



AGENDA
REGULAR CITY COUNCIL
TUESDAY JULY 28, 2015 7:00 P.M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVENUE

CITY COUNCIL:

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

1. CALL TO ORDER AND FLAG SALUTE

2. RECOGNITIONS

- Recognition of City Track and Field participants who represented San Dimas at the Southern California Track and Field Championships in Downey, California

3. 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

4. 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 or audience requests separate discussion.)

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

RESOLUTION NO. 2015 - 39, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF JULY 2015

- b. Approval of minutes for the regular City Council meeting of July 14, 2015 and Special City Council meeting of July 14, 2015.
- c. Approval of Cooperative Agreement between the City of San Dimas and City of La Verne for realignment and construction of Golden Hills Road

- d. **Ordinance 1233**, Adoption of Municipal Code Text Amendment 15-03 to amend the municipal code to conditionally permit the brewing and service of beer as a secondary and incidental use to a restaurant in certain zones permitting commercial uses (**Second reading and adoption**)

END OF CONSENT CALENDAR

5. PUBLIC HEARING

- a. Congestion Management Plan 2015 - Local Development Report

RESOLUTION 2015-40, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

RECOMMENDED ACTION: Approve and Resolution 2015-40 Congestion Management Plan 2015

6. ORAL COMMUNICATIONS

- a. Members of the Audience (*Speakers are limited to five minutes or as may be determined by the Chair.*)
- b. City Manager
 - 1) Via Verde Shopping Center Update
- c. City Attorney
- d. Members of the City Council
 - 1) Appointments/Reappointments to City Commissions
 - 2) Councilmembers' report on meetings attended at the expense of the local agency.
 - 3) Individual Members' comments and updates.

7. ADJOURNMENT

The next meeting will be held August 11, 2015, 7:00 p.m.



Notice Regarding American with Disabilities Act: In compliance with the ADA, if you need assistance to participate in a city meeting, please contact the City Clerk's Office at (909) 394-6216. Early notification before the meeting you wish to attend will make it possible for the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

Copies of documents distributed for the meeting are available in alternative formats upon request. Any writings or documents provided to the City Council regarding any item on this agenda will be made available for public inspection at the Administration Counter at City Hall and at the San Dimas Library during normal business hours. In addition most documents are posted on the City's website at cityofsandimas.com.

Posting Statement: On July 24, 2015, a true and correct copy of this agenda was posted on the bulletin board at 245 East Bonita Avenue (San Dimas City Hall), 145 North Walnut Avenue (Los Angeles County Library), 300 East Bonita Avenue (United States Post Office), Von's Shopping Center (Puente/Via Verde Avenue) and the City's website www.cityofsandimas.com/minutes.cfm

W *HEREAS, the City of San Dimas Parks and Recreation Department has offered a track meet for boys and girls ages 8 to 14 since 1970; and*

W *HEREAS, the Track participants compete in track meets against other municipalities and participate annually in the Southern California Municipal Athletic Federation Track and Field Championships; and*

W *HEREAS, the Southern California Municipal Athletic Federation has provided a venue for recreational competition for track and field each year for the past 50 years; and*

W *HEREAS, SCMAF encourages and supports a positive attitude, good sportsmanship, sound fundamentals and confidence in a variety of sports; and*

W *HEREAS, the Track Participants represented the City of San Dimas in a regional qualifying meet held in the City of San Dimas, competing with children from different agencies in the San Gabriel Valley area; and*

W *HEREAS, 18 of these track participants qualified to represent the City and region in the Southern California Municipal Athletic Federation Championship held on June 7, 2015 in the City of Downey at the Warren High School Track; and*

W *HEREAS, the San Dimas participants competed with children representing municipal agencies from Bakersfield to San Diego.*

W *HEREAS, the City of San Dimas would like to recognize those that participated in the Southern California Municipal Athletic Federation Track and Field Championship: Catie Alvarez, Isaiah Antunez-Portillo, Kelsey Barrett, Samantha Blanco, Matthew Capistrano, Alexis Finley, Sadie Garcia, Kayla Heinlein, Haleigh Jacobs, Noah Livingston, Kyra Miller, Hailey Peterson, Hunter Peterson, Caleb Rivera, Taylor Salazar, Beatrice See, Kiyomi Sunada and Harry Zhou.*

N *OW THEREFORE, be it resolved that I, Mayor Curtis W. Morris, Mayor Pro Tem Jeff Templeman, Councilmembers Denis Bertone, John Ebiner, Emmett Badar do hereby commend the San Dimas track participants for their outstanding achievement and representation of our community.*

J *N WITNESS THEREOF, I, Curtis W. Morris, have hereunto set my hand and caused the seal of the City of San Dimas to be affixed this 28th day of July 2015.*

Curtis W Morris

Mayor

Delmar Black

Attest: _____

Assistant City Clerk

RESOLUTION 2015-39

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN DIMAS, CALIFORNIA, APPROVING
CERTAIN DEMANDS FOR THE MONTH OF JULY 2015**

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 Warrant Register 07/30/2015 (152148-152309) in the amount of
\$1,040,134.38.

PASSED AND ADOPTED this 28th day of July 2015.

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

ATTEST:

Debra Black, Assistant City Clerk

I HEREBY CERTIFY that the foregoing Resolution was approved by vote of the City
Council of the City of San Dimas at its regular meeting of July 28th, 2015 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Debra Black, Assistant City Clerk

07/30/2015

WARRANT REGISTER

Ck#'s 152148-152309

Total: \$1,040,134.38

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	PO#	CLAIM	INVOICE
BANK OF AMERICA						
152157	07/30/15	BAGUES/ALFREDO	500.00			
152158	07/30/15	BERGQUIST-DEVOE/CARL	476.00			
152159	07/30/15	BIRCH COMMUNICATIONS	595.81			18838064
152159	07/30/15	BIRCH COMMUNICATIONS	875.14			18850611
			1,470.95			*CHECK TOTAL
152160	07/30/15	BLACK/DEBRA	38.64			
152161	07/30/15	BLUE BREEZE ENTERTAI	900.00			
152162	07/30/15	BONITA UNIFIED SCH D	3,269.50			1031
152162	07/30/15	BONITA UNIFIED SCH D	1,361.25			6093
152162	07/30/15	BONITA UNIFIED SCH D	1,595.00			6095
			6,225.75			*CHECK TOTAL
152163	07/30/15	BRYANT/ARIEL	60.97			
152163	07/30/15	BRYANT/ARIEL	8.72			
152163	07/30/15	BRYANT/ARIEL	51.54			
			121.23			*CHECK TOTAL
152164	07/30/15	BUSINESS CARD	500.00			
152164	07/30/15	BUSINESS CARD	500.00			
152164	07/30/15	BUSINESS CARD	155.00			
152164	07/30/15	BUSINESS CARD	127.29			
152164	07/30/15	BUSINESS CARD	146.09			
152164	07/30/15	BUSINESS CARD	34.85			
152164	07/30/15	BUSINESS CARD	448.00			
152164	07/30/15	BUSINESS CARD	295.00			
152164	07/30/15	BUSINESS CARD	150.00			
152164	07/30/15	BUSINESS CARD	197.19			
152164	07/30/15	BUSINESS CARD	275.24			
152164	07/30/15	BUSINESS CARD	195.43			
152164	07/30/15	BUSINESS CARD	211.9			
152164	07/30/15	BUSINESS CARD	854.57			
152164	07/30/15	BUSINESS CARD	199.98			
152164	07/30/15	BUSINESS CARD	76.84			
152164	07/30/15	BUSINESS CARD	325.77			
152164	07/30/15	BUSINESS CARD	335.80			
152164	07/30/15	BUSINESS CARD	185.96			
152164	07/30/15	BUSINESS CARD	131.48			
152164	07/30/15	BUSINESS CARD	500.00			
152164	07/30/15	BUSINESS CARD	185.50			
152164	07/30/15	BUSINESS CARD	242.00			
152164	07/30/15	BUSINESS CARD	270.79			

WARRANT DATE VENDOR
BANK OF AMERICA

Disbursement Journal

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
152164 07/30/15	BUSINESS CARD	N42 NEODYMIUM MAGNETS	43.50				N D 001.210.001
152164 07/30/15	BUSINESS CARD	N42 MAGNETS KIT CREDIT	36.00				N D 001.210.001
152164 07/30/15	BUSINESS CARD	CANNON POWERSHOT ELPH	107.91				N D 001.210.001
152164 07/30/15	BUSINESS CARD	BULLY BOOKSHELLE	82.19				N D 001.210.001
152164 07/30/15	BUSINESS CARD	ACQUAINTANCE CLASS 4 ATT	600.00				N D 001.210.001
152164 07/30/15	BUSINESS CARD	COIN SORTER MACHINE	123.04				N D 001.210.001
		*CHECK TOTAL	10,009.49				
152165 07/30/15	CAL BLEND SOILS INC	11384 DECOMPOSED GRANITE	200.56		PO1516-048		N D 001.4341.033.000
152166 07/30/15	CALIF CONTRACT CITIE	11385 ANNUAL MEMBER 7/1-6/ 3,876.00			1782		N D 001.4120.016.000
152167 07/30/15	CALIFORNIA TRUCK EQU	10877 INSTALLATION, UTILI	14,534.06		6713		N D 070.210.001
152168 07/30/15	CARBAJAL/MARIA ANTON	.00002 REFUND CITIATION#	3760 20.00				N D 001.210.001
152169 07/30/15	CHAPARRAL LANES	10829 INSTR. BOWLING JUN-JUL	154.00				N D 001.4420.020.000
152170 07/30/15	CHARLTON/ASHLEY	10991 INSTR. BATON JUN-JULY	71.40				M D 001.4420.020.000
152171 07/30/15	CHARTER OAK MOBILE H	11850 RESCHKE AUG RENT SF14	267.00				N D 034.341.034
152172 07/30/15	CHAVEZ/THELMA	.00010 REFUND DEPOSIT 7/18	500.00				N D 001.210.001
152173 07/30/15	CLEARSTREAM RECYCLIN	10618 CLEARSTREAM RECYCLE P	659.00		64031		N D 001.210.001
152173 07/30/15	CLEARSTREAM RECYCLIN	10618 CLEARSTREAM RECYCLE P	327.00		64032		N D 001.210.001
152173 07/30/15	CLEARSTREAM RECYCLIN	10618 CLEARSTREAM RECYCLE P	377.00		64033		N D 001.210.001
		*CHECK TOTAL	7,877.00				
152174 07/30/15	COELHO/BECKY	10613 INSTR. PILATES JULY	459.68				M D 001.4420.020.000
152175 07/30/15	COMMUNITY ACTION-EAP	11688 AUG'15 EMP. ASSITANT	350.00				N D 001.4150.435.000
152176 07/30/15	COMMUNITY SENIOR SER	10620 GET-ABOUT TIX#77908-0	600.00		77908-78007		N D 072.210.001
152176 07/30/15	COMMUNITY SENIOR SER	10620 GET-ABOUT TIX#77908-0	400.00		77908-78007		N D 072.210.001
		*CHECK TOTAL	1,000.00				
152177 07/30/15	COMMUNITY SENIOR SER	10620 SPONSORSHIP-CITY FY	1,500.00		SD1517		N D 001.4420.013.003
152178 07/30/15	CONSTRUCTION HARDWAR	12284 HINGE	34.56		85292		N D 001.210.001
152178 07/30/15	CONSTRUCTION HARDWAR	12284 THRESHOLD	43.19		85298		N D 001.210.001
		*CHECK TOTAL	77.75				
152179 07/30/15	CONVERT-A-DOC	11011 DOCUMENT SCANNING	205.02		8		N D 001.210.001
152180 07/30/15	CORODATA	10678 RECORD STORAGE JUNE	90.82		RS4171580		N D 001.210.001
152181 07/30/15	COSTCO WHOLESAL	12205 GIFT CARDS MINI B'S	322.88		7/1/2015		N D 001.4150.431.000
152181 07/30/15	COSTCO WHOLESAL	12205 CC/STAFF SESSION SNACK	396.72		7/14/2015		N D 001.4110.021.000
		*CHECK TOTAL	396.72				

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
152182	07/30/15	BANK OF AMERICA	MEMBER DUES 9/1-8/31/15	945.00				N D 001.4420.016.000
152182	07/30/15	CPRS	MEMBER DUES 9/1-8/31/15	130.00				N D 001.4430.016.000
152182	07/30/15	CPRS	MEMBER DUES 9/1-8/31/15	130.00				N D 001.4410.016.000
152182	07/30/15	CPRS	MEMBER DUES 9/1-8/31/15	135.00				N D 001.4414.016.000
152183	07/30/15	CT WEST	TESCO BS BATTERY	610.40		1651		N D 007.4345.020.002
152184	07/30/15	CUEVAS/SANDRA	INSTR.TINY TOTS JUN-J	878.40				M D 001.4420.020.000
152185	07/30/15	D.H. MAINTENANCE SER	JULY WALKER HOUSSE	85.43		17767		N D 003.4410.023.001
152185	07/30/15	D.H. MAINTENANCE SER	JULY MADRERA & MARSHAN	885.41		17767		N D 001.4410.023.000
152185	07/30/15	D.H. MAINTENANCE SER	JULY CAPRERA & BLOIG	254.95		17767		N D 001.4411.023.000
152185	07/30/15	D.H. MAINTENANCE SER	JULY SP CENTER COMM	543.71		17767		N D 001.4412.023.000
152185	07/30/15	D.H. MAINTENANCE SER	JULY SWIM & RACQUET	7,207.88		17767		N D 001.4430.023.000
152186	07/30/15	DEPARTMENT OF PUBLIC	PUBLIC HEALTH LIC.1	1,190.00		IN0118248		N D 001.4430.020.000
152186	07/30/15	DEPARTMENT OF PUBLIC	HEALTH PERMIT 2015-15	2,000.00		TOTAL		N D 001.4411.020.000
152187	07/30/15	DIAMOND DANCEWEAR	VARIOUS DANCE WEAR	1,096.20				N D 110.213.148
152188	07/30/15	ED'S AUTO PARTS	DEAK USA BATTERY	59.90		112958		M D 001.210.001
152188	07/30/15	ED'S AUTO PARTS	STEAKER	124.74		131828		M D 001.4342.011.000
152188	07/30/15	ED'S AUTO PARTS	SOAK	22.13		131838		M D 001.4342.011.000
152188	07/30/15	ED'S AUTO PARTS	BRAKE FLUID, ANITFREEZE	364.23		TOTAL		M D 001.4342.011.000
152189	07/30/15	ENTERPRISE RENT A CA	CAR RENTAL 7/15 C.URR	125.35		184236/1QLZY5		N D 001.4342.011.003
152190	07/30/15	EWING IRRIGATION PRO	RAINBIRD PARTS	25.44		304		N D 008.4415.033.000
152190	07/30/15	EWING IRRIGATION PRO	DRIBLINE BATTERY	25.97		7823		N D 008.4415.033.000
152190	07/30/15	EWING IRRIGATION PRO	INDUSTRIAL BATTERY, HU	150.99		928		N D 008.4415.033.000
152190	07/30/15	EWING IRRIGATION PRO	PVC COUPLING	78.93		928		N D 008.4415.033.000
152190	07/30/15	EWING IRRIGATION PRO	PVC COUPLING PARTS	279.39		928		N D 008.4415.033.000
152190	07/30/15	EWING IRRIGATION PRO	PVC 90 ELL	279.39		TOTAL		N D 008.4415.033.000
152191	07/30/15	EXCEPTIONAL CHOICE L	INSP PW PROJECTS	1,953.00		1020		N D 001.210.003
152191	07/30/15	EXCEPTIONAL CHOICE L	INSP.PW PROJECTS	7,657.00		TOTAL		N D 001.210.003
152192	07/30/15	F & H TIRE CO	SVS, RPR, LABOR UNIT#2	275.25		IN00724515		N D 001.4342.011.002
152193	07/30/15	FOOTHILL VACUUM & JA	DUST MOP FRAME/HANDLE	26.04		373009		N D 001.4411.033.000
152194	07/30/15	FOSTER/MARICEIA	REFUND, CANCELED CLASS	54.00				N D 001.367.002
152195	07/30/15	FREETH/JEFFREY	REIMB.BAT HELMETS	76.23				N D 001.4420.034.003

WARRANT DATE VENDOR BANK OF AMERICA F 9 S ACCOUNT PO# CLAIM INVOICE AMOUNT

WARRANT	DATE	VENDOR	BANK OF AMERICA	DESCRIPTION	AMOUNT
152200	07/30/15	GOLDEN STATE WATER	C	16325 18256100001	20,380.92
152201	07/30/15	GOLDEN STATE WATER	C	12944 CABLE, SURGE, CORD	68.59
152202	07/30/15	GUESS/WENDY		10435 REIMB. SHOOT'N STARS C	144.30
152203	07/30/15	HARNES/ESTELLA		.00013 REFUND, CUSTOMER CANCEL	11.50
152204	07/30/15	HI-SHEEN		13144 JULY JANITORIAL SVS	476.50
152205	07/30/15	HILLEARY/IRENE		.00017 REFUND CUSTOMER W/DREW	48.75
152206	07/30/15	HIRSHORN/KEVIN LAURE		11094 DEP.FLOWER POWER DINNE	50.00
152207	07/30/15	HOFFMAN SOUTHWEST CO		11454 QTR TESTING&ROUTING	850.00
152208	07/30/15	HOLLIDAY ROCK COMPAN		13195 CM76, SHORTLOAD, STANDB	579.36
152209	07/30/15	HOME DEPOT CREDIT SE		13192 TRUCK 66 SUPPLIES	23.97
152209	07/30/15	HOME DEPOT CREDIT SE		13192 TOOL PARTS	47.53

*CHECK TOTAL

36,858.33

N	D	053	.4410	.022	.004
N	D	001	.4342	.033	.000
N	D	110	.213	.148	
N	D	001	.210	.001	
M	D	001	.4342	.020	.003
N	D	001	.368	.011	
M	D	001	.4420	.013	.003
N	D	012	.4841	.813	.003
N	D	001	.4341	.033	.000
N	D	001	.4410	.033	.000
N	D	001	.4410	.041	.000

*CHECK TOTAL

71.50

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
152210	07/30/15	BANK OF AMERICA	REFUND CITE#122123494	45.00				N D 001.210.001
152211	07/30/15	HOOPER/WILLIAM E.	BRUNCH CRUISE PYMT	1,976.71	139142			N D 001.4420.034.002
152212	07/30/15	HORNLOWER CRUISES A	REFUND, CLASS CANCELLED	35.00				N D 001.367.002
152213	07/30/15	HOROWITZ/MICHELE	315 ELEVA AVE	9,670.00				N D 040.210.001
152214	07/30/15	II SHEA ROOFING	ANN.MEMBER D.BLACK	220.00				N D 001.4150.016.000
152215	07/30/15	IIMC	MEDIEVAL TIME SHOW	1,222.25	45924			N D 072.4125.434.000
152216	07/30/15	INLAND EMPIRE	MAGICAL SHOW	1,136.00	45939			N D 072.4125.434.000
152217	07/30/15	INLAND EMPIRE	DAY@BALBOA BEACH/8	5,624.25	*CHECK TOTAL			N D 072.4125.434.000
152218	07/30/15	INLAND OFFICE	OFFICE SUPPLIES	270.65	868296			N D 001.4190.030.000
152219	07/30/15	INLAND OFFICE	OFFICE SUPPLIES	470.93	868442			N D 001.4190.030.000
152220	07/30/15	INLAND OFFICE	OFFICE SUPPLIES	28.23	868466			N D 001.4190.030.000
152221	07/30/15	INLAND OFFICE	ITEMS RENT CRIBDIT	41.53	868469			N D 001.4190.030.000
152222	07/30/15	INLAND OFFICE	OFFICE SUPPLIES	28.23	868474			N D 001.4190.030.000
152223	07/30/15	INLAND OFFICE	OFFICE SUPPLIES	73.23	868472			N D 001.4190.030.000
152224	07/30/15	INLAND OFFICE	OFFICE SUPPLIES	940.20	*CHECK TOTAL			N D 001.4190.030.000
152225	07/30/15	INLAND VALLEY HUMANE	HUMANE SOCIETY AUG	10,957.00				N D 001.4210.413.000
152226	07/30/15	IRWINDALE INDUSTRIAL	PRE-EMPLOYMENT PHYSIC	120.00	104393-610311			N D 001.210.001
152227	07/30/15	JACINTO/JENNY	REFUND CUSTOMER W/DREW	57.00				N D 001.367.002
152228	07/30/15	JACINTO/JENNY	REFUND CUSTOMER W/DREW	60.00	*CHECK TOTAL			N D 001.367.011
152229	07/30/15	JOBS AVAILABLE INC	JOB AD/PLANNING MGR	312.00	1515036			N D 001.4150.010.000
152230	07/30/15	JOHNNY ALLEN TENNIS	INSTR.TENNIS JUNE-J	1,168.92				M D 001.4420.020.000
152231	07/30/15	KEENAN FINANCIAL SER	COMMISSION FEE	627.00	177770			N D 001.4190.200.001
152232	07/30/15	KING BOLT CO	SUPPLY PARTS	149.49	61954			M D 001.4410.033.000
152233	07/30/15	KUBOTA/MITZI	INSTR.SCULPT JUNE-JUL	578.00				M D 001.4420.020.000
152234	07/30/15	L.A. CO. AGRICULTURA	PEST CTRL, WEED ABATEME	58.86	51M			N D 001.210.001
152235	07/30/15	L.A. CO. AGRICULTURA	PEST CTRL, MAT. & EQUI	738.86	52M			N D 001.210.001
152236	07/30/15	L.A. CO. AUDITOR-CON	LAFCO COST F.Y.2015-1	804.31	*CHECK TOTAL			N D 001.210.001
152237	07/30/15	L.A. CO. PROBATION D	CRIME PREV.4/1-6/3	18,500.00	2015-2016			N D 001.311.059
					141504PIP			N D 001.210.001

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM INVOICE	PO#
1522228	07/30/15	L.A. COUNTY SHERIFF	359,900.04	155029NH	N D 001.210.001
1522228	07/30/15	L.A. COUNTY SHERIFF	470.06	155029NH	N D 001.210.001
1522228	07/30/15	L.A. COUNTY SHERIFF	38,970.06	155029NH	N D 001.210.001
1522228	07/30/15	L.A. COUNTY SHERIFF	7,700.58	155029NH	N D 001.210.001
1522228	07/30/15	L.A. COUNTY SHERIFF	17,080.58	155029NH	N D 001.210.001
1522228	07/30/15	L.A. COUNTY SHERIFF	21,268.55	155029NH	N D 001.210.001
1522228	07/30/15	L.A. COUNTY SHERIFF	468,962.30	155029NH	N D 001.210.001
1522229	07/30/15	LAMPYS/LAURA	49.54	*CHECK TOTAL	N D 001.210.001
1522230	07/30/15	LEPE/MAURO	65.00	S1267830	M D 034.210.001
1522231	07/30/15	LINCOLN AQUATICS	161.60	S1267830	N D 001.210.001
1522232	07/30/15	LOS ANGELES SUPERIOR	5,632.40	*CHECK TOTAL	N D 001.210.001
1522232	07/30/15	LOS ANGELES SUPERIOR	7,040.50	*CHECK TOTAL	N D 001.210.001
1522233	07/30/15	LOWE'S HOME IMPROVEM	199.26	02871	N D 008.4414.020.016
1522233	07/30/15	LOWE'S HOME IMPROVEM	6.19	09100	N D 001.4430.033.000
1522233	07/30/15	LOWE'S HOME IMPROVEM	232.89	09100	N D 001.4410.015.000
1522233	07/30/15	LOWE'S HOME IMPROVEM	226.77	09142	N D 008.4414.033.000
1522233	07/30/15	LOWE'S HOME IMPROVEM	223.41	10684	N D 001.4410.033.000
1522233	07/30/15	LOWE'S HOME IMPROVEM	752.73	60478	N D 034.4802.033.000
1522233	07/30/15	LOWE'S HOME IMPROVEM	752.73	60478	N D 001.4411.033.000
1522234	07/30/15	M S A	75.00	2015-2016	N D 001.4341.016.000
1522235	07/30/15	MAD SCIENCE	1,683.00	2015-2016	N D 001.4420.020.000
1522236	07/30/15	MAGIC JUMP RENTALS I	1,265.00	120132	N D 001.4420.033.000
1522236	07/30/15	MAGIC JUMP RENTALS I	215.00	120924	N D 001.4420.033.000
1522236	07/30/15	MAGIC JUMP RENTALS I	215.00	120925	N D 001.4420.033.000
1522237	07/30/15	MARIPOSA LANDSCAPES	3,500.00	*CHECK TOTAL	N D 075.210.001
1522238	07/30/15	MARSAN TURF & IRRIGA	1,238.51	69129	N D 008.4414.020.016
1522238	07/30/15	MARSAN TURF & IRRIGA	160.49	403197	N D 008.4414.020.016
1522238	07/30/15	MARSAN TURF & IRRIGA	192.19	403447	N D 008.4414.020.016
1522238	07/30/15	MARSAN TURF & IRRIGA	1,712.97	403651	N D 008.4414.020.016
1522239	07/30/15	MC LAY SERVICES INC	650.00	*CHECK TOTAL	N D 001.210.001
1522239	07/30/15	MC LAY SERVICES INC	799.00	INV47101	N D 034.4802.033.002
1522239	07/30/15	MC LAY SERVICES INC	799.00	INV47187	N D 034.4802.033.002

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
BANK OF AMERICA							
152240	07/30/15	MEDIAVAL TIMES	1,828.00		JULY 1, 2015		N D 001.4420.034.002
152241	07/30/15	MOBILE HOME IMPROVEM	1,925.00		PO1415-589		M D 034.210.001
152242	07/30/15	MYFLEETCENTER.COM	13.87		265950		N D 001.210.001
152242	07/30/15	MYFLEETCENTER.COM	12.11		79913		N D 001.210.001
			25.98		*CHECK TOTAL		
152243	07/30/15	NEW MILLENNIUM CONST	9,525.52		1876		N D 020.210.003
152244	07/30/15	NRPA	165.00				N D 001.4420.016.000
152245	07/30/15	O ROURKE/TIMOTHY EDW	45.00				N D 001.210.001
152246	07/30/15	O'DWYER/MONIQUE	35.00				N D 001.210.001
152247	07/30/15	O'MALLEYS FLOWERS OF	9.81		007627		M D 001.4420.013.003
152248	07/30/15	OLSEN/ROBERTA	27.00				N D 001.367.002
152249	07/30/15	PACIFIC COAST RACE T	1,295.00		871		M D 001.4420.034.010
152250	07/30/15	PARS	400.00		31992		N D 001.210.001
152251	07/30/15	PARTIES UNLIMITED	392.40				M D 001.4420.013.003
152252	07/30/15	PARTY PONIES & FRIEN	700.00		08/21/2015		M D 001.4420.033.000
152253	07/30/15	PHOENIX GROUP INFORM	1,308.16		100		N D 001.210.001
152254	07/30/15	PINNACLE ADVISORY GR	5,860.00		062015188		N D 038.4120.020.522
152255	07/30/15	PLUMBING WHOLESALE O	129.59		S100025673.001		N D 001.210.001
152255	07/30/15	PLUMBING WHOLESALE O	111.47		S100029520.001		N D 001.4410.041.000
152255	07/30/15	PLUMBING WHOLESALE O	32.85		S100029520.001		N D 001.4430.023.000
152255	07/30/15	PLUMBING WHOLESALE O	206.93		S100029723.001		N D 001.4430.023.000
152255	07/30/15	PLUMBING WHOLESALE O	17.16		S100030253.001		N D 001.4430.023.000
			498.00		*CHECK TOTAL		
152256	07/30/15	POMONA VALLEY HOSPIT	34.00				N D 001.4420.020.000
152257	07/30/15	POMONA VALLEY TRANSP	43,437.00		FY 2016		N D 072.4125.433.000
152257	07/30/15	POMONA VALLEY TRANSP	68,350.00		FY 2016		N D 072.4125.445.000
			114,037.00		*CHECK TOTAL		
152258	07/30/15	POOL & ELECTRICAL PR	13.42		07351859		N D 001.4411.023.000
152259	07/30/15	PROSOURCE FACILITY S	315.86		5897		N D 001.4410.031.000
152259	07/30/15	PROSOURCE FACILITY S	315.86		5897		N D 001.4411.031.000
152259	07/30/15	PROSOURCE FACILITY S	315.86		5897		N D 001.4412.031.000
							N D 001.4430.031.000

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
152298	BANK OF AMERICA						
07/30/15	UNITED OF OMAHA	10667 SERP/INA RIOS	10,444.00		177771		N D 001.4190.200.001
152299	07/30/15	10469 1127771672 INTERNET	54.99				N D 001.4190.020.034
152300	07/30/15	17164 909 592-0732	106.20				N D 001.4411.022.003
152301	07/30/15	11145 GNRL PEST CTRL DEC-JU	300.00		44175		N D 001.4342.020.003
152302	07/30/15	10983 VIA VERDE DESIGN S	24,750.00		421258		N D 012.210.001
152303	07/30/15	17178 INSTR.KARATE JULY	615.60				M D 001.4420.020.000
152304	07/30/15	17180 INSTR.KARATE JULY	615.60				M D 001.4420.020.000
152305	07/30/15	10242 HYPOCHLORITE SOLUTION	398.63		5308709		N D 001.4430.033.000
152305	07/30/15	10242 HYPOCHLORITE SOLUTION	189.70		5309103		N D 001.4430.033.000
152305	07/30/15	10242 HYPOCHLORITE SOLUTION	524.70		5309442		N D 001.4430.033.000
152305	07/30/15	10242 SODIUM BICARBONATE	127.91		5309755		N D 001.4430.033.000
152305	07/30/15	10242 HYPOCHLORITE SOLUTION	127.11		5309804		N D 001.4430.033.000
			1,343.97		*CHECK TOTAL		
152306	07/30/15	10319 CLEAN WASH RACK PIT	400.00		20518		N D 001.210.001
152307	07/30/15	11441 INSTR.DRAWING JUN-JUL	816.00				M D 001.4420.020.000
152308	07/30/15	.00018 REFUND,CUSTOMER W/DREW	25.00				N D 001.367.002
152309	07/30/15	12267 INSTR.TAI CHI JULY	114.24				M D 001.4420.020.000
	BANK OF AMERICA	TOTAL	1,040,134.38				

Disbursement Journal

CLAIM INVOICE

AMOUNT

1,040,134.38

DESCRIPTION

PO#

RECORDS PRINTED - 000435

Disbursement Journal

FUND RECAP:		
FUND	DESCRIPTION	DISBURSEMENTS
001	GENERAL FUND	677,041.80
003	WALKER HOUSE LLC FUND	2,416.06
004	CITY HALL/COUCHING BLVD/PLAZA FUND	2,900.00
007	CITY WIDE LIGHTING DISTRICT	43,948.26
008	LANDSCAPE PARCEL TAX	26,406.37
012	INFRASTRUCTURE REPLACEMENT	89,459.11
020	COMMUNITY PARK DEVELOPMENT	2,866.68
027	CIVIC CENTER PARK 2-1-12	2,866.68
034	HOUSING AUTHORITY CG 2-1-12	2,866.68
038	SUCCESSOR AGENCY DEV BLOT & OPERATIO	5,860.00
040	COMMUNITY DEV BLOT & OPERATIO	9,670.00
053	GOLF COURSE MAINTENANCE	9,670.00
070	EQUIPMENT REPLACEMENT	20,764.32
071	AIR QUALITY MANAGEMENT DIST	14,534.06
072	PROP A LOCAL TRANSPORTATION	16,867.00
075	LANDSCAPE MAINTENANCE DIST	124,887.35
110	TRUST AND AGENCY	2,500.00
	TOTAL ALL FUNDS	1,040,134.38

BANK RECAP:		
BANK	NAME	DISBURSEMENTS
CHEK	BANK OF AMERICA	1,040,134.38
	TOTAL ALL BANKS	1,040,134.38



MINUTES
SPECIAL CITY COUNCIL MEETING
MONDAY, JULY 14, 2015 5:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
CONFERENCE ROOM
245 E. BONITA AVENUE

PRESENT:

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

City Manager Blaine Michaelis
Assistant City Manager Ken Duran
City Attorney Mark Steres
Assistant City Manager for Community Development Larry Stevens
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

1. CALL TO ORDER

Mayor Morris called the Special City Council Meeting to order at 5:05 p.m.

2. ORAL COMMUNICATIONS

A member of the audience commented that they feel bad that the flag poles on Bonita will be removed.

3. REVIEW PLANS FOR THE BONITA AVE. BOARDWALK AND LANDSCAPE IMPROVEMENT PROJECT

City Manager Michaelis reported that at the April 14th Study Session the City Council provided direction on a series of decision points that allowed staff and the architect to proceed with the design development phase to create the overall plan for the downtown project. He added that the objective tonight is to present the design and receive final direction from the Council on the design in order to move forward with construction drawings. He also added that we have broken the project into segments, the core project and some optional components.

Robert Collings, Architerra Design Group, provided a presentation on the project. He identified the boundaries of the project and described the general improvements for the core area, public plaza, Exchange Place, public alley and Rhoads Park.

In response to a question in regards to the number of trees being replaced, Mr. Collings stated that there are actually less trees in the proposed plan than are currently existing. Mr. Collings reviewed the street tree palette. Mayor Pro Tem Templeman expressed concern with trees blocking business signs. Mr. Collings responded that with appropriate pruning you will be able to see through the trees. He also described the heights of the trees at maturity.

Mr. Collings reviewed the plant pallette for the pot planting and bio swales. He also reviewed the hardscape elements such as bollards, drinking fountain, benches, trash cans and historic markers. Margie Green asked if the existing in ground bronze plaques would be retained. Mr. Patel responded that they would be salvaged and reused.

Mr. Collings reviewed the bike racks, mailbox clusters, pots and outdoor dining fencing. Mr. Michaelis asked for feedback from the Council on the street furniture. Mayor Morris commented that he doesn't think that the pre-cast benches are as nice as the existing benches. Mayor Morris also commented that having the bio-swale reduces the size of the plaza area and asked if they are required. Richard Krumweide, Architerra Design Group, commented that the purpose of the bio-swales is to eliminate the existing drainage. Mr. Patel explained the existing drainage. There was discussion on the bio-swale and drainage options.

In response to a question Mr. Collings commented that the two London Plane trees in front of the gas station will be removed because of the sidewalk lifting. Councilmember Ebner commented that if the trees need to be removed then maybe replacing them with a taller tree than the Crepe Myrtle would be nice. He also added that a taller tree in the plaza also may be nice. Mayor Morris concurred.

Mayor Pro Tem Templeman commented that during events people will be standing in the bio-swale areas. Mr. Krumwiede commented they are not designed to be walked through. There was further discussion on the appropriateness of the bio-swale next to the plaza. It was the consensus of the Council to eliminate the bio-swale on the south side of Bonita and to expand the plaza area and handle the run-off with a box culvert.

Mr. Michaelis asked if there was further direction on the use of Crepe Myrtle tree species. There was further discussion on the tree species. The consensus was that the Crepe Myrtles were okay. Mayor Pro Tem Templeman asked that the locations of the trees be filed adjusted if necessary to not block signs. Mr. Stevens commented that there are 5 directional signs being added providing for additional business signing opportunities. He further added that these signs will replace the existing monument signs.

In response to a question, Mr. Collings stated that the cost of the clock tower, including base and installation is \$37,000. Councilmember Badar commented that if we left the flag poles maybe we could put the clock tower on hold.

In response to a question Mr. Collings described in more detail the proposed improvements to Rhoads park, in particular the swale. Margie Green asked if the historical marker from the existing Mud Springs monument off Arrow Hwy. could be relocated.

Mayor Pro Tem Templeman commented that he felt it was important to have the American flag located in the downtown.

In response to questions Mr. Collings commented that the concrete finish is easily cleaned from spills, the material for the citrus labels on the benches has yet to be determined and that dog friendly drinking fountains had not been included.

A member of the audience commented that she does not like the whimsical bike rack design. Mayor Pro Tem Templeman commented that he was looking for additional color by adding that bike rack but also doesn't like the design.

Mr. Michaelis asked for feedback on the color of the pots. It was the consensus of the Council that they liked the proposed color of the pots.

A member of the audience commented that she felt the murals enhanced the downtown.

Councilmember Ebner commented that he supports a dog friendly drinking fountain. Mr. Krumwiede commented that the specified style does have a model that includes a dog bowl.

A member of the audience asked about adding a cross walk in front of the hardware store. Mayor Morris responded that the traffic engineer recommends only have one cross walk per intersection.

In response to a question on directional signage Mr. Michaelis commented that the proposed budget does have an allowance for way finder signs to the parking lots.

Mayor Morris commented that it would be nice to have the Roadys neon sign restored at some point.

In response to a question on timing Mr. Patel commented that it is anticipated that the project would be phased one block at a time with it taking about 6 weeks per block and starting in spring 2016 and finishing around September.

The property manager for the Mercantile building commented that she can't wait that long to reroof her building. She was told that staff would meet with her now and there is no reason for her to delay her roof project.

Mr. Michaelis reviewed the cost estimates by segment.

Mayor Morris asked about the two finishes of the concrete, acid wash and broom finish. Mr. Collings commented that the design includes the use of both. There was discussion on the concrete finishes and difference in cost. The Council consensus was that they preferred the acid wash finish.

In response to a question Mr. Michaelis responded that the core project includes the closing off of the alley by fully improving the streetscape but does not include improvements to the alley. Mayor Pro Tem Templeman commented that his suggestion would be to make the alley improvements as an add alternate to the bid package. Mr. Michaelis suggested that we hold off on Exchange Place and the alley at this time. He added that the driving force for the Rhoads Park improvements was to address the sidewalk damage from the trees and the drainage problem. He suggested that those projects could be dealt with separately as a public works project in-house or as a part of the street work and hold off on the other park improvements.

Mr. Michaelis suggested that we hold off on any outdoor art such as murals and pre-cast seating, because it may be better to see what's appropriate after the project is complete.

Mr. Michaelis commented that the proposed design removes the brick banding that was proposed against the building and asked about interest in removing the brick banding along the curbs as well. There was discussion on the brick banding and concrete finishes. The Council consensus was to eliminate all brick banding and use the acid wash concrete as the primary finish and use broom finish concrete banding as the accent, including the corners. Mr. Krumweide added that they would still change the concrete scoring pattern on the corners as an accent.

It was the consensus of the Council to not include any improvements to Rhoads Park, including the corner and sidewalk as a part of the project, and to address the sidewalk damage and drainage separately.

Mr. Michaelis commented that as a part of the project a number of existing encroachments into the boardwalk will have to be removed and as these are removed modifications to the existing buildings are likely. He added that staff will work with the property owners on these issues however the City may need to provide some design and or construction assistance. He suggested that an assistance program such as the previous façade assistance program be set-up. He added that as a place holder in the project budget staff is estimating \$250,000 but this number can change depending on how the program is structured and the interest in assistance. He added that staff's recommendation is to focus primarily on the properties that are impacted directly by the project. In response to a question he commented that the outdoor dining fencing is currently included in the budget for existing restaurants, however, future outdoor dining fencing should be the responsibility of the business. He added that any assistance program should require the business to cover at least 50% of the cost and the structure should be a loan instead of grant with interest comparable to the City's investment earnings.

Mayor Pro Tem commented that it is important to meet with the individual businesses to determine their needs.

Mr. Stevens asked if there is interest in expanding a program beyond those businesses that are directly impacted by the project. Mayor Pro Tem Templeman commented that he felt the program should be equitable with the previous program. Mr. Stevens suggested that staff do outreach to the businesses and find out what the needs are and bring back recommendations.

The Council consensus was to include a flag pole for the American flag and leave the location up to the staff and the architect.

4. ADJOURNMENT

There being no further business the meeting was adjourned at 6:55 p.m.

Respectfully submitted,

Ken Duran, City Clerk



MINUTES
REGULAR CITY COUNCIL
HOUSING AUTHORITY MEETING
TUESDAY JULY 14, 2015 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVENUE

CITY COUNCIL:

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

STAFF:

City Manager Blaine Michaelis
Assistant City Manager Community Development Larry Stevens
Assistant City Manager Administrative Services Ken Duran
City Attorney Mark Steres
Director Parks & Recreation Theresa Bruns
Director of Public Works Krishna Patel
Assistant City Clerk Debra Black
Associate Planner Jennifer Williams

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order and led the flag salute at 7:07 p.m.

2. RECOGNITION

- Proclaim July as Parks Make Life Better Month!

Director of Parks and Recreation Theresa Bruns introduced Parks & Recreation Manager Leon Raya who spoke of the benefits of the Parks and Recreation experience in the City of San Dimas and invited city employees who were participants in the some of the various city parks programs to share their experiences. The employees who spoke were Maggie Shanahan, Elizabeth Franklin, Ariel Bryant, Zach Patterson, and Silvia Villagran.

- Presentation of HEROES Banner to Kiel Vickers, United States Army, recently discharged from active duty in the Armed Forces

Mayor Morris introduced Gary Enderle with the San Dimas Community Foundation HEROES Organization who shared some of Kiel's contributions while in the Armed Forces and then introduced Kiel Vickers for the presentation of his banner and certificate.

- 3. 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) Cherie Panzer - Chamber of Commerce – activities and events
- 2) Matt - Senator Carol Lui's Office – Water Forum July 24, 2015 10:00 a.m. in Duarte
- 3) Dr. Ersher – shared comments on retaining the quality of development in San Dimas and action needed on Via Verde Shopping Center
- 4) Captain Harris San Dimas Sheriff's Station – announcement on current scam artist phone calls

4. 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.)

Councilmember Ebner asked for a correction to the minutes that appeared as though he abstained from approval of all consent items instead of just the minutes. He also suggested in the future adding more content to speaker comments in the minutes.

MOTION: A motion was made by Councilmember Bertone and seconded by Councilmember Ebner to approve the consent calendar with the following correction and suggestion from Councilmember Ebner: correct the minutes of June 23 to reflect his abstention from approval of minutes only; and use of staff members titles in the minutes. The motion passed by vote of **(5-0)**.

Yes: Badar, Morris, Templeman

Noes: None

Absent: None

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

RESOLUTION NO. 2015-38, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTHS OF JUNE AND JULY 2015.

b. Approval of minutes for Special City Council and Regular City Council meetings of June 23, 2015.

c. Renewal of Cash Contract 2011-15, Asphalt Maintenance Project – Various citywide Locations Contract to Paveco Construction, Inc. in the amount up to \$122,000.

d. Renewal of Cash Contract 2011-07, Annual Striping Maintenance Contract to Superior Pavement Marking, Inc. in the amount of \$90,000.

- e. **Renewal of Cash Contact No. 2011-04, Concrete Maintenance Project – various citywide Locations to Grigolla & Sons Concrete in the amount up to \$106,000.**

END OF CONSENT CALENDAR

5. PUBLIC HEARINGS OR PLANNING MATTERS

- a. **Consideration of Municipal Code Text Amendment 15-03, To conditionally permit the brewing of beer as a secondary and incidental use to a restaurant (Brewpub Restaurants) in Commercial Zones and Specific Plans permitting commercial uses. Planning Commission recommended approval 3-0-1 on June 4, 2014**

ORDINANCE 1233, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING MUNICIPAL CODE TEXT AMENDMENT 15-03 TO AMEND THE MUNICIPAL CODE TO CONDITIONALLY PERMIT THE BREWING AND SERVICE OF BEER AS A SECONDARY AND INCIDENTAL USE TO A RESTAURANT IN CERTAIN ZONES PERMITTING COMMERCIAL USES

RECOMMENDED ACTION: First reading and introduction

Associate Planner Jennifer Williams presented staff's report on this item recommending approval of Municipal Code Text Amendment 15-03.

Responding to a question from Councilmember Bertone, Associate Planner Williams replied that staff would bring industrial zone usage back at a future time.

Councilmember Templeman asked what would be easier to resolve the commercial concept or the barrel limitation discussed in the presentation.

Assistant City Manager of Development Services Larry Stevens responded if council decided to impose the barrel limitation a brewpub restaurant in a commercial zone that decided to produce more than five thousand barrel per year would need a code amendment to accommodate the larger operation. If the limitation is not adopted independent limits could be imposed as part of a conditional use permit; however typically the code is used rather than individual use permits to establish those types of limitations and criteria. A majority of operations that would like to have a craft brewery with their restaurant would be able to live with the five thousand limit.

Staff and council continued discussion on the impacts of barrel limitations.

Assistant City Manager Stevens suggested a middle position could be to add language to the Planning Commission's recommendation; something close to "and the brewing component shall generally be limited to a maximum production of five thousand barrels per year except when determined to be compatible with other uses in the vicinity as part of a conditional use permit the barrel limit may be adjusted."

City Attorney Steres suggested using staff's sentence and adding "a maximum of five thousand unless specifically authorized by the Planning Commission."

Mayor Morris opened the public hearing at 8:13 p.m. Seeing no one come forward the public hearing was closed at 8:14 p.m. and brought back to Council for decision.

MOTION: It was moved by Councilmember Badar, seconded by Councilmember Bertone to waive further reading and introduce Ordinance 1233 with the additional language suggested by Mr. Stevens. Motion passed by **(5-0)** vote.

Yes: Ebner, Morris, Templeman

Noes: None

Absent: None

6. SAN DIMAS HOUSING AUTHORITY

- a. Resolution No. 06 – A Resolution of the San Dimas Housing Authority confirming and approving that the Executive Director or the Chairman is authorized to execute documents on behalf of the San Dimas Housing Authority**

RECOMMENDED ACTION: Adopt Resolution No. 06

City Manager Blaine Michaelis presented staff's report on this item and recommended adopting Resolution No. 06

MOTION: It was moved by Councilmember Bertone seconded by Councilmember Templeman to waive further reading and adopt Resolution No. 06. The motion passed by vote of **(5-0)**.

YES: Badar, Ebner Morris

Noes: None

Absent: None

7. ORAL COMMUNICATIONS

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

- 1) Raymond Foster – Masonic and Rotary announcements and activities
- 2) Dr. Ersher asked if council would respond to his earlier suggestions

Mayor Morris suggested the City Manager put on his calendar for an update

b. City Manager

The Redevelopment Dissolution meeting in Sacramento was cancelled; this usually means there weren't enough votes to move forward. Language in the bill does streamline some things and brings more stability to the process, but city loans to the Redevelopment Agency are still unresolved and decisions are at the discretion of the Department of Finance. Our regional representatives have been very responsive. Assembly Member Holden is Chair of a working group to look at the issue to see what can be done.

c. City Attorney

Nothing to report.

d. Members of the City Council

- 1) Set a date and time for continued Planning Commission vacancy interviews.
Suggested date and time July 28, 2015 5:30 p.m.

Date confirmed by all councilmembers.

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

None

- 3) Individual Members' comments and updates.

Councilmember Templeman – state the biggest problems with the Claremont Loop is misuse, over use and parking.

9. ADJOURNMENT 8:44 p.m.

Respectfully submitted,

Debra Black, Assistant City Clerk



Agenda Item Staff Report

Date: July 22, 2015

To: Honorable Mayor and Members of City Council
For the meeting of July 28, 2015

From: Blaine Michaelis, City Manager

Initiated by: Krishna Patel, Public Works Director *KP*

Subject: **Approval of Cooperative Agreement between the City of San Dimas and City of La Verne for realignment and construction of Golden Hills Road**

Summary

The proposed realignment and reconstruction of Golden Hills Road jurisdictionally lies within City of San Dimas; however, a proposed subdivision development between San Dimas Canyon Road and La Verne's westerly City boundary, has a required mitigation measure to provide public safety access to subject property as well as to provide an emergency access or evacuation route. Under mutual agreement with La Verne, in December 2014 San Dimas proceeded with the design and construction of Golden Hills Road Realignment thru the County Flood facility subject to requirements of County approvals and accordingly with the understanding that both agencies will fund its share of the improvement costs.

In December 2014, Council approved the appropriation of additional funds to supplement the funding for all the needed Right of Way engineering, Environmental Services, Civil design and County processing fees and permits and approved retaining a consultant to provide engineering services for the Golden Hills Road Realignment project.

Staff requests Council's to consider approving the Cooperative Agreement with the City of La Verne for the realignment.

BACKGROUND

The existing Golden Hills Road has been closed to thru traffic since December 2010 and is opened for emergency vehicles only. This narrow low volume winding roadway with steep vertical slopes has experienced severe erosion and slides during storms and therefore for public safety has remained closed.

Due to the precarious nature of Golden Hills Road, the City had pursued the County for several years to allow for an all-weather roadway thru the County facilities or thru the adjacent San Dimas Debris Placement Site (SDDPS). Finally in May 2014, the City and County came to an agreement where the County agreed that the roadway does benefit the Flood Control District and therefore will allow the new roadway to be construed thru the SDDPS. This roadway would also be the alternate access for the residents of La Verne, San Dimas, as well as the County for access to their major flood control facilities in the canyons above.

In exchange for allowing the City to build a roadway thru SDDPS, the County has also stipulated the remaining eastern portion of the SDDPS property lying east of the roadway shall be maintained by the City. In addition, the County will not waive any permit fees (plan check and inspection for the roadway) or the Staff

time for review and preparation of any legal description and maps for approval of acceptance by the Board of Supervisors.

The total cost estimate for the new all-weather roadway based on conceptual design for realignment of Golden Hills Road is estimated to be \$950,000.

City of La Verne Residential Project

In parallel to our desire of seeking a roadway thru SDDPS, the City of La Verne in August 2014, also approved a 22 lot subdivision in the former "Sturrocks Christmas Tree farm" property lying just west of the Caballo Ranch Road or near the "dip crossing" on San Dimas Canyon Road. The proposed subdivision development has been conditioned to provide a secondary access way for emergency access and as a mitigation measure the developer has agreed to contribute his fair share (up to \$750,000) amount towards the construction of an all-weather roadway that will be 26' wide curb to curb and will be approximately 1,300 feet long extended from San Dimas Canyon Road to La Linda in La Verne.

As a commitment to comply with his fair share contribution, in October, the La Verne developer had deposited \$100,000 with La Verne and will pay the remaining balance at the recordation of the tract map which is anticipated to occur in fall of 2015.

Mutual Cooperative Design and Construction Funding Understanding with City of La Verne

Taking into consideration that Golden Hills Road realignment and reconstruction estimated cost exceeds the developer's \$750,000 contribution, with both cities recognizing the importance of this roadway to the community, both mutually agreed to enter into a formal agreement for the sharing of design and construction costs of this roadway and any additional costs over and above the developer's contribution.

With a cooperative mutual understanding in place with La Verne and the County agreeing to grant an easement thru SDDPS for the new roadway, in December 2014, the City Council approved appropriations of additional funds to supplement the funding for Right of Way, Environmental Services, Soils, Civil Engineering and LA County processing fees and permits, including the approval, to retain a Civil Engineering consultant for completion all the engineering and design services needed to Realign Golden Hills Road thru the Counties property.

To date the engineering plans are 75% completed and are currently being reviewed by LA County and we anticipate being under construction in spring of 2016. This is contingent upon securing all LA County approvals including the County Board of Supervisors approvals for the needed street right of way.

DISCUSSION

On July 20th, the City of La Verne City Council formally approved the attached Agreement. This after both staff from City of La Verne and San Dimas as well as both City Attorneys had reviewed the agreement and was satisfied with the terms, contingent on both City Councils support and approval.

The proposed Agreement provided the following terms:

- If the project cost exceeds the initial \$750,000, the agreement states that San Dimas will contribute the difference up to \$900,000.
- If the project cost exceeds \$900,000, La Verne will contribute 25% of the difference up to \$1.1 million and San Dimas will contribute 75% of the difference up to \$1.1 million, and finally if the project cost exceeds \$1.1 million La Verne and San Dimas will divide the remaining cost of the project 50% and 50%.

- If the housing project fails to move forward, La Verne will be responsible for reimbursing San Dimas 50% of the incurred costs less the \$100,000 reimbursement.

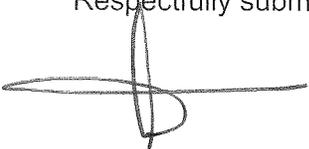
In addition, since existing Golden Hills Road is closed to thru traffic and is open for emergency vehicles only, it's quite possible that prior to completion of the new street, the existing roadway may be used to provide secondary access in the event if the developer applies for occupancy permit prior to the completion of the realigned Golden Hills Road.

To make the roadway safer and more passable, the developer has been conditioned to deposit an additional \$100,000 to be used by the City of La Verne to make emergency repairs to the existing Golden Hills Road. The City of La Verne and City of San Dimas will enter into a separate agreement in order to allow the City of La Verne to make repairs to Golden Hills since a majority of the road is in San Dimas's jurisdiction.

RECOMMENDATION:

Staff recommends that City Council approve Cooperative Agreement with the City of La Verne for the realignment and construction of Golden Hills Road.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Krishna Patel', written over a horizontal line.

Krishna Patel
Director of Public Works

Attachment

07-15-27 kp

**COOPERATIVE AGREEMENT
BETWEEN THE CITY OF LA VERNE AND THE CITY OF SAN DIMAS
FOR THE REALIGNMENT OF GOLDEN HILLS ROAD**

THIS AGREEMENT (“AGREEMENT”) is made and entered into this 20th day of July, 2015, by and between the CITY OF LA VERNE (“LA VERNE”), a municipal corporation, and the CITY OF SAN DIMAS (“SAN DIMAS”), a municipal corporation. LA VERNE and SAN DIMAS may hereinafter be referred to collectively as “PARTIES”.

RECITALS

1. The PARTIES have evaluated the realignment of Golden Hills Road (the “PROJECT”).
2. Golden Hills Road is located in SAN DIMAS
3. LA VERNE desires to partner with SAN DIMAS to complete the Project.
4. LA VERNE and SAN DIMAS desire to set forth responsibilities and obligations of the PARTIES as pertains to participation in the PROJECT.

IT IS HEREBY AGREED AS FOLLOWS:

SAN DIMAS AGREES TO:

1. Act as the Lead Agency in the design and construction of the PROJECT.
2. Provide plans, specifications and all necessary engineering for the PROJECT per the following preliminary schedule:

Initiate Environmental - January 2015
Complete Engineering - April 2015
Submit to County - June 2015
Begin construction on - April 2016.
Complete project - November 2016
3. Advertise, award, and administer the PROJECT contract in accordance with the Public Contract Code, and any applicable federal and state laws, and SAN DIMAS policies and procedures.
4. Provide adequate inspection of the work performed under the contract(s) for the PROJECT and maintain adequate records of inspection. SAN DIMAS shall provide records of inspection upon request by LA VERNE.
5. Communicate with LA VERNE in a timely manner regarding PROJECT-related issues such as schedule, delays, cost, or design changes.
6. Prepare and submit invoice(s) to LA VERNE for reimbursement of costs and

expenditures for the PROJECT. Invoice shall include an itemized accounting of actual PROJECT costs.

LA VERNE AGREES TO:

1. Reimburse SAN DIMAS for up to \$750,000 of the actual cost of construction of the PROJECT, including design, construction administration, and CEQA analysis subject to the provisions below. The estimate for the total PROJECT cost is \$984,000 with the following estimated cost breakdown: Construction Cost is Five Hundred Seventy Three Thousand dollars (\$573,000.00), plus Contingency (15%) of Eighty Six Thousand dollars (\$86,000.00), plus Construction Engineering (20%) of One Hundred Fifteen Thousand dollars (\$115,000.00), plus County ROW/Permit Review of Forty Six Thousand dollars (\$46,000.00), plus Environmental of Thirty Thousand dollars (\$30,000), plus Engineering Design of One Hundred Thirty Four Thousand dollars (\$134,000.00)
2. Tender payments to SAN DIMAS within thirty (30) days of receipt of invoice(s).
3. Cooperate with SAN DIMAS and the PROJECT contractor concerning execution of the work, including but not limited to issuance of a “no fee” encroachment permit, schedule coordination, and notices to nearby property owners.

PROVISIONS:

- a. LA VERNE shall reimburse SAN DIMAS up to \$100,000 to cover the costs for the Environmental (CEQA) and design work which has been estimated at \$140,000. This amount is a portion of the \$750,000 LA VERNE reimbursement referenced above.
- b. If the project cost exceeds the initial \$750,000, SAN DIMAS will contribute the difference up to \$900,000, contributing up to \$150,000.
- c. If the project cost exceeds \$900,000, LA VERNE will contribute 25% of the difference up to \$1.1 million and SAN DIMAS will contribute 75% of the difference up to \$1.1 million.
- d. If the project cost exceeds \$1.1 million LA VERNE and SAN DIMAS will divide the remaining cost of the project 50% and 50%.
- e. If the Creekside housing project fails to move forward, LA VERNE will reimburse SAN DIMAS 50% of the incurred costs less the \$100,000 reimbursement in a. (above)

GENERAL:

1. This AGREEMENT shall be in effect as of the date first written above and shall remain in effect until the terms contained herein are completed or otherwise amended.

2. This AGREEMENT constitutes the entire understanding and agreement of the PARTIES, and supersedes all negotiations or previous agreements between the PARTIES with respect to all or part of the subject matter hereof.

3. This AGREEMENT may be amended in writing at any time by the mutual consent of the PARTIES. No amendment shall have any force or effect unless executed in writing by both PARTIES.

4. If any term, provision, covenant, or condition of this AGREEMENT is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of the AGREEMENT shall continue in full force and effect, unless both PARTIES would be materially altered or abridged by such interpretation.

5. This AGREEMENT shall be construed and enforced in accordance with the laws of the State of California.

6. Except as set forth herein, no PARTY shall assign or otherwise transfer this AGREEMENT or its right of interest or any part thereof to any third party without the prior written consent of the other PARTY. Such consent shall not be unreasonably withheld. No assignment of this AGREEMENT shall relieve the assigning PARTY of its obligations until such obligations have been assumed in writing by the assignee. When duly assigned in accordance with the foregoing, this AGREEMENT shall be binding upon and inure to the benefit of the assignee.

7. Indemnification:

a. SAN DIMAS releases and shall defend, indemnify and hold LA VERNE harmless from all claims, losses, harm, liabilities, damages, costs and expenses caused by or arising out of any negligent act or omission or willful misconduct of SAN DIMAS and its employees, agents and contractors in their performance under this AGREEMENT.

b. LA VERNE releases and shall defend, indemnify and hold SAN DIMAS harmless from all claims, losses, harm, liabilities, damages, costs and expenses caused by or arising out of any negligent act or omission or willful misconduct of LA VERNE and its employees, agents and contractors in their performance under this AGREEMENT.

8. Every notice, demand, request, or other document or instrument delivered pursuant to this AGREEMENT shall be in writing, and shall be either sent via U.S. Mail or email to the addresses set forth below, or to such other address as a party may designate from time to time:

To LA VERNE:

City of La Verne
3660 D Street
La Verne, CA 91750
Attn: Daniel Keeseey, Public Works Director
Phone: (909) 596-8706
Email: dkeeseey@ci.la-verne.ca.us

To SAN DIMAS:

City of San Dimas
245 E. Bonita Avenue
San Dimas, CA 91773
Attn: Krishna Patel, Director of Public Works
Telephone: (909) 394-6245
Email: kpatel@ci.san-dimas.ca.us

9. This Agreement shall terminate upon issuance of a notice of completion of the PROJECT by SAN DIMAS and payment of final billing by LA VERNE for its share of the PROJECT.

IN WITNESS WHEREOF, the PARTIES to these presents have hereunto set their hands.

CITY OF SAN DIMAS

CITY OF LA VERNE

Name: _____ Title: _____
Date: _____

Name: _____ Title: _____
Date: _____

ATTEST:

ATTEST:

City Clerk

City Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

City Attorney
Date: _____

City Attorney
Date: _____



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of July 28, 2015

FROM: Blaine Michaelis, City Manager

INITIATED BY: Planning Department

SUBJECT: **MCTA 15-03; Brewpub Restaurants.** Consideration of a Municipal Code Text Amendment to conditionally permit the brewing of beer as a secondary and incidental use to a restaurant in zones permitting commercial uses.

The Planning Commission recommended approval on a 3-0-1 vote at its June 4, 2015 meeting.

SUMMARY

Municipal Code Text Amendment 15-03 conditionally permits the brewing of beer as a secondary and incidental use to a restaurant.

This MCTA was initiated at the May 12, 2015 City Council Meeting and the draft text was reviewed by the Planning Commission at its June 4, 2015 meeting. Staff and the Planning Commission recommended approval to the City Council with varying recommendations on the inclusion of maximum production limitations. The City Council reviewed the proposed text and recommendations and conducted a first reading with some minor modification to the language as was presented.

BACKGROUND

At the March 30, 2015 City Council Staff Retreat Staff presented a brief presentation on microbreweries and brewpubs per the Council's request.

At the May 12, 2015 City Council meeting the Council directed Staff to initiate a Municipal Code Text Amendment to conditionally permit a limited amount of brewing of beer as an accessory use to a restaurant.

At the June 4, 2015 Planning Commission meeting the draft text was presented at public hearing. The Planning Commission recommended approval of the Code Amendment with the direction that flexibility given in regards to limits on the maximum production.

- **Original Draft Text Recommended by Staff:**
“On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year.”
- **Modified Draft Text Recommended by the Planning Commission:**
“On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant.”

At the July 14, 2015 City Council meeting, the City Council heard a presentation from Staff and considered the Staff and Planning Commission’s recommendation and the public’s input at a public hearing. The Council conducted a first reading with the text amended as follows:

- **Final Text:**
“On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of 5,000 barrels per year unless an increased production volume is granted by the Planning Commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the Conditional Use Permit;

RECOMMENDATION

Staff recommends that the City Council conduct the 2nd reading of Ordinance No. 1233 adopting Municipal Code Text Amendment 15-03.

Respectfully Submitted,



Jennifer Williams
Associate Planner

ATTACHMENTS

Ordinance 1233

EXHIBITS

Exhibit A- July 14, 2015 City Council Staff Report
Exhibit B- June 4, 2015 Planning Commission Staff Report
Exhibit C- Draft Minutes of the June 4, 2015 Planning Commission Meeting
Exhibit D- Resolution PC 1541

ORDINANCE 1233

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS,
COUNTY OF LOS ANGELES DOES ORDAIN AS FOLLOWS:**

**ADOPTION OF MUNICIPAL CODE TEXT AMENDMENT 15-03 TO
AMEND THE MUNICIPAL CODE TO CONDITIONALLY PERMIT THE
BREWING AND SERVICE OF BEER AS A SECONDARY AND
INCIDENTAL USE TO A RESTAURANT IN CERTAIN ZONES
PERMITTING COMMERCIAL USES**

SECTION 1. Title 18 of the San Dimas Municipal Code shall be amended, as provided for in Exhibit "A"

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 AND ADOPTED by the City Council of the City of San Dimas this 28th day of July, 2015, by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:**

Curtis W. Morris, Mayor City of San Dimas

ATTEST:

Approved as to form:

Debra Black, Assistant City Clerk

Mark Steres, City Attorney

I, DEBRA BLACK, ASSISTANT CITY CLERK of the City of San Dimas, do hereby certify that Ordinance 1233 was introduced at a regular meeting of the City Council of the City of San Dimas on the 14th day of July, 2015, and thereafter passed and adopted at a regular meeting of said City Council held on the 28th day of July, 2015.

Exhibit A

Municipal Code Text Amendment 15-03 Brewpub Restaurants

*New text changes are in Blue and Underlined

*Deleted text is in ~~Red and Strikethrough~~

C-H Commercial-Highway Zone- Chapter 18.92

18.92.030 Conditional uses.

The following uses shall be permitted subject to a conditional use permit pursuant to Chapter 18.200:

- A. Those uses listed as conditional uses in the A-P zone; and
- B. Automobile, boat and recreational equipment and vehicle sales and service uses;
- C. Ambulance services;
- D. Indoor and outdoor recreation facilities;
- E. Car washes;
- F. Hotels and motels;
- G. Outdoor commercial uses, including retail plant nurseries and retail lumber yards;
- H. Drive-through convenience markets;
- I. Wholesale businesses;
- J. Gasoline and/or diesel service stations;
- K. Veterinary service facilities;
- L. Accessory game arcade consisting of seven or more machines within an indoor recreation facility;
- M. On-sale alcoholic beverages, provided that such use is a secondary and incidental use to a permitted use in this zone;

- N. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of 5,000 barrels per year unless an increased production volume is granted by the Planning Commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the Conditional Use Permit;
- O. ~~N.~~ Off-sale alcoholic beverages;
- P. ~~O.~~ Outdoor sale, storage or display of merchandise and/or provision of services, provided that any such use is directly related to a permitted use within any building or structure on the same lot or parcel, except for temporary outdoor uses which are permitted in accordance with Chapter 18.196, Temporary Uses;
- Q. ~~P.~~ Athletic clubs and performing arts studios;
- R. ~~Q.~~ Thrift stores. (Ord. 1185 § 5, 2008; Ord. 1097 § 3, 1999; Ord. 911 § 6 (A), 1990; Ord. 785 § 4, 1983; Ord. 260 § 2, 1969; Ord. 37 § 246.3, 1961)

C-N Commercial-Neighborhood Zone- Chapter 18.96

18.96.030 Conditional uses.

The following uses may be permitted provided that a conditional use permit is granted for any such use in accordance with Chapter 18.200 of this title:

- A. On-sale alcoholic beverages, provided that such use is a secondary and incidental use to a permitted use in this zone.
- B. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of 5,000 barrels per year unless an increased production volume is granted by the Planning Commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the Conditional Use Permit;
- C. ~~B.~~ Off-sale alcoholic beverages.
- D. ~~C.~~ Outdoor sale, storage or display of merchandise and/or provision of services, provided that any such use is directly related to a permitted use within any building or structure on the same lot or parcel, except for temporary outdoor uses which are permitted in accordance with Chapter 18.196, Temporary Uses.

- ~~E. D.~~ Athletic clubs and performing arts studios.
- ~~F. E.~~ Thrift stores.
- ~~G. F.~~ Medical office, up to a maximum of ten percent of the total square footage of the center. (Ord. 1185 § 7, 2008; Ord. 1097 § 1, 1999; Ord. 1085 § 10, 1998; Ord. 963 § 1, 1992; Ord. 785 § 3, 1983; Ord. 37 § 247.03, 1961)

C-G Creative-Growth Zone- Chapter 18.140

18.140.090(A)2: Area 1-Regional Commercial: Conditional Uses.

- a. All uses listed in Section 18.532.240, which because of operational characteristics specific to that particular business is found by the director of development services to have the potential to negatively impact adjoining properties, businesses or residents, and therefore requires additional approval and consideration. The impacts may be related to, but not necessarily limited to, impacts of traffic, hours of operation, assemblages of people, noise, or site location;
- b. Eating establishments, with drive-through service;
- c. Cinemas and movie theater facilities in conjunction with a shopping center incorporating retail, wholesale and similar uses with a minimum floor area of twenty thousand square feet per store;
- d. Off-sale of alcohol beverages provided that such use is secondary and incidental to a permitted use;
- e. On-sale sale of alcohol beverages provided that such use is secondary and incidental to a permitted use;
- ~~f.~~ On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of 5,000 barrels per year unless an increased production volume is granted by the Planning Commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the Conditional Use Permit;
- ~~g. f.~~ Health/exercise club to include, but not be limited to, uses such as: personal trainers, Pilates, and yoga;
- ~~h. g.~~ Recreational entertainment to include, but not be limited to, uses such as: inflatable jumper facilities and laser tag;

- ~~i. h.~~ Instructional physical activities to include, but not be limited to, uses such as dance studio, martial arts studio, and trampoline;
- ~~j. i.~~ Hotels and motels, including retail establishments as part of a hotel or motel complex;
- ~~k. j.~~ Gasoline service stations in areas designated on the specific plan map;
- ~~l. k.~~ Accessory game arcade consisting of seven or more machines within an indoor recreational facility;
- ~~m. l.~~ Indoor sales of outdoor recreation vehicles including all-terrain vehicles, motorcycles, dirt-bikes and jet skis;
- ~~n. m.~~ Thrift stores; provided that on-site donation collection facilities may be restricted or prohibited in conjunction with the review of the conditional use permit;
- ~~o. n.~~ Other uses which are consistent with the intent and provisions of the specific plan, as determined by the director of development services, in accordance with Section 18.192.040. The determination of the director of development services may be appealed to the development plan review board and thereafter to the city council in accordance with Chapter 18.212 of this title.

18.140.090(B)2: Area 2-Frontier Village: Conditional Uses.

- a. On-sale alcoholic beverages, provided that such use is incidental and secondary to another permitted use in this Area 2;
- b. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of 5,000 barrels per year unless an increased production volume is granted by the Planning Commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the Conditional Use Permit;
- ~~c. b.~~ Off-sale alcoholic beverages;
- ~~d. e.~~ Gasoline service stations, but only where such use is designated on the specific plan area map;
- ~~e. d.~~ Automobile tire sales and service;
- ~~f. e.~~ Automotive repair;

- ~~g. f.~~ Outdoor sale, storage and display of merchandise and/or provision of services, provided that such uses are in conjunction with and are related to a permitted use within a structure on the same lot or parcel, unless otherwise permitted in accordance with Chapter 18.196, Temporary Uses;
- ~~h. g.~~ Medium-high density residential uses, including apartments, townhouses and condominiums, provided that these are located only in areas so designated on the specific plan area map;
- ~~i. h.~~ Motorcycle sales and services;
- ~~j. i.~~ Athletic clubs and performing arts studios;
- ~~k. j.~~ Mass transit facilities, such as bus and train stations;
- ~~l. k.~~ Senior citizen housing projects;
- ~~m. l.~~ Accessory game arcades consisting of seven or more machines within an indoor recreation facility;
- ~~n. m.~~ Theaters and bowling alleys;
- ~~o. n.~~ Senior citizen housing located on the second and third floors of buildings.

18.140.090(C)4(a): Area 3-Mixed Use: Conditional Uses, Sub Area A- Mixed Use/Commercial Office

- i. Condominium, apartment and other similar multifamily projects, located on the second floor and third floor of buildings when commercial/office uses are located on the first floor;
- ii. Residential projects where fifty percent or more of the units are designed as live/work units;
- iii. Senior citizen housing located on the second and third floors of buildings;
- iv. Gasoline Service Stations. Existing gasoline service stations shall not be permitted to extend, expand or enlarge the existing building or use, unless there is complete reconstruction of the existing facilities. If an existing gasoline service station is reconstructed to the above standard, the use may be expanded to include a convenience store and/or a restaurant use;
- v. On-sale alcoholic beverages, provided that this use is secondary and incidental to another permitted use in this Area 3;
- vi. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing

component shall be limited to a maximum production of 5,000 barrels per year unless an increased production volume is granted by the Planning Commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the Conditional Use Permit;

- vii. ~~vi.~~ Off-sale alcoholic beverages, provided that this use is secondary and incidental to another permitted use in this Area 3.

Specific Plan No. 2- Chapter 18.500

18.500.050 Conditional uses.

The following uses may be permitted in areas designated “commercial” on Exhibit A, set out at the end of this chapter, subject to a conditional use permit pursuant to Chapter 18.200 of this title.

- A. Indoor recreational facilities, except for coin or token operated games of skill;
- B. Accessory game arcade consisting of seven or more machines within an indoor recreation facility;
- C. Retail gasoline sales, with convenience stores as accessory uses;
- D. Vehicular and equipment rental facilities as defined by Section 18.08.544 of this title;
- E. Drive-through restaurants when the property is not adjacent to a property with a residential use and when the property has legal access, either directly or through an integrated shopping center to two of the following streets (Arrow Highway; Lone Hill Avenue; Valley Center Avenue);
- F. On-sale alcoholic beverages, provided that such use is a secondary and incidental use to a permitted use in this zone;
- G. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of 5,000 barrels per year unless an increased production volume is granted by the Planning Commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the Conditional Use Permit;
- H. ~~G.~~ Off-sale alcoholic beverages;

- I. ~~H.~~ Outdoor sale, storage or display of merchandise and/or provision of services, provided that any such use is directly related to a permitted use within any building or structure on the same lot or parcel, except for temporary outdoor uses which are permitted in accordance with Chapter 18.196, Temporary Uses;
- J. ~~I.~~ Athletic clubs and performing arts studios;
- K. ~~J.~~ Thrift stores. (Ord. 1185 § 16, 2008; Ord. 1097 § 4, 1999; Ord. 1076 § 1, 1997; Ord. 1032 § 2, 1995)

Specific Plan No. 18- Chapter 18.530

18.530.070 Conditional uses: Area 1 Community Commercial Center

The following uses shall be permitted in Area I of Specific Plan No. 18 subject to a conditional use permit pursuant to Chapter 18.200:

- A. All uses listed in Section 18.530.060, which because of operational characteristics specific to that particular business is found by the director of development services to have the potential to negatively impact adjoining properties, businesses or residents, and therefore requires additional approval and consideration. The impacts may be related to, but not necessarily limited to, impacts of traffic, hours of operation, assemblages of people, noise, or site location;
- B. Automobile and truck sales and lease of new vehicles only;
- C. Gasoline service stations;
- D. Theaters, walk-in and indoor only;
- E. Hotel or motel, including retail establishments as part of a hotel or motel complex;
- F. On or off-site alcoholic beverages, provided that such use is incidental and ancillary to another permitted use;
- G. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of 5,000 barrels per year unless an increased production volume is granted by the Planning Commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the Conditional Use Permit;

- H. ~~G.~~ Fast-food restaurant uses, including drive-through service;
- I. ~~H.~~ Health/exercise club (larger than 5,000 gross sq. ft.) to include, but not limited to, uses such as: personal trainers, pilates, and yoga; no outdoor activities permitted;
- J. ~~I.~~ Recreational entertainment (larger than 5,000 gross sq. ft.) to include, but not limited to, uses such as: inflatable jumper facilities and laser tag;
- K. ~~J.~~ Instructional physical activities (larger than 5,000 gross sq. ft.) to include, but not limited to, uses such as dance studio, martial arts studio, and trampoline;
- L. ~~K.~~ Thrift stores;
- M. ~~L.~~ Car wash/self-service car wash;
- N. ~~M.~~ Electric car charging station for a maximum of five (5) vehicles;
- O. ~~N.~~ Financial institutions, including banks, savings and loan associations, and credit unions with drive-through service;
- P. ~~O.~~ Pet Hotel;
- Q. ~~P.~~ Outdoor storage as an accessory to home improvement centers and plant nursery operations;
- R. ~~Q.~~ Accessory game arcade consisting of seven or more machines within an indoor recreation facility.

18.530.126 Conditional uses: Area 3 Highway Commercial Center

The following uses shall be permitted in Area III of Specific Plan No. 18 subject to a conditional use permit pursuant to Chapter 18.200:

- A. All uses listed in Section 18.530.124, which because of operational characteristics specific to that particular business is found by the director of development services to have the potential to negatively impact adjoining properties, businesses or residents, and therefore requires additional approval and consideration. The impacts may be related to, but not necessarily limited to, impacts of traffic, hours of operation, assemblages of people, noise, or site location;
- B. Automobile and truck sales and lease of new vehicles only;

- C. Gasoline service stations;
- D. Hotel or motel, including retail establishments as part of a hotel or motel complex;
- E. On or off-site alcoholic beverages, provided that such use is incidental and ancillary to another permitted use;
- F. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of 5,000 barrels per year unless an increased production volume is granted by the Planning Commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the Conditional Use Permit;
- ~~G. F.~~ Fast-food restaurant uses, including drive-through service;
- ~~H. G.~~ Health/exercise club (larger than 5,000 gross sq. ft.) to include, but not limited to, uses such as: personal trainers, pilates, and yoga; no outdoor activities permitted;
- ~~I. H.~~ Recreational entertainment (larger than 5,000 gross sq. ft.) to include, but not limited to, uses such as: inflatable jumper facilities and laser tag;
- ~~J. I.~~ Instructional physical activities (larger than 5,000 gross sq. ft.) to include, but not limited to, uses such as dance studio, martial arts studio, and trampoline;
- ~~K. J.~~ Electric car charging station for a maximum of five (5) vehicles;
- ~~L. K.~~ Financial institutions, including banks, savings and loan associations, and credit unions with drive-through service;
- ~~M. L.~~ Accessory game arcade consisting of seven or more machines within an indoor recreation facility.

Specific Plan No. 20- Chapter 18.532

18.532.250 Area II: Conditional uses.

The following uses shall be permitted subject to a conditional use permit pursuant to Chapter 18.200:

- A. All uses listed in Section 18.532.240, which because of operational characteristics specific to that particular business is found by the director of development services to have the potential to negatively impact adjoining properties, businesses or residents, and therefore requires additional approval and consideration. The impacts may be related to, but not necessarily limited to, impacts of traffic, hours of operation, assemblages of people, noise, or site location;
- B. Eating establishments, with drive-through service;
- C. Cinemas and movie theater facilities in conjunction with a shopping center incorporating retail, wholesale and similar uses with a minimum floor area of twenty thousand square feet per store;
- D. Off-sale of alcohol beverages, provided that such use is secondary and incidental to a permitted use;
- E. On-sale sale of alcohol beverages, provided that such use is secondary and incidental to a permitted use;
- F. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of 5,000 barrels per year unless an increased production volume is granted by the Planning Commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the Conditional Use Permit;
- ~~G. F.~~ Health/exercise club to include, but not be limited to, uses such as: personal trainers, pilates, and yoga;
- ~~H. G.~~ Recreational entertainment to include, but not be limited to, uses such as: inflatable jumper facilities and laser tag;
- ~~I. H.~~ Instructional physical activities to include, but not be limited to, uses such as dance studio, martial arts studio, and trampoline;
- ~~J. I.~~ Thrift stores;
- ~~K. J.~~ Hotels and motels, including retail establishments as part of a hotel or motel complex;

- ~~L. K.~~ Other uses which are consistent with the intent and provisions of the specific plan, as determined by the director of development services, in accordance with Section 18.192.040. The determination of the director of development services may be appealed to the development plan review board and thereafter to the city council in accordance with Chapter 18.212 of this title. (Ord. 1222 § 1, 2013; Ord. 935 § 1, 1990; Ord. 861 § 1, 1987)

Specific Plan No. 24- Chapter 18.540

18.540.130 Area 1: Conditional uses.

Conditional uses in Area I of Specific Plan No. 24 are as follows:

- A. All uses listed in Section 18.540.120 of this chapter, which because of operational characteristics specific to that particular business is found by the director of community development to have the potential to negatively impact adjoining properties, businesses or residents and therefore, requires additional approval and consideration. The impacts may be related to, but not necessarily limited to, impacts of traffic, hours of operation, assemblages of people, noise, or site location;
- B. Eating establishments, with drive-in or drive-through service. If located within three hundred feet of residentially zoned property, the drive-through or drive-in portion of the business can only operate during the hours of six a.m. to ten p.m. and the restaurant portion from six a.m. to midnight. Audible speakers shall be placed in such a manner as to be directed away from residentially zoned property, have an adjustable volume based on the outdoor ambient noise level and not to exceed twenty dBA when measured from the residentially zoned property;
- C. On- or off-site alcoholic beverages, provided that such use is incidental and ancillary to a permitted use;
- D. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of 5,000 barrels per year unless an increased production volume is granted by the Planning Commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the Conditional Use Permit;
- ~~E. D.~~ Cinemas and movie theater facilities;
- ~~F. E.~~ Financial institutions, including banks, savings and loan associations, finance companies and credit unions. (Ord. 1209 § 1, 2011; Ord. 1150 § 1, 2005)

Specific Plan No. 26- Chapter 18.544

18.544.120 Area 1: Conditional uses.

Conditional uses in Area I of Specific Plan No. 26 are as follows:

- A. On-sale alcoholic beverages, provided that such use is secondary to a primary restaurant use;
- B. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant. The brewing component shall be limited to a maximum production of 5,000 barrels per year unless an increased production volume is granted by the Planning Commission to support the commercial business after finding that the production volume and operations are compatible with the subject site and its surroundings during review of the Conditional Use Permit;
- ~~C. B.~~ Thrift stores;
- ~~D. C.~~ Athletic clubs and performing arts studios;
- E. D. All uses listed in Section 18.544.120 of this chapter, which because of operational characteristics specific to that particular business is found by the director of development services to have the potential to negatively impact adjoining properties, businesses or residents and therefore, requires additional approval and consideration. The impacts may be related to, but not necessarily limited to, impacts of traffic, hours of operation, assemblages of people, noise, or site location. (Ord. 1175 § 1 Exh. B, 2008)

EXHIBIT A

July 14, 2015 City Council Staff Report

See Attached- 3 Pages



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of July 14, 2015

FROM: Blaine Michaelis, City Manager

INITIATED BY: Planning Department

SUBJECT: **MCTA 15-03; Brewpub Restaurants.** Consideration of a Municipal Code Text Amendment to conditionally permit the brewing of beer as a secondary and incidental use to a restaurant in zones permitting commercial uses.

The Planning Commission recommended approval on a 3-0-1 vote at its June 4, 2015 meeting.

SUMMARY

Municipal Code Text Amendment 15-03 would conditionally permit the brewing of beer as a secondary and incidental use to a restaurant.

This MCTA was initiated at the May 12, 2015 City Council Meeting and the draft text was reviewed by the Planning Commission at its June 4, 2015 meeting. Staff and the Planning Commission are recommending approval to the City Council with varying recommendations on the inclusion of maximum production limitations.

BACKGROUND

The June 4, 2015 Planning Commission Staff Report is attached as Exhibit A and contains background and analysis of the issue. The Planning Commission Minutes and Resolution are also attached as Exhibits B and C.

SUMMARY OF PLANNING COMMISSION COMMENTS

For purposes of this Code Amendment, Staff originally proposed the following use be added to the list of conditional uses for each applicable zone:

“On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year.”

Planning Commission members expressed concerns about limiting the amount of production to 5,000 barrels per year because of the potential for it to exclude larger facilities. The Commission discussed options such as including either/or limits such as either a 5,000 barrel per year limit or some percentage of floor area, or to include an avenue to allow an exception to the 5,000 barrel limit through the CUP process. The Planning Commission ultimately voted to recommend approval to the City Council with the additional recommendation that there should be flexibility in the maximum amount of production in order to allow for larger facilities (see Exhibits E and F).

In follow-up to the Planning Commission’s discussion and recommendation, Staff has revised the language to read as follows:

“On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant.”

The new format eliminates maximums but still provides the Planning Commission the ability to review a brewpub restaurant’s proposed use, business operations, and floor plan through the conditional use permit process. Additionally, it still mimics that of other accessory conditional uses listed in the SDMC: *“On-sale alcoholic beverages, provided that such use is a secondary and incidental use to a permitted use.”*

Staff has also reached out to a few industry stakeholders on the topic of license types and production volume before and since the Planning Commission meeting. The response received was that a maximum of 5,000 barrels per year would be sufficient to accommodate most restaurants who wish to brew beer as an accessory component. However, some industry members would prefer not to have limitations on their production volume so as not to be constrained in the future or restrict larger operations.

With the cost of commercial real estate generally being more expensive than industrial real estate, it may be less necessary to have a prescribed maximum production level as a way to maintain the use as commercial rather than industrial as it is less likely that an operator would choose a commercial site for a manufacturing use than the reverse.

However, Staff still recommends that the maximum production be limited to 5,000 barrels per year in commercial zones as a control to assist in keeping the activities in commercial zones primarily commercial rather than industrial. This quantity is adequate to accommodate the vast majority of restaurant operators who may wish to brew and serve craft beer in conjunction with their food service. The quantity also coincides with the maximum production allowed under the Department of Alcoholic Beverage Control’s Type 75 On-Sale General Brewpub Restaurant license.

The City Council may consider either of the following, or alternatives:

- **Original Draft Text Recommended by Staff:**
“On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year.”

- **Modified Draft Text Recommended by the Planning Commission:**
“On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant.”

RECOMMENDATION

The Planning Commission recommends that the City Council adopt Ordinance 1233 approving Municipal Code Text Amendment 15-03. Staff recommends that the City Council adopt Ordinance 1233 approving Municipal Code Text Amendment 15-03 with the inclusion of a 5,000 barrel maximum production limitation per year.

Respectfully Submitted,



Jennifer Williams
Associate Planner

ATTACHMENTS

Ordinance 1233

EXHIBITS

Exhibit A- June 4, 2015 Planning Commission Staff Report
Exhibit B- Draft Minutes of the June 4, 2015 Planning Commission Meeting
Exhibit C- Resolution PC 1541

EXHIBIT B

June 4, 2015 Planning Commission Staff Report

See Attached- 12 Pages



Planning Commission Staff Report

DATE: June 4, 2015

TO: Planning Commission

FROM: Jennifer Williams, Associate Planner

SUBJECT: **MCTA 15-03; Brewpub Restaurants.** Consideration of a Municipal Code Text Amendment to conditionally permit the brewing of beer as a secondary and incidental use to a restaurant in zones permitting commercial uses

BACKGROUND

Staff provided a brief presentation on the topic of microbreweries and brewpubs at the March 30, 2015 City Council Staff Retreat per the Council's request. The presentation touched on the following topics which are addressed further in the Analysis section of the report:

1. Differentiations between microbreweries and brewpubs;
2. An explanation of current zoning code constraints;
3. Preliminary considerations in addressing the uses; and
4. A summary table listing characteristics of similar uses in nearby cities.

Based on feedback provided and Staff's analysis of the unique characteristics of microbreweries, brewpubs, and brewpub restaurants, Staff brought the topic of initiating brewpub restaurants in commercial zones back to the City Council at its May 12, 2015 meeting. Council directed Staff to initiate a Municipal Code Text Amendment to allow for brewpub restaurants to be established in commercial zones. Staff will separately bring microbreweries back to the City Council for consideration of initiation at a future time to allow for additional analysis due to the unique characteristics of their operation.

ANALYSIS

General Differentiations Between Uses Associated with Craft Brewing

Definitions vary between what constitutes a microbrewery or brewpub. As such, Staff provides the following terms for purposes of the Code Amendment to distinguish between general varying characteristics of operations that involve the brewing of craft beer.

- **Microbrewery** describes a facility generally producing less than 15,000 barrels per year and can include manufacturing and sales and/or tasting activities – possibly even food sales.
 - *In local surrounding cities microbreweries have tended to be located in industrial or manufacturing zones and have tended to have taprooms or tasting rooms and other activities and amenities that are intended to draw people in such as food trucks, outdoor seating areas, live entertainment, trivia/game nights, or other activities.*
 - *This use is being separated at this time so that consideration of permitting brewpub restaurants in commercial zones can be addressed more expeditiously while allowing the time needed to do the additional analysis necessary to address the more complex considerations associated with microbreweries and industrial zones.*

- **Brewpub** describes a bar, pub, or restaurant serving beer that is brewed on the premises. Brewpubs oftentimes incorporate a food component, but not always.
 - *Stand-alone pubs and bars have not historically been permitted in the City of San Dimas.*

- **Brewpub Restaurant** describes a restaurant which brews and serves beer on-site as an accessory use to the service of food. Examples of restaurants from local communities that would be considered brewpub restaurants under this definition would include BJ's Restaurant & Brewhouse in West Covina and Tap's Fish House & Brewery in Brea.

Current Zoning Code Constraints

Microbreweries, brewpubs, and brewpub restaurants are not currently specifically permitted in any zone.

Industrial Zones

A brewing facility is likely similar to other processing facilities allowed in the M-1 Zone and could, with a use determination, be considered as a permitted use. Restaurants are also a permitted use but there is no mention of a procedure to approve alcohol sales in the M-1 Zone. The fairest assessment is that alcohol sales are not allowed, whether as a tasting room or as an accessory use to a restaurant, without a Code Amendment. In addition, microbreweries tend to have taprooms or tasting rooms that are intended to draw people in. They oftentimes incorporate ancillary activities including food truck uses, outdoor patios, and live entertainment or other activities. Furthermore, most developed industrial sites lack sufficient parking to address the tasting/food/retail sales associated with a microbrewery. Due to these additional considerations, microbreweries and industrial zones will be addressed in a separate subsequent Code Amendment.

Commercial Zones

All of the commercial zones list “industrial uses” as prohibited. A fair interpretation of that prohibition is that the manufacturing component of a microbrewery means it is also prohibited in commercial zones without a code amendment.

It may be appropriate to consider a brewing component as part of a restaurant as an accessory use if the scale of the brewing operation is limited in size or production. It should also be noted that the City has commonly only allowed alcohol sales as accessory to restaurants or similar food operations – rather than as a primary use (i.e. no bars).

For purposes of this Code Amendment, Staff is proposing the following use be added to the list of conditional uses for each applicable zone:

“On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year.”

- This format mimics other conditional uses listed in the SDMC in many commercial zones, ie: *“On-sale alcoholic beverages, provided that such use is a secondary and incidental use to a permitted use”*
- The quantity coincides with the maximum production allowed under the Department of Alcoholic Beverage Control’s Type 75 On-Sale General Brewpub Restaurant license (see following pages).

ABC License Types

The Department of Alcoholic Beverage Control (ABC) defines their license types as shown in Exhibit A. A summary of the privileges and restrictions of two of those most commonly associated with brewpubs are shown in the following table.

ABC License Types		
	Type 23 Small Beer Manufacturer (Brew Pub or Microbrewery)	Type 75 On Sale General- Brewpub (Restaurant)
Operating Characteristics	<p>Permits manufacturing of beer and the sale of beer in draft form for on-site consumption. Also permits the sale of other supplier’s bottled beer as well as wine to patrons for consumption on its premises.</p> <p>Authorizes the sale of beer to consumers for consumption on or off the premises.</p> <p>Authorizes the sale of beer and wine, regardless of source, to consumers for consumption at a bona fide public eating place on the premise or contiguous to the premise.</p> <p>Authorizes the sale of beer to other license holders.</p> <p>Authorizes the same privileges and restrictions as a Type 01 (Large Brewery).</p>	<p>Is an on-sale general license for a bona fide public eating place.</p> <p>Authorizes the sale of beer, wine, and distilled spirits for consumption at a bona fide public eating place plus a limited amount of brewing of beer.</p> <p>Besides beer manufactured on the premise, all beer, wine, and distilled spirits sold must come from a licensed wholesaler or winegrower (can’t sell other brewpub-restaurant licensee’s beer).</p> <p>Authorizes the sale of beer and wine for consumption off the premises where sold.</p> <p>Minors are allowed on the premises.</p>
Production Volume	<p>Generally produces approximately 15,000 barrels a year.</p> <p>Produces less than 60,000 barrels per year.</p>	<p>Requires a minimum 7 barrel brewing capacity.</p> <p>Licensee must produce not less than 100 barrels nor more than 5,000 barrels of beer annually on the licensed premise.</p>

License Types Held by Local Restaurants		
BJ's Restaurant and Brewhouse	West Covina	Type 75
TAPS Fish House	Brea	CURRENT- Type 23, Type 47, Type 58 PRIOR- Type 75
TAPS Fish House	Corona	Type 23, Type 47, Type 28

Applicants wishing to operate a brewpub restaurant could have the option of applying for a Type 23 or Type 75 license through the Department of Alcoholic Beverage Control and would have to meet the standards of and comply with the restrictions of ABC in addition to the City.

It is important to note that the Department of Alcoholic Beverage Control defines the uses and license types above for its purposes and that its role is different than land use/zoning. For example, while holders of a Type 23 license may or may not sell food per ABC's restrictions, the Code Amendment is written in such a way that, should an applicant wish to manufacture beer in a commercial zone and offer it for sale on or off the premises, it would only be allowed as a secondary and incidental use to a restaurant. The ABC license type might allow the sale of beer without food; however, the City's zoning restrictions would not as currently proposed. Furthermore, the conditional use permit (CUP) process will allow the Planning Commission to individually consider and specifically look at the operations of each individual proposed brewpub restaurant and apply conditions as appropriate.

More information on ABC's restrictions is contained in Exhibits A, B, and C.

Appropriate Zones for Consideration

Staff analyzed the Zoning Code to consider which zones may be appropriate for allowing brewpub restaurants and identified the following zones which already permit restaurants and conditionally permit alcohol sales as a secondary and incidental use:

1. SDMC 18.92 CH Commercial-Highway Zone
2. SDMC 18.96 CN Commercial-Neighborhood Zone

3. SDMC 18.140 CG Creative Growth Zone (SDS North and South, Downtown)
4. SDMC 18.500 Specific Plan 2 (Stater Bros. Center)
5. SDMC 18.514 Specific Plan 9
***For Area 2, no change is needed- refers to conditionally permitted uses in CN zone
***For Area 4, Canyon Trail Plaza, Staff recommends that brewpub restaurants be considered in conjunction with separate MCTA 15-04 request as the entire use list is being reviewed as a part of that consideration
6. SDMC 18.530 Specific Plan 18, Area 1 (San Dimas Plaza- Smart & Final Center) and Area 3 (Fitness Plaza)
***This Chapter of the Code is currently under review for amendments to the use list and will be reviewed by the City Council in June. The text for Areas 1 and 3 will be modified accordingly to conditionally permit brewpubs once a formal decision is reached; the resolution reflects the current code text prior to formal adoption of MCTA 15-02 (with no change needed under current code text to Area 3 as it references the uses permitted in Area 1)
7. SDMC 18.532 Specific Plan 20, Area 2 (San Dimas Marketplace- Target)
8. SDMC 18.540 Specific Plan 24, Area 1 (Citrus Station- Costco)
9. SDMC 18.544 Specific Plan 26, Area 1 (Bonita Canyon Gateway- Fresh & Easy)

RECOMMENDATION

Staff recommends that the Planning Commission provide feedback to Staff and make a recommendation of approval to the City Council on the draft Municipal Code Text Amendment.

Respectfully Submitted,



Jennifer Williams
Associate Planner

ATTACHMENTS

Resolution PC 1541

EXHIBITS

- Exhibit A- Select License Types - Department of Alcoholic Beverage Control
- Exhibit B- Text from B&P Code - Pertaining to Brewpub Restaurants
- Exhibit C- Text from B&P Code - Definition of "Bona Fide Public Eating Place"
- Exhibit D- Table: Microbreweries and Brewpub Restaurants in Surrounding Cities

EXHIBIT A

Select License Types - Department of Alcoholic Beverage Control

Type 01- Beer Manufacturer

- 01 | **BEER MANUFACTURER** - (Large Brewery) Authorizes the sale of beer to any person holding a license authorizing the sale of beer, and to consumers for consumption on or off the manufacturer's licensed premises. Without any additional licenses, may sell beer and wine, regardless of source, to consumers for consumption at a bona fide public eating place on the manufacturer's licensed premises or at a bona fide eating place contiguous to the manufacturer's licensed premises. May conduct beer tastings under specified conditions (Section 23357.3). Minors are allowed on the premises.

Additional Information- Beer Manufacturer

- 01 | **BEER MANUFACTURER** - (Large Brewery over 60,000 barrels per year) This license is required by makers of beer in this State. An exception under State and Federal law allows a person to produce up to 100 gallons of beer a year for his/her own consumption (maximum of 200 gallons per household). See also Small Beer Manufacturer (Type 23) for brewpubs and micro-breweries. "Beer manufacturer" means any person, except those manufacturing pursuant to Section 23356.2 (home brew), engaged in the manufacture of beer (Section 23012).

Type 23- Small Beer Manufacturer

- 23 | **SMALL BEER MANUFACTURER** - (Brew Pub or Micro-brewery) Authorizes the same privileges and restrictions as a Type 01. A brewpub is typically a very small brewery with a restaurant. A micro-brewery is a small-scale brewery operation that typically is dedicated solely to the production of specialty beers, although some do have a restaurant or pub on their manufacturing plant.

Additional Information- Small Beer Manufacturer

- 23 | **SMALL BEER MANUFACTURER** - (Less than 60,000 barrels per year) The privileges and limitations for this type of license are the same as for other beer manufacturers. The only difference is the license fees. (See also Type 1 - Beer Manufacturer.) This license formerly related only to Steam beer. "Steam" beer is made by fermentation at cellar temperature rather than near freezing as is the case with other beers. It is made using only one type of malt-malted barley. It contains no corn, rice or other cereal grains as regular beers normally do. The method of carbonation is entirely natural and involves a process known as Krausening. This process requires taking beer which has been completely fermented and adding to it beer which is still fermenting. This causes a second fermentation to occur. The Krausening process in beer corresponds closely to the "bulk process" in making some types of sparkling wines. The most common users of this license are operators of micro-breweries and brewpubs. These designations are not to be construed as legal definitions. Their use below is only for descriptive purposes.
- "Micro-brewery": A small-scale brewery operation that generally produces approximately 15,000 barrels a year. Its beer products are primarily intended for local and/or regional consumption. Typically, these operations are solely dedicated to the production of specialty beers, although some do have a restaurant or pub on their manufacturing plant.
- "Brewpub": Typically, a very small brewery with a restaurant where the beer it produces is sold in draft form exclusively at its own premises. This operation often sells other supplier's bottled beer, including other hand-crafted or micro-brewed beers as well as wine to patrons for consumption on its premises. See "Special Note" below.
- Special Note: A brewpub-restaurant (Type 75) license, authorized under Section 23396.3, has a limited brewing privilege and may sometimes be referred to as "brewpub." However, the Type 75 is an on-sale retail license with significant differences/limitations in license privileges from those of a true "beer manufacturer" (either Type 01 or Type 23).

Type 41- Restaurant with Beer and Wine Service Only

- 41 | **ON SALE BEER & WINE – EATING PLACE** - (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

Type 47- Restaurant with Full Alcohol Service

- 47 | **ON SALE GENERAL – EATING PLACE** - (Restaurant) **Authorizes** the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

Type 48- Bar

- 48 | **ON SALE GENERAL – PUBLIC PREMISES** - (Bar, Night Club) Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold. Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.

Type 75- Brewpub Restaurant

- 75 | **ON SALE GENERAL – BREWPUB** - (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on a bona fide eating place plus a limited amount of brewing of beer. Also authorizes the sale of beer and wine only for consumption off the premises where sold. Minors are allowed on the premises.

***Staff note: Applicants wishing to operate a brewpub restaurant could have the option of applying for a Type 23 or Type 75 license through the Department of Alcoholic Beverage Control.

EXHIBIT B

Text from Business and Professions Code Section 23396.3 As Pertaining to Brewpub Restaurants (Type 75 License)

(a) A brewpub-restaurant license is an on-sale retail license which may be issued to a bona fide public eating place, as defined in Section 23038. The licensed premises shall have a minimum seven-barrel brewing capacity, and the licensee shall produce not less than 100 barrels nor more than 5,000 barrels of beer annually on the licensed premises. The license authorizes the sale of beer, wine, and distilled spirits for consumption on the premises, and the sale of beer produced by the brewpub-restaurant licensee for consumption on the premises. The license also authorizes the sale of beer produced by the licensed brewpub-restaurant licensee to a licensed beer and wine wholesaler, subject to the requirements of Chapter 12 (commencing with Section 25000). A brewpub-restaurant license does not authorize the sale, furnishing, or exchange of any alcoholic beverages with any other brewpub-restaurant licensee or any retail licensee in California.

(b) A brewpub-restaurant licensee shall purchase all beer, wine, or distilled spirits for sale on the licensed premises from a licensed wholesaler or winegrower, except for the beer produced by the brewpub restaurant licensee on the licensed premises.

(c) A brewpub-restaurant licensee shall offer for sale on the licensed premises canned, bottled, or draft beer commercially available from licensed wholesalers.

(d) The fee for an original brewpub-restaurant license shall be the same as that specified in Section 23954.5 for an original on-sale general license.

(e) The annual license fee for a brewpub-restaurant license shall be the same as that for an on-sale general license.

(f) The limitations provided in Section 23816 on the number of licensed premises shall not apply to a brewpub-restaurant licensee.

***Staff note: Applicants wishing to operate a brewpub restaurant could have the option of applying for a Type 23 or Type 75 license through the Department of Alcoholic Beverage Control.

EXHIBIT C

**Text from Business and Professions Code Section 23038
As Pertaining to Definition of a “Bona Fide Public Eating Place”**

23038. "Bona fide public eating place" means a place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for ordinary meals, the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the local department of health. "Meals" means the usual assortment of foods commonly ordered at various hours of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement. "Guests" shall mean persons who, during the hours when meals are regularly served therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and obtain at such time, in good faith, a meal therein. Nothing in this section, however, shall be construed to require that any food be sold or purchased with any beverage.

EXHIBIT D

Table of Microbreweries and Brewpubs in Surrounding Cities

See Attached- 1 Page

Microbreweries and Brewpubs in Surrounding Cities

Facility	City	Location	Size	ABC License Type(s)	Process	Food Trucks	Activities	Outdoor Seating
Microbreweries								
Claremont Craft Ales	Claremont	Industrial Park	3500	Type 23	Special Use & Dev Permit	Yes	Yoga on Tap	Yes
La Verne Brewing Co	La Verne	Industrial Park	3500	Type 23	CUP	Yes	Live Entertainment	No
Dale Bros.	Upland	Industrial Park	Interior 7000 Patio Unkn	Type 23, Type 17	Administrative Committee	Yes	Live Entertainment	Yes
Pacific Plate	Monrovia	Industrial Park	1650	Type 23	CUP	Yes	Game Nights	No
Alosta Brewing Co	Covina	Industrial Park	Interior 4,016 Patio 1,300	Type 23	Code Amendment & CUP	Yes	Trivia Nights	Yes
REV Winery & Brewing Co	Covina	Industrial Park	3,000	Type 23, Type 02	Code Amendment & CUP			
Brewpub Restaurants								
BJ's Restaurant and Brewhouse	West Covina	Shopping Center		Type 75	CUP	No		No
TAPS Fish House	Brea	Shopping Center	Interior 11,398 Patio 2,614	CURRENT- Type 23, Type 47, Type 58; PRIOR- Type 75	CUP	No		Yes
TAPS Fish House	Corona	Shopping Center		Type 23, Type 47, Type 28	CUP	No		Yes

EXHIBIT C

Minutes of the June 4, 2015 Planning Commission Meeting

See Attached- 5 Pages

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Thursday, June 4, 2015 at 7:00 p.m.
245 East Bonita Avenue, Council Chambers

Present

Chairman David Bratt
Commissioner John Davis
Commissioner M. Yunus Rahi
Senior Planner Marco Espinoza
Associate Planner Jennifer Williams
Planning Secretary Jan Sutton

Absent

Commissioner Stephen Ensberg

CALL TO ORDER AND FLAG SALUTE

Chairman Bratt called the regular meeting of the Planning Commission to order at 7:00 p.m. and Commissioner Rahi led the flag salute.

CONSENT CALENDAR

1. Approval of Minutes: May 7, 2015

MOTION: Moved by Davis, seconded by Rahi to approve the Consent Calendar. Motion carried 3-0-1 (Ensberg absent).

PUBLIC HEARINGS

2. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 15-03** – A Request to conditionally permit the brewing of beer as a secondary and incidental use to a restaurant (Brewpub Restaurants) in Commercial Zones and Specific Plans permitting commercial uses.

Staff report presented by *Associate Planner Jennifer Williams* who stated this code amendment is City initiated in response to direction given at the City Council spring retreat in March, and approval from the City Council to initiate a code amendment to allow brewpub restaurants to be conditionally permitted in commercial zones. The topic of microbreweries will be addressed at a later date to allow for additional analysis due to the unique characteristics of their operation. She went over the general differences between a microbrewery, brewpub and brewpub restaurants and how they are being defined in relation to this code amendment. Brewpub restaurants are those establishments that are a full-service restaurant that brew beer on site as an accessory use, such as BJ's Restaurant and Brewhouse or Tap's Fish House & Brewery.

In the current code only industrial zones allow manufacturing, so Staff's interpretation is that if someone only wanted to brew beer, they could go through a Classification of Use process for that. However, the associated uses of tap rooms, tasting, or retail sales has not been permitted in industrial zones. In commercial zones that could possibly allow those uses, the manufacturing of the beer would be prohibited. The intent of this code amendment is to allow a limited amount of brewing on-site associated with a restaurant and a limit will be placed on the amount of beer that can be manufactured in those zones as a secondary use to a permitted use.

Associate Planner Williams went over the various zones proposed to allow brewpub restaurants, and stated that in Specific Plans No. 9 and 18 there are other code amendments currently being processed which will impact the language for this code amendment. Staff is recommending the Commission provide comments and recommend approval to the City Council.

Commissioner Rahi asked if a restaurant like BJ's wanted to locate in San Dimas, could they do so now without this amendment, and is there any zone that allows this use currently. He asked for clarification on the differences between a Type 75 license versus a Type 23.

Associate Planner Williams stated BJ's could open a restaurant and serve alcohol but could not brew beer there without this amendment. Currently this use is not allowed anywhere within San Dimas, and went over the definitions contained in Exhibit A from the Department of Alcoholic Beverage Control (ABC) but stated in ABC's regulatory capacity they are looking at these types of uses differently than the City would. We could try to limit businesses to a certain type of license, but if ABC changes their definition, then it could make the City's regulation out of date or permitting something the City doesn't want. Staff is writing the code in a way that addresses the land use and limits the amount of barrels that can be brewed.

Commissioner Davis clarified that the requirement for on-site brewing is what excludes a brewpub but allows a brewpub restaurant. He asked if they could sell any excess to another restaurant.

Associate Planner Williams stated that is correct, that the City Council did not want to allow bars or pubs, but felt a restaurant that had limited brewing was acceptable. She stated she did not think with a Type 75 license they would be able to sell excess because it has to be sold on the premises.

Commissioner Davis stated it says the definition for Type 75 allows for sale of beer and wine for consumption off the premises.

Associate Planner Williams stated that is if you bring your own jug with you and they can only fill a certain amount, but they would not be selling bottled beer. It is also different when you are selling directly to a consumer rather than to a wholesaler or another restaurant. With a Type 23 you can sell to other license holders.

Commissioner Davis asked if the Via Verde shopping center was included in the allowed zones and if there are any shopping centers that have been excluded.

Associate Planner Williams stated the Via Verde Center is in the Commercial Neighborhood zone so is included in this amendment, and that all the shopping centers are in zones that will permit this. The only non-residential zones that were excluded were industrial and administrative-professional.

Commissioner Davis asked if there is a similar license that deals with the production of wine and wineries and wine tasting if someone wanted to do that.

Senior Planner Marco Espinoza stated the production of wine is under a separate license and at this point in time no one is asking to have that type of business compared to the requests they have had regarding brewing of beer, whether as a brewpub restaurant or a microbrewery.

Associate Planner Williams stated they are giving additional review to microbreweries because in other cities they have been associated with additional uses such as bringing in food trucks into an industrial zone that would have impacts other than those you would find in a commercial zone.

Senior Planner Espinoza stated microbreweries start out with the intention of having production and a tasting room but sometimes exceed that initial description so Staff wants to be sure they don't turn into something other than what was intended. There is also concern that once this trend is gone, what happens with these types of licenses so they want to do a careful review before bringing a proposed amendment forward.

Chairman Bratt stated Hanger 24 in Redlands started a microbrewery in an industrial area and there just wasn't enough parking to accommodate the use and it became a problem so they ended up moving and building a restaurant.

Commissioner Rahi asked if there was a pending application for a brewpub restaurant.

Associate Planner Williams stated not at this point in time, this is being brought forward at the request of the City Council.

Chairman Bratt asked for clarification regarding the CG zone and what is considered the downtown area. He also asked if in the wording where it sets the maximum number of barrels at 5,000, would they also want to set a minimum number, such as not less than 100 barrels.

Associate Planner Williams went over the boundaries of the downtown area along Bonita Avenue and San Dimas Avenue, and stated the City Council discussed the idea of setting a minimum amount but decided to allow people flexibility and chose not to. The owner of Clayton Brewing stated ABC told them that the cost of a Type 75 license was cheaper than the others so they put in a minimum requirement to close a loophole, but from the perspective of zoning and land use Staff did not feel it was necessary.

Chairman Bratt stated then the license itself would solve the requirement for a minimum production. He felt they are talking more about a Type 75 license anyway since the City wants this to be accessory to a food operation.

Associate Planner Williams stated Taps may have switched to a combination of a Type 23 and Type 47 license since they didn't want a maximum limitation set on their brewing capacity and also wanted to sell distilled spirits in the restaurant. The Type 75 license is purely a restaurant classification per ABC.

Senior Planner Espinoza stated if an application is received, consideration won't be based on the type of ABC license they hold but that they are accessory to a permitted food use.

Commissioner Davis stated then Taps would be excluded from locating in San Dimas and asked if that was the intention because he didn't think they would want them excluded. He asked why it would matter to the City how much someone brews unless it was because that is considered to be more industrial.

Associate Planner Williams stated it is her understanding Taps is a large producer that sells all over the country. A restaurant that wants to produce more than 5,000 barrels annually would not be allowed under this definition; the main intent was to keep the brewing as an accessory use and for the majority of restaurants that amount would be sufficient.

Senior Planner Espinoza stated the majority of people who have been approaching the City have been smaller producers but if we were approached by someone like Taps then a review would be conducted as to how to accommodate them.

Chairman Bratt stated based on the size of Taps he cannot envision any of our shopping centers accommodating a facility that size. Maybe they can consider a place like Taps when they review microbreweries.

Associate Planner Williams stated she contacted the City of Brea for their resolution approving Taps and found they are roughly 14,000 square feet which is quite a bit larger than most restaurants.

Senior Planner Espinoza stated if this is a concern for the Commission they could recommend to the City Council consideration of removing the 5,000 barrel maximum capacity.

Associate Planner Williams stated Staff considered various options for keeping the use accessory, such as limiting floor area for production, etc., but felt that limiting the amount of production was the best, and a business like Taps was the exception to the rule, not the norm.

Commissioner Davis thought maybe it could be an either/or such as a 5,000 barrel limit or "x" percent of the floor area, or to include an avenue to allow an exception to the 5,000 barrel limit through the CUP process. He would be willing to approve this item with the caveat to create a condition to allow for a higher production.

Commissioner Rahi concurred.

Chairman Bratt opened the meeting for public hearing. Addressing the Commission was:

John Margis, resident, stated he encouraged the Commission to support this resolution. He felt brewpubs in other communities have great food and beer and serve as a draw so it could increase shopping in the surrounding area. He was glad they mentioned Via Verde as a good location and felt it would be a real benefit if one were in the Downtown.

There being no further comments, the public hearing was closed.

RESOLUTION PC-1541

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 15-03 TO CONDITIONALLY PERMIT A LIMITED AMOUNT OF BREWING AND SERVICE OF BEER AS A SECONDARY AND INCIDENTAL USE TO A RESTAURANT IN CERTAIN ZONES PERMITTING COMMERCIAL USES

MOTION: Moved by Davis, seconded by Rahi to approve Resolution PC-1541 recommending approval of Municipal Code Text Amendment 15-03 to the City Council, with the additional recommendation that there should be flexibility for the amount of production in order to allow for larger facilities. Motion carried 3-0-1 (Ensberg absent).

ORAL COMMUNICATION

3. Community Development Department

Senior Planner Marco Espinoza stated the City Council will be conducting interviews for the vacancy on the Planning Commission on Saturday starting at 8:30 a.m. in the conference room and it will be a public meeting. The contractor started grading for the new pad buildings at the Costco center without a permit and was stopped. They are in plan check and should have their permit by the end of the week. The grading and trenching on the mixed-use project on San Dimas Avenue has started, as well as work on the wall along Arrow Highway.

4. Members of the Audience

No communications were made.

5. Planning Commission

No communications were made.

ADJOURNMENT

MOTION: Moved by Davis, seconded by Rahi to adjourn. Motion carried unanimously, 3-0-1 (Ensberg absent). The meeting adjourned at 7:52 p.m. to the regular Planning Commission meeting scheduled for Thursday, June 18, 2015, at 7:00 p.m.

David A. Bratt, Chairman
San Dimas Planning Commission

ATTEST:

Jan Sutton
Planning Commission Secretary

Approved:

EXHIBIT D

Resolution PC 1541

See Attached- 13 Pages

RESOLUTION PC-1541

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 15-03 TO CONDITIONALLY PERMIT A LIMITED AMOUNT OF BREWING AND SERVICE OF BEER AS A SECONDARY AND INCIDENTAL USE TO A RESTAURANT IN CERTAIN ZONES PERMITTING COMMERCIAL USES

WHEREAS, an Amendment to the San Dimas Municipal Code has been duly initiated by the City of San Dimas;

WHEREAS, the Amendment is to modify Chapters 18.92, 18.96, 18.140, 18.500, 18.530, 18.532, 18.540, and 18.544 to conditionally permit the brewing and service of beer as a secondary and incidental use to a restaurant; and

WHEREAS, the Amendment would affect multiple zones and Specific Plans that allow commercial restaurant uses; and

WHEREAS, notice was duly given of the public hearing on the matter and the public hearing held on Thursday, June 4, 2015 at the hour of 7:00 p.m., with all testimony received being made a part of the public record; and

WHEREAS, all requirements of the California Environmental Quality Act and the City's Environmental Guidelines have been met for the consideration of whether the project will have a significant effect on the environment.

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

- A. The proposed Municipal Code Text Amendment will not adversely affect adjoining property as to value, precedent or be detrimental to the area.

The proposed amendment will not be detrimental to adjoining properties or the area in general. Zones affected already permit commercial restaurant uses and conditionally permit on-sale alcohol sales. The amendment will allow restaurants in commercial zones and Specific Plans permitting commercial restaurant uses to conduct a limited amount of brewing of beer and service of such beer on-site as a secondary and incidental use to a restaurant subject to the approval of a conditional use permit. The 5,000 barrel maximum will serve as a tool to limit the production portion to that of an accessory use rather than allowing a manufacturing use to become the primary use. The conditional use permit process will provide the Planning

Commission the ability to individually consider each specific operation and site for compatibility with the surrounding environs.

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

The proposed amendment will provide an additional commercial opportunity for the proprietors of restaurant establishments and an entertainment opportunity and point of interest for patrons within the city. The amendment would allow restaurant owners to offer a greater variety of options to their patrons which may help them to better compete in the local food and entertainment industry. It may help to support local businesses by making them more competitive within the region and in turn support the economic health of the community. It additionally could provide residents the opportunity to enjoy additional beverage options and craft beers within their hometown at restaurants they may already frequent.

- C. The proposed Municipal Code Text Amendment is consistent with the General Plan and is in compliance with all applicable provisions of the Zoning Code and other ordinances and regulations of the City.

The proposed amendment will be in general conformance with the General Plan. The proposed amendments only provide for an additional accessory use to be provided in conjunction with a restaurant through the conditional use permit process and will do so only in commercial zones which already allow for restaurants.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission recommends to the City Council approval of Municipal Code Text Amendment 15-03 as set forth in attached Exhibit A with the additional recommendation that there should be flexibility in the amount of production in order to allow for larger facilities.

PASSED, APPROVED and ADOPTED, the 4th day of June, 2015 by the following vote:

AYES: Bratt, Davis, Rahi

NOES: None

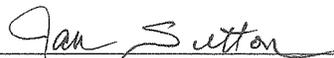
ABSENT: Ensberg

ABSTAIN: None



David A. Bratt, Chairman
San Dimas Planning Commission

ATTEST:



Jan Sutton, Planning Secretary

EXHIBIT A

Municipal Code Text Amendment 15-03 Brewpub Restaurants

*New text changes are in Blue and Underlined

*Deleted text is in ~~Red and Strikethrough~~

C-H Commercial-Highway Zone- Chapter 18.92

18.92.030 Conditional uses.

The following uses shall be permitted subject to a conditional use permit pursuant to Chapter 18.200:

- A. Those uses listed as conditional uses in the A-P zone; and
- B. Automobile, boat and recreational equipment and vehicle sales and service uses;
- C. Ambulance services;
- D. Indoor and outdoor recreation facilities;
- E. Car washes;
- F. Hotels and motels;
- G. Outdoor commercial uses, including retail plant nurseries and retail lumber yards;
- H. Drive-through convenience markets;
- I. Wholesale businesses;
- J. Gasoline and/or diesel service stations;
- K. Veterinary service facilities;
- L. Accessory game arcade consisting of seven or more machines within an indoor recreation facility;
- M. On-sale alcoholic beverages, provided that such use is a secondary and incidental use to a permitted use in this zone;

- N. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year;
- Q. ~~N.~~ Off-sale alcoholic beverages;
- P. ~~Q.~~ Outdoor sale, storage or display of merchandise and/or provision of services, provided that any such use is directly related to a permitted use within any building or structure on the same lot or parcel, except for temporary outdoor uses which are permitted in accordance with Chapter 18.196, Temporary Uses;
- Q. ~~P.~~ Athletic clubs and performing arts studios;
- R. ~~Q.~~ Thrift stores. (Ord. 1185 § 5, 2008; Ord. 1097 § 3, 1999; Ord. 911 § 6 (A), 1990; Ord. 785 § 4, 1983; Ord. 260 § 2, 1969; Ord. 37 § 246.3, 1961)

C-N Commercial-Neighborhood Zone- Chapter 18.96

18.96.030 Conditional uses.

The following uses may be permitted provided that a conditional use permit is granted for any such use in accordance with Chapter 18.200 of this title:

- A. On-sale alcoholic beverages, provided that such use is a secondary and incidental use to a permitted use in this zone.
- B. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year;
- C. ~~B.~~ Off-sale alcoholic beverages.
- D. ~~C.~~ Outdoor sale, storage or display of merchandise and/or provision of services, provided that any such use is directly related to a permitted use within any building or structure on the same lot or parcel, except for temporary outdoor uses which are permitted in accordance with Chapter 18.196, Temporary Uses.
- E. ~~D.~~ Athletic clubs and performing arts studios.
- F. ~~E.~~ Thrift stores.

- ~~G. F.~~ Medical office, up to a maximum of ten percent of the total square footage of the center. (Ord. 1185 § 7, 2008; Ord. 1097 § 1, 1999; Ord. 1085 § 10, 1998; Ord. 963 § 1, 1992; Ord. 785 § 3, 1983; Ord. 37 § 247.03, 1961)

C-G Creative-Growth Zone- Chapter 18.140

18.140.090(A)2: Area 1-Regional Commercial: Conditional Uses.

- a. All uses listed in Section 18.532.240, which because of operational characteristics specific to that particular business is found by the director of development services to have the potential to negatively impact adjoining properties, businesses or residents, and therefore requires additional approval and consideration. The impacts may be related to, but not necessarily limited to, impacts of traffic, hours of operation, assemblages of people, noise, or site location;
- b. Eating establishments, with drive-through service;
- c. Cinemas and movie theater facilities in conjunction with a shopping center incorporating retail, wholesale and similar uses with a minimum floor area of twenty thousand square feet per store;
- d. Off-sale of alcohol beverages provided that such use is secondary and incidental to a permitted use;
- e. On-sale sale of alcohol beverages provided that such use is secondary and incidental to a permitted use;
- f. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year;
- ~~g. f.~~ Health/exercise club to include, but not be limited to, uses such as: personal trainers, Pilates, and yoga;
- ~~h. g.~~ Recreational entertainment to include, but not be limited to, uses such as: inflatable jumper facilities and laser tag;
- ~~i. h.~~ Instructional physical activities to include, but not be limited to, uses such as dance studio, martial arts studio, and trampoline;
- ~~j. i.~~ Hotels and motels, including retail establishments as part of a hotel or motel complex;

- ~~k. j.~~ Gasoline service stations in areas designated on the specific plan map;
- ~~l. k.~~ Accessory game arcade consisting of seven or more machines within an indoor recreational facility;
- ~~m. l.~~ Indoor sales of outdoor recreation vehicles including all-terrain vehicles, motorcycles, dirt-bikes and jet skis;
- ~~n. m.~~ Thrift stores; provided that on-site donation collection facilities may be restricted or prohibited in conjunction with the review of the conditional use permit;
- ~~o. n.~~ Other uses which are consistent with the intent and provisions of the specific plan, as determined by the director of development services, in accordance with Section 18.192.040. The determination of the director of development services may be appealed to the development plan review board and thereafter to the city council in accordance with Chapter 18.212 of this title.

18.140.090(B)2: Area 2-Frontier Village: Conditional Uses.

- a. On-sale alcoholic beverages, provided that such use is incidental and secondary to another permitted use in this Area 2;
- b. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year;
- ~~c. b.~~ Off-sale alcoholic beverages;
- ~~d. e.~~ Gasoline service stations, but only where such use is designated on the specific plan area map;
- ~~e. d.~~ Automobile tire sales and service;
- ~~f. e.~~ Automotive repair;
- g. f. Outdoor sale, storage and display of merchandise and/or provision of services, provided that such uses are in conjunction with and are related to a permitted use within a structure on the same lot or parcel, unless otherwise permitted in accordance with Chapter 18.196, Temporary Uses;

- ~~h. g.~~ Medium-high density residential uses, including apartments, townhouses and condominiums, provided that these are located only in areas so designated on the specific plan area map;
- ~~i. h.~~ Motorcycle sales and services;
- ~~j. i.~~ Athletic clubs and performing arts studios;
- ~~k. j.~~ Mass transit facilities, such as bus and train stations;
- ~~l. k.~~ Senior citizen housing projects;
- ~~m. l.~~ Accessory game arcades consisting of seven or more machines within an indoor recreation facility;
- ~~n. m.~~ Theaters and bowling alleys;
- ~~o. n.~~ Senior citizen housing located on the second and third floors of buildings.

18.140.090(C)4(a): Area 3-Mixed Use: Conditional Uses, Sub Area A- Mixed Use/Commercial Office

- i. Condominium, apartment and other similar multifamily projects, located on the second floor and third floor of buildings when commercial/office uses are located on the first floor;
- ii. Residential projects where fifty percent or more of the units are designed as live/work units;
- iii. Senior citizen housing located on the second and third floors of buildings;
- iv. Gasoline Service Stations. Existing gasoline service stations shall not be permitted to extend, expand or enlarge the existing building or use, unless there is complete reconstruction of the existing facilities. If an existing gasoline service station is reconstructed to the above standard, the use may be expanded to include a convenience store and/or a restaurant use;
- v. On-sale alcoholic beverages, provided that this use is secondary and incidental to another permitted use in this Area 3;

- vi. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year;
- vii. ~~vi.~~ Off-sale alcoholic beverages, provided that this use is secondary and incidental to another permitted use in this Area 3.

Specific Plan No. 2- Chapter 18.500

18.500.050 Conditional uses.

The following uses may be permitted in areas designated “commercial” on Exhibit A, set out at the end of this chapter, subject to a conditional use permit pursuant to Chapter 18.200 of this title.

- A. Indoor recreational facilities, except for coin or token operated games of skill;
- B. Accessory game arcade consisting of seven or more machines within an indoor recreation facility;
- C. Retail gasoline sales, with convenience stores as accessory uses;
- D. Vehicular and equipment rental facilities as defined by Section 18.08.544 of this title;
- E. Drive-through restaurants when the property is not adjacent to a property with a residential use and when the property has legal access, either directly or through an integrated shopping center to two of the following streets (Arrow Highway; Lone Hill Avenue; Valley Center Avenue);
- F. On-sale alcoholic beverages, provided that such use is a secondary and incidental use to a permitted use in this zone;
- G. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year;
- H. ~~G.~~ Off-sale alcoholic beverages;

- I. ~~H.~~ Outdoor sale, storage or display of merchandise and/or provision of services, provided that any such use is directly related to a permitted use within any building or structure on the same lot or parcel, except for temporary outdoor uses which are permitted in accordance with Chapter 18.196, Temporary Uses;
- J. ~~I.~~ Athletic clubs and performing arts studios;
- K. ~~J.~~ Thrift stores. (Ord. 1185 § 16, 2008; Ord. 1097 § 4, 1999; Ord. 1076 § 1, 1997; Ord. 1032 § 2, 1995)

Specific Plan No. 18- Chapter 18.530

18.530.070 Conditional uses: Area 1 Community Commercial Center

Conditional uses in area I of Specific Plan No. 18 are as follows:

- A. Automobile and truck sales and lease of new vehicles only;
- B. Gasoline service stations;
- C. Theaters, walk-in and indoor only;
- D. Hotel or motel;
- E. On or off-site alcoholic beverages, provided that such use is incidental and ancillary to another permitted use;
- F. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year;
- G. ~~F.~~ Fast-food restaurant uses, including drive-through service;
- H. ~~G.~~ Office uses other than regional scale office uses, provided that such uses are developed together with a permitted retail use or uses and provided that the total gross floor area devoted to office uses does not exceed fifty percent of the gross floor area of the entire development in which office uses are provided. Required parking spaces shall be calculated by adding the total number of parking spaces required for each type of use on the subject lot or parcel, in accordance with Chapter 18.156, as amended;

- ~~I. H.~~ Outdoor storage as an accessory to home improvement centers and plant nursery operations;
- ~~J. I.~~ Accessory game arcade consisting of seven or more machines within an indoor recreation facility. (Ord. 911 § 11 (B), 1989; Ord. 834 § 1, 1985)

Specific Plan No. 20- Chapter 18.532

18.532.250 Area II: Conditional uses.

The following uses shall be permitted subject to a conditional use permit pursuant to Chapter 18.200:

- A. All uses listed in Section 18.532.240, which because of operational characteristics specific to that particular business is found by the director of development services to have the potential to negatively impact adjoining properties, businesses or residents, and therefore requires additional approval and consideration. The impacts may be related to, but not necessarily limited to, impacts of traffic, hours of operation, assemblages of people, noise, or site location;
- B. Eating establishments, with drive-through service;
- C. Cinemas and movie theater facilities in conjunction with a shopping center incorporating retail, wholesale and similar uses with a minimum floor area of twenty thousand square feet per store;
- D. Off-sale of alcohol beverages, provided that such use is secondary and incidental to a permitted use;
- E. On-sale sale of alcohol beverages, provided that such use is secondary and incidental to a permitted use;
- ~~F.~~ On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year;
- ~~G. F.~~ Health/exercise club to include, but not be limited to, uses such as: personal trainers, pilates, and yoga;
- ~~H. G.~~ Recreational entertainment to include, but not be limited to, uses such as: inflatable jumper facilities and laser tag;

- I. ~~H.~~ Instructional physical activities to include, but not be limited to, uses such as dance studio, martial arts studio, and trampoline;
- J. ~~I.~~ Thrift stores;
- K. ~~J.~~ Hotels and motels, including retail establishments as part of a hotel or motel complex;
- L. ~~K.~~ Other uses which are consistent with the intent and provisions of the specific plan, as determined by the director of development services, in accordance with Section 18.192.040. The determination of the director of development services may be appealed to the development plan review board and thereafter to the city council in accordance with Chapter 18.212 of this title. (Ord. 1222 § 1, 2013; Ord. 935 § 1, 1990; Ord. 861 § 1, 1987)

Specific Plan No. 24- Chapter 18.540

18.540.130 Area 1: Conditional uses.

Conditional uses in Area I of Specific Plan No. 24 are as follows:

- A. All uses listed in Section 18.540.120 of this chapter, which because of operational characteristics specific to that particular business is found by the director of community development to have the potential to negatively impact adjoining properties, businesses or residents and therefore, requires additional approval and consideration. The impacts may be related to, but not necessarily limited to, impacts of traffic, hours of operation, assemblages of people, noise, or site location;
- B. Eating establishments, with drive-in or drive-through service. If located within three hundred feet of residentially zoned property, the drive-through or drive-in portion of the business can only operate during the hours of six a.m. to ten p.m. and the restaurant portion from six a.m. to midnight. Audible speakers shall be placed in such a manner as to be directed away from residentially zoned property, have an adjustable volume based on the outdoor ambient noise level and not to exceed twenty dBA when measured from the residentially zoned property;
- C. On- or off-site alcoholic beverages, provided that such use is incidental and ancillary to a permitted use;

- D. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year;
- E. D. Cinemas and movie theater facilities;
- F. E. Financial institutions, including banks, savings and loan associations, finance companies and credit unions. (Ord. 1209 § 1, 2011; Ord. 1150 § 1, 2005)

Specific Plan No. 26- Chapter 18.544

18.544.120 Area 1: Conditional uses.

Conditional uses in Area I of Specific Plan No. 26 are as follows:

- A. On-sale alcoholic beverages, provided that such use is secondary to a primary restaurant use;
- B. On-site brewing and service of beer produced on the premises, provided that such use is secondary and incidental to a restaurant and the brewing component is limited to a maximum production of 5,000 barrels per year;
- C. B. Thrift stores;
- D. C. Athletic clubs and performing arts studios;
- E. D. All uses listed in Section 18.544.120 of this chapter, which because of operational characteristics specific to that particular business is found by the director of development services to have the potential to negatively impact adjoining properties, businesses or residents and therefore, requires additional approval and consideration. The impacts may be related to, but not necessarily limited to, impacts of traffic, hours of operation, assemblages of people, noise, or site location. (Ord. 1175 § 1 Exh. B, 2008)



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of July 28, 2015

FROM: Blaine Michaelis, City Manager

INITIATED BY: Development Services Department

SUBJECT: Congestion Management Plan 2015 - Local Development Report

SUMMARY

The City is required to adopt an annual self-certification Resolution stating that the City has met the requirements of the Countywide Congestion Management Plan (CMP).

BACKGROUND AND REPORTING REQUIREMENTS

State statute requires that a congestion management program be developed, adopted and updated biennially for every county that includes an urbanized area which includes every city and the county government within that county. As the Congestion Management Agency for Los Angeles County, Metro is responsible for implementing the Congestion Management Program (CMP). On October 28, 2010 the Metro Board adopted the 2010 CMP for Los Angeles County and implementation guidelines for local jurisdictions.

Documentation of CMP conformance is required for the City to receive state gas tax funds and to preserve the City's eligibility for other state and federal transportation dollars. Metro requires that the City:

- 1) Submit an annual self-certification of its compliance with the CMP through City Council Resolution;
- 2) Submit an annual Local Development Report summarizing development completed within the reporting timeframe which has been adopted through the abovementioned resolution; and
- 3) Submit biennial highway monitoring and level of service information for selected intersections on odd-numbered years.

As such, staff has attached a draft self-certification resolution, the 2015 Local Development Report (Exhibit A), and a copy of the Highway Monitoring/Level of Service information that has already been submitted to Metro (Exhibit B).

UPDATE ON PROPOSED COUNTYWIDE IMPACT FEE

On June 20, 2013, a motion by MTA Director Richard Katz tabled the proposed countywide impact fee. The motion further instructed Metro Staff to investigate whether the CMP is still a relevant, appropriate, and useful plan. A workshop was held in March 2014 to discuss the relevance of the CMP. Approximately 95 stakeholders participated and a subsequent Board report was prepared summarizing the issues and concerns from the workshop. Metro Staff reported that the overarching theme was that additional discussion needs to take place prior to formulating a Metro Staff recommendation on how to move forward with the CMP. Metro Staff has been awaiting guidance from OPR regarding SB 743 Guidelines. Direction from OPR is expected sometime this fiscal year and the proposed fee is on hold in the meantime.

RECOMMENDATION

Staff recommends that the Council adopt Resolution CC 2015-40 self-certifying the City's compliance with the Countywide CMP and adopting the CMP Local Development Report for the 2014/2015 reporting period (June 1, 2014 - May 31, 2015).

Respectfully Submitted,



Jennifer Williams
Associate Planner

Attachments: Exhibit A – 2015 CMP Local Development Report
 Exhibit B – 2015 Highway Monitoring/Level of Service

 Resolution CC 2015-40

EXHIBIT A

2015 Local Development Report

See Attached- 4 Pages

**2015 CMP Local Development Report
Reporting Period: JUNE 1, 2014 - MAY 31, 2015**

Contact: **JENNIFER WILLIAMS**
Phone Number: **(909) 394-6254**

**CONGESTION MANAGEMENT PROGRAM
FOR LOS ANGELES COUNTY**

2015 DEFICIENCY PLAN SUMMARY

*** IMPORTANT: All "#value!" cells on this page are automatically calculated.
Please do not enter data in these cells.**

DEVELOPMENT TOTALS

RESIDENTIAL DEVELOPMENT ACTIVITY

Dwelling Units

Single Family Residential	5.00
Multi-Family Residential	0.00
Group Quarters	0.00

COMMERCIAL DEVELOPMENT ACTIVITY

1,000 Net Sq.Ft.²

Commercial (less than 300,000 sq.ft.)	1.60
Commercial (300,000 sq.ft. or more)	0.00
Freestanding Eating & Drinking	0.00

NON-RETAIL DEVELOPMENT ACTIVITY

1,000 Net Sq.Ft.²

Lodging	0.00
Industrial	0.00
Office (less than 50,000 sq.ft.)	0.00
Office (50,000-299,999 sq.ft.)	0.00
Office (300,000 sq.ft. or more)	0.00
Medical	0.00
Government	0.00
Institutional/Educational	18.00
University (# of students)	0.00

OTHER DEVELOPMENT ACTIVITY

Daily Trips

ENTER IF APPLICABLE	0.00
ENTER IF APPLICABLE	0.00

EXEMPTED DEVELOPMENT TOTALS

Exempted Dwelling Units	0
Exempted Non-residential sq. ft. (in 1,000s)	0

2. Net square feet is the difference between new development and adjustments entered on pages 2 and 3.

CITY OF SAN DIMAS

Date Prepared: July 23, 2015

2014 CMP Local Development Report

Reporting Period: JUNE 1, 2014 - MAY 31, 2015

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

PART 1: NEW DEVELOPMENT ACTIVITY**RESIDENTIAL DEVELOPMENT ACTIVITY**

Category	Dwelling Units
Single Family Residential	5.00
Multi-Family Residential	0.00
Group Quarters	0.00

COMMERCIAL DEVELOPMENT ACTIVITY

Category	1,000 Gross Square Feet
Commercial (less than 300,000 sq.ft.)	1.60
Commercial (300,000 sq.ft. or more)	0.00
Freestanding Eating & Drinking	0.00

NON-RETAIL DEVELOPMENT ACTIVITY

Category	1,000 Gross Square Feet
Lodging	0.00
Industrial	0.00
Office (less than 50,000 sq.ft.)	0.00
Office (50,000-299,999 sq.ft.)	0.00
Office (300,000 sq.ft. or more)	0.00
Medical	0.00
Government	0.00
Institutional/Educational	18.00
University (# of students)	0.00

OTHER DEVELOPMENT ACTIVITY

Description (Attach additional sheets if necessary)	Daily Trips (Enter "0" if none)
ENTER IF APPLICABLE	0.00
ENTER IF APPLICABLE	0.00

CITY OF SAN DIMAS

Date Prepared: July 23, 2015

2015 CMP Local Development Report

Reporting Period: JUNE 1, 2014 - MAY 31, 2015

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

PART 2: NEW DEVELOPMENT ADJUSTMENTS

IMPORTANT: Adjustments may be claimed only for 1) development permits that were both issued and revoked, expired or withdrawn during the reporting period, and 2) demolition of any structure with the reporting period.

RESIDENTIAL DEVELOPMENT ADJUSTMENTS

Category	Dwelling Units
Single Family Residential	0.00
Multi-Family Residential	0.00
Group Quarters	0.00

COMMERCIAL DEVELOPMENT ACTIVITY

Category	1,000 Gross Square Feet
Commercial (less than 300,000 sq.ft.)	0.00
Commercial (300,000 sq.ft. or more)	0.00
Freestanding Eating & Drinking	0.00

NON-RETAIL DEVELOPMENT ACTIVITY

Category	1,000 Gross Square Feet
Lodging	0.00
Industrial	0.00
Office (less than 50,000 sq.ft.)	0.00
Office (50,000-299,999 sq.ft.)	0.00
Office (300,000 sq.ft. or more)	0.00
Medical	0.00
Government	0.00
Institutional/Educational	0.00
University (# of students)	0.00

OTHER DEVELOPMENT ACTIVITY

Description (Attach additional sheets if necessary)	Daily Trips (Enter "0" if none)
ENTER IF APPLICABLE	0.00
ENTER IF APPLICABLE	0.00

2015 CMP Local Development Report

Reporting Period: JUNE 1, 2014 - MAY 31, 2015

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

**PART 3: EXEMPTED DEVELOPMENT ACTIVITY
(NOT INCLUDED IN NEW DEVELOPMENT ACTIVITY TOTALS)**

Low/Very Low Income Housing	<input type="text" value="0"/>	Dwelling Units
High Density Residential Near Rail Stations	<input type="text" value="0"/>	Dwelling Units
Mixed Use Developments Near Rail Stations	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Development Agreements Entered into Prior to July 10, 1989	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Reconstruction of Buildings Damaged due to "calamity"	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Reconstruction of Buildings Damaged in Jan. 1994 Earthquake	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Total Dwelling Units	<input type="text" value="0"/>	
Total Non-residential sq. ft. (in 1,000s)	<input type="text" value="0"/>	

Exempted Development Definitions:

- Low/Very Low Income Housing: As defined by the California Department of Housing and Community Development as follows:
 - Low-Income: equal to or less than 80% of the County median income, with adjustments for family size.
 - Very Low-Income: equal to or less than 50% of the County median income, with adjustments for family size.
- High Density Residential Near Rail Stations: Development located within 1/4 mile of a fixed rail passenger station and that is equal to or greater than 120 percent of the maximum residential density allowed under the local general plan and zoning ordinance. A project providing a minimum of 75 dwelling units per acre is automatically considered high density.
- Mixed Uses Near Rail Stations: Mixed-use development located within 1/4 mile of a fixed rail passenger station, if more than half of the land area, or floor area, of the mixed use development is used for high density residential housing.
- Development Agreements: Projects that entered into a development agreement (as specified under Section 65864 of the California Government Code) with a local jurisdiction prior to July 10, 1989.
- Reconstruction or replacement of any residential or non-residential structure which is damaged or destroyed, to the extent of > or = to 50% of its reasonable value, by fire, flood, earthquake or other similar calamity.
- Any project of a federal, state or county agency that is exempt from local jurisdiction zoning regulations and where the local jurisdiction is precluded from exercising any approval/disapproval authority. These locally precluded projects do not have to be reported in the LDR.

EXHIBIT B

2015 Highway Monitoring/Level of Service

See Attached- 11 Pages



May 19, 2015

Robert C`lix
CMP Manager
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza MS 99-23-2
Los Angeles, CA 90012-2952

Dear Mr. C`lix:

In accordance with the requirements of the Congestion Management Program (CMP), Albert Grover & Associates hereby transmits results of the biennial highway monitoring on behalf of the City of San Dimas. The analyses were conducted to meet the requirements of CMP monitoring for the year 2015. The intersection of San Dimas Avenue & Arrow Highway is the only CMP intersection in the City of San Dimas. The existing lane configuration and signal phasing diagram for this intersection is shown in the attached figure.

Traffic Volumes

Turning movement counts for the study intersection were conducted by National Data and Surveying Services during the AM (7:00 to 9:00) and PM (4:00 to 6:00) peak periods on Tuesday, April 14, 2015 and Thursday, April 16, 2015. Turning movement count summaries are provided in the Appendix.

CMP Intersection Level of Service Analysis

Level of Service (LOS) for the signalized intersection was determined using the Intersection Capacity Utilization (ICU) methodology. This methodology is based on the ratio of the volume of vehicles utilizing the intersection to the overall capacity of the intersection (V/C). A capacity of 1600 vehicles per hour per lane (vphpl) was used for through and left-turn lanes. Based on the analysis, this intersection operates at LOS A in the AM peak hour and LOS D in the PM peak hour. ICU analysis worksheets are included in the Appendix.

The enclosed LOS calculations are summarized as follows for the intersection of San Dimas Avenue & Arrow Highway:

TRANSPORTATION CONSULTING ENGINEERS

211 Imperial Highway, Suite 208, Fullerton, CA 92835
(714) 992-2990 FAX (714) 992-2883 E-Mail: aga@albertgrover.com

<i>Date</i>	<i>Time Period</i>	<i>V/C Ratio</i>	<i>LOS</i>
April 14, 2015	7:15-8:15 AM	0.543	A
April 16, 2015	7:15-8:15 AM	0.552	A
AM Peak Hour Two-Day Average		0.548	A
April 14, 2015	5:00-6:00 PM	0.826	D
April 16, 2015	4:45-5:45 PM	0.811	D
PM Peak Hour Two-Day Average		0.819	D

Please contact me at (714) 992-2990 if you have any questions.

Respectfully Submitted,



Carlie Campuzano
Associate Transportation Engineer
Albert Grover & Associates
211 Imperial Highway, Suite 208
Fullerton, CA 92835

LIST OF EXHIBITS

Figure – Intersection Layout

Tables – Intersection Capacity Utilization

- Tuesday, April 14, 2015 (AM & PM Peak Hours)
- Thursday, April 16, 2015 (AM & PM Peak Hours)

Appendix

Turning Movement Counts (AM & PM)

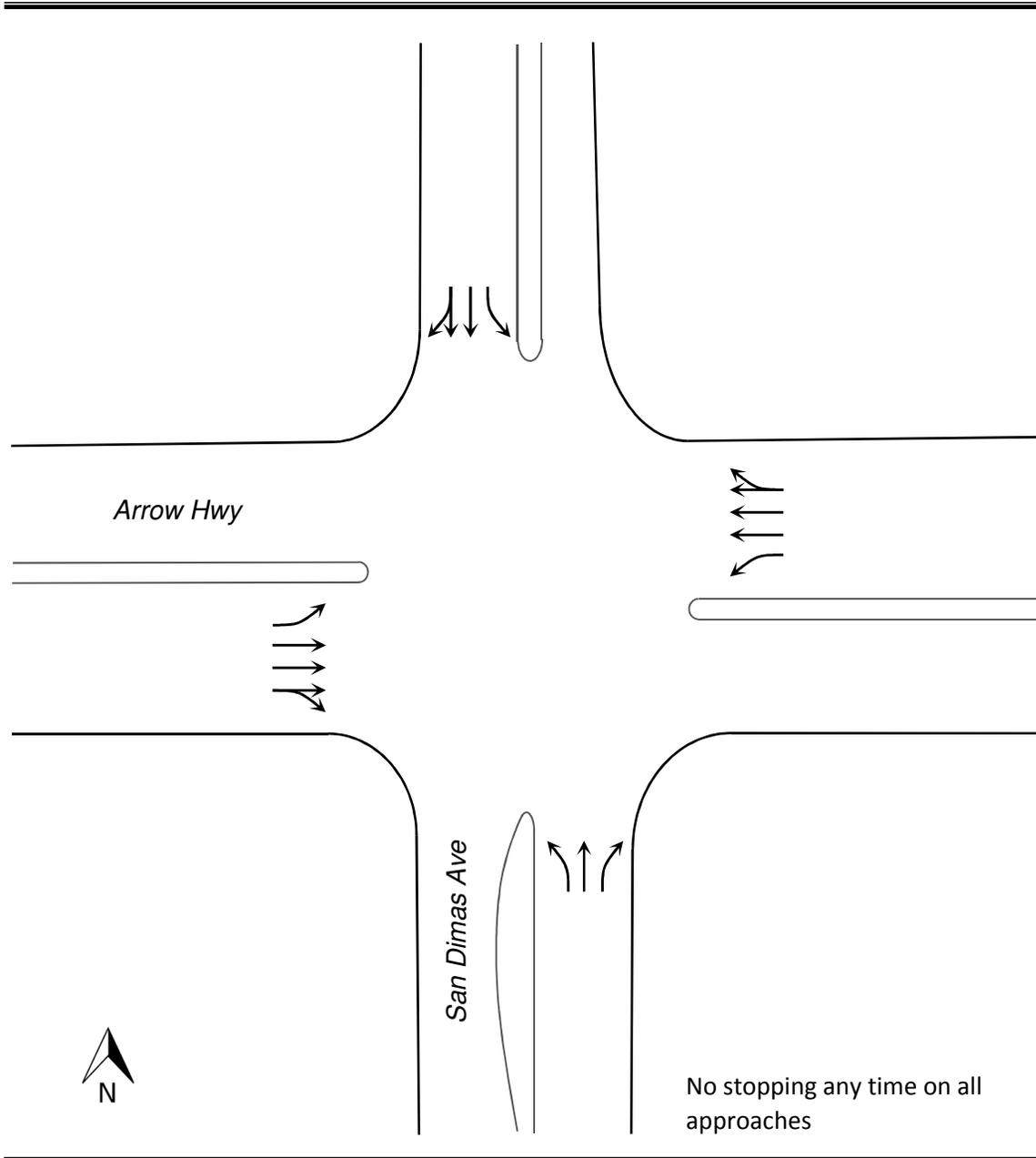
- Tuesday, April 14, 2015
- Thursday, April 16, 2015

INTERSECTION LAYOUT

Intersection: San Dimas Ave & Arrow Hwy

Date: 5/14/2015

Drawn By: CJC



Signal Phasing Diagram

ø1 ↘	ø2 ←	ø3 ↙	ø4 ↑
ø5 ↖	ø6 →	ø7 ↗	ø8 ↓

INTERSECTION CAPACITY UTILIZATION

Intersection: San Dimas Ave & Arrow Hwy

Analysis Year: 4/14/2015

Analyst: CJC

Peak Hr: 7:15 - 8:15 AM

Agency: City of San Dimas

Movement	Volume	No. of Lanes	Capacity*	V/C Ratio	Critical V/C	Total
NB Left	119	1	1600	119/1,600= 0.07		
NB Thru	191	1	1600	191/1,600= 0.12	< ==	
NB Right	163	1	1600	163/1,600= 0.10		
SB Left	112	1	1600	112/1,600= 0.07	< ==	
SB Thru	169	2	3200	267/3,200= 0.08		
SB Right	98			----		
EB Left	95	1	1600	95/1,600= 0.06	< ==	
EB Thru	611	3	4800	681/4,800= 0.14		
EB Right	70			----		
WB Left	147	1	1600	147/1,600= 0.09		
WB Thru	861	3	4800	929/4,800= 0.19	< ==	
WB Right	68			----		
Sum of Critical V/C Ratios						0.443
Adjustment for Lost Time						0.100
Intersection Capacity Utilization (ICU)						0.543
Level of Service (LOS) - Refer to table below						A

* NOTES

Per-lane Capacity = 1,600 vehicles/hour
 dual left turn lane capacity = 2,880 vph

LOS	Maximum V/C
A	0.60
B	0.70
C	0.80
D	0.90
E	1.00
F	n/a

INTERSECTION CAPACITY UTILIZATION

Intersection: San Dimas Ave & Arrow Hwy

Analysis Year: 4/14/2015

Analyst: CJC

Peak Hr: 5:00 - 6:00 PM

Agency: City of San Dimas

Movement	Volume	No. of Lanes	Capacity*	V/C Ratio	Critical V/C	Total
NB Left	149	1	1600	149/1,600= 0.09		
NB Thru	229	1	1600	229/1,600= 0.14	< ==	
NB Right	209	1	1600	209/1,600= 0.13		
SB Left	137	1	1600	137/1,600= 0.09	< ==	
SB Thru	227	2	3200	323/3,200= 0.10		
SB Right	96			----		
EB Left	221	1	1600	221/1,600= 0.14		
EB Thru	1720	3	4800	1,885/4,800= 0.39	< ==	
EB Right	165			----		
WB Left	166	1	1600	166/1,600= 0.10	< ==	
WB Thru	682	3	4800	744/4,800= 0.16		
WB Right	62			----		
Sum of Critical V/C Ratios						0.726
Adjustment for Lost Time						0.100
Intersection Capacity Utilization (ICU)						0.826
Level of Service (LOS) - Refer to table below						D

* NOTES

Per-lane Capacity = 1,600 vehicles/hour
 dual left turn lane capacity = 2,880 vph

LOS	Maximum V/C
A	0.60
B	0.70
C	0.80
D	0.90
E	1.00
F	n/a

INTERSECTION CAPACITY UTILIZATION

Intersection: San Dimas Ave & Arrow Hwy

Analysis Year: 4/16/2015

Analyst: CJC

Peak Hr: 7:15 - 8:15 AM

Agency: City of San Dimas

Movement	Volume	No. of Lanes	Capacity*	V/C Ratio	Critical V/C	Total
NB Left	99	1	1600	99/1,600= 0.06		
NB Thru	176	1	1600	176/1,600= 0.11	< ==	
NB Right	164	1	1600	164/1,600= 0.10		
SB Left	115	1	1600	115/1,600= 0.07	< ==	
SB Thru	151	2	3200	243/3,200= 0.08		
SB Right	92			----		
EB Left	100	1	1600	100/1,600= 0.06	< ==	
EB Thru	652	3	4800	711/4,800= 0.15		
EB Right	59			----		
WB Left	150	1	1600	150/1,600= 0.09		
WB Thru	941	3	4800	992/4,800= 0.21	< ==	
WB Right	51			----		
Sum of Critical V/C Ratios						0.452
Adjustment for Lost Time						0.100
Intersection Capacity Utilization (ICU)						0.552
Level of Service (LOS) - Refer to table below						A

* NOTES

Per-lane Capacity = 1,600 vehicles/hour
 dual left turn lane capacity = 2,880 vph

LOS	Maximum V/C
A	0.60
B	0.70
C	0.80
D	0.90
E	1.00
F	n/a

INTERSECTION CAPACITY UTILIZATION

Intersection: San Dimas Ave & Arrow Hwy

Analysis Year: 4/16/2015

Analyst: CJC

Peak Hr: 4:45 - 5:45 PM

Agency: City of San Dimas

Movement	Volume	No. of Lanes	Capacity*	V/C Ratio	Critical V/C	Total
NB Left	129	1	1600	129/1,600= 0.08		
NB Thru	250	1	1600	250/1,600= 0.16	< ==	
NB Right	187	1	1600	187/1,600= 0.12		
SB Left	129	1	1600	129/1,600= 0.08	< ==	
SB Thru	164	2	3200	257/3,200= 0.08		
SB Right	93			----		
EB Left	208	1	1600	208/1,600= 0.13		
EB Thru	1719	3	4800	1,827/4,800= 0.38	< ==	
EB Right	108			----		
WB Left	148	1	1600	148/1,600= 0.09	< ==	
WB Thru	730	3	4800	800/4,800= 0.17		
WB Right	70			----		
Sum of Critical V/C Ratios						0.711
Adjustment for Lost Time						0.100
Intersection Capacity Utilization (ICU)						0.811
Level of Service (LOS) - Refer to table below						D

* NOTES

Per-lane Capacity = 1,600 vehicles/hour
 dual left turn lane capacity = 2,880 vph

LOS	Maximum V/C
A	0.60
B	0.70
C	0.80
D	0.90
E	1.00
F	n/a

***A
P
P
E
N
D
I
X***

Turning Movement Counts

- *Tuesday, April 14, 2015*
- *Thursday, April 16, 2015*

TRAFFIC COUNT SUMMARY

Intersection: San Dimas Ave & Arrow Hwy
 Counted By: National Data and Surveying Services
 Agency: City of San Dimas

Date: 4/14/2015
 Day of Week: Tuesday
 Weather: Clear

Start Time	San Dimas Ave			San Dimas Ave			Arrow Hwy			Arrow Hwy		
	Northbound			Southbound			Eastbound			Westbound		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
7:00 AM	34	20	19	21	26	26	7	91	9	24	257	10
7:15 AM	45	46	41	29	42	25	21	145	12	23	254	17
7:30 AM	25	55	65	27	26	19	23	200	14	50	221	19
7:45 AM	21	57	40	25	44	20	32	151	17	43	204	17
8:00 AM	28	33	17	31	57	34	19	115	27	31	182	15
8:15 AM	27	33	29	17	44	19	20	112	23	23	203	17
8:30 AM	32	40	28	23	30	23	23	131	15	26	178	14
8:45 AM	23	33	22	28	29	25	26	161	18	22	146	12
Total	235	317	261	201	298	191	171	1106	135	242	1645	121
Peak Hour*	119	191	163	112	169	98	95	611	70	147	861	68

*7:15-8:15 AM

Start Time	San Dimas Ave			San Dimas Ave			Arrow Hwy			Arrow Hwy		
	Northbound			Southbound			Eastbound			Westbound		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
4:00 PM	23	57	37	27	49	26	83	366	27	27	187	6
4:15 PM	21	57	46	25	38	16	60	395	20	37	127	21
4:30 PM	31	65	54	27	39	18	57	400	29	38	178	28
4:45 PM	23	57	41	26	44	15	66	424	29	39	177	19
5:00 PM	41	56	46	32	61	20	61	416	37	52	186	15
5:15 PM	32	57	68	31	56	24	46	441	47	43	172	20
5:30 PM	37	64	50	33	58	20	56	440	36	48	165	13
5:45 PM	39	52	45	41	52	32	58	423	45	23	159	14
Total	247	465	387	242	397	171	487	3305	270	307	1351	136
Peak Hour*	149	229	209	137	227	96	221	1720	165	166	682	62

*5:00-6:00 PM

TRAFFIC COUNT SUMMARY

Intersection: San Dimas Ave & Arrow Hwy
 Counted By: National Data and Surveying Services
 Agency: City of San Dimas

Date: 4/16/2015
 Day of Week: Thursday
 Weather: Clear

Start Time	San Dimas Ave			San Dimas Ave			Arrow Hwy			Arrow Hwy		
	Northbound			Southbound			Eastbound			Westbound		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
7:00 AM	36	27	25	15	33	23	18	89	14	17	279	13
7:15 AM	29	43	41	22	26	26	24	140	9	29	238	11
7:30 AM	25	45	60	23	41	17	34	200	14	50	283	13
7:45 AM	20	61	44	37	33	21	19	173	19	33	228	16
8:00 AM	25	27	19	33	51	28	23	139	17	38	192	11
8:15 AM	18	40	27	22	43	24	18	115	16	31	181	9
8:30 AM	31	46	25	21	28	22	16	130	20	21	178	15
8:45 AM	28	50	19	23	36	22	36	136	10	29	136	24
Total	212	339	260	196	291	183	188	1122	119	248	1715	112
Peak Hour*	99	176	164	115	151	92	100	652	59	150	941	51

*7:15-8:15 AM

Start Time	San Dimas Ave			San Dimas Ave			Arrow Hwy			Arrow Hwy		
	Northbound			Southbound			Eastbound			Westbound		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
4:00 PM	27	51	36	19	43	26	68	347	18	37	162	11
4:15 PM	28	42	32	24	40	14	53	352	33	37	125	16
4:30 PM	29	53	43	23	40	17	58	331	27	40	177	18
4:45 PM	31	52	37	25	38	19	47	422	23	30	199	19
5:00 PM	41	67	56	30	42	22	57	398	23	45	180	25
5:15 PM	30	64	36	40	38	22	47	459	34	36	186	14
5:30 PM	27	67	58	34	46	30	57	440	28	37	165	12
5:45 PM	35	45	37	45	53	29	49	415	43	22	131	16
Total	248	441	335	240	340	179	436	3164	229	284	1325	131
Peak Hour*	129	250	187	129	164	93	208	1719	108	148	730	70

*4:45-5:45 PM

RESOLUTION NO. 2015-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

WHEREAS, CMP statute requires the Los Angeles County Metropolitan Transportation Authority ("LACMTA"), acting as the Congestion Management Agency for Los Angeles County, to annually determine that the County and cities within the County are conforming to all CMP requirements; and

WHEREAS, LACMTA requires submittal of the CMP Local Development Report by September 1, of each year; and

WHEREAS, the City Council held a noticed public hearing on July 28, 2015.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF SAN DIMAS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City of San Dimas has taken all of the following actions, and that the City of San Dimas is in conformance with all applicable requirements of the 2010 CMP adopted by the LACMTA Board on October 28, 2010.

By June 15, of odd-numbered years, the City of San Dimas will conduct annual traffic counts and calculated levels of service for selected arterial intersections, consistent with the requirements identified in the CMP Highway and Roadway System chapter.

The City of San Dimas has locally adopted and continues to implement a transportation demand management ordinance, consistent with the minimum requirements identified in the CMP Transportation Demand Management chapter.

The City of San Dimas has locally adopted and continues to implement a land use analysis program, consistent with the minimum requirements identified in the CMP Land Use Analysis Program chapter.

The City of San Dimas has adopted a Local Development Report, attached hereto and made a part hereof, consistent with the requirements identified in the 2010 CMP. This report balances traffic congestion impacts due to growth within the City of San Dimas with transportation improvements, and demonstrates that the City of San Dimas is meeting its responsibilities under the Countywide Deficiency Plan consistent with the LACMTA Board adopted 2003 Short Range Transportation Plan.

SECTION 2. That the City Clerk shall certify to the adoption of this Resolution and shall forward a copy of this Resolution to the Los Angeles County Metropolitan Transportation

Authority.

PASSED AND ADOPTED this 28TH day of July, 2015

Curtis W. Morris, Mayor City of San Dimas

ATTEST:

Debra Black, Assistant City Clerk

I HEREBY CERTIFY that Resolution 2015-40 was adopted by the vote of the City Council of San Dimas at its regular meeting of July 28, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Debra Black, Assistant City Clerk