



**AGENDA**  
**SPECIAL CITY COUNCIL MEETING**  
**TUESDAY, SEPTEMBER 30<sup>th</sup>, 6:00 P. M.**  
**SAN DIMAS COUNCIL CONFERENCE ROOM**  
**245 E. BONITA AVE.**

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**CITY COUNCIL:**

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

**1. CALL TO ORDER**

**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.)

- a. Members of the Audience

**3. STUDY SESSION**

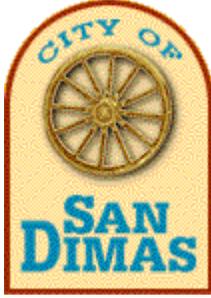
- a. Presentation by City Attorney on Study Sessions and Consideration of a policy regarding study sessions on General Plan Amendments, Specific Plan Amendments, Zone Changes and related development projects.
- b. Consideration of an approach to evaluating land use issues associated with residential densification.

**4. ADJOURNMENT**

To the regular City Council meeting October 14<sup>th</sup>, 2014 at 7:00 p.m.

**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://cityofsandimas.com/minutes.cfm>.

**POSTING STATEMENT:** ON SEPTEMBER 26<sup>TH</sup>, 2014, 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).



## MEMORANDUM

**DATE:** September 30, 2014

**TO:** Mayor and City Council & Planning Commission

**FROM:** Community Development Department

**SUBJECT:** Presentation by City Attorney on Study Sessions and Consideration of a policy regarding study sessions on General Plan Amendments, Specific Plan Amendments, Zone Changes and related development projects.

Staff has not encouraged Study Sessions opting for neighborhood and community meetings as a preferred method to secure feedback. Some projects have held a number of neighborhood meetings to present their development proposals and secure feedback. However, all prefer getting additional feedback and support from the City Council in a Study session.

Developers prefer Study Sessions as a means to provide information about their projects and to secure positive feedback and support at the earliest possible time in advance of spending commitments necessary to bring projects to the application and/or public hearing stages.

- Study Sessions on planning and development projects cannot provide decisions regarding projects because those decisions are more properly tied to the subsequent public hearings. There is usually little opportunity for public input at these study sessions.
- Comments provided by Councilmembers/Commissioners are usually made on an individual basis (rather than as a consensus). This can result in developers misreading the feedback and jumping to wrong conclusions about any perceived support.
- Staff usually provides general information on the projects but does not make recommendations or focus on many details or issues of the projects at this stage.
- Sometimes issues materialize as the project design is revised or adjusted. This could result in additional requests for study sessions to “resolve” these issues or points of disagreement with the Staff.

The most significant concern with holding Study sessions on development projects is walking the fine line to avoid the appearance of making decisions prior to the formal

application and public hearing procedures. It is not difficult for both developers and the public to misunderstand the outcomes of these study sessions and feel that they are meetings at which decisions are made.

If there is a desire to reinstitute the practice of holding study sessions on development projects, Staff feels that establishing a written policy is appropriate. Such a policy should consider the following:

- Timing of the study session
  - Conceptual idea stage
  - Preliminary design stage
  - Preapplication stage
  - Other
- Types of projects appropriate for study sessions
  - Minimum parcel size
  - General plan amendments
  - Zone changes
  - Specific plans
  - Potential for controversy
  - Other
- Possible joint study session with Planning Commission
- Type of public noticing, if any (same as public hearing or something else)
- Relationship, if any, to Community or neighborhood meetings
- Nature of comments to be made
  - Individual Council comments only
  - Consensus/direction
  - Amount or type of public comments
  - Limited to information only presentations

The existing Zoning Code does currently provide an opportunity for some projects (Zone Changes, Specific Plans and MCTA's) to be authorized or initiated by the Planning Commission and/or City Council. The scope of this review is relatively narrow (i.e. Are there changed circumstances that warrant going forward with a potential change?). In addition, there is no direction in the Zoning Code on public notice other than being on the posted agenda. Modification to this procedural step may be a possible approach to addressing the study session matter.

Staff had prepared a Draft Policy (attached) to facilitate discussion of a possible policy. This draft incorporates the following components:

1. Purpose statement – Provides general guidance.
2. A listing of eligible applications which may request study sessions – This listing includes General Plan Land Use Amendments, Zone Changes, Specific Plans and Amendments thereto. There is also a minimum parcel size of two acres suggested. This excludes projects which are in compliance with the existing General Plan, which do not require a Zone Change and/or which comply with adopted Specific Plans. Most of the excluded applications are quasi-judicial in nature whereas the included applications are primarily legislative. Applications

that are legislative generally allow more discretion when they are considered even if they are packaged with quasi-judicial applications.

3. Timing – Staff believes that any study sessions should occur early in the process – either at the pre-application stage or at the authorization to initiate stage. As a result plans/designs which are more conceptual are appropriate. This can also serve to minimize focusing on design details and accommodate discussion of “bigger picture” issues.
4. Participants/Notice – Participation by the Planning Commission seems prudent but that should be at the discretion of the City Council and the policy accommodates that on a case-by-case basis. It should be noted that a study session is not a public hearing and treating it as such with “normal” public noticing would confuse the legally required procedures. The draft policy does encourage that any public considerations be addressed by developer or Staff hosted community meetings/workshops. The Council can defer its determination until after those meetings/workshops.
5. Submissions - At minimum there should be a sufficiently detailed written description of the reasons for the request ( i.e. why a change is necessary or appropriate) and how it is compatible with the surrounding area. Any submittal should also include conceptual site and building plans to illustrate the intended development project.

**RECOMMENDATION:**

Direct Staff as deemed appropriate regarding the attached Draft Policy.



## CITY COUNCIL POLICY – Study Sessions

**PURPOSE** - To accommodate preliminary consideration by the City Council prior to application processing for specified development projects and/or to consider a petition for a zone change or amendment pursuant to Zoning Code Section 18.208.020.

**ELIGIBLE APPLICATIONS** - Proposed development projects involving a change in the existing Land Use designation on the General Plan, a change in zoning, a new Specific Plan (or amendment to an existing Specific Plan) where properties are greater than two (2) acres in size.

**TIMING** - Requests for Study Sessions shall occur during the pre-application stage or immediately upon a determination of completeness for an eligible application.

**PARTICIPANTS**- As determined by the City Council when establishing a date for a requested Study session, the Council may determine that the Session shall be held jointly with the Planning Commission.

**PUBLIC NOTICE** - No mailed notice to surrounding property owners is required other than posting on a published agenda. The Council, at a Study session, may direct the holding of a neighborhood/community meeting and may withhold its comments and/or petition consideration until such a meeting has been held.

### **SUBMITTAL REQUIREMENTS** -

1. A detailed written statement describing the proposed project and all amendments and changes required.
2. A detailed written statement indicating changed conditions warranting such changes or amendments, describing the potential effects on and compatibility with adjacent and nearby properties, stating public benefits that may occur as a result of the changes and/or amendments, and any other information deemed beneficial to understanding the proposals.
3. A conceptual site plan and conceptual building plans.

**LIMITATIONS ON CONSIDERATIONS** - All parties shall understand that no project decisions or direction can be made at a Study session since those determinations are properly made at noticed public hearings. The Council is however authorized to determine that there is not sufficient merit to allow an application to proceed to hearing. The Council may also determine that the scope of any requested change or amendment would better serve the public need by either being increased or decreased in area. The Council may direct a community meeting prior to final determinations on these matters.



## MEMORANDUM

**DATE:** September 30, 2014

**TO:** Mayor and City Council & Planning Commission

**FROM:** Community Development Department

**SUBJECT:** Consideration of an approach to evaluating land use issues associated with residential densification.

With most areas of the City built-out, many future development opportunities present themselves on properties not currently utilized to their fullest potential or perceived as being capable of densification. The proposed developments are likely to be more dense than surrounding properties and there is little advance direction on what changes to density might be appropriate. Recent experiences with the City Ventures project on Eucla and the Olsen project on Foothill indicate that the lack of advance direction results in greater difficulty for both the developer and the community.

Without established development parameters in advance, it has been necessary to react to proposals and try to provide meaningful guidance on the appropriate level of densification. Staff certainly has some reservations about the appropriateness of densification and community meetings on some of these projects have also raised those questions.

Staff believes there is benefit to a different approach that might work better and result in better guidance to potential developers. Appropriate planning for some of these projects requires consideration of how to evaluate surrounding properties for possible inclusion in changes that might be contemplated.

The most appropriate way to address these issues is a General Plan Land Use Element Update but that is expensive (\$250,000- 500,000 depending on how many other Elements are included) and, even if funded, would require 18-24 months to complete. Unless a development moratorium was imposed, some interim guidelines would be needed during any Update process.

Staff suggests the following approach (in addition to re-instituting Study Sessions):

1. Review a map of the City and identify all areas NOT likely to change land uses in the next 10 years.

2. Review all remaining areas to determine if the existing land use is appropriate and add those to the areas not likely to change,
3. For all areas remaining after Steps 1 and 2 above, group (estimating 8-12 Study Areas would result) and prioritize for special studies of land use opportunities.
4. Based upon agreed upon priorities conduct one area special study at a time (2-4 months each depending on size and complexity of issues).
5. Determine for each study area how to evaluate any development opportunities and solicit community and property owner input.
6. After conducting studies implement any revisions through General Plan Amendments (3-4 months).

This approach may be very time demanding on existing Staff and it is possible that a proto-type area could be selected to test the efficacy of the approach and better estimate the time and Staffing demands.

Staff will prepare for consideration at the Study Session two "prototype" areas to illustrate the types of factors to be considered in these land use studies.