, fifth-wheel travel trailers, travel trailers with expandable ends, folding camping trailers, and sport utility trailers. Boats, horse trailers, utility trailers for storing recreational vehicles, equipment, and all-terrain vehicles (ATVs), motorcycles or personal watercraft stored on trailers utilized for recreational purposes are also considered as non-motorized vehicles. Pickup camper shells that have been removed from the vehicle and stored are considered non-motorized recreational vehicles. The following diagrams represent examples and are not meant to be a complete list of examples:



Travel Trailer



Fifth-Wheel Travel Trailer



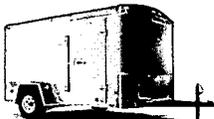
Travel Trailer with Expandable Ends



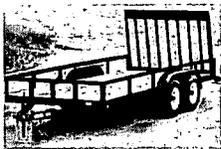
Folding Camping Trailer



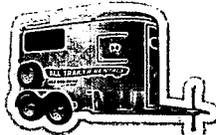
Sport Utility Trailer (Toy Hauler)



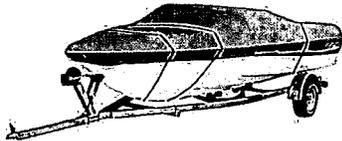
Utility Trailer Enclosed



Utility Trailer Open



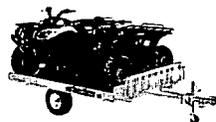
Utility Horse Trailer



Boat

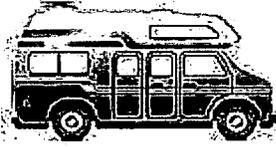


Personal Watercraft Stored on Trailer

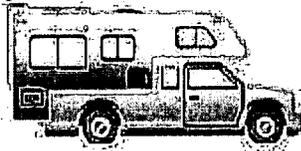


All Terrain Vehicle (ATV) Stored on Trailer

d. Exclusions—Van campers and truck campers are excluded from the recreational vehicle definition because they may be used for non-travel, -recreation or -camping trips, such as commuting to work or school.



Motorhome Type B (Van Camper)

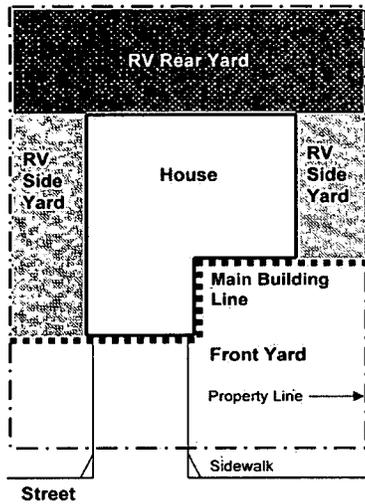


Truck Camper

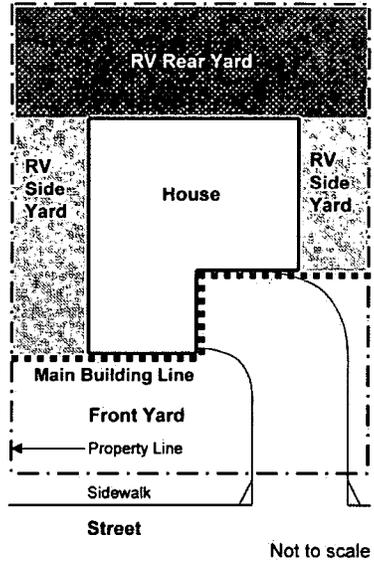
e. “Park,” “parking,” “parked,” “stored” and “storage” mean on-site parking of recreational vehicles on residential property for a continuous period more than forty-eight hours.

f. “Front yard” means the required front yard setback and any area between the street and the main building line as shown in the diagrams below. For other unique lot configurations, the director of development services shall determine front yard.

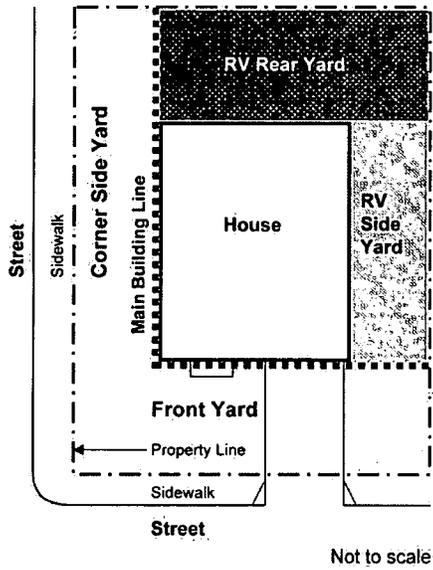
Typical lot – Front door on narrow frontage and straight driveway



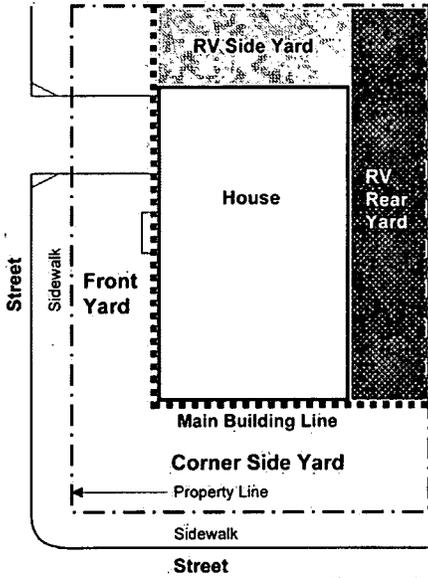
Typical lot – Front door on narrow frontage with side entry garage



Corner lot – Front door and garage on narrow frontage

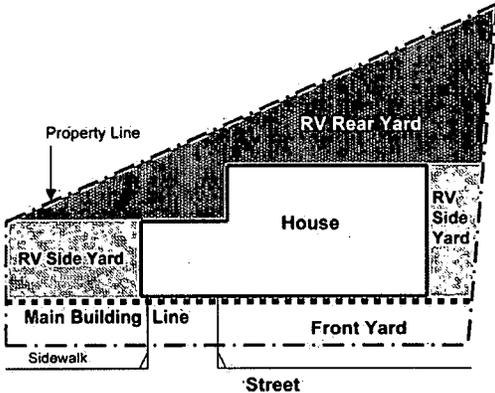


Corner lot – Front door and garage on long frontage



Not to scale

Irregular non-conforming lots



Not to scale

3. Registered Owner. The registered owner of an RV stored on the property must either be the owner of the property or use the property as their primary residence. This subsection shall not apply to a single RV stored on the property as a result of visiting guest(s) for up to seventy-two hours.

4. RV, Boat, Camping Trailer, and Utility Trailer Parking and Storage Standards.
 - a. Accessory Use. Parking or storage may occur as accessory use to the primary residential use of the property and is only allowed on a lot with a habitable residence.
 - b. Front Yards. No parking or storage may occur in the front yard. Temporary parking of an RV on a paved driveway in the front yard shall be allowed for up to two consecutive days for the purpose of loading, unloading or otherwise prepping and cleaning the RV, subject to a temporary parking permit which is attached thereto in plain sight, in the location designated by the director of development services. Temporary parking of an RV shall not encroach onto the public sidewalk nor encroach into the public right-of-way.
 - c. Rear Yards. Parking or storage is permitted behind the main building line
 - d. Side Yards. Parking or storage is permitted behind the main building line.
 - e. Parking Surface: Parking and storage shall be paved with portland cement concrete at least three and one-half inches thick. Proper care shall be taken to prevent gasoline, motor oils, or other hazardous fluids from leaking onto the ground, draining or runoff into storm drain or water course.
 - f. Temporary On-Street Parking. Overnight temporary parking of an RV on public streets is allowed subject to an all-night parking permit through Chapter 10.24 of the San Dimas Municipal Code.
 - g. Temporary Coverings. No temporary coverings such as tarps or cloth screens are permitted. Fitted covers are permitted and may be used as long as they are specifically designed for the RV, boat, camping trailer or utility trailer. All temporary covers shall be properly maintained pursuant to the standards of San Dimas Municipal Code Chapter 8.14. (Ord. 1188 § 3, 2009; Ord. 1170 § 8, 2007; Ord. 996 § 5, 1993)

18.156.110 Shared parking.

A. A shared parking agreement may be allowed by obtaining a conditional use permit, subject to the approval process outlined in Sections 18.200.080, 18.200.100, 18.200.110 and 18.200.120 and the findings listed in this section. A shared parking agreement shall be subject to the following criteria:

1. The applicant shall provide a parking study prepared by a registered traffic engineer that specifically analyzes the parking generation, hours of operation and other related issues of all uses involved.
2. A shared parking agreement shall be developed, to the satisfaction of the city that addresses the amount of parking provided and the justification for any reduction in the number of spaces required for the uses involved. Furthermore, any other required easement, lease, license agreements or other legal instruments shall be provided before approval of any shared parking agreement.
3. The following findings shall be made by the final decision-making body:
 - a. There is no substantial conflict in the principal operating hours for the building or uses for which the joint use parking facility is proposed.
 - b. There will be adequate parking provided on the site for all uses proposed.
 - c. The city has been provided with an adequate legal instrument to guarantee that the uses which are subject to the shared parking agreement will not significantly change in the amount of parking required and the parking facilities provided will remain available and unaltered.
 - d. The joint use agreement is consistent with the general plan and all requirements of this code.
4. Shared parking shall only be permitted on properties that are adjacent, that are within an integrated shopping center or where an off-site parking agreement has been approved. (Ord. 996 § 5, 1993)

18.156.120 Off-site parking.

A. Where Permitted and Approval Process. Off-site parking may be permitted for nonresidential projects subject to the approval of a conditional use permit, based on the approval process outlined in Chapter 18.200 of this code.

B. Approval Criteria. In addition to the findings in Section 18.200.090, the following criteria shall apply:

1. All off-site parking facilities shall be located within one thousand feet of the property where the use in question is located, unless a binding agreement is provided to provide transportation access from the parking facility to the use in question on a regular basis.

2. Public transit service shall be available within a reasonable distance of the use in question. (Ord. 996 § 5, 1993)

18.156.130 Valet parking.

A. Where Permitted and Approval Process. Valet parking may be permitted in commercial zones subject to the approval of a conditional use permit, based on the approval process outlined in Chapter 18.200 of this code.

B. Review Criteria. In addition to the findings stated in Section 18.200.090, valet parking shall be subject to review of hours of operation, circulation and other pertinent impacts. All proposals for valet parking shall be accompanied by a parking study, prepared by a registered traffic engineer, that addresses circulation impacts, operational characteristics of the use, parking space size and configuration and other issues deemed necessary by the director of community development.

C. Development Standards for Valet Parking Uses.

1. Because of the unique characteristics of valet parking facilities, parking space size shall be determined on a case-by-case basis and not necessarily subject to the standards listed in this chapter.

2. Valet parking facilities shall not be permitted to use parking that is specifically set aside or required for another use, unless a shared parking or off-site parking agreement is approved by the city. (Ord. 996 § 5, 1993)

18.156.140 Parking structures.

A. Where Permitted and Approval Process. A parking structure may be permitted subject to the approval of a conditional use permit, based on the approval process outlined in Chapter 18.200 of this code. Parking structure facilities shall also be subject to the Development Plan Review Process outlined in Chapter 18.12.

B. Review Criteria. Approval of a parking structure shall be subject to the findings stated in Section 18.200.090. All proposals for parking structure facilities shall be accompanied by a parking study, prepared by a registered traffic engineer, that addresses circulation impacts, operational characteristics of the use, parking space size and configuration and other issues deemed necessary by the director of community development.

C. Development Standards for Valet Parking Uses. Because of the unique characteristics of parking structure facilities, parking space size, drive aisle size, number of spaces required and other design criteria shall be determined on a case-by-case basis and not necessarily subject to the standards listed in this chapter. (Ord. 996 § 5, 1993)

18.156.150 Waiver of parking requirements.

A. Approval Process. A waiver of up to fifty percent of the required parking may be permitted through the approval of a conditional use permit, subject to the approval process outlined in Sections 18.200.080, 18.200.100, 18.200.110 and 18.200.120 and the findings listed in this section.

B. Where Permitted. A waiver of parking requirements may be approved in all commercial, industrial, administrative professional zones and for senior citizen complexes (other than extended or primary medical care facilities and nursing or convalescent homes).

C. Findings for Waiver of Parking Requirements for Senior Citizen Complexes. In addition to the findings listed in Section 18.200.090, the planning commission shall make the following findings for parking waivers:

1. The subject property is located reasonably close to a neighborhood shopping center to which residents of the senior citizen complex have ready access.

ORDINANCE NO. 1193

2. There is convenient public transportation available to residents of the senior citizen complex.

3. The senior citizen complex is designed to accommodate a number of residents who will not likely have vehicles.

D. Findings for Waiver of Parking Requirements in Commercial, Industrial and Administrative Professional Zones. In addition to the findings listed in Section 18.200.090, the planning commission shall make the following findings for parking waivers:

1. The proposed uses which require the parking have provided a trip reduction plan, established a car pool/van pool program, or implemented other trip reduction and air quality plans which have been approved by the SCAQMD and indicate that the number of parking spaces requested to be waived are not necessary to the operation of the business.

2. The property owner of the property in question and the business owner of the development in question have provided the city with a deed restriction or other appropriate agreement that provides for the future development of the waived parking, if in the future the use of the property becomes more intense or the characteristics of the trip reduction plan change so that additional parking is necessary, in accordance with subsection (D)(3) of this section.

3. There is enough undeveloped land on the property in question to provide at least ninety percent of the maximum number of parking spaces required for the use in question, if future development of those spaces is required. (Ord. 996 § 5, 1993)



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the meeting of February 9, 2010

From: Blaine Michaelis, City Manager *BM*

Initiated by: Kevin Frey, Administrative Aide

Subject: **ORDINANCE NO. 1194, SECOND READING AND ADOPTION
AMENDING TITLE 18 CHAPTER 150 OF THE SAN DIMAS
MUNICIPAL CODE REGARDING CO-LOCATION OF CELL
PHONE TOWERS**

SUMMARY

Ordinance No. 1194 brings the City into compliance with Senate Bill 1627, which streamlines the local permitting process by eliminating discretionary review over co-located wireless facilities.

The City Council introduced Ordinance No. 1194 at their January 26, 2010 meeting.

RECOMMENDATION

Adopt Ordinance No. 1194.

5 lb (2)

ORDINANCE NO. 1194

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING TITLE 18 CHAPTER 150 OF THE SAN DIMAS MUNICIPAL CODE REGARDING CO-LOCATION OF CELL PHONE TOWERS.

THE CITY COUNCIL OF THE CITY OF SAN DIMAS DOES ORDAIN AS FOLLOWS:

Section 1. Title 18, Chapter 150 of the San Dimas Municipal Code is hereby amended by adding Section 18.150.050 C. to read as follows:

- C. Co-location wireless facilities 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:
1. The Co-location facility is consistent with requirements for the wireless communication facilities set forth in this chapter.
 2. The proposed facility is located with an existing wireless telecommunications facility that received approval 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.
 3. The proposed facility does not alter the height, overall massing, or exterior appearance of the existing wireless facility.

Section 2. This Ordinance shall take effect 30 days after its final passage, and within 15 days after its passage the City Clerk shall cause it to be published in the Inland Valley Daily Bulletin, a newspaper of general circulation in the City of San Dimas hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED THIS 9th DAY OF FEBRUARY, 2010.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Ina Rios, City Clerk

I, INA RIOS, CITY CLERK of the City of San Dimas, do hereby certify that Ordinance No. 1194 was regularly introduced at the regular meeting of the City Council on January 26, 2010 and was thereafter adopted and passed at the regular meeting of the City Council held on February 9, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I DO FURTHER CERTIFY that within 15 days of the date of its passage, I caused a copy of Ordinance 1194 to be published in the Inland Valley Daily Bulletin.

Ina Rios, City Clerk



MINUTES
REGULAR CITY COUNCIL
TUESDAY, JANUARY 26, 2010, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

PRESENT:

Mayor Curtis W. Morris
Mayor Pro Tem Denis Bertone
Councilmember Emmett Badar
Councilmember John Ebiner
Councilmember Jeff Templeman

City Manager Blaine Michaelis
City Attorney J. Kenneth Brown
City Clerk Ina Rios
Assistant City Manager of Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns
Associate Planner Marco Espinoza
Associate Planner Laura Lockett
Administrative Aide Kevin Frey

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the regular meeting to order at 7:04 p.m. and led the flag salute.

2. RECOGNITIONS

- Recognize San Dimas High School CIF Championship Football Team and Coaches

Mayor Morris congratulated and presented Certificates of Recognition to members of San Dimas Football Team and Coaches who won the 2009 CIF Championship for Southern Section with a score of 12-7.

Bill Zernickow, Head Coach, expressed his appreciation for the recognition.

3. ANNOUNCEMENTS

- a. 50th Anniversary Flashbacks

David Harbin, San Dimas Historical Society, recited brief flashbacks from San Dimas Eagle headlines: New business license law took effect in March, 1961; new city limit sign erected and the population was 7,128 in April 1961; action was launched to acquire San Dimas High School site January 1962; dedication of new city hall at 125 Exchange Place March 1962; New U. S. Post Office opens in San Dimas, at San Dimas Avenue/Third Street; and on January 26, 1966 the San Dimas Orange Packing House was destroyed by fire. Mr. Harbin reminded that the new museum is open first and third Saturdays from 10:00 a.m. to 2:00 p.m. in the Walker House. On Saturday, January 30, the Historical Society is hosting a mini-conference for the Associated Historical Societies of Los Angeles County and Mayor Morris is key note speaker regarding the City's involvement in the reconstruction of the Walker House.

b. Pui-Ching Ho, Librarian, San Dimas Library

1) **Pui-Ching Ho**, Library Manager, San Dimas Library, announced several activities offered at the Library: she encouraged parents to bring their children 5-under to sign up for a Library card and receive a canvas bag; free English conversation practice program for adults on Saturdays 11:00 a.m.-12:00 p.m.; the Book Party Discussion group meets February 1, 10:30 a.m. - the book of the month is "*The Story of Edgar Sawtelle*"; Magic Show Saturday February 6, 3:00 p.m.; Musical Arts Activity for Children, February 13, 2:30-4:00 p.m. For more information contact the Library at (909) 599-6738 or access their website www.co.la.publib.org.

2) Mayor Morris reported that tonight completes ten years of service by City Manager Michaelis.

4. **ORAL COMMUNICATIONS** (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body 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. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

1) **Ted Powl**, President/CEO, Chamber of Commerce, announced that on Thursday, January 28th, Mark Nelson will be honored as Citizen of the Year; e-Waste event will be held on February 5-6 at San Dimas High School; opportunity to participate in exchanging gold jewelry with Golden Girls on February 19, 11:00 a.m. - 2:00 p.m.; February 25, Toast of the Town, tickets are \$25, at the Plummer Building; reservations are being accepted for Civic Academy, starting March 20; Golf Tournament May 24, at Via Verde Country Club.

2) **Don Green** congratulated Bill Zernickow, Head Coach, all CIF Running Back.

3) **Al Wiscovitch**, representing San Dimas Stage Race, presented to Mayor Morris a few mementos from last year's event. Mayor Morris expressed his appreciation. Mr. Wiscovitch thanked the community for their support and he looks forward to the next race on March 19-21.

5. **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 City Council requests separate discussion.)

Mayor Morris removed item 5.d – Farmers Market proposal for separate consideration.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Ebner, and carried unanimously to accept, approve and act upon the consent calendar, as follows.

a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:

(1) **No. 10-03**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF JANUARY AND FEBRUARY, 2010.

b. Approval of minutes for regular meeting of January 12, 2010.

- c. Approval of 11th Annual Pomona Valley Stage Bicycle Race, March 20-21, 2010, Restricted street closures of Puddingstone Drive (Cannon Avenue to east city limits) and Cannon Avenue and Walnut Avenue (off Puddingstone Drive) on Saturday, March 20, 2010 - 6:00 a.m. - 5:00 p.m.; Closure of certain streets within the downtown area on Sunday, March 21, 2010, 6:00 a.m. - 5:00 p.m.

END OF CONSENT CALENDAR

Item 5.d:

- d. Approve 2010 Farmers Market proposal submitted by Advocates For Healthy Living, for Wednesdays, April 7, 2010 through September 29, 2010, with street closure on Bonita Avenue from 4:00 p.m. to 10:00 p.m..

Mayor Morris said the closure of city hall may present a problem with the use of restrooms for the Farmers Market patrons and said portable toilets should be utilized. He mentioned that local businesses are already impacted with the street closure and in the past have complained about the excessive use of their restrooms. He suggested that staff monitor operators of the Farmers Market to ensure they take additional measures to prevent their patrons from using Albertson's or other local business restrooms.

In response to Council, Director Bruns replied that the use of restrooms in the Senior Citizens/Community Center will be impacted on Wednesdays by the Senior Dances and Music in the Park. She said pursuant to the Conditions of Approval Advocates for Healthy Living will be required to provide portable restrooms, to be delivered and picked up each week.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Ebner, to approve item 5.d, a request for a Farmers Market as outlined in the staff report, subject to the Conditions of Approval as recommended by staff. The motion carried unanimously.

Maurice Cuellar, Advocates for Healthy Living, requested financial assistance with the portable toilets or permit the use of Senior Citizens/Community Building restrooms. He noted that Advocates for Healthy Living received the 501c3 status and said his is the only nonprofit organization that pays \$1,300 in business license fees. He added that the nonprofit organization started a salad bar program at, and donated equipment to, Gladstone Elementary School and Shull Elementary School, and he would like to expand that program district-wide. He also requested assistance with traffic control.

In response to Council, Director Patel said equipment and signs are provided and the streets are physically closed at 4:00 p.m. Director Bruns added that it costs the City approximately \$4,000 to provide services for the season. Ms. Bruns added that emails were exchanged with Mr. Cuellar and restrooms were discussed. She said there is no difference in services provided, with the exception that portable toilets are required this year.

In response to Mr. Cuellar, Councilmembers were not in favor of leaving portable toilets on the premises over a period of six months.

6. PUBLIC HEARING

(The following items have been advertised and/or posted. The meeting will be opened to receive public testimony.)

- a. Performance Report for FY 2008-09 and FY 2009-10 CDBG Program Years and Proposed FY 2010-11 Projected Use of funds.

Housing Coordinator Elisa Mitchell explained the subject grant program performance for fiscal years 2008-09 and 2009-10 as well as proposed use of 2010-11 funds. She recommended approval of the proposed FY 2010-11 CDBG Program as outlined in the staff report. Ms. Mitchell responded to Council's questions regarding carry-over funds in the amount of \$36,000 and she explained the loan and grant programs.

Mayor Morris opened the public hearing and asked if anyone wished to speak regarding the proposed CDBG program. There being no one, the public hearing was closed.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Badar, to approve the Community Development Block Grant FY 2010-2011 projected use of funds and authorize the City Manager to execute any and all documents necessary to further the projects approved herein, including but not limited to amendments and modifications thereto for CDBG projects with the Los Angeles County Community Development Commission, as recommended by Housing Coordinator Mitchell in her staff report for the meeting of January 26, 2010. The motion carried unanimously

- b. Consider Municipal Code Text Amendment 09-04 - A Request to amend the City's Municipal Code as required by Senate Bill No. 2, to allow by right Emergency and Year-Round Emergency Shelters, as well as Transitional and Supportive Housing as conditional uses.

ORDINANCE NO. 1193, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING MUNICIPAL CODE TEXT AMENDMENT 09-04, TO ALLOW, AS REQUIRED BY SENATE BILL 2 (SB2) EMERGENCY AND YEAR-ROUND EMERGENCY SHELTERS BY RIGHT, AS WELL AS TRANSITIONAL AND SUPPORTIVE HOUSING AS CONDITIONAL USES.

Associate Planner Espinoza reported that Senate Bill 2 was approved on October 13, 2007 and said the City's 2008-2014 Housing Element addressed the requirements as part of its objectives to comply with the law. He said the Planning Commission reviewed the proposed code text amendments and recommended approval. Staff recommends the City Council adopt Municipal Code Text Amendment 09-04 to comply with SB2 as mandated by State law.

Planner Espinoza responded to Council that emergency shelters would be constructed as a permanent structure built to code; a referral program is available to bus homeless persons to shelters; the Housing Element addressed the requirements of SB2 and recommended the public-semi-public zone for emergency and year-round emergency shelters and the multi-family residential zone for transitional and supportive housing as conditional uses; and the State has jurisdiction over group homes while the city imposes regulations for emergency and year-round emergency shelters and transitional and supportive housing.

Mayor Morris opened the public hearing and asked if anyone wished to speak regarding the proposed Municipal Code Text Amendment. There being no one, the public hearing was closed.

After the title was read, it was moved by Councilmember Ebner, seconded by Mayor Pro Tem Bertone, to waive further reading and introduce **ORDINANCE NO. 1193**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING MUNICIPAL CODE TEXT AMENDMENT 09-04, TO ALLOW, AS REQUIRED BY SENATE BILL 2 (SB2) EMERGENCY AND YEAR-ROUND EMERGENCY SHELTERS BY RIGHT, AS WELL AS TRANSITIONAL AND SUPPORTIVE HOUSING AS CONDITIONAL USES. The motion carried unanimously.

- c. Consider Municipal Code Text Amendment 09-05 - A request to amend the City's Municipal Code as required by Senate Bill No. 1627, revising the Zoning Code pertaining to Co-location of Wireless Communication Facilities (18.150)

ORDINANCE NO. 1194, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING TITLE 18 CHAPTER 150 OF THE SAN DIMAS MUNICIPAL ZONING CODE REGARDING CO-LOCATION OF CELL PHONE TOWERS

Administrative Aide Frey summarized a request to amend Chapter 18.150 of the City's Zoning Code to streamline the local permitting process regarding co-location of cell phone towers, and to bring the City in compliance with Senate Bill 1627. Staff recommends approval of Ordinance No. 1194.

Mayor Morris opened the public hearing and asked if anyone wished to speak regarding the proposed Municipal Code Text Amendment. There being no one, the public hearing was closed.

After the title was read, it was moved by Councilmember Badar, seconded by Mayor Pro Tem Bertone, to waive further reading and introduce **ORDINANCE NO. 1194, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING TITLE 18 CHAPTER 150 OF THE SAN DIMAS MUNICIPAL ZONING CODE REGARDING CO-LOCATION OF CELL PHONE TOWERS**. The motion carried unanimously.

7. PLANNING/DEVELOPMENT SERVICES

- a. Update on DOE Energy Strategy Development.

Assistant City Manager of Community Development Stevens reported that the City received a \$150,200 grant from the Department of Energy and as a result of the study conducted by CTG Energy, five top goals were identified for emergency efficiency and conservation based on short-term and long-term objectives. Mr. Stevens highlighted various strategies for implementing a public educational outreach program and said the final strategy approval is required to submit the final Energy Strategy due at the Department of Energy on February 24th. He requested Council comments and preliminary support on energy strategy.

In response to Mayor Pro Tem Bertone, Mr. Stevens replied that staff has funds to stimulate implementation and residents who want an emergency audit can be referred to pre-qualified Energy Consultants paid for by the City.

Councilmember Templeman suggested considering CalSense-type irrigation controllers to achieve water savings throughout parks and rights-of-way.

Mayor Morris suggested that the San Dimas Canyon Golf Course be considered to benefit from this program. He added that a study on optimal lighting might be helpful in future development.

Councilmember Ebner suggested subsidizing the cost on energy saving products.

Mr. Stevens appreciated the comments and said he would bring back a report in February, 2010.

- b. Review of existing policy regarding Cargo Storage Containers.

Associate Planner Lockett summarized the staff report and said Cargo/Sea Metal Storage containers used city-wide are unclassified in the zoning code. At the direction of City Council, staff provided additional information and analysis for further discussion to consider regulating the use of these containers. Staff recommends continuing with the existing policy limiting cargo storage containers to construction sites and limited (or seasonal) storage in some commercial and industrial zones. Staff does not support their use in the historic downtown.

In response to Council, Assistant City Manager Stevens replied that the existing zoning ordinance does not permit cargo storage and unless specifically authorized, the use is in violation of the zoning code. He said City Council direction is needed whether or not to allow cargo containers on a temporary or permanent basis, and in what zone should they be permitted.

Councilmember Templeman asked what options are available for historical buildings in the downtown area to add onto existing structures for storage. He said any new construction would trigger bringing the building up to current code which would then become cost prohibitive for the property owner.

Mr. Stevens replied that circumstances would vary from parcel to parcel and staff would need to review the requests individually. He said if space is needed for storage, a permanent structure is preferable to a storage container. However, permitting storage containers without time control seems detrimental in the long term.

In response to Council, Mr. Stevens said staff is proposing that cargo containers be allowed during construction in a commercial zone or light industrial zone on a temporary basis, which is defined as 30 days and not more than six months. He added that seasonable storage can be considered with an approved plan. He mentioned that staff is aware that youth groups are utilizing cargo containers as cost effective storage for equipment.

Mayor Pro Tem Bertone suggested that staff regulate cargo containers by conditional use permit and restrict visibility on the street.

Mayor Morris expressed concern that the existing policy is not being enforced. He suggested that property owners be given an amortization period for existing cargo containers. He invited audience members to comment.

- 1) **Cyndia Williams**, Old Towne Antiques, said the cargo container is essential to her business to provide storage on her property. She indicated that the container is painted to blend in with her existing building and is not visible from the street. She asked the City Council to reconsider her circumstance.
- 2) **Jim McCants** stated that Yucaipa enforces very strict regulations with the use of cargo containers and he felt Council's comment about being consistent with the treatment of recreation vehicles, trailers, and containers is an important point.
- 3) **Paul Kirby**, Train Stop, said the storage container in the rear of his property is essential to the operation of his business. He added that the container was not visible for many years until the fence he erected several years ago was torn down.

It was the consensus of the City Council to enforce the policy to restrict proliferation of new cargo containers, grandfather in existing storage containers with the caveat that if the property is sold, the containers must be removed; accommodate seasonal containers; and restrict the use in residential zones.

Mr. Stevens understood the consensus of the City Council and stated staff would put in writing a policy relative to new cargo containers and individually review long established cargo containers to provide amortization or a grace period. He said the policy will not be enforced during the interim period for existing cargo containers. He will bring back a report in approximately 60 days.

8. OTHER MATTERS

- a. Award of contract to S & M Moving Systems for relocation services to move from City Hall to the Temporary City Hall.

Assistant City Manager Duran summarized a request to award contract to S & M Moving Services in the amount of \$10,171 for the relocation of furniture, equipment and supplies from City Hall to the Temporary City Hall Building. Staff also requests approval of a moving budget of \$11,000 which includes the base contract for the moving company and contingency.

It was moved by Councilmember Ebner, seconded by Councilmember Badar, to award contract to S & M Moving Services in the amount of \$10,171 for the relocation of furniture, equipment and supplies from City Hall to the Temporary City Hall Building and to allocate \$11,000 toward moving and contingency. The motion carried unanimously.

9. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 9:29 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 9:30 p.m..

10. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five (5) minutes or as may be determined by the Chair.)

1) **Charles McCants** announced that the San Dimas Relay for Life will be held on May 15-16, 2010 and the Ride for Life will be held on April 3, 2010. The Kick-off Rally for both fundraisers will be held on February 19, 2010, at 5:30 p.m., in the Walker House. Additional information will be available at the city hall.

- b. City Manager

There was no report.

- c. City Attorney

- 1) Claim and Tolling Agreement in NRDC v. County of Los Angeles, Case No. 08-1467 AHM (PLAx); and subsequent claim against the City of San Dimas.

City Attorney Brown reported that when, through operation of law, the City denied a claim for money or damaged filed by the County of Los Angeles and Los Angeles County Flood District, it was anticipated that the original trial date would have been concluded before the March 2010 deadline. However, the trial date was moved to June 2010 and the County has now sent letters seeking a tolling agreement to delay the potentially adverse relationship between the cities and the County over liability for any exceedances of water quality standards in storm water. Mr. Brown outlined the advantages and disadvantages of signing the tolling agreement and said a sub-committee of six attorneys was created to review the options and report back to the groups of city representatives. It was concluded that a tolling agreement may be the most cost effective alternative and Mr. Brown recommends authorizing the City Manager to execute a tolling agreement as approved by his office.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Badar, to authorize the City Manager to execute a tolling agreement with the County of Los Angeles and Los Angeles County Flood District. The motion carried unanimously.

2) Mr. Brown announced that on January 26, he completed 33 years of service with the City of San Dimas. He congratulated City Manager Michaelis on his completion of ten years.

d. Members of the City Council

- 1) Councilmembers' report on meetings attended at the expense of the local agency.

No one attended any meetings at the expense of the City.

- 2) Individual Members' comments and updates.

- 1) Councilmember Templeman provided a brief update on the San Dimas Avenue property. He said Captain Hartshorne contacted the residents, ordered additional patrol, and filed charges against the homeowner for public safety services.

- 2) Mayor Pro Tem Bertone elaborated that Mark Nelson who will be recognized as Citizen of the Year on Thursday, January 28, is a former Reserve Deputy Sheriff and Mountain Rescue, and is qualified as an Emergency Medical Technician.

- 3) Mayor Pro Tem Bertone announced that the date for San Dimas Day at the Fair has been changed to Wednesday, September 8, 2010. He will announce any further changes.

11. CLOSED SESSION

Mayor Morris recessed at 9:43 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54957:

- a. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION.**
Title: City Manager
- b. Report on closed session items.

Pursuant to Section 54957.7(a), evaluation was completed.

12. ADJOURNMENT

Mayor Morris adjourned the meeting at 10:52 p.m. The City Council next meets on Tuesday, February 9, 2010, at 5:00 p.m. for Preliminary Budget Meeting and at 7:00 p.m. for the regular meeting.

Respectfully submitted,

Ina Rios, CMC, City Clerk



MINUTES
SPECIAL MEETING OF
CITY COUNCIL/SAN DIMAS
REDEVELOPMENT AGENCY
TUESDAY, JANUARY 26, 2010, 6:00 P. M.
CITY COUNCIL CONFERENCE ROOM
245 E. BONITA AVE.

PRESENT:

Mayor Curtis W. Morris
Mayor Pro Tem Denis Bertone
Councilmember Emmett Badar
Councilmember John Ebiner (arrived 6:12 p.m.)
Councilmember Jeff Templeman

City Manager Blaine Michaelis
City Attorney J. Kenneth Brown
City Clerk Ina Rios
Assistant City Manager of Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

1. CALL TO ORDER

Mayor Morris called the meeting to order at 6:13 p.m.

2. ORAL COMMUNICATIONS

(For anyone wishing to address the City Council on an item on this agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. Speakers are limited to three minutes or as may be determined by the Chair.)

- a. Members of the Audience

No one from the audience spoke.

3. STUDY SESSION

- a. City Hall, Community Building and Plaza renovation and expansion project; review of temporary city hall budget, recommendations to allocate the necessary funds for the relocation, and request preliminary direction regarding financing approach for the entire project.

City Manager Michaelis outlined three objectives for the Temporary City Hall (TCH) and requested direction for staff to finalize a financing strategy for the project. Staff will bring back the final proposal on February 23.

Assistant City Manager Duran said the work will be completed February 1st on the Levitz building and the Relocation Committee and Sub-Committees are tracking and overseeing tenant improvements and coordinating the move with employees. He itemized the budget to address costs for relocating and maintaining a temporary city hall during the 12 months of construction and recommended a budget of \$300,000 from Fund 12. He said the move will occur March 5-7, and is recommending the closure of city hall all day Friday, March 5 through 1:00 p.m. on Monday, March 8th to allow workers to pack, move, and set up their work stations.

In response to Council, Mr. Duran outlined the publicity schedule and said once the contract is awarded he will meet with the moving contractors to finalize the moving schedule.

He added that the City Council meetings will be held in the Senior Citizens/Community Center and funds have been identified to augment the electronic equipment to televise the meetings. He said the Planning Commission meetings will be conducted at the Sheriff's Station EOC Center.

In response to Councilmember Templeman, Mr. Duran assured him that confidential data will be escorted during the move and safeguarded in a secure vault at the site.

Mr. Michaelis reported experiencing favorable bids on recent street projects resulting in savings to Fund 12. Mr. Michaelis recommended that relocation costs be appropriated from savings achieved from favorable bid results in Fund 12.

Mayor Pro Tem Bertone opposed funding the relocation costs from Infrastructure Fund 12 which is dedicated for street maintenance projects.

Mayor Morris agreed that funds should not be allocated from Fund 12; he suggested procuring funds from the General Fund.

City Manager Michaelis stated that bids for the rehabilitation project are scheduled to be opened at 2:00 p.m. on Thursday, January 28, 2010 and preliminary numbers for the project will be available. Mr. Michaelis proposed several alternatives for financing the city hall project: 1) keep \$12 million in reserves; 2) use money above the \$12 million reserve toward the project and borrow \$7.5 million to cover the \$13 million renovation and construction project costs; 3) Maintain an option to pay off the borrowed funds after 10 years. He reviewed in detail the various financing options available and requested direction to prepare a financing plan for the project. He stated the final financing plan will be determined at the time the City Council considers the award of bids for the project, which is scheduled for February 23, 2010.

After further discussion on the options available, it was the consensus of the City Council to direct staff to pursue a 15 year Lease/Purchase plan with a fixed rate.

4. ADJOURNMENT

Mayor Morris adjourned the meeting at 7:01 p.m. The next City Council meeting is Tuesday, January 26, 2010, 7:00 p.m.

Respectfully submitted,

Ina Rios, CMC, City Clerk



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of February 9, 2010

FROM: Blaine Michaelis, City Manager *BM*

SUBJECT: Renewal of the General Services Agreement with the County of Los Angeles

SUMMARY

The county maintains a standard agreement with each city to outline the authority for the County to provide a variety of services requested by cities. The agreement also specifies the method by which the city makes service requests and pays for the services provided. The existing 5 year agreement is expiring. The attached document renews the agreement for another five-year term. The agreement has not changed for the past 2 renewals (since 2000).

We have yet to use the provisions of the agreement, however, it is important to keep the agreement updated.

RECOMMENDATION

Authorize the Mayor to sign the attached renewal agreement.

Attachments:
Agreement – from July 1, 2010 through June 30, 2015

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County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

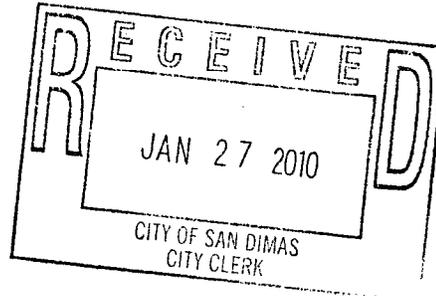
MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

January 19, 2010



Mr. Blaine Michaelis
City Manager
City of San Dimas
245 E. Bonita Avenue
San Dimas, CA 91773

Dear Mr. Michaelis:

RENEWAL OF GENERAL SERVICES AGREEMENT

The General Services Agreement (GSA) between your City/District and the County of Los Angeles will expire on June 30, 2010. To ensure the continuation of County services, which you are receiving, and the ability to add or augment services in the future, we would like to work with you in renewing this agreement for a five-year period, commencing July 1, 2010 through June 30, 2015.

GSA has been executed with most of the cities and a number of public entities within the County. It is general in nature and provides authority for the County to provide services requested, specifies the method by which a city or other entity requests and pays for a service, and provides for the annual adjustment of rates.

Services provided under the GSA primarily consist of miscellaneous services which cities and other public entities request from the County on an "as needed" basis. They include such functions as predatory animal control, prosecution of city ordinances, direct assessment collection, and a variety of public works activities. In addition, ongoing and specific services, such as law enforcement, public health code enforcement and animal care and control, are provided by the responsible County departments through Specific Service Agreements. Any Specific Service Agreements between your City/District and the County of Los Angeles are not affected by renewal of this GSA.

"To Enrich Lives Through Effective And Caring Service"

**Please Conserve Paper – This Document and Copies are Two-Sided
Intra-County Correspondence Sent Electronically Only**

Mr. Blaine Michaelis
January 19, 2010
Page 2

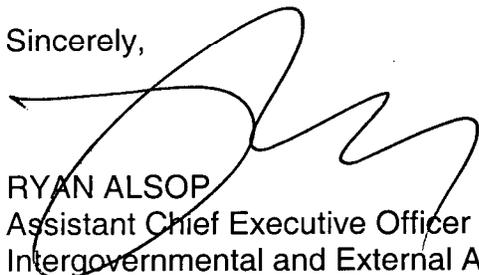
Four copies of the GSA are enclosed for your Council's approval. To allow sufficient time to approve renewal of your City's GSA prior to its expiration, **please retain one copy for your records and return three original, signed copies with a certified copy of your Council's resolution by Monday, April 12, 2010, to:**

Intergovernmental and External Affairs
c/o Ron Morales
Chief Executive Office
723 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

One original will be returned to you upon execution by the Board of Supervisors. If you have any questions about the renewal, approval and process or desire additional information, please call Ron Morales at (213) 974-1327.

We look forward to our continued association and thank you for your efforts.

Sincerely,



RYAN ALSOP
Assistant Chief Executive Officer
Intergovernmental and External Affairs

RA:MR
RM:sb

Enclosure

GENERAL SERVICES AGREEMENT

THIS AGREEMENT, dated for purposes of reference only, June 18, 2010, is made by and between the County of Los Angeles, hereinafter referred to as the "County", and the City of San Dimas, hereinafter referred to as the "City."

RECITALS:

(a) The City is desirous of contracting with the County for the performance by its appropriate officers and employees of City functions.

(b) The County is agreeable to performing such services on the terms and conditions hereinafter set forth.

(c) Such contracts are authorized and provided for by the provisions of Section 56½ of the Charter of the County of Los Angeles and Section 51300, *et seq.*, of the Government Code.

THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. The County agrees, through its officers and employees, to perform those City functions, which are hereinafter provided for.

2. The City shall pay for such services as are provided under this agreement at rates to be determined by the County Auditor-Controller in accordance with the policies and procedures established by the Board of Supervisors.

These rates shall be readjusted by the County Auditor-Controller annually effective the first day of July of each year to reflect the cost of such service in accordance with the policies and procedures for the determination of such rates as adopted by the Board of Supervisors of County.

3. No County officer or department shall perform for said City any function not coming within the scope of the duties of such officer or department in performing services for the County.

4. No service shall be performed hereunder unless the City shall have available funds previously appropriated to cover the cost thereof.

5. No function or service shall be performed hereunder by any County officer or department unless such function or service shall have been requested in writing by the City on order of the City Council thereof or such officer as it may designate and approved by the Board of Supervisors of the County, or such officer as it may designate, and each such service or function shall be performed at the times and under circumstances which do not interfere with the performance of regular County operations.

6. Whenever the County and City mutually agree as to the necessity for any such County officer or department to maintain administrative headquarters in the City, the City shall furnish at its own cost and expense all necessary office space, furniture, and furnishings, office supplies, janitorial service, telephone, light, water, and other utilities. In all instances where special supplies, stationery, notices, forms and the like must be issued in the name of the City, the same shall be supplied by the City at its expense.

It is expressly understood that in the event a local administrative office is maintained in the City for any such County officer or department, such quarters may be used by the County officer or department in connection with the performance of its duties in territory outside the City and adjacent thereto provided, however, that the performance of such outside duties shall not be at any additional cost to the City.

7. All persons employed in the performance of such services and functions for the City shall be County employees, and no City employee as such shall be taken over by the County, and no person employed hereunder shall have any City pension, civil service, or other status or right.

For the purpose of performing such services and functions, and for the purpose of giving official status to the performance hereof, every County officer and employee engaged in performing any such service or function shall be deemed to be an officer or employee of said City while performing service for the City within the scope of this agreement.

8. The City shall not be called upon to assume any liability for the direct payment of any salary, wages or other compensation to any County personnel performing services hereunder for the City, or any liability other than that provided for in this agreement.

Except as herein otherwise specified, the City shall not be liable for compensation or indemnity to any County employee for injury or sickness arising out of his employment.

9. The parties hereto have executed an Assumption of Liability Agreement approved by the Board of Supervisors on December 27, 1977 and/or a Joint Indemnity Agreement approved by the Board of Supervisors on October 8, 1991. Whichever of these documents the City has signed later in time is currently in effect and hereby made a part of and incorporated into this agreement as set out in full herein. In the event that the Board of Supervisors later approves a revised Joint Indemnity Agreement and the City executes the revised agreement, the subsequent agreement as of its effective date shall supersede the agreement previously in effect between the parties hereto.

10. Each County officer or department performing any service for the City provided for herein shall keep reasonably itemized and in detail work or job records covering the cost of all services performed, including salary, wages and other compensation for labor; supervision and planning, plus overhead, the reasonable rental value of all County-owned machinery and equipment, rental paid for all rented machinery or equipment, together with the cost of an operator thereof when furnished with said machinery or equipment, the cost of all machinery and supplies furnished by the County, reasonable handling charges, and all additional items of expense incidental to the performance of such function or service.

11. All work done hereunder is subject to the limitations of the provisions of Section 23008 of the Government Code, and in accordance therewith, before any work is done or services rendered pursuant hereto, an amount equal to the cost or an amount 10% in excess of the estimated cost must be reserved by the City from its funds to insure payment for work, services or materials provided hereunder.

12. The County shall render to the City at the close of each calendar month an itemized invoice which covers all services performed during said month, and the City shall pay County therefore within thirty (30) days after date of said invoice.

If such payment is not delivered to the County office which is described on said invoice within thirty (30) days after the date of the invoice, the County is entitled to recover interest thereon. Said interest shall be at the rate of seven (7) percent per annum or any portion thereof calculated from the last day of the month in which the services were performed.

13. Notwithstanding the provisions of Government Code Section 907, if such payment is not delivered to the County office which is described on said invoice within

thirty (30) days after the date of the invoice, the County may satisfy such indebtedness, including interest thereon, from any funds of any such City on deposit with the County without giving further notice to said City of County's intention to do so.

14. This contract shall become effective on the date herein-above first mentioned and shall run for a period ending June 30, 2015, and at the option of the City Council of the City, with the consent of the Board of Supervisors of County, shall be renewable thereafter for an additional period of not to exceed five (5) years.

15. In event the City desires to renew this agreement for said five-year period, the City Council shall not later than the last day of May 2015, notify the Board of Supervisors of County that it wishes to renew the same, whereupon the Board of Supervisors, not later than the last day of June 2015, shall notify the City Council in writing of its willingness to accept such renewal. Otherwise such agreement shall finally terminate at the end of the aforescribed period.

Notwithstanding the provisions of this paragraph herein-above set forth, the County may terminate this agreement at any time by giving thirty (30) days' prior written notice to the City. The City may terminate this agreement as of the first day of July of any year upon thirty (30) days' prior written notice to the County.

16. This agreement is designed to cover miscellaneous and sundry services which may be supplied by the County of Los Angeles and the various departments thereof. In event there now exists or there is hereafter adopted a specific contract between the City and the County with respect to specific services, such contract with respect to specific services shall be controlling as to the duties and obligations of the parties anything herein to the contrary notwithstanding, unless such special contract adopts the provisions hereof by reference.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers.

Executed this _____ day of _____ 2010.

The City of San Dimas

By _____
Mayor

ATTEST:

City Clerk

THE COUNTY OF LOS ANGELES

By _____
Deputy

By _____
Chair Board of Supervisors

ATTEST:

SACHI A. HAMAI
Executive Officer/Clerk
of the Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By _____
Deputy



Agenda Item Staff Report

TO: Honorable Mayor and City Council Members
For the Meeting of February 9, 2010

FROM: Krishna Patel, Director of Public Works *KP*

SUBJECT: **Approval to Transfer budgeted General Funds and award of Engineering and Pavement Design contracts for the unbudgeted 5th Street Reconstruction and Rehabilitation (Between Acacia Street and San Dimas Avenue) Project**

SUMMARY

Staff recommends that Council consider approval of transfer of \$37,000 from budgeted General Funds for projects to fund the Engineering and Pavement Design for the 5th Street Reconstruction and Rehabilitation Project. Approval of the transfer of funds allows the expedited and timely completion of the engineering required for the filing of application with Caltrans for the anticipated Federal Economic Stimulus or Job Bill 2 (ARRA2) funding in the amount of \$440,000 for the 5th Street Project.

BACKGROUND

On Thursday, January 21, 2010, we heard that the House of Representatives recently passed the Jobs Bill (ARRA2) which is proposed to be taken up to the U.S. Senate. Our understanding of the bill is that California will receive approximately \$2.9 billion for infrastructure improvements, similar to what the State received in the 2009 Stimulus Bill [American Recovery & Reinvestment Act (ARRA)]. In April 2009, our share or allocation of the stimulus monies based on capita came to approximately \$1,085,000 and these funds were allocated to the San Dimas Avenue Project currently under construction. However, in February 2009, staff was not aware of any formula of allocations for any potential Stimulus funding. Therefore, as a strategy to secure potential available Stimulus funds, staff submitted a short list of projects (below) to the State and FHWA. These prioritized projects were based on the existing Federal street functional classification system and costs in anticipation of receiving some funding:

- 1) San Dimas Avenue Reconstruction, Rehabilitation and Landscape Median (between Gladstone Street and Foothill Boulevard). (Under construction) *(includes ARRA funding of \$1,085,000)*
- 2) Covina Boulevard Reconstruction and Rehabilitation (between Route 57 to Arrow Highway) *Estimate: \$1,000,000 (includes potential ARRA2 funding of \$750,000)*
- 3) 5th Street Reconstruction and Rehabilitation (between Amelia Avenue and San Dimas Avenue) *Estimate: \$600,000 (includes potential ARRA2 funding of \$440,000)*
- 4) Slurry and Cape sealing of City's minor arterials and collector streets (as identified by the Federal Functional Classification System) *Estimate: \$500,000 (includes potential ARRA2 funding of \$440,000)*

Our understanding of the current bill (as written) is that the bill is more restrictive than the first stimulus legislation in that there are:

- 1) No formula for allocation of funds.
- 2) No relaxation of the cumbersome Federal administration process.
- 3) The bill is aimed at projects that are "Shovel Ready".
- 4) Projects submitted (February 2010) must receive Caltrans' approval, be advertised, awarded and filed with Caltrans for award no later than June 3, 2010.

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With the above-mentioned strict time constraints, there remains the uncertainty of receiving timely approvals. In addition, this time around it's highly unlikely that Caltrans will allow addition of new projects to the already approved list. Therefore, rather than jeopardizing the City's chances of receiving ARRA2 funds, Staff is proposing to submit projects that are considered potential "shovel ready" and already in the above-mentioned Caltrans/Federal Highways list of approved projects; these being 5th Street and Slurry and Cape Sealing only, as Covina Boulevard will be delayed due to the need to secure permits from Caltrans and the MTA for the railroad crossing. In addition, a new commercial project is proposed on Covina Boulevard which is conditioned to install fire hydrants and other utility crossing, making the Covina Boulevard project inappropriate for the tight timeframe.

DISCUSSION

In June 2009, 5th Street from Amelia to Acacia was reconstructed and rehabilitated using City funds. There are segments of 5th Street from Acacia Street to Cataract Avenue still in need of repair. Since the State-approved project limits for 5th Street repairs extends up to San Dimas Avenue, Staff believes that we are in good position to secure Stimulus monies for both 5th Street Reconstruction and Rehabilitation from Acacia Street to San Dimas Avenue and the Slurrying and Cape Sealing of city streets on the Federal List. These two projects require only Caltrans review and approval. Submitting approved projects like these that are varied in construction greatly increases our chances of securing approximately \$880,000 of much needed funds for street repairs and maintenance.

Plans and specifications for the cape and slurry seal project will be completed in house. However, due to the need for pavement design and completion of engineering plans quickly for the 5th Street Reconstruction and Rehabilitation Project, Staff proposes to retain RKA Consulting Group to complete the design engineering.

To proceed with the Pavement and Engineering Design of the unbudgeted 5th Street project, Staff is proposing to fund this by transferring funds from already budgeted program projects for city engineering and project management services.

RECOMMENDATIONS

Staff requests that City Council consider and approve the following recommendations for the 5th Street Reconstruction and Rehabilitation Project:

- 1) Transfer of \$10,000 and \$3,000 from the budgeted General Fund account for city engineering services in account number 01-4308-020-002 and 01-4310-020-004, respectively; plus \$12,000 from project management services in account number 01-4310-020-006 for necessary engineering and pavement design services.
- 2) Awarding of contract to RKA Consulting Group for the engineering design services for the preparation of plans and specifications in the amount not to exceed \$27,000.
- 3) Awarding contract to Kleinfelder for the pavement engineering design in the amount not to exceed \$10,000.

Respectfully submitted,



Krishna Patel
Director of Public Works

kp/gdh/02-01-06



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the Meeting of February 9, 2010

From: Blaine Michaelis, City Manager

Initiated By: Public Works Department *LMP*

Subject: **Approval of Change Order to CC 2009-04, "Reconstruction, Rehabilitation, and Landscape Median Project on San Dimas Avenue from Foothill Boulevard to Gladstone Street ESPL-5367 (006), EA NO. 07-933288L" in the amount of \$38,771 to complete geotechnical services.**

Summary

Staff is requesting that Council approve a change order to this contract for additional geotechnical services required to complete the project.

BACKGROUND

At the October 13, 2009 City Council meeting, the council awarded CC 2009-10, "Reconstruction, Rehabilitation, and Landscape Median Project on San Dimas Avenue from Foothill Boulevard to Gladstone Street ESPL-5367 (006), EA NO. 07-933288L". As part of the discussion for that agenda item staff report, a line item for Soil Testing and Independent Assurance Testing was listed for the amount of \$60,000. We contracted with Kleinfelder and Leighton Consulting Inc. for those services. A purchase order was issued to Kleinfelder in the amount of \$33,182 based on their fee proposal to provide principal geotechnical observation and testing services. The fee proposal is generally based on an estimated time and material required for the duration of the project.

DISCUSSION

The construction of this project has been highly impacted by recent rain storms. The rain has caused over-saturation in areas throughout the project and those areas have required additional attention (including areas that had been previously tested and approved).

In addition, the City's desire in expediting the construction period for the project to minimize public inconvenience has also required additional efforts from Kleinfelder. The City has asked the general contractor to expedite the construction of work at critical intersection such as Allen Avenue, Baseline, and Indian Springs / Penn Street to minimize the impact to the public. To

prevent any construction delays and to shorten the period of construction at those intersections, it was necessary to have a geotechnical on the jobsite continuously throughout those construction days rather than periodic inspection as originally included in the scope of work.

Additional geotechnical testing has been required to account for these unforeseen circumstances. Due to the additional services required, Kleinfelder's service fees have exceeded their original fee proposal of \$33,182. Based on the services that have been provided to date and projecting the services required to complete the project, Kleinfelder is requesting a change order for the amount of \$38,771.

To complete the remaining necessary geotechnical inspection and testing services, staff is requesting that Council approve the change order to this contract.

RECOMMENDATION

Staff is requesting that Council approve the following:

- 1. Approve the Change Order to CC CC 2009-04, "Reconstruction, Rehabilitation, and Landscape Median Project on San Dimas Avenue from Foothill Boulevard to Gladstone Street ESPL-5367 (006), EA NO. 07-933288L" in the amount of \$38,771 to complete geotechnical services.**

Respectfully submitted,


Steven Barragan
Associate Engineer

sb/02-10-05



**CITY OF SAN DIMAS
MINUTES
SAN DIMAS REDEVELOPMENT AGENCY MEETING
TUESDAY, JANUARY 26, 2010
COUNCIL CHAMBERS
245 E. BONITA AVENUE**

PRESENT:

Chairman Curtis W. Morris
Vice Chairman Denis Bertone
Mr. Emmett G. Badar
Mr. John Ebiner
Mr. Jeffrey W. Templeman
Executive Director Blaine Michaelis
Agency Attorney Ken Brown
Secretary Ina Rios
Assistant City Manager of Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

CALL TO ORDER

Chairman Morris called the meeting to order at 9:29 p.m.

ORAL COMMUNICATIONS (This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.)

There were no speakers.

APPROVAL OF MINUTES

It was moved by Mr. Badar, seconded by Mr. Ebiner, to approve the minutes for the meeting of January 12, 2010. The motion carried unanimously.

EXECUTIVE DIRECTOR

There were no comments.

MEMBERS OF THE AGENCY

There were no comments.

ADJOURNMENT

Chairman Morris adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Ina Rios, Secretary

bb