

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**TUESDAY, APRIL 26, 2016, 7:00 P. M.**  
**CITY HALL COUNCIL CHAMBERS**  
**245 E. BONITA AVENUE**

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**CITY COUNCIL:**

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

**1. CALL TO ORDER AND FLAG SALUTE**

**2. RECOGNITIONS**

- Proclaim May as Older American Recognition Month and recognize Carol Touchette and Lee Jensen
- Senior Citizens Club Annual Report by Linda Groth, Treasurer
- Marine Sergeant Gareth L. Kostolefsky

**3. PRESENTATIONS**

- Life Pacific College (President Jim Adams)
- Earth Day Observance April 27, 5:00 p.m.

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

a. Members of the Audience

**5. CONSENT CALENDAR**

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council requests separate discussion.)

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

**RESOLUTION 2016-20, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF APRIL, 2016.**

- b. Approval of minutes for regular meeting of April 12, 2016
- c. Award of Construction Contract 2016-02 Senior Citizen/Community Center Exterior Painting Project
- d. Proposed 2016 -2017 Assessment Rates for Open Space Maintenance Districts:
- (1) **RESOLUTION 2016 -21, A RESOLUTION OF THE CITY COUNCIL OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN ASSESSMENT FOR FISCAL YEAR 2015 -2016 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING FOR HEARING OBJECTIONS FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1 (TRACT 32818, BOULEVARD).**
  - (2) **RESOLUTION 2016 -22, A RESOLUTION OF THE CITY COUNCIL OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN ASSESSMENT FOR FISCAL YEAR 2015 -16 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING FOR HEARING OBJECTIONS FOR OPEN SPACE MAINTENANCE DISTRICT NO. I, ANNEXATION NO. 3 (TRACT 32841, NORTHWOODS) District**
- e. Consideration and recommendation to the Watershed Conservation Authority on project revisions and the Mitigated Negative Declaration for the Walnut Creek Habitat and Open Space Project as proposed.

**RESOLUTION 2016-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, RECOMMENDING ADOPTION OF THE MITIGATED NEGATIVE DECLARATION FOR THE WALNUT CREEK HABITAT AND OPEN SPACE PROJECT AND SETTING FORTH STANDARDS AND PROCEDURES FOR CONSIDERATION OF ~~ANY FUTURE PHASES OF THE CONCEPTUAL MASTER PLAN~~**

- f. Amendment to the Employee Pay Plan and Reimbursement Schedule to add Recreation Supervisor Classification

END OF CONSENT CALENDAR

## 6. PUBLIC HEARING

- a. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 15-10** – A request to allow Alcoholic Beverage Manufacturing and Tasting Rooms in the M-1 Zone; Creative Growth Zone, Area 4; Specific Plan No. 6, Areas 1, 3, and 4; Specific Plan No. 21; and Specific Plan No. 24, Areas 2 and 3. **(Planning Commission recommended approval 4-0-1 (Davis absent) at their meeting of April 7, 2016)**

**ORDINANCE 1244**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 15-10 TO ALLOW ALCOHOLIC BEVERAGE MANUFACTURING AND TASTING ROOMS IN THE M-1 ZONE, CREATIVE GROWTH ZONE, AREA 4, SPECIFIC PLAN NO. 6, AREAS 1, 3, AND 4, SPECIFIC PLAN NO. 21, AND SPECIFIC PLAN NO. 24, AREAS 2 AND 3 **(Introduction and 1<sup>st</sup> Reading)**

## 7. ORAL COMMUNICATIONS

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

## 8. ADJOURNMENT

The next meeting will be held on May 10<sup>th</sup>, 2016, 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](http://cityofsandimas.com).

**Posting Statement:** On April 22<sup>nd</sup>, 2016, 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](http://www.cityofsandimas.com/minutes.cfm)

**W** *HEREAS*, for the past 51 years, the month of May has been proclaimed throughout the Country as “Older Americans Recognition Month”; and

**W** *HEREAS*, the City of San Dimas recognizes that older adults are trailblazers—advocating for themselves, their peers, and their communities—paving the way for future generations; and

**W** *HEREAS*, we appreciate the value of inclusion and support in helping older adults successfully contribute to and benefit from their communities; and

**W** *HEREAS*, during the month of May, the City of San Dimas is celebrating the birthdays of those residents who this year have attained the age of 90 and older; and

**W** *HEREAS*, Carol Touchette and Lee Jensen, active participants in City Senior Programs, have been selected to represent the City at the Los Angeles County Older American Recognition Celebration in Los Angeles as well as at other events and activities, and

**W** *HEREAS*, the San Dimas Senior Citizens Club, the Bingo Committee, and the Senior Citizens Commission are commended for their volunteer commitments and financial contributions for the betterment of the San Dimas Senior Citizen/Community Center and the residents of San Dimas.

**N** *OW, THEREFORE*, I, Mayor Curtis W. Morris, Mayor Pro Tem Emmett Badar, Councilmembers Denis Bertone, John Ebiner and Jeff Templeman do hereby proclaim May as “**OLDER AMERICANS MONTH**” and urge every citizen to take time this month to recognize older adults and the people who serve and support them as powerful and vital citizens who greatly contribute to the community.

**I** *N WITNESS THEREOF*, I, Mayor Curtis W. Morris, have hereunto set my hand and caused the seal of the City of San Dimas to be affixed this 26th day of April, 2016.

*Curtis W Morris*

\_\_\_\_\_  
Mayor

*Debra Black*

Attest \_\_\_\_\_

Assistant City Clerk

*W* *HEREAS, Sargent Gareth Kostolefsky was born in San Dimas, California; and*

*W* *HEREAS, he attended Gladstone Elementary, Lone Hill Middle School and graduated from San Dimas in 2009; and*

*W* *HEREAS, Gareth enlisted in the United States Marines in 2010, where he received training in Aviation Mechanics, and was Division Manager for GSE (ground support equipment); and*

*W* *HEREAS, he received commendations for outstanding 100% PFT (physical fitness testing) scores all five years of service; and*

*W* *HEREAS, the City of San Dimas wishes to acknowledge the great personal sacrifice made by Sargent. Gareth L. Kostolefsky in volunteering to serve our country.*

*N* *OW, THEREFORE, I Mayor Curtis W. Morris, Mayor Pro Tem Emmett Badar and Councilmembers, Denis Bertone, John Ebiner and Jeffrey Templeman honor Gareth Kostolefsky in deep appreciation of his extraordinary commitment and service to our nation and the citizens of San Dimas.*

*I* *N WITNESS WHEREOF, I, Mayor Curtis W. Morris, have hereunto set my hand and caused the seal of the City of San Dimas to be affixed this 26th day of April, 2016.*

*Curtis W Morris*

\_\_\_\_\_  
Mayor

*Debra Black*

Attest \_\_\_\_\_

Assistant City Clerk

**RESOLUTION 2016-20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS,  
COUNTY OF LOS ANGELES, APPROVING CERTAIN DEMANDS FOR THE  
MONTH OF APRIL 2016**

**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 04/29/2016 in the amount of \$860,055.05.

**PASSED, APPROVED AND ADOPTED** this 26<sup>th</sup>, day of April, 2016.

\_\_\_\_\_  
Curtis W. Morris, Mayor City of San Dimas

**ATTEST:**

\_\_\_\_\_  
Debra Black, Assistant City Clerk

I, Debra Black, Assistant City Clerk, hereby certify that Resolution 20XX-XX was adopted by the City Council of San Dimas at its regular meeting of \_\_\_\_\_, \_\_\_\_\_, 20XX by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Debra Black, Assistant City Clerk

04/29/2016

WARRANT REGISTER

Ck#'s 154795-154927

Total: \$860,055.05

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM INVOICE	PO#
BANK OF AMERICA					
154795	04/29/16	A & J WELDING INC	359.45	5120	N D 001.4342.020.001
154796	04/29/16	ACCELA, INC.	1,495.87	18945	N D 001.4190.020.002
154796	04/29/16	ACCELA, INC.	2,000.00	18964	N D 001.4190.020.002
154797	04/29/16	ACCO ENGINEERED SYST	6,095.87	*CHECK TOTAL	N D 001.4411.015.000
154797	04/29/16	ACCO ENGINEERED SYST	2,000.00	657647	N D 001.4411.015.000
154797	04/29/16	ACCO ENGINEERED SYST	2,000.00	657647	N D 001.4411.015.000
154798	04/29/16	ALBERTSON'S	863.00	*CHECK TOTAL	N D 001.4420.013.003
154798	04/29/16	ALBERTSON'S	120.00	008467	N D 001.4420.013.003
154798	04/29/16	ALBERTSON'S	182.99	012811	N D 001.4420.013.003
154799	04/29/16	ALTEC INDUSTRIES INC	263.34	*CHECK TOTAL	N D 001.4342.011.000
154799	04/29/16	ALTEC INDUSTRIES INC	209.00	5282517	N D 001.4342.011.000
154799	04/29/16	ALTEC INDUSTRIES INC	503.34	5282517	N D 001.4342.011.000
154800	04/29/16	AMERINATIONAL COMM.	23.65	16-00589	N D 001.214.020
154801	04/29/16	AMERIIPRIDE UNIFORM	32.10	1401320988	N D 001.4415.029.000
154801	04/29/16	AMERIIPRIDE UNIFORM	8.50	1401330743	N D 001.4415.029.000
154801	04/29/16	AMERIIPRIDE UNIFORM	11.00	1401335539	N D 001.4415.029.000
154801	04/29/16	AMERIIPRIDE UNIFORM	1.00	1401340409	N D 001.4415.029.000
154801	04/29/16	AMERIIPRIDE UNIFORM	5.00	1401340412	N D 001.4415.029.000
154801	04/29/16	AMERIIPRIDE UNIFORM	38.99	1401340414	N D 001.4415.029.000
154801	04/29/16	AMERIIPRIDE UNIFORM	12.00	1401345355	N D 001.4415.029.000
154801	04/29/16	AMERIIPRIDE UNIFORM	174.87	1401350195	N D 001.4415.029.000
154802	04/29/16	APPLE VALLEY COMMUNI	344.17	77262	N D 001.4411.015.000
154803	04/29/16	ARAMARK REFRESHMENT	450.99	1352707	N D 001.4190.033.000
154803	04/29/16	ARAMARK REFRESHMENT	276.76	1367294	N D 001.4190.033.000
154803	04/29/16	ARAMARK REFRESHMENT	727.76	*CHECK TOTAL	N D 001.4190.033.000
154804	04/29/16	ARCHITERRA DESIGN GR	955.00	21225	N D 012.4841.692.001
154804	04/29/16	ARCHITERRA DESIGN GR	21.00	21268	N D 020.4410.592.001
154804	04/29/16	ARCHITERRA DESIGN GR	217.21	21289	N D 110.211.848
154804	04/29/16	ARCHITERRA DESIGN GR	833.32	21290	N D 110.211.848
154804	04/29/16	ARCHITERRA DESIGN GR	306.96	21293	N D 110.211.848
154804	04/29/16	ARCHITERRA DESIGN GR	128.75	21294	N D 110.211.848
154804	04/29/16	ARCHITERRA DESIGN GR	11,844.80	21336	N D 012.4841.692.001
154805	04/29/16	BATTERY WORX, INC.	172.83	1-64664	N D 001.4342.011.000
154806	04/29/16	BERGQUIST-DEVOE/CARL	428.40	1309	M D 001.4420.020.000
154807	04/29/16	BONITA UNIFIED SCH D	317.60	1309	N D 001.4420.019.000

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
BANK OF AMERICA							
154808	04/29/16	BRYANT/ARIEL					
154809	04/29/16	BUSINESS CARD	59.10				N D 001.4420.033.000
154809	04/29/16	BUSINESS CARD	575.00				N D 001.4110.021.000
154809	04/29/16	BUSINESS CARD	428.00				N D 001.4420.033.000
154809	04/29/16	BUSINESS CARD	200.00				N D 001.4110.021.000
154809	04/29/16	BUSINESS CARD	57.93				N D 001.4150.033.000
154809	04/29/16	BUSINESS CARD	22.41				N D 001.4190.022.000
154809	04/29/16	BUSINESS CARD	42.00				N D 001.4110.021.000
154809	04/29/16	BUSINESS CARD	602.64				N D 001.4190.021.000
154809	04/29/16	BUSINESS CARD	876.77				N D 001.4190.020.034
154809	04/29/16	BUSINESS CARD	244.44				N D 001.4190.019.000
154809	04/29/16	BUSINESS CARD	21.42				N D 001.4190.022.003
154809	04/29/16	BUSINESS CARD	100.88				N D 001.4190.020.034
154809	04/29/16	BUSINESS CARD	141.90				N D 001.4190.020.034
154809	04/29/16	BUSINESS CARD	11.90				N D 001.4190.020.035
154809	04/29/16	BUSINESS CARD	567.13				N D 001.4308.016.000
11385	04/29/16	CALIF CONTRACT CITIE	39.75		1812		N D 001.4120.021.000
11200	04/29/16	CANTERBURY INTERNATI	7,250.00		INV1527-01		N D 012.4841.692.007
12102	04/29/16	CARSON/AMANDA	788.80				M D 001.4430.020.000
11869	04/29/16	CASTLE PARK	50.00		3033-10-		N D 001.4420.034.002
11519	04/29/16	CENTER ICE	149.60				N D 001.4420.020.000
11525	04/29/16	CHARTER OAK GYMNASI	1,059.44				N D 001.4420.020.000
11850	04/29/16	CHARTER OAK MOBILE H	296.00				N D 034.341.034
11850	04/29/16	CHARTER OAK MOBILE H	381.00				N D 034.341.034
10647	04/29/16	CLAREMONT/CITY OF	3,422.65		41272		N D 001.4341.024.020
10613	04/29/16	COELHO/BECKY	2,682.72				M D 001.4420.020.000
10620	04/29/16	COMMUNITY SENIOR SER	600.00		GATIX0316-2		N D 072.214.172
10620	04/29/16	COMMUNITY SENIOR SER	1,000.00		GATIX0316-2		N D 072.4125.442.000
11690	04/29/16	COMPUTER SERVICE COM	303.25				N D 007.4345.020.002
11690	04/29/16	COMPUTER SERVICE COM	415.80				N D 007.4341.020.003
11690	04/29/16	COMPUTER SERVICE COM	303.25				N D 007.4341.020.003
11690	04/29/16	COMPUTER SERVICE COM	303.25				N D 007.4345.020.002
				*CHECK TOTAL			
				1812			
				INV1527-01			
				3033-10-			
				41272			
				GATIX0316-2			
				GATIX0316-2			
				3864-217			
				3864-217			
				3864-218			
				3864-218			

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	DISBURSEMENT JOURNAL	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
154820	04/29/16	COMPUTER SERVICE						
154820	04/29/16	COMPUTER SERVICE						
154820	04/29/16	COMPUTER SERVICE						
154820	04/29/16	COMPUTER SERVICE						
154820	04/29/16	COMPUTER SERVICE						
154821	04/29/16	CORODATA	166.03			RS4229960		N D 001.4190.019.000
154822	04/29/16	COSTCO WHOLESALE	213.45			4/12/16		N D 001.4150.424.000
154822	04/29/16	COSTCO WHOLESALE	260.60			4/12/16 (2)		N D 001.4150.424.000
154823	04/29/16	CS LEGACY CONSTRUCTI	1,900.00			4		N D 012.4841.650.002
154824	04/29/16	CUEVAS/SANDRA	1,409.40					M D 001.4420.020.000
154825	04/29/16	D.H. MAINTENANCE	85.43			185113		N D 003.4410.023.001
154825	04/29/16	D.H. MAINTENANCE	852.41			185113		N D 001.4410.023.000
154825	04/29/16	D.H. MAINTENANCE	524.69			185113		N D 001.4411.023.000
154825	04/29/16	D.H. MAINTENANCE	524.69			185113		N D 001.4412.023.000
154825	04/29/16	D.H. MAINTENANCE	1,337.64			185113		N D 001.4430.023.000
154826	04/29/16	DAILY BULLETIN	1,296.92			266706		N D 001.4120.010.000
154827	04/29/16	DAPEER, ROSENBLIT & L	986.80			11186		N D 001.4170.020.001
154828	04/29/16	DEPARTMENT OF JUSTIC	239.00			158524		N D 001.4150.020.000
154829	04/29/16	DEPARTMENT OF PUBLIC	620.00			FA0204353		N D 008.4415.033.000
154830	04/29/16	DEPARTMENT TRANSPORT	2,424.78			SL160791		N D 007.4345.022.001
154830	04/29/16	DEPARTMENT TRANSPORT	3,954.14			SL160791		N D 007.4345.020.002
154831	04/29/16	DISH NETWORK LSE	53.00			LIC#8T83910		N D 001.332.001
154832	04/29/16	DMS CONSULTANTS, INC	3,740.00			SD-033-9		N D 001.4341.024.020
154833	04/29/16	DOG WASTE DEPOT	686.70			103560		N D 008.4414.033.000
154834	04/29/16	ED'S AUTO PARTS	61.80			145084		M D 001.4342.011.000
154835	04/29/16	EXAMUS/JENNIFER	60.00					N D 001.341.002
154836	04/29/16	F&R INTERIOR WOODWOR	3,776.00			15-400-130		N D 001.4411.023.000
154837	04/29/16	GALVEZ/VICTORIA	116.28					M D 001.4420.020.000

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	Disbursement Journal	CLAIM	INVOICE	PO#	F	S	ACCOUNT
154838	04/29/16	BANK OF AMERICA	GOLDEN STATE	16323	151	317	3300	6	N	D	001.4342.022.002
154839	04/29/16	GAS COMPANY/THE	VARIOUS CITATION REFU	66.14					N	D	001.332.001
154840	04/29/16	GEIGER/STEFANIE ANN	GEOTECHNICAL INVES	17,500.00					N	D	001.4341.024.020
154841	04/29/16	GEO-ADVANTEC INC.	GB MOTOR,DIRT SHOE	1,691.46					N	D	001.4342.011.002
154842	04/29/16	GLOBAL SWEEPING SOLU	STATE WATER	16					N	N	008.4415.022.004
154843	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154844	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154845	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154846	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154847	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154848	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154849	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154850	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154851	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154852	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154853	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154854	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154855	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154856	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154857	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154858	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154859	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154860	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154861	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154862	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154863	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154864	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154865	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154866	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154867	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154868	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154869	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154870	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154871	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154872	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154873	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154874	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154875	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154876	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154877	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154878	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154879	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154880	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154881	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154882	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154883	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154884	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154885	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154886	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154887	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154888	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154889	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154890	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154891	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154892	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154893	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154894	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154895	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154896	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154897	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154898	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004
154899	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	008.4415.022.004
154900	04/29/16	GOLDEN STATE	STATE WATER	16					N	N	001.4415.022.004



WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
BANK OF AMERICA							
154850	04/29/16	HOME DEPOT CREDIT SE					
154851	04/29/16	HOSE-MAN INC	46.67		3087553		N D 001.4410.033.000
154852	04/29/16	INFOTOX INC	27.73		2310394-0001-2		N D 001.4342.011.000
154853	04/29/16	INGALLA/ELOISA	283.00		16396		N D 040.4112.820.821
154854	04/29/16	INLAND EMPIRE	500.00				N D 001.341.002
154854	04/29/16	INLAND EMPIRE	1,195.00		46079		N D 072.4125.434.000
154854	04/29/16	INLAND EMPIRE	1,188.75		46080		N D 072.4125.434.000
154854	04/29/16	INLAND EMPIRE	889.00		46103		N D 072.4125.434.000
154854	04/29/16	INLAND EMPIRE	282.75		47490		N D 072.4125.434.000
					*CHECK TOTAL		
154855	04/29/16	INLAND VALLEY HUMANE	10,957.00				N D 001.4210.413.000
154856	04/29/16	JOHNNY ALLEN TENNIS	2,384.76				M D 001.4420.020.000
154857	04/29/16	JOHNSON/BARBARA	12.60				M D 001.4420.013.009
154858	04/29/16	JOHNSON/PAMELA	74.00				N D 001.367.002
154859	04/29/16	KNOTTS BERRY FARM	1,182.00		3676314		N D 001.4420.034.002
154860	04/29/16	L.A. COUNTY SHERIFF	368,814.96		163561NH		N D 001.4210.020.006
154860	04/29/16	L.A. COUNTY SHERIFF	39,973.20		163561NH		N D 001.4210.020.021
154860	04/29/16	L.A. COUNTY SHERIFF	2,277.73		163561NH		N D 001.4210.020.008
154860	04/29/16	L.A. COUNTY SHERIFF	17,499.93		163561NH		N D 001.4210.020.009
154860	04/29/16	L.A. COUNTY SHERIFF	26,422.07		163561NH		N D 001.4210.020.016
154860	04/29/16	L.A. COUNTY SHERIFF	26,422.07		163561NH		N D 001.4210.020.019
					*CHECK TOTAL		
154861	04/29/16	LA VERNE POWER EQUIP	25.06		86962		M D 001.4342.033.000
154862	04/29/16	LEPE/MAURO	65.00		MARCH2016		M D 034.4802.015.000
154863	04/29/16	LOPEZ/ILEANA	37.00				N D 001.367.002
154864	04/29/16	LOS ANGELES SUPERIOR	193.50				N D 001.332.011
154864	04/29/16	LOS ANGELES SUPERIOR	1,243.50				N D 001.332.001
154864	04/29/16	LOS ANGELES SUPERIOR	4,774.00				N D 001.332.011
154864	04/29/16	LOS ANGELES SUPERIOR	12,185.00				N D 001.332.001
					*CHECK TOTAL		
154865	04/29/16	MAGIC JUMP RENTALS I	487.50		142865		N D 001.4420.033.000
154866	04/29/16	MAR-CO EQUIPMENT CO	487.04		131898		N D 001.4342.011.002

FEBRUARY2016

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
154867	04/29/16	MARSAAN TURF & IRRIGA	323.73		410609		N D 008.4414.020.016
154867	04/29/16	MARSAAN TURF & IRRIGA	213.43		410703		N D 008.4414.020.016
154867	04/29/16	MARSAAN TURF & IRRIGA	201.38		410789		N D 008.4414.020.016
154867	04/29/16	MARSAAN TURF & IRRIGA	299.17		410822		N D 008.4414.020.016
		1,237.71		*CHECK TOTAL			
154868	04/29/16	MC LAY SERVICES INC	105.00		INV7008		N D 053.4410.023.000
154868	04/29/16	MC LAY SERVICES INC	208.00		INV7009		N D 001.4430.015.000
154868	04/29/16	MC LAY SERVICES INC	105.00		INV7012		N D 053.4410.023.000
		418.00		*CHECK TOTAL			
154869	04/29/16	MOBILE HOME IMPROVEM	385.00		PO1516-488		M D 034.4802.851.040
154870	04/29/16	MOLDEN/PRENTISS	110.00				N D 001.367.001
154871	04/29/16	MOLINA/TOMAS E.	940.65		3/2-3/4/2016		M D 001.4309.021.000
154872	04/29/16	MYFLEETCENTER.COM	124.47		544627		N D 001.4342.020.001
154872	04/29/16	MYFLEETCENTER.COM	86.05		544644		N D 001.4342.020.001
154872	04/29/16	MYFLEETCENTER.COM	98.65		544950		N D 001.4342.020.001
		301.17		*CHECK TOTAL			
154873	04/29/16	OFFICE SOLUTIONS	791.45		I-00944238		N D 001.4190.030.000
154874	04/29/16	PAPERDIRECT, INC.	527.87		6477475		N D 001.4309.033.000
154875	04/29/16	PARS	408.00		34126		N D 001.4190.200.003
154876	04/29/16	PATEL/KRISHNA	60.00		04/18/2016		N D 001.4310.021.000
154877	04/29/16	PHOENIX GROUP INFORM	5.09		0320161188		N D 001.4309.020.000
		1,003.49		*CHECK TOTAL			N D 001.4210.411.000
154878	04/29/16	PLUMBING WHOLESAL	120.53		S100082657.001		N D 001.4410.041.000
154878	04/29/16	PLUMBING WHOLESAL	134.94		S100087338.001		N D 001.4410.015.000
154878	04/29/16	PLUMBING WHOLESAL	553.24		S100088037.001		N D 053.4410.023.000
		43.250.00		*CHECK TOTAL			
154879	04/29/16	POMONA VALLEY TRANSP	68.00		F.Y.2015-16		N D 072.4125.433.000
154879	04/29/16	POMONA VALLEY TRANSP	2,350.00		F.Y.2015-16		N D 072.4125.445.000
		114,035.00		*CHECK TOTAL			N D 072.4125.041.001
154880	04/29/16	POOL & ELECTRICAL PR	176.48		07375057		N D 001.4411.033.000
154881	04/29/16	PROFESSIONAL MOBILE	3,000.00		11014		N D 034.4802.851.040
154882	04/29/16	QUINONES/KRISTI	250.00				N D 001.341.002

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	PO#	CLAIM	INVOICE	F 9 S ACCOUNT
BANK OF AMERICA							
154883	04/29/16	QUINTANAR/ELIZABETH	8.64				N D 001.4150.012.000
154884	04/29/16	RADIANT WATER INC	39.00				N D 001.4430.019.000
154885	04/29/16	REED/BONNIE	482.80				N D 001.4420.020.000
154886	04/29/16	REIMER/KATYA	336.60				M D 001.4420.020.000
154887	04/29/16	RESERVE ACCOUNT	1,500.00				N D 001.4190.017.000
154888	04/29/16	RIGHT OF WAY INC	1,161.94			21812	N D 001.4345.033.000
154889	04/29/16	RIVERO/SANDRA	90.00				N D 001.332.001
154890	04/29/16	RJM DESIGN GROUP INC	961.16			31125	N D 110.211.857
154891	04/29/16	ROSS/TED	868.79			3/1-3/4/2016	M D 001.4309.021.000
154892	04/29/16	SAN DIMAS CHAMBER OF	3,750.00				N D 001.4190.010.003
154893	04/29/16	HARDWARE	33.67			521758888	N D 008.4414.033.000
154894	04/29/16	HARDWARE	26.23			32501755529	N D 001.4342.033.000
154895	04/29/16	HARDWARE	4.09			32501755615	N D 001.4342.033.000
154896	04/29/16	HARDWARE	4.33			32501755683	N D 001.4341.033.000
154897	04/29/16	HARDWARE	148.19			32501755703	N D 001.4342.033.000
154898	04/29/16	HARDWARE	12.04			32501755948	N D 001.4342.033.000
154899	04/29/16	HARDWARE	17.05			32501755979	N D 001.4342.033.000
154900	04/29/16	HARDWARE	13.31			32501755998	N D 001.4342.033.000
154901	04/29/16	HARDWARE	152.65			32501756081	N D 001.4342.033.000
154902	04/29/16	HARDWARE	112.86			32501756097	N D 001.4342.033.000
154903	04/29/16	HARDWARE	266.99			32501756104	N D 001.4342.033.000
154904	04/29/16	HARDWARE	16.18			32501756111	N D 008.4414.033.000
154905	04/29/16	HARDWARE	4.72			32501756116	N D 008.4414.033.000
154906	04/29/16	HARDWARE	45.25			32501756133	N D 008.4414.033.000
154907	04/29/16	HARDWARE	27.89			32501756384	N D 008.4414.033.000
154908	04/29/16	HARDWARE	29.54			32501756690	N D 008.4414.033.000
154909	04/29/16	HARDWARE	16.55			32501756908	N D 008.4414.033.000
154910	04/29/16	HARDWARE	37.92			32501757114	N D 008.4414.033.000
154911	04/29/16	HARDWARE	19.64			32501757117	N D 008.4414.033.000
154912	04/29/16	HARDWARE	17.52			32501757730	N D 008.4414.033.000



WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM INVOICE	PO#
154899	04/29/16	BANK OF AMERICA			
154899	04/29/16	SMART & FINAL			
154899	04/29/16	SMART & FINAL			
154899	04/29/16	SMART & FINAL			
154899	04/29/16	SMART & FINAL			
154899	04/29/16	SMART & FINAL			
154899	04/29/16	SMART & FINAL			
154899	04/29/16	SMART & FINAL			
154900	04/29/16	SOTO/VICTOR BRIAN	10.00		
154901	04/29/16	SOUTHEAST CONSTR PRO	277.13	1092543-1	
154902	04/29/16	SOUTHERN CALIF ED	41,190.34		
154902	04/29/16	SOUTHERN CALIF ED	145.73		
154902	04/29/16	SOUTHERN CALIF ED	195.65		
154902	04/29/16	SOUTHERN CALIF ED	6.82		
154902	04/29/16	SOUTHERN CALIF ED	291.70		
154902	04/29/16	SOUTHERN CALIF ED	51.25		
154902	04/29/16	SOUTHERN CALIF ED	78.33		
154902	04/29/16	SOUTHERN CALIF ED	42,345.77		
154903	04/29/16	SOWELL/JACKQUELINE	45.00		
154904	04/29/16	SPAHR/CANDIDA	394.40		
154905	04/29/16	STEVENS/LARRY	1,324.68	4/1-4/5/2016	
154906	04/29/16	STOUDT/MARSHA	26.50		
154907	04/29/16	SUPERIOR PAVEMENT MA	2,147.88	6764	
154908	04/29/16	T-ZIGNS ETC	239.80	162016049	
154909	04/29/16	TAVAREZ/MARK	224.40		
154910	04/29/16	TILLEY CRANE INSPECT	450.00	16159	
154911	04/29/16	TIME WARNER CABLE	35.00	4/8-5/7	
154912	04/29/16	TOGETHER GROWING THE	64.60		

\*CHECK TOTAL

WARRANT DATE VENDOR  
BANK OF AMERICA

Disbursement Journal

DESCRIPTION AMOUNT

154913	04/29/16	TOUCH OF BLING!	11195	SHOOTING STARS UNIFOR	208.00
154914	04/29/16	U.S. BANK	17044	91' ADMIN.FEE 3/1-8/3	460.00
154915	04/29/16	UNITED RENTALS	11193	RENT, DELIVERY, PICK- 1,	648.56
154916	04/29/16	UNITED ROTARY BRUSH	15805	3 SETS MOBIL 26" WIRE	354.63
154916	04/29/16	UNITED ROTARY BRUSH	15805	2 SETS MOBIL 26" WIRE	236.42
				*CHECK TOTAL	591.05
154917	04/29/16	VAN OOSTEN/LUCIEN F.	10713	INSTR.GRAPHITE 3/10-4	224.40
154918	04/29/16	VIDES/BLANCA	00010	SR.GIFT BOUTIQUE SALES	10.35
154919	04/29/16	WALCZAK/BEVERLY	17178	INSTR.KARATE APRIL 20	701.10
154920	04/29/16	WALCZAK/JEROME	17180	INSTR.KARATE APRIL 20	701.10
154921	04/29/16	WATANABE/SUSIE	10736	SR.GIFT BOUTIQUE SALES	18.00
154922	04/29/16	WATERLINE TECHNOLOGI	10242	HYPOCHLORITE SOLUTION	336.07
154922	04/29/16	WATERLINE TECHNOLOGI	10242	HYPOCHLORITE SOLUTION	266.35
				*CHECK TOTAL	602.42
154923	04/29/16	WEST COAST ARBORISTS	12070	15-16 TREE MAINTENA	1,981.00
154923	04/29/16	WEST COAST ARBORISTS	12070	15-16 TREE MAINTENA	3,722.10
154924	04/29/16	WESTERN ENVIRONMENTA	10319	RMV HAZ MAT.	977.35
154924	04/29/16	WESTERN ENVIRONMENTA	10319	RMV HAZ MAT.	320.00
154924	04/29/16	WESTERN ENVIRONMENTA	10319	RMV HAZ MAT.	1,520.00
154924	04/29/16	WESTERN ENVIRONMENTA	10319	CLEAN WASH RACK PIT	400.00
				*CHECK TOTAL	3,217.35
154925	04/29/16	WILLIAMS/JENNIFER	11137	REIMB.APA PLAN'N CO	1,104.42
154926	04/29/16	ZAILO/ROBERT W	12267	INSTR.TAI CHI APRIL 20	61.20
154927	04/29/16	1ST IMPRESSION	11220	COMP.FEES SHOOT'N STA	230.00
		BANK OF AMERICA		TOTAL	860,055.05

F 9 S ACCOUNT

PO#

CLAIM INVOICE

N D	110.213.148
N D	038.4120.020.521
N D	003.4410.020.004
N D	001.4342.011.002
N D	001.4342.011.002
M D	001.4420.020.000
N D	001.4420.013.009
M D	001.4420.020.000
M D	001.4420.020.000
M D	001.4420.013.009
N D	001.4430.033.000
N D	001.4430.033.000
N D	012.4841.692.007
N D	008.4415.020.008
N D	001.4341.028.000
N D	001.4341.028.000
N D	001.4341.024.020
N D	001.4341.028.000
N D	001.4309.021.000
M D	001.4420.020.000
N D	110.213.148

4/2-4/5/2016

6/4/2016

ACS FINANCIAL SYSTEM  
04/21/2016 08:44:17  
WARRANT DATE VENDOR  
REPORT TOTALS:

GL540R-V07.27 PAGE  
12  
CITY OF SAN DIMAS  
F 9 S ACCOUNT

DESCRIPTION	Disbursement Journal	CLAIM	INVOICE	PO#
	AMOUNT			
	860,055.05			

RECORDS PRINTED - 000379

FUND RECAP:		
FUND	DESCRIPTION	DISBURSEMENTS
001	GENERAL FUND	622,978.48
007	WALKER HOUSE LLC FUND	2,107.87
008	CLAYTON HOUSING DISTRICT	56,344.35
012	LANDSCAPE LIGHT PLACEMENT	10,561.37
027	UNIVERSITY CARE DEVELOPMENT	21,214.75
027	COMMUNITY CENTER PARKING DIST	21,060.00
034	CONVOC CENTER FOR C2-1-1-12	3,837.54
038	ROCHESTER AGENCY COG GRANT	460.00
040	COMPTON AGENCY COG GRANT	283.00
043	COLE COUNTY MARIJUANA OPERATIO	7,880.27
071	PROP QUALITY MANAGEMENT DIST	439.50
072	PROP QUALITY MANAGEMENT DIST	119,525.97
110	TRUST AND AGENCY	3,362.19
TOTAL ALL FUNDS		860,055.05

BANK RECAP:		
BANK NAME		DISBURSEMENTS
CHEK BANK OF AMERICA		860,055.05
TOTAL ALL BANKS		860,055.05



**MINUTES  
REGULAR CITY COUNCIL  
TUESDAY, APRIL 12, 2016, 7:00 P. M.  
SAN DIMAS COUNCIL CHAMBERS  
245 E. BONITA AVENUE**

**NOTE: RECEPTION AT 6:30 P.M. FOR DISTINGUISHED SERVICE TO YOUTH AWARD  
RECIPIENTS IN CITY HALL LOBBY**

**CITY COUNCIL:**

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

**STAFF:**

City Manager Blaine Michaelis  
Assistant City Manager of Development Service Larry Stevens  
Assistant City Manager of Administrative Services Ken Duran  
Director of Parks and Recreation Theresa Bruns  
Director of Public Works Krishna Patel  
Administrative Aide Ann Garcia  
Assistant City Clerk Debra Black

**1. CALL TO ORDER AND FLAG SALUTE**

Mayor Morris called the meeting to order at 7:00 p.m. and led the flag salute.

**2. RECOGNITIONS**

- Distinguished Service to Youth Awards

Mayor Morris and Director of Parks and Recreation Theresa Bruns made the presentations to the recipients.

**3. ANNOUNCEMENTS**

- Public Invitation to the Foothill Boulevard Bridge Improvement Project Dedication Ceremony April 14, 2016 at 11:00 a.m.

Director of Public Works Krishna Patel made the announced invitation to the dedication ceremony of the Foothill Boulevard bridge Improvement Project.

- 4. ORAL COMMUNICATIONS** (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an

item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

- 1) Evan Celaya San Dimas High School announcements
- 2) Melate Bekele with Metrolink provided explanation of BNF's use of new locomotives
- 3) Erica Rodriguez Relay for Life announcement
- 4) Nora Chen San Dimas Library announcements
- 5) Robert Hardcastle L.A. County Sheriff's Volunteer Association announcement
- 6) Chamber of Commerce announcements
- 7) Margie Green McKinley Children's Center announcement
- 8) Ryan Vienna Public Safety Commission announcement

**5. CONSENT CALENDAR**

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council or audience requests separate discussion.)

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

**RESOLUTION 2016-18, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF MARCH AND APRIL, 2016**

b. Approve minutes from March 22, 2016 City Council meeting and the March 23, Supervisor Anotonovich meeting.

END OF CONSENT CALENDAR

**ACTION:** By motion and second Councilmember Bertone/ Ebiner to approve the consent calendar as presented. Motion carried by vote of five-zero.

**Yes:** Badar, Bertone, Ebiner, Templeman, Morris

**Noes:** None

**Absent:** None

**Abstain:** None

**6. OTHER MATTERS**

a) Presentation and report regarding a proposed use plan for the Walnut Creek Habitat Open Space area.

Consideration and recommendation to the Watershed Conservation Authority on project revisions and the Mitigated Negative Declaration for the Walnut Creek Habitat and Open Space Project as proposed.

**Recommendation:**

**Adopt Resolution 2016-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, RECOMMENDING ADOPTION OF THE MITIGATED NEGATIVE DECLARATION FOR THE WALNUT CREEK HABITAT AND OPEN**

**SPACE PROJECT AND SETTING FORTH STANDARDS AND PROCEDURES FOR CONSIDERATION OF FUTURE PHASE OF THE CONCEPTUAL MASTER PLAN**

- 2) Receive the Initial Study/Mitigated Negative declaration and forward to the Watershed Conservation Authority with recommendation to adopt.

**Assistant City Manager of Development Services Larry Stevens** presented staff's report on this item.

Council and staff discussed the construction schedule of the project, prohibiting access through Via Verde: focusing on the Calle Bandera gate, five year moratorium language in the resolution, elevation measurement and the city owned area of the project.

City Manager Michaelis 8:19 left dais at 8:19 p.m. and returned at 8:25 p.m.

**Mayor Morris** invited members of the audience in favor of the project to speak.

The following residents spoke in favor of the project as presented at this meeting:

- 1) Albert Salgado
- 2) Brian McNerney

The following speakers disagreed with different elements of the project and documentation:

**Resident Dr. Ersher** brought forward a concern over the CEQA evaluation process and provided suggestions that could clarify the intent of this Council for the future.

**Resident Ron Barrett** shared comments on the effectiveness of the Resolution.

**Resident Moses Tom** voiced concern over the access to the property through the Calle Bandera gate.

**Resident Bob Smith** suggested the survey was not representative of all the residents in the community,

**Resident Lily Tong** stated she was not comfortable with the language in the resolution or CEQA document.

**City Attorney Mark Steres** explained the distinction between the environmental document prepared by the WCA who controls the majority of the land and project approval that has to go to the City Council to gain access through any of the city owned locations.

Responding to resident Mr. Ramon Vasquez Mayor Morris and Mr. Stevens explained key elements of the project.

**Resident Wing Sam** expressed concerned with construction impacts.

**Resident Jose** suggested addressing proper communication methods with the construction crew.

**Resident Edward Correto** also expressed concern with the construction crew.

**Speaker Lloyd** expressed concerned with parking at the Antonovich Trial.

**Mayor Morris** asked staff for comments on suggested changes to the resolution.

**Mr. Stevens** responded by reading the new proposed language: Whereas the conceptual Master Plan serves only as the project description for the purposes of CEQA and is not part of this approval or action.

**Mr. Steres** added that that would be appropriate, and that the only thing the resolution would be approving is item number five.

Councilmembers added their comments on their opposition to housing developments, gate access and reminded staff to prepared scripted rules for the construction company.

City Attorney Steres added that using the gate for construction would have no impact on the status of it being city-owned private property.

Mayor Morris then called for the resolution to be read by title.

**ACTION:** By motion and second Councilmember Badar/Bertone to waive further reading and approve **Resolution 2016-19, A Resolution of the City Council of the City of San Dimas, County of Los Angeles, Recommending Adoption of the Mitigated Negative Declaration for the Walnut Creek Habitat and Open Space Project and Setting Forth Standards and Procedures for Consideration of Future Phase of the Conceptual Master Plan** with the addition of the following language: “ **Whereas the Conceptual Master Plan serves only as the project description for the purposes of CEQA and is not part of this approval or action. Motion carried by vote of five-zero.**

**Mayor Morris and City Attorney Steres suggested clarifying item number five of the resolution by stating that the west phase (to be included as exhibit one) is the only phase approved, and bring the resolution back to Council on consent calendar to be seen with the recommended language additions.**

**Yes:** Badar, Bertone, Ebiner, Templeman, Morris  
**Noes:** None  
**Absent:** None  
**Abstain:** None

**Councilmember Ebiner** read a statement that described his ideas and vision for this area and similar areas in the city and stated that he will continue to advocate for these, while accepting the expressed will of those most effected.

## **7. ORAL COMMUNICATIONS**

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

Dr. Ersher commented on the status of the Via Verde Shopping Center.

- b. City Manager

Mayor's call in show broadcast.

- c. City Attorney

Nothing reported.

- d. Members of the City Council

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

Nothing reported.

- 2) Individual Members' comments and updates.

Councilmember Bertone announcement of the Festival of Western Arts April 23-23, 2016.

## **8. ADJOURNMENT**

Adjourned at 10:05 p.m. to the next of Monday, April 25, 2016, at 5:00 p.m. for Council/Staff Retreat.

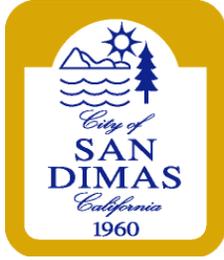
Minutes adopted April 26, 2016.

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Curtis W. Morris, Mayor

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Debra Black, Assistant City Clerk



## Agenda Item Staff Report

**To:** Honorable Mayor and Members of City Council  
*April 26, 2016*

**From:** Blaine Michaelis, City Manager

**Initiated by:** Karon De Leon, Parks and Recreation Department

**Subject:** Award of Construction Contract 2016-02  
Senior Citizen/Community Center Exterior Painting Project

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### **SUMMARY**

A request for the City Council to award  
Construction Contract #2016-02  
Senior Citizen/Community Center Exterior Painting  
in the amount of \$19,000

### **BACKGROUND**

The exterior of the Senior Citizen/Community Center was last painted in 1993 when the City was preparing the previously owned Los Angeles County Engineers' building to be opened as the City's Senior Center.

A mandatory pre-bid conference was conducted at which interested contractors were required to attend. Fifteen companies were represented, of which five submitted a formal bid.

The sealed bids for Construction Contract 2016-02, Senior Citizen/Community Center Exterior Painting Project were received by the City Clerk and publicly opened on Thursday, April 14, 2016 at 10:00 a.m.

The bid results were as follows:

- |                           |          |
|---------------------------|----------|
| 1. Rivco Coatings         | \$18,000 |
| 2. Mariscal Painting Inc. | \$19,000 |
| 3. Eonomos Painting       | \$19,700 |
| 4. ISR Painting Inc.      | \$21,000 |
| 5. Vera's Painting        | \$21,700 |

**DISCUSSION/ANALYSIS**

The project consists of the proper preparation and recoating of the exterior painted surfaces of the Senior Citizen/Community Center and some minor repairs in specified areas. The color scheme is to remain the same.

The project specifications provide for the contract documents to be returned to the City within ten (10) calendar days of the award of contract, for work to commence within ten (10) calendar days from Notice to Proceed, and work to be completed within ten (10) working days of commencement of work.

Rivco Coatings, the lowest apparent bidder, did not include a bid bond and therefore their bid was rejected.

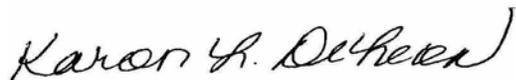
Staff has reviewed the bid proposal, bid bond and references provided by the lowest qualified bidder, Mariscal Painting, Inc. and have verified that the contractor's bid bond is issued by an admitted surety, Indemnity Company of California, as required by the Public Contract Code 20170. The State Contractor's License Board has confirmed that the Contractor's License #899391 is current and active.

A total of \$27,000 was included in the 2015-16 Senior Citizen/Community Center General Fund budget for this project.

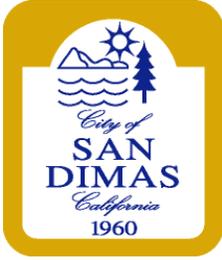
**RECOMMENDATION**

Staff recommends award of Construction Contract 2016-02 Senior Citizen/Community Center Exterior Painting Project to Mariscal Painting Inc., for the total contract price of \$19,000 and authorize the Mayor to sign and the City Clerk to attest to the contract documents.

Respectfully submitted,



Karon L. De Leon  
Facilities Manager



## Agenda Item Staff Report

**To:** Honorable Mayor and Members of City Council  
*For the meeting of April 26, 2016*

**From:** Blaine Michaelis, City Manager

**Initiated by:** Theresa Bruns, Director of Parks and Recreation

**Subject:** Resolution Approving Engineers Report, Declaring Intention to Levy and Collect an Assessment, and Fixing a Time and Space for a Public Hearing for Boulevard Open Space Maintenance District

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### SUMMARY

Adoption of a Resolution that approves the Engineer's Report, declares the City Council intent to levy and collect an assessment for fiscal year 2016-17, and fixes a time and place for a public hearing for Open Space Maintenance District No. 1, tract 32818, Boulevard.

### **BACKGROUND**

The Boulevard Open Space Maintenance District was formed under the provisions of the Landscape and Lighting Act of 1972, Division 15, Part 2, of the Streets and Highways Code of the State of California. The Act further establishes procedures for the annual levy of assessments which includes the approval of an Engineer's Report and establishing a time and place for a public hearing.

In 2006 the property owners in the Boulevard Open Space Maintenance District approved by ballot measure an annual Consumer Price Index adjustment for future years not to exceed 7% as necessary to cover the costs of maintenance, including increases in the costs of materials, labor and utilities.

On February 23, 2016 the City Council adopted Resolution No. 2016-12 ordering the preparation of the Engineer's Report for the annual levy of assessment for Open Space Maintenance District No. 1 (Tract No. 32818, Boulevard) for fiscal year 2016-2017.

The Engineer's Report has been prepared with the scope of work to include general landscape maintenance, tree trimming, water, and electricity. No increase in the assessment is proposed. The rate proposed for 2016-17 will remain at \$532.58 per parcel, which is the same rate as has been assessed since 2013-14, when the last increase was adopted at 1.3%, or \$6.83.

**RECOMMENDATION**

Staff recommends that the City Council adopt a Resolution approving the Engineer's Report and declaring intent to levy and collect an assessment for fiscal year 2016-17, and establishing a Public Hearing for May 24, 2016, for Open Space Maintenance District No. 1, tract 32818, Boulevard.

Respectfully submitted,



Theresa Bruns  
Director of Parks and Recreation

Attachments:

- Resolution 20XX-XX
- Engineer's Report for Fiscal Year 2016-2017 for Open Space Maintenance District No.1, tract 32818, Boulevard

## RESOLUTION 2016-21

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN ASSESSMENT FOR FISCAL YEAR 2016-17 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING FOR HEARING OBJECTIONS FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1 (TRACT 32818, BOULEVARD)**

**WHEREAS**, The San Dimas City Council formed Open Space Maintenance District No. 1, under Resolution No. 77-57 pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California; and

**WHEREAS**, the San Dimas City Council proposes the continued maintenance of landscaping improvements within said district for Fiscal Year 2016-2017; and

**WHEREAS**, the City Council of the City of San Dimas finds that the levy of an assessment at the same amount as last year is exempt from the procedure and approval process of Section 4 of Article XIID of the California Constitution pursuant to Section 5(b) of Article XIID, and

**WHEREAS**, the amount of the assessment may be less than the amount to pay for the cost of maintaining the landscaping in the District in future years, and therefore could be adjusted following an advertised public hearing to reflect changes in the Consumer Price Index not to exceed 7% as approved by the district ballot election on June 27, 2006.

**WHEREAS**, an Engineer's Report, as required by law, has been presented to and approved by the City Council of the City of San Dimas which provides for the levied assessment at the same rate as last year for the District, and

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of San Dimas, does resolve that:

1. The City Council proposes to levy and collect an assessment to maintain improvements within Open Space Maintenance District No.1, (Tract No. 32818) for Fiscal Year 2016-17.
2. The scope of the maintenance work includes the maintenance and restoration of landscaping improvements, including irrigation, pruning, pest control, fertilization, weed control, drainage system, major tree trimming, and miscellaneous related work within said district.

3. The Engineer's Report calls for a total of \$10,119.02 to be collected for Fiscal Year 2016-2017 resulting in a yearly assessment per parcel of \$532.58, which is the same assessment rate as adopted for Fiscal Year 2015-2016.

4. Future year cost of maintenance of the improvements, including increases in cost of materials, labor and utilities, will cause the amount of the annual assessment to be increased by an amount that will not exceed changes in the Consumer Price Index.

5. The City Council, by this resolution, hereby approves the Engineer's Report which indicates the amount of the proposed assessments, the district boundary, assessment zones, and detailed description of improvements. A copy of said report is on file in the office of the City Clerk.

6. That the 24<sup>th</sup> of May, 2016, at the hour of 7:00 p.m., in the San Dimas City Council Chambers, 245 East Bonita Avenue, San Dimas, California, is hereby set as the Public Hearing where any and all persons having any objection to the levy of the proposed assessment may appear and show cause why said work should not be done or carried out in accordance with this resolution of intention. The City Council will consider all oral and written protests.

**PASSED, APPROVED AND ADOPTED** this 26<sup>th</sup> day of April, 2016.

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Curtis W. Morris, Mayor City of San Dimas

**ATTEST:**

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Debra Black, Assistant City Clerk

I, Debra Black, Assistant City Clerk, hereby certify that Resolution 2016-21 was adopted by the City Council of San Dimas at its regular meeting of April 26<sup>th</sup>, 2016 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Debra Black, Assistant City Clerk

CITY OF SAN DIMAS  
OPEN SPACE MAINTENANCE DISTRICT NO. 1  
(TRACT 32818, BOULEVARD DEVELOPMENT)

**ENGINEER'S REPORT  
FISCAL YEAR 2016-2017**

SECTION 1. AUTHORITY FOR REPORT

This report is prepared pursuant to the order of the City Council of the City of San Dimas, and in compliance with the requirements of Article 4, Chapter 1, Landscaping and Lighting Act of 1972, and Article XIII D of the California Constitution.

SECTION 2. THE IMPROVEMENTS

The improvements consist of an irrigation system and landscaping within Lot 20 of Tract No. 32818, which was required to be installed by the developer and accepted for maintenance by the City. The plans and specifications for the landscaping are in conformance with the requirements of the conditions of approval of said Tract No. 32818, and City Standards. Reference is hereby made to the said plans and specifications for the exact location and nature of the landscape improvements. Said plans and specifications by reference are hereby made a part of this report, and are on file in the office of the City Engineer.

SECTION 3. DIAGRAM FOR THE ASSESSMENT DISTRICT

A copy of the assessment diagram is on file in the office of the City Engineer.

SECTION 4. ESTIMATE OF COSTS OF THE IMPROVEMENTS

The cost of the initial landscaping of Lot 20 of Tract 32818 was borne by the subdivider; therefore, all assessments relate to maintenance only.

Direct Maintenance Costs:

General Maintenance (by Contract)	\$	3,860
Tree Trimming	\$	600
Utilities - Electrical	\$	320
Utilities - Water	\$	3,000
Irrigation Repair	\$	-
Total of Direct Maintenance Costs	\$	7,780

CURRENT ASSESSMENT:	\$	10,119	(\$532.58/parcel)
2016-17 ANNUAL ASSESSMENT:	\$	10,119	(\$532.58/parcel)

2016-17 Fund Balance	\$2,339
Prior Fund Balance	\$7,490
Ending Fund Balance	\$9,829

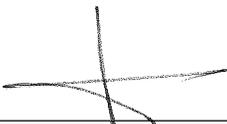
The City has funded an unrealized balance over time based upon the approval of an annual adjustment to reflect changes in the Consumer Price Index to eventually recuperate this balance over time, and to then begin to develop a fund balance for future extraordinary expenses.

SECTION 5. ASSESSMENT

The following information regarding assessments to individual lots for the 2016-2017 Fiscal Year is contained herein and is to be levied on July 1, 2016. The net amount estimated to be assessed upon the assessable lands within the district is \$10,119 which is apportioned to all assessable lots shown on the attached Assessment Roll.

The landscape district was developed for the benefit and enjoyment of all properties included within the assessment district boundaries, and all parcels benefit equally from the improvements.

Respectfully submitted,

  
\_\_\_\_\_  
KRISHNA PATEL  
DIRECTOR OF PUBLIC WORKS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
P.E.

**CITY OF SAN DIMAS ASSESSMENT ROLL FOR  
OPEN SPACE MAINTENANCE DISTRICT NO. 1  
Boulevard**

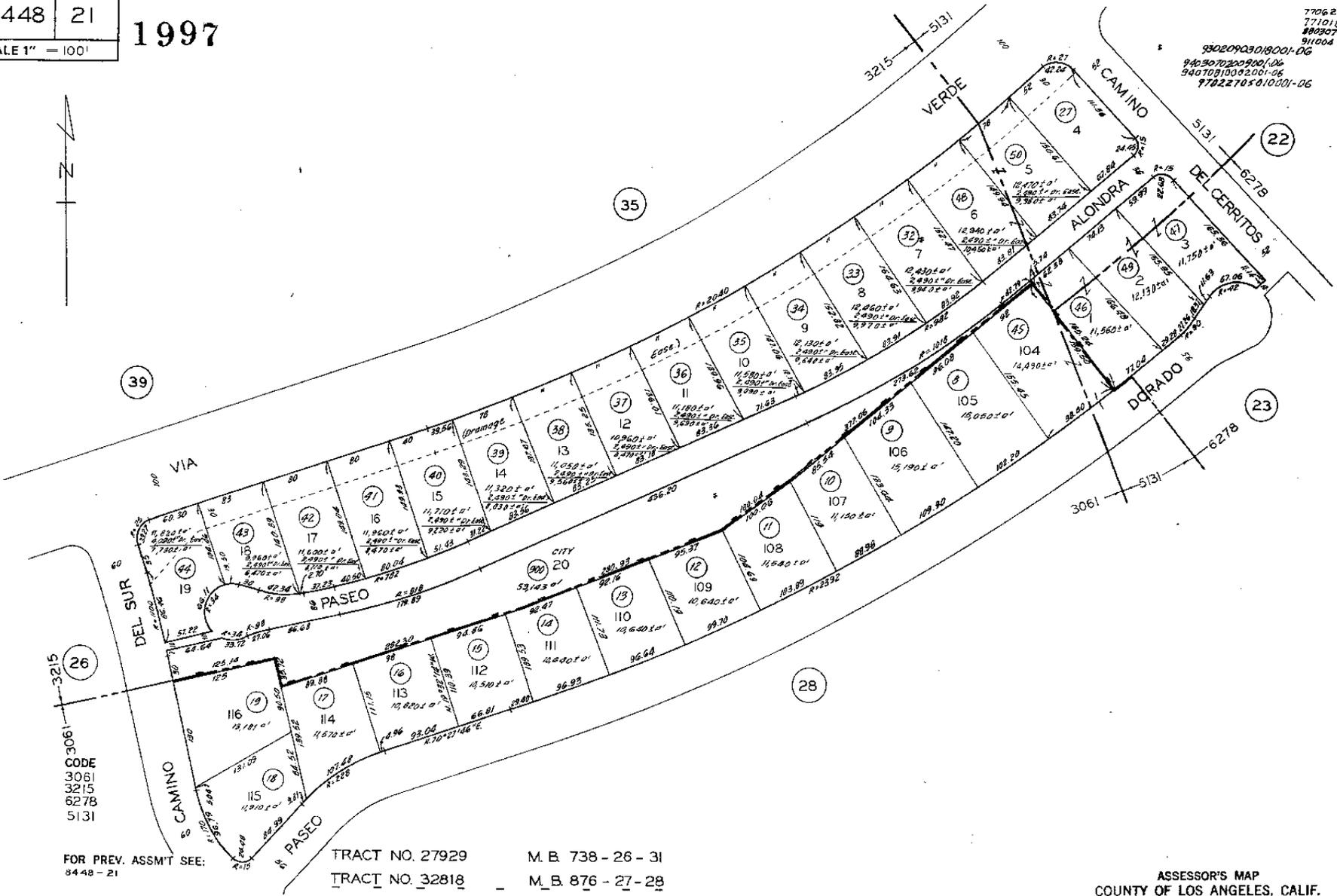
ADDRESS	TRACT 32818, LOT NO.	ASSESSOR'S REFERENCE	2015-2016 ASSESSMENT	2016-2017 ASSESSMENT INCREASE	TOTAL 2016-2017 ASSESSMENT
1204 Via Verde	4	8448-021-027	532.58	0.00	532.58
1228 Via Verde	7	8448-021-032	532.58	0.00	532.58
1236 Via Verde	8	8448-021-033	532.58	0.00	532.58
1244 Via Verde	9	8448-021-034	532.58	0.00	532.58
1252 Via Verde	10	8448-021-035	532.58	0.00	532.58
1260 Via Verde	11	8448-021-036	532.58	0.00	532.58
1306 Via Verde	12	8448-021-037	532.58	0.00	532.58
1318 Via Verde	13	8448-021-038	532.58	0.00	532.58
1322 Via Verde	14	8448-021-039	532.58	0.00	532.58
1330 Via Verde	15	8448-021-040	532.58	0.00	532.58
1338 Via Verde	16	8448-021-041	532.58	0.00	532.58
1346 Via Verde	17	8448-021-042	532.58	0.00	532.58
1354 Via Verde	18	8448-021-043	532.58	0.00	532.58
1362 Via Verde	19	8448-021-044	532.58	0.00	532.58
1219 Paseo Dorado	1	8448-021-046	532.58	0.00	532.58
1203 Paseo Dorado	3	8448-021-047	532.58	0.00	532.58
1220 Via Verde	6	8448-021-048	532.58	0.00	532.58
1211 Paseo Dorado	2	8448-021-049	532.58	0.00	532.58
1212 Via Verde	5	8448-021-050	532.58	0.00	532.58
			10119.02	0.00	10119.02

8448 | 21  
SCALE 1" = 100'

1997



77062741  
771018  
88007-88  
91004  
93020903018001-06  
94030702009001-06  
94070810082001-06  
97022705010001-06



CODE  
3061  
3215  
6278  
5131

FOR PREV. ASSMT SEE:  
8448 - 21

TRACT NO. 27929      M. B. 738 - 26 - 31  
TRACT NO. 32818      M. B. 876 - 27 - 28

ASSESSOR'S MAP  
COUNTY OF LOS ANGELES, CALIF.



## Agenda Item Staff Report

**To:** Honorable Mayor and Members of City Council  
*For the meeting of April 26, 2016*

**From:** Blaine Michaelis, City Manager

**Initiated by:** Theresa Bruns, Director of Parks and Recreation

**Subject:** Resolution Approving Engineers Report, Declaring Intention to Levy and Collect an Assessment, and Fixing a Time and Space for a Public Hearing for Northwoods Open Space Maintenance District

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### SUMMARY

Adoption of a Resolution that approves the Engineer's Report, declares the City Council intent to levy and collect an assessment for fiscal year 2016-17, and fixes a time and place for a public hearing for Open Space Maintenance District No. 1, Annexation No.3 tract 32841, Northwoods.

### **BACKGROUND**

The Northwoods Open Space Maintenance District was formed under the provisions of the Landscape and Lighting Act of 1972, Division 15, Part 2, of the Streets and Highways Code of the State of California. The Act further establishes procedures for the annual levy of assessments which includes the approval of an Engineer's Report and establishing a time and place for a public hearing.

On February 23, 2016 the City Council adopted Resolution No. 2016-13 ordering the preparation of the Engineer's Report for the annual levy of assessment for Open Space Maintenance District No. 1, Annexation No. 3 (Tract No. 32841, Northwoods) for fiscal year 2016-2017.

The Engineer's Report has been prepared with the scope of work to include general landscape maintenance, tree trimming, irrigation, water, and electricity. No increase is proposed in the Assessment rate. The 2015-16 assessment rate was \$898.42 per parcel and the rate proposed for 2016-17 will remain at \$898.42 per parcel.

**RECOMMENDATION**

Staff recommends that the City Council adopt a Resolution approving the Engineer's Report and declaring intent to levy and collect an assessment for fiscal year 2016-17, and establishes a Public Hearing for May 24, 2016, for Open Space Maintenance District No. 1, Annexation No. 3, tract 32841, Northwoods.

Respectfully submitted,



Theresa Bruns  
Director of Parks and Recreation

Attachments:

- Resolution No. 20XX-XX
- Engineer's Report for Fiscal Year 2016-2017 for Open Space Maintenance District No.1, Annexation No. 3, tract 32841, Northwoods

## **RESOLUTION 2016-22**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN ASSESSMENT FOR FISCAL YEAR 2016-17 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING FOR HEARING OBJECTIONS FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1 ANNEXATION NO. 3 (TRACT 32841, NORTHWOODS)**

**WHEREAS**, The San Dimas City Council formed Open Space Maintenance District No. 1, Annexation No. 3 under Resolution No. 78-38 pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California; and

**WHEREAS**, the San Dimas City Council proposes the continued maintenance of landscaping improvements within said district for Fiscal Year 2016-2017; and

**WHEREAS**, the City Council of the City of San Dimas finds that the levy of an assessment at the same amount as last year is exempt from the procedure and approval process of Section 4 of Article XIID of the California Constitution pursuant to Section 5(b) of Article XIID, but any proposed increase in the assessment to be levied for the district is subject to the procedures and approval process of Section 4 of Article XIID of the California Constitution; and

**WHEREAS**, an Engineer's Report, as required by law, has been presented to and approved by the City Council of the City of San Dimas which provides for the levied assessment at the same rate as last year for the District; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of San Dimas, does resolve that:

1. The City Council proposes to levy and collect an assessment to maintain improvements within Open Space Maintenance District No.1, Annexation No. 3 (Tract No. 32841) for Fiscal Year 2016-2017.
2. The scope of the maintenance work includes all labor, material, and equipment to spray and weed-whip weeds, shrub shearing and tree skirting, culvert clearing, irrigation inspection and trash pick-up four times in the year within said district.
3. The Engineer's Report calls for a total of \$34,139.96 to be collected for Fiscal Year 2016-2017 resulting in a yearly assessment per parcel of \$898.42, which is the same assessment rate as adopted for Fiscal Year 2015-2016.

4. The City Council, by this resolution, hereby approves the Engineer's Report which indicates the amount of the proposed assessments, the district boundary, assessment zones, and detailed description of improvements. A copy of said report is on file in the office of the City Clerk.

5. That the 24<sup>th</sup> of May, 2016, at the hour of 7:00 p.m., in the San Dimas City Council Chambers, 245 East Bonita Avenue, San Dimas, California, is hereby set as the Public Hearing where any and all persons having any objection to the levy of the proposed assessment may appear and show cause why said work should not be done or carried out in accordance with this resolution of intention. The City Council will consider all oral and written protests.

**PASSED, APPROVED AND ADOPTED** this 26<sup>th</sup>, day of April, 2016.

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Curtis W. Morris, Mayor City of San Dimas

**ATTEST:**

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Debra Black, Assistant City Clerk

I, Debra Black, Assistant City Clerk, hereby certify that Resolution 2016-22 was adopted by the City Council of San Dimas at its regular meeting of April 26<sup>th</sup>, 2016 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Debra Black, Assistant City Clerk

CITY OF SAN DIMAS  
OPEN SPACE MAINTENANCE DISTRICT NO.1, ANNEXATION NO. 3  
(TRACT 32841, NORTHWOODS DEVELOPMENT)

**ENGINEER'S REPORT  
FISCAL YEAR 2016-2017**

SECTION 1 AUTHORITY FOR REPORT

This report is prepared pursuant to the order of the City Council of the City of San Dimas, and in compliance with the requirements of Article 4, Chapter 1, Landscaping and Lighting Act of 1972, and Article XIII D of the California Constitution.

SECTION 2 THE IMPROVEMENTS

The improvements consist of an irrigation system and landscaping of easements within Tract No. 32841, which was required to be installed by the developer and accepted for maintenance by the City. The plans and specifications for the landscaping are in conformance with the requirements of the conditions of approval of said Tract No. 32841, and City Standards. Reference is hereby made to the said plans and specifications for the exact location and nature of the landscape improvements. Said plans and specifications by reference are hereby made a part of this report, and are on file in the office of the City Engineer.

SECTION 3 DIAGRAM FOR THE ASSESSMENT DISTRICT

A copy of the assessment diagram is on file in the office of the City Engineer.

SECTION 4 ESTIMATE OF COSTS OF THE IMPROVEMENTS

The cost of the initial landscaping of Tract 32841 was borne by the subdivider; therefore, all assessments relate to maintenance only.

Direct Maintenance Costs:

General Maintenance (by Contract)	\$16,900
Utilities – Electrical	\$ 950
Utilities – Water	\$15,000
Tree Trimming	\$ 2,500
New Planting	\$ 0
Irrigation Repairs or Upgrades	<u>\$ 3,000</u>
Total of Direct Maintenance Costs:	\$38,350

CURRENT ASSESSMENT:	\$34,140 (\$898.42/parcel)
2016-17 ANNUAL ASSESSMENT:	\$34,140 (\$898.42/parcel)

2016-17 Fund Balance	<\$4,210>
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Prior Fund Balance	\$ 9,845
Ending Fund Balance	\$ 5,635

SECTION 5 ASSESSMENT

The following information regarding assessments to individual lots for the 2016-2017 Fiscal Year is contained herein and is to be levied on July 1, 2016. The net amount estimated to be assessed upon the assessable lands within the district is \$34,140, which is apportioned to all assessable lots shown on the attached Assessment Roll.

The landscape district was developed for the benefit and enjoyment of all properties included within the assessment district boundaries, and all parcels benefit equally from the improvements.

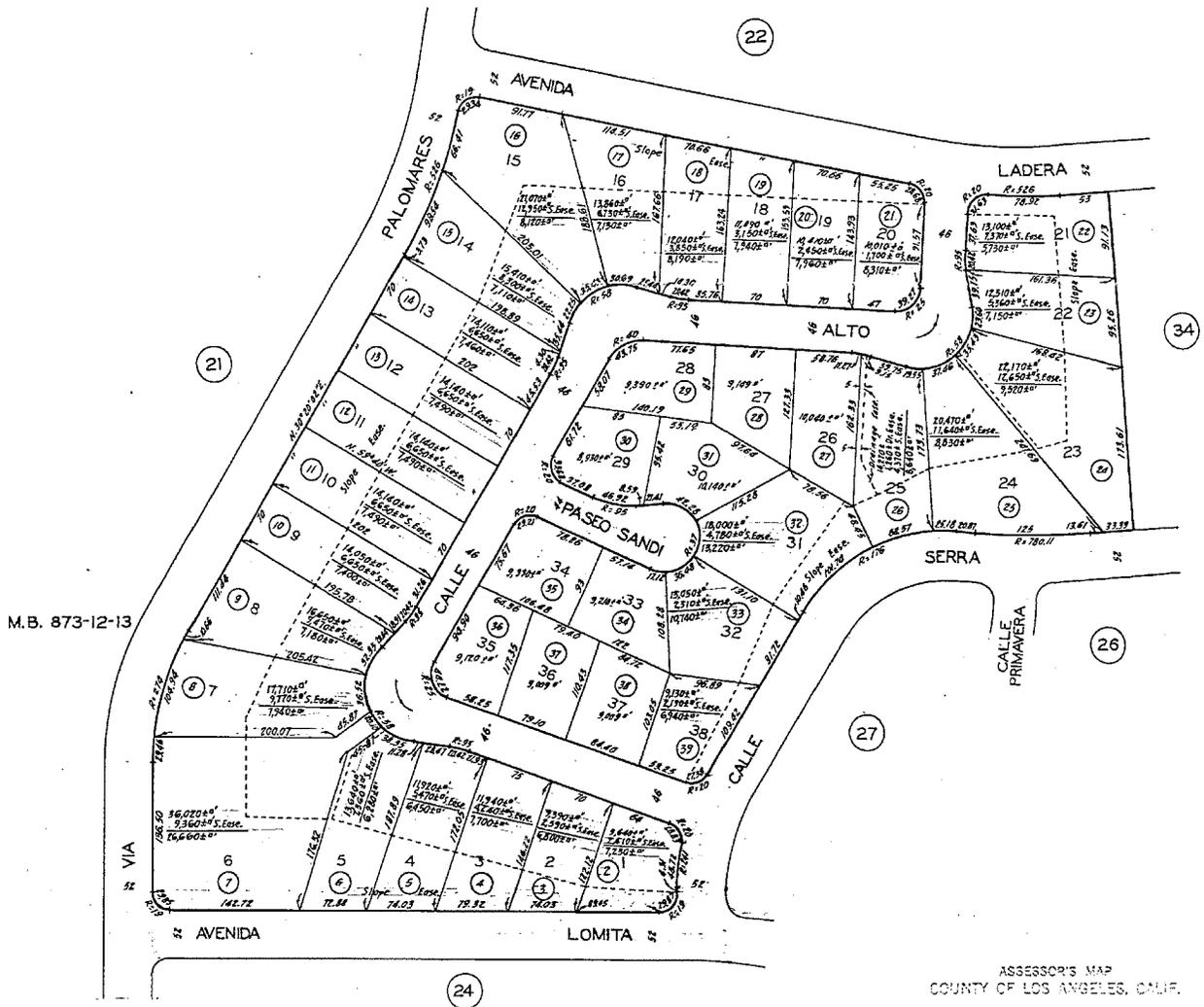
Respectfully submitted,

  
\_\_\_\_\_  
KRISHNA PATEL  
DIRECTOR OF PUBLIC WORKS

\_\_\_\_\_  
\_\_\_\_\_  
P.E.

CITY OF SAN DIMAS ASSESSMENT ROLL FOR			
OPEN SPACE MAINTENANCE DISTRICT NO. 1, ANNEXATION No. 3			
Northwoods			
ADDRESS	TRACT 32841, LOT NO.	ASSESSOR'S REFERENCE	2016-2017 ASSESSMENT
1793 Calle Alto	1	8395-023-002	898.42
1789 Calle Alto	2	8395-023-003	898.42
1785 Calle Alto	3	8395-023-004	898.42
1781 Calle Alto	4	8395-023-005	898.42
1777 Calle Alto	5	8395-023-006	898.42
1773 Calle Alto	6	8395-023-007	898.42
1767 Calle Alto	7	8395-023-008	898.42
1765 Calle Alto	8	8395-023-009	898.42
1761 Calle Alto	9	8395-023-010	898.42
1757 Calle Alto	10	8395-023-011	898.42
1753 Calle Alto	11	8395-023-012	898.42
1749 Calle Alto	12	8395-023-013	898.42
1745 Calle Alto	13	8395-023-014	898.42
1741 Calle Alto	14	8395-023-015	898.42
1737 Calle Alto	15	8395-023-016	898.42
1733 Calle Alto	16	8395-023-017	898.42
1729 Calle Alto	17	8395-023-018	898.42
1725 Calle Alto	18	8395-023-019	898.42
1721 Calle Alto	19	8395-023-020	898.42
1719 Calle Alto	20	8395-023-021	898.42
1702 Calle Alto	21	8395-023-022	898.42
1706 Calle Alto	22	8395-023-023	898.42
1710 Calle Alto	23	8395-023-024	898.42
1714 Calle Alto	24	8395-023-025	898.42
1718 Calle Alto	25	8395-023-026	898.42
1722 Calle Alto	26	8395-023-027	898.42
1726 Calle Alto	27	8395-023-028	898.42
1730 Calle Alto	28	8395-023-029	898.42
1121 Paseo Sandi	29	8395-023-030	898.42
1113 Paseo Sandi	30	8395-023-031	898.42
1105 Paseo Sandi	21	8395-023-032	898.42
1102 Paseo Sandi	32	8395-023-033	898.42
1110 Paseo Sandi	33	8395-023-034	898.42
1118 Paseo Sandi	34	8395-023-035	898.42
1780 Calle Alto	35	8395-023-036	898.42
1784 Calle Alto	36	8395-023-037	898.42
1788 Calle Alto	37	8395-023-038	898.42
1792 Calle Alto	38	8395-023-039	898.42
			34,139.96

OPEN SPACE MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 3  
(TRACT 32841, NORTHWOODS DEVELOPMENT)



RESOLUTION 2016-19

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS,  
COUNTY OF LOS ANGELES, RECOMMENDING ADOPTION OF THE MITIGATED  
NEGATIVE DECLARATION FOR THE WALNUT CREEK HABITAT AND OPEN SPACE  
PROJECT, **RECOMMENDING APPROVAL OF THE PHASE 1 WEST TRAIL LOOP,  
LANDSCAPE BUFFER AND BUILDING DEMOLITION, AND SETTING FORTH STANDARDS  
AND PROCEDURES FOR CONSIDERATION OF ANY FUTURE PHASES OF THE  
CONCEPTUAL MASTER PLAN****

**WHEREAS**, on June 23, 2015 the City of San Dimas held a public meeting to consider a Mitigated Negative Declaration for the Walnut Creek Habitat and Open Space Project;

**WHEREAS**, there was significant opposition to the project presented both in writing and in testimony at said meeting;

**WHEREAS**, the City Council, after considering the community input, directed Staff to work with project partners and area residents to address the identified concerns prior to any action on the Mitigated Negative Declaration;

**WHEREAS**, the area residents and Staffs have met on several occasions over the ensuing months to discuss area residents' concerns and consider alternatives to the project;

**WHEREAS**, the Mitigated Negative Declaration is an informational document intended to evaluate potential environmental impacts and mitigate them where feasible;

**WHEREAS**, the Conceptual Master Plan serves as the project description for the purposes of the environmental analysis but is not approved or adopted by this action;

**WHEREAS**, the California Environmental Quality Act also intends to allow changes to a project as a result of the environmental review and public input thereon provided that any project changes create no greater environmental impact than those identified in the environmental document;

**WHEREAS**, City Staff, Watershed Conservation Authority Staff and a group of concerned area residents from the adjacent neighborhoods have jointly agreed that certain changes to the project address many of the concerns raised by area residents;

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF SAN DIMAS CITY COUNCIL APPROVES THE PHASE 1 WEST TRAIL LOOP, LANDSCAPE BUFFER AND BUILDING DEMOLITION SET FORTH IN THE ATTACHED EXHIBIT A, AND AGREES THAT THE CONCEPTUAL MASTER PLAN ANY FUTURE PHASES SHALL BE GUIDED BY THE FOLLOWING ADDITIONAL STANDARDS AND PROCEDURES:**

1. Any project changes and any future phases will be subject to additional community input. Community input shall include, as a minimum,
  - a. A notice mailed to all property owners within 1000 feet of the property;
  - b. Notice to any persons or groups providing a written request to be notified;
  - c. Community outreach and neighborhood meeting(s); and,
  - d. City Council review at a noticed public meeting.

2. No project changes or improvements beyond the currently funded west phase shall be considered for a minimum of five years. The City may conduct feasibility studies and seek grants during this time period.
3. There will be no public access, either pedestrian or vehicular access, directly through the Via Verde neighborhood with the development of the west phase and there will be no vehicular or pedestrian access allowed in any future phase without community input as defined in Number 1 above.
  - a. Non-vehicular public trail access from the Antonovich Trail, and across portions of the Watershed Conservation Authority property, is part of the west phase development and will continue in the use of the west phase trail.
  - b. The City agrees to re-evaluate the traffic study in the future if access is considered.
  - c. Limited access will continue as currently managed by the City.
  - d. Construction access will be allowed through Calle Bandera for the west phase.
4. All trails and any other use or activity shall be designed to maximize separation and minimize visibility between recreation and residential uses. Where feasible, any trail shall be located within the canyon and below the rim. There shall be a landscape buffer as appropriate and feasible to meet these objectives for each phase as they may develop.
5. The west phase trail loop shall be located as identified in attached Exhibit A and shall comply with criteria set forth in Number 4 above.
  - a. The landscape buffer shall include plantings both adjacent to the residences and, where appropriate, adjacent to the trail to address Number 4 above.
  - b. Landscape materials shall be selected which minimize any disruption to existing view sheds from residences.
  - c. Buildings identified for demolition on Exhibit A shall be removed.
6. The existing WCA buildings may remain as is and will be further evaluated for any future use or demolition when funding source has been identified and/or funding becomes available. A community review as set forth in Number 1 will be conducted prior to use of these buildings.
7. Any future trail for the east phase shall not extend westerly of the Frondosa Knoll and shall meet the standards in Number 4. A community review as set forth in Number 1 shall be conducted prior to finalizing the trail location.
8. There shall be no connection between the west and east phase trails without community input as set forth in Number 1.
9. There shall be no expansion of Loma Vista Park into the Walnut Creek Habitat and Open Space Project Area without community review as set forth in Number 1.
10. The City may continue clean up and maintenance of the project site as appropriate and as funding becomes available.
11. The City shall cooperate with the Los Angeles County Parks and Recreation Department relative to currently existing access points to facilitate their use as primary access points for the Walnut Creek Open Space and Habitat project.

NOW THEREFORE BE IT FURTHER RESOLVED THAT THE CITY OF SAN DIMAS, AS A RESPONSIBLE AGENCY, RECOMMENDS ADOPTION OF THE MITIGATED NEGATIVE DECLARATION TO THE WATERSHED CONSERVATION AUTHORITY ACTING AS LEAD AGENCY.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Curtis W. Morris, Mayor City of San Dimas

ATTEST:

\_\_\_\_\_  
Debra Black, Assistant City Clerk

I HEREBY CERTIFY, that Resolution 2016-XX was adopted by the vote of the City Council of San Dimas at its regular meeting of \_\_\_\_\_, \_\_\_\_\_, 2016 by the following vote:

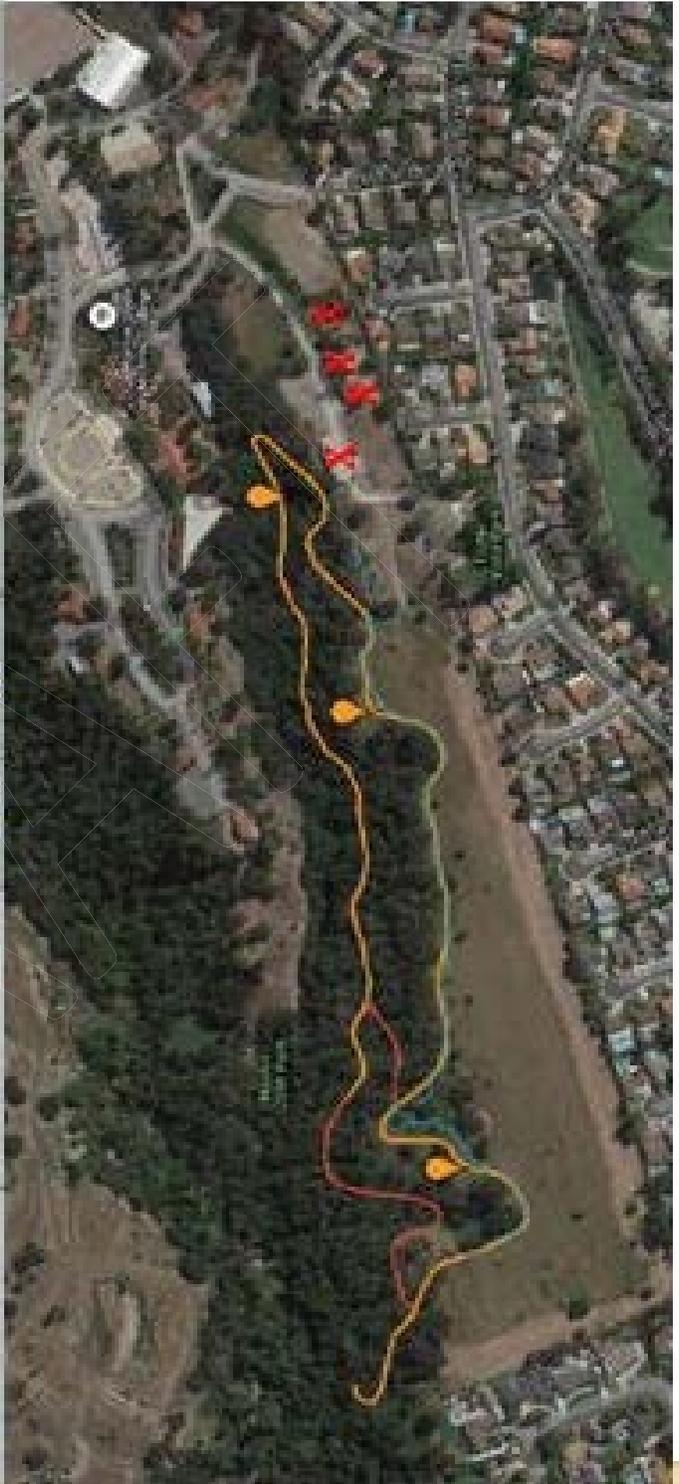
\_\_\_\_\_  
Debra Black, Assistant City Clerk

# Proposed West Phase Plan Development

Park Development

## Proposed West Phase

CEQA	Trail Development: General Site Trail and Meadow Trail	Connection to the Michael D. Antonovich Trail at West side of property	Removal of buildings on City portion of the project site	Perimeter Buffer
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## RESOLUTION 2016-19

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, RECOMMENDING ADOPTION OF THE MITIGATED NEGATIVE DECLARATION FOR THE WALNUT CREEK HABITAT AND OPEN SPACE PROJECT, RECOMMENDING APPROVAL OF THE PHASE 1 WEST TRAIL LOOP, LANDSCAPE BUFFER AND BUILDING DEMOLITION, AND SETTING FORTH STANDARDS AND PROCEDURES FOR CONSIDERATION OF ANY FUTURE PHASES**

**WHEREAS**, on June 23, 2015 the City of San Dimas held a public meeting to consider a Mitigated Negative Declaration for the Walnut Creek Habitat and Open Space Project;

**WHEREAS**, there was significant opposition to the project presented both in writing and in testimony at said meeting;

**WHEREAS**, the City Council, after considering the community input, directed Staff to work with project partners and area residents to address the identified concerns prior to any action on the Mitigated Negative Declaration;

**WHEREAS**, the area residents and Staffs have met on several occasions over the ensuing months to discuss area residents' concerns and consider alternatives to the project;

**WHEREAS**, the Mitigated Negative Declaration is an informational document intended to evaluate potential environmental impacts and mitigate them where feasible;

**WHEREAS**, the Conceptual Master Plan serves as the project description for the purposes of the environmental analysis but is not approved or adopted by this action;

**WHEREAS**, the California Environmental Quality Act also intends to allow changes to a project as a result of the environmental review and public input thereon provided that any project changes create no greater environmental impact than those identified in the environmental document;

**WHEREAS**, City Staff, Watershed Conservation Authority Staff and a group of concerned area residents from the adjacent neighborhoods have jointly agreed that certain changes to the project address many of the concerns raised by area residents;

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF SAN DIMAS CITY COUNCIL APPROVES THE PHASE 1 WEST TRAIL LOOP, LANDSCAPE BUFFER AND BUILDING DEMOLITION SET FORTH IN THE ATTACHED EXHIBIT A, AND AGREES THAT ANY FUTURE PHASES SHALL BE GUIDED BY THE FOLLOWING ADDITIONAL STANDARDS AND PROCEDURES:**

1. Any project changes and any future phases will be subject to additional community input. Community input shall include, as a minimum:
  - a. A notice mailed to all property owners within 1000 feet of the property;
  - b. Notice to any persons or groups providing a written request to be notified;

- c. Community outreach and neighborhood meeting(s); and,
    - d. City Council review at a noticed public meeting.
2. No project changes or improvements beyond the currently funded west phase shall be considered for a minimum of five years. The City may conduct feasibility studies and seek grants during this time period.
3. There will be no public access, either pedestrian or vehicular access, directly through the Via Verde neighborhood with the development of the west phase and there will be no vehicular or pedestrian access allowed in any future phase without community input as defined in Number 1 above.
  - a. Non-vehicular public trail access from the Antonovich Trail, and across portions of the Watershed Conservation Authority property, is part of the west phase development and will continue in the use of the west phase trail.
  - b. The City agrees to re-evaluate the traffic study in the future if access is considered.
  - c. Limited access will continue as currently managed by the City.
  - d. Construction access will be allowed through Calle Bandera for the west phase.
4. All trails and any other use or activity shall be designed to maximize separation and minimize visibility between recreation and residential uses. Where feasible, any trail shall be located within the canyon and below the rim. There shall be a landscape buffer as appropriate and feasible to meet these objectives for each phase as they may develop.
5. The west phase trail loop shall be located as identified in attached Exhibit A and shall comply with criteria set forth in Number 4 above.
  - a. The landscape buffer shall include plantings both adjacent to the residences and, where appropriate, adjacent to the trail to address Number 4 above.
  - b. Landscape materials shall be selected which minimize any disruption to existing view sheds from residences.
  - c. Buildings identified for demolition on Exhibit A shall be removed.
6. The existing WCA buildings may remain as is and will be further evaluated for any future use or demolition when funding source has been identified and/or funding becomes available. A community review as set forth in Number 1 will be conducted prior to use of these buildings.

7. Any future trail for the east phase shall not extend westerly of the Frondosa Knoll and shall meet the standards in Number 4. A community review as set forth in Number 1 shall be conducted prior to finalizing the trail location.
8. There shall be no connection between the west and east phase trails without community input as set forth in Number 1.
9. There shall be no expansion of Loma Vista Park into the Walnut Creek Habitat and Open Space Project Area without community review as set forth in Number 1.
10. The City may continue clean up and maintenance of the project site as appropriate and as funding becomes available.
11. The City shall cooperate with the Los Angeles County Parks and Recreation Department relative to currently existing access points to facilitate their use as primary access points for the Walnut Creek Open Space and Habitat project.

**NOW THEREFORE BE IT FURTHER RESOLVED THAT THE CITY OF SAN DIMAS, AS A RESPONSIBLE AGENCY, RECOMMENDS ADOPTION OF THE MITIGATED NEGATIVE DECLARATION TO THE WATERSHED CONSERVATION AUTHORITY ACTING AS LEAD AGENCY.**

**PASSED, APPROVED AND ADOPTED** this 26<sup>th</sup>, day of April, 2016.

\_\_\_\_\_  
Curtis W. Morris, Mayor City of San Dimas

**ATTEST:**

\_\_\_\_\_  
Debra Black, Assistant City Clerk

**I Debra Black, Assistant City Clerk, Hereby Certify**, that Resolution 2016-19, was adopted by the vote of the City Council of San Dimas at its regular meeting of April 26, 2016 by the following vote:

**AYES:**

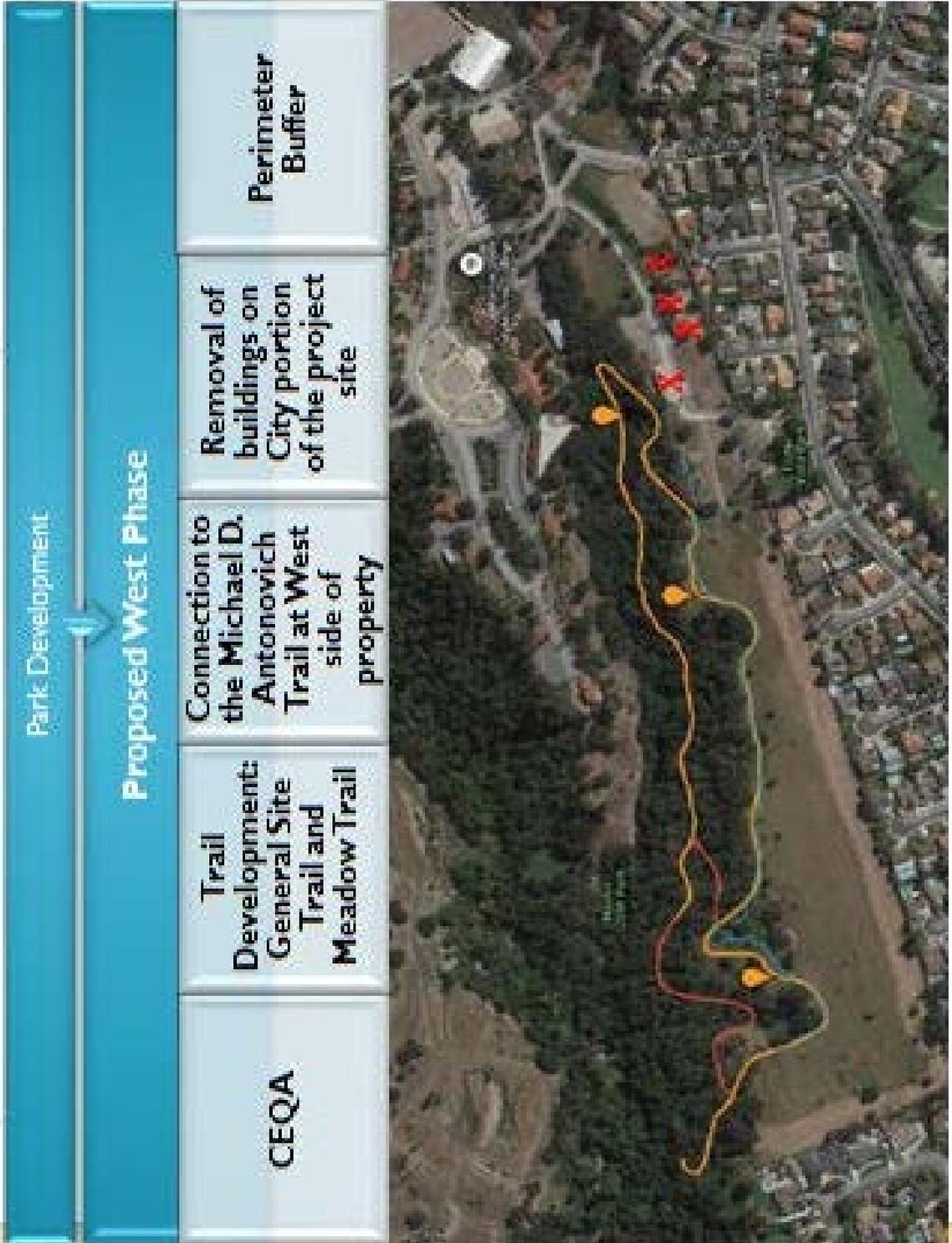
**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Debra Black, Assistant City Clerk

# Proposed West Phase Plan Development





## Agenda Item Staff Report

**To:** Honorable Mayor and Members of City Council  
*April 26, 2106*

**From:** Blaine Michaelis, City Manager

**Initiated by:** Ken Duran, Assistant City Manager

**Subject:** Amendment to the Employee Pay Plan and Reimbursement Schedule to add Recreation Supervisor classification

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### **SUMMARY**

Add a new employee classification, Recreation Supervisor to the Employee Pay Plan to replace one of the four Recreation Coordinator positions.

### **BACKGROUND**

The recent vacancy created by the departure of one of the four Recreation Coordinator positions, has provided staff the opportunity to evaluate the appropriate organizational structure of the Recreation Division. One of the elements is the transition of one of the four full-time Coordinator positions to a Recreation Supervisor. With the current vacancy staff recommends the recruitment for a Recreation Supervisor at this time. The current Employee Pay Plan and Reimbursement Schedule does not contain the Recreation Supervisor classification. Therefore staff is recommending that the City Council amend the Schedule to add the Recreation Supervisor classification.

(Rec Supervisor  
April 26, 2016)

**DISCUSSION/ANALYSIS**

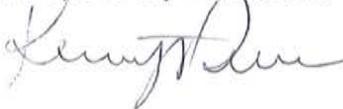
The Recreation Supervisor classification salary range will be set at the same Range as other supervisors within the organizational structure, Range 71. There is no fiscal impact this current fiscal year due to the cost savings realized between the time of the current vacancy of the Recreation Coordinator and the hiring of the Recreation Supervisor.

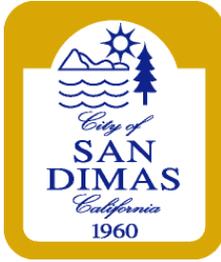
There will be further recommendations for additional organizational changes in the Recreation Division that will be presented as a part of the budget process. The need to make this specific addition to the Schedule at this time is to begin the process to fill the vacant position.

**RECOMMENDATION**

Staff recommends that the City Council approve an amendment to the Employee Pay Plan and Reimbursement Schedule to add the Recreation Supervisor classification at salary Range 71.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kerry D. ...", is written below the text "Respectfully submitted,".



## Agenda Item Staff Report

**To:** Honorable Mayor and Members of City Council  
*For the meeting of April 26, 2016*

**From:** Blaine Michaelis, City Manager

**Initiated by:** Jennifer Williams, Planning Department

**Subject:** MCTA 15-10 Alcoholic Beverage Manufacturing  
Consideration of a Municipal Code Text Amendment to allow alcoholic beverage manufacturing and tasting rooms in the M-1 zone, Creative Growth zone, Area 4, Specific Plan No. 6, Areas 1, 3, and 4, Specific Plan No. 21, and Specific Plan No. 24, Areas 2 and 3

The Planning Commission recommended approval 4-0-1 (Davis absent) at its meeting of April 7, 2016

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### ***SUMMARY***

*Municipal Code Text Amendment 15-10 would allow the manufacture of alcoholic beverages in industrial zones by right and allow tasting rooms in conjunction with the manufacturing use through a conditional use permit in the specified zones listed above, which include the M-1 Light Manufacturing zone and specific plans allowing industrial uses.*

*This MCTA was initiated by the City Council Meeting at its November 10, 2015 meeting and draft texts were reviewed by the Planning Commission at its February 4, 2016 and April 7, 2016 meetings. Staff and the Planning Commission are recommending approval to the City Council.*

### **BACKGROUND**

This code amendment was initiated by the City Council at its November 10, 2016 meeting and reviewed by the Planning Commission at its February 4, 2016 and April 7, 2016 meetings. The Staff Reports and Minutes of said meetings and Resolution capturing

the Planning Commission's action are attached to this report. The Staff Reports of the prior meetings contain detailed background and analysis of the topic.

### **DISCUSSION/ANALYSIS**

Staff originally brought a draft text on the topic of micro-breweries to the Planning Commission on February 4, 2016 and heard feedback from the Commission regarding compatibility concerns, appropriate zones for consideration, parking concerns, public safety concerns, and inclusion or micro-wineries and micro-distilleries. The Planning Commission provided feedback to Staff including lack of support for allowing food trucks as an accessory service should the use be allowed in commercial zones/shopping centers and continued the item with direction to Staff to 1) research expanding the use to include the manufacture of other types of alcoholic beverages and 2) draft language for consideration of the Creative Growth Zone, Areas 1 and 2.

Staff brought draft texts back to the Planning Commission for review at its April 7, 2016 meeting for consideration. The Planning Commission considered the draft texts and voted in favor of permitting alcoholic beverage manufacturing by right and associated tasting rooms by conditional use permit in industrial zones. The Planning Commission elected to omit commercial zones City-wide as the Planning Commission expressed that the manufacturing use was more appropriate for industrial zones and because prior MCTA 15-03 permitted "brewpub restaurants" to manufacture and sell beer on-site in conjunction with a restaurant use in commercial zones.

### **RECOMMENDATION**

Staff and the Planning Commission recommend that the City Council adopt the attached Ordinance approving Municipal Code Text Amendment 15-10 to allow alcoholic beverage manufacturing and tasting rooms in the M-1 zone, Creative Growth zone, Area 4, Specific Plan No. 6, Areas 1, 3, and 4, Specific Plan No. 21, and Specific Plan No. 24, Areas 2 and 3.

Respectfully Submitted,



Jennifer Williams  
Associate Planner

### **ATTACHMENTS**

- Exhibit A- Ordinance Approving Municipal Code Text Amendment 15-10
- Exhibit B- April 7, 2016 Planning Commission Minutes
- Exhibit C- Resolution PC-1557

- Exhibit D- April 7, 2016 Planning Commission Staff Report (Includes February 4, 2016 Planning Commission Staff Report and Minutes and November 10, 2016 City Council Initiation Report and Minutes as Exhibits)
- Exhibit E- Correspondence Received

**ORDINANCE 1244**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES ADOPTING MUNICIPAL CODE TEXT AMENDMENT 15-10 TO ALLOW ALCOHOLIC BEVERAGE MANUFACTURING AND TASTING ROOMS IN THE M-1 ZONE, CREATIVE GROWTH ZONE, AREA 4, SPECIFIC PLAN NO. 6, AREAS 1, 3, AND 4, SPECIFIC PLAN NO. 21, AND SPECIFIC PLAN NO. 24, AREAS 2 AND 3**

**SECTION 1.** Title 18, Chapters 18.128, 18.508, and 18.534 of the San Dimas Municipal Code shall be amended, as provided for in Exhibit “A”.

**SECTION 2. SEVERABILITY.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

**SECTION 3. EFFECTIVE DATE AND PUBLICATION.** 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 (GC§40806) in the City of San Dimas hereby designated for that purpose.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of San Dimas this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
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 1244 was introduced at a regular meeting of the City Council of the City of San Dimas on the 26<sup>th</sup> day of April, 2016, and thereafter passed, approved and adopted at a regular meeting of said City Council held on the XX day of 20XX, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Debra Black, Assistant City Clerk

## EXHIBIT A

### Municipal Code Text Amendment 15-10

\*New text changes are in Blue and Underlined

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

#### Item 1

#### Chapter 18.128- Industrial Zones, M-1 Light Manufacturing Zone

18.128.080 Uses permitted.

Subsection K of Section 18.128.080 is hereby amended to read as follows:

K. Manufacturing, compounding, processing, packaging or treatment of products such as:

1. Alcoholic beverages;
2. ~~1.~~ Bakery goods;
3. ~~2.~~ Candy;
4. ~~3.~~ Cosmetics;
5. ~~4.~~ Dairy products;
6. ~~5.~~ Drugs;
7. ~~6.~~ Food products (excluding sauerkraut, vinegar, yeast and rendering of fats and oils);
8. ~~7.~~ Fruit and vegetable packaging;
9. ~~8.~~ Perfumes;
10. ~~9.~~ Toiletries.

#### Item 2

#### Chapter 18.128- Industrial Zones, M-1 Light Manufacturing Zone

18.128.090 Conditional uses.

Subsection R of Section 18.128.090 is hereby added to read as follows:

R. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

### Item 3

#### Chapter 18.508- Specific Plan No. 6, Area 1- Industrial uses

18.508.080 Area 1-Industrial uses.

Subsection A(8) of Section 18.508.080 is hereby amended to read as follows:

8. Manufacturing, compounding, processing, packaging or treatment of products such as:
  - a. Alcoholic beverages.
  - ~~b. a-~~ Bakery goods,
  - ~~c. b-~~ Candy,
  - ~~d. e-~~ Cosmetics,
  - ~~e. d-~~ Dairy products,
  - ~~f. e-~~ Drugs,
  - ~~g. f-~~ Food products (excluding sauerkraut, vinegar, yeast and rendering of fats and oils),
  - ~~h. g-~~ Perfumes,
  - ~~i. h-~~ Toiletries;

### Item 4

#### Chapter 18.508- Specific Plan No. 6, Area 1- Industrial uses

18.508.080 Area 1-Industrial uses.

Subsection C(6) of Section 15.508.080 is hereby added to read as follows:

6. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

## Item 5

### Chapter 18.534- Specific Plan No. 21

18.534.160 Permitted uses.

Subsection C(8) of Section 18.534.160 is hereby amended to read as follows:

8. Manufacturing, compounding, processing, packaging, or treatment of products such as, alcoholic beverages, bakery goods, candy, cosmetics, dairy products, drugs, food products (excluding sauerkraut, vinegar, yeast, and rendering of fats and oils), perfumes, toiletries;

## Item 6

### Chapter 18.534- Specific Plan No. 21

18.534.170 Uses subject to conditional use permits.

Subsection B(16) of Section 18.534.170 is hereby added to read as follows:

16. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

# CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting  
Thursday, April 7, 2016 at 7:00 p.m.  
245 East Bonita Avenue, Council Chambers

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## **Present**

Chairman David Bratt  
Commissioner Margie Green  
Commissioner Tomas Molina  
Commissioner Ted Ross  
Planning Manager Fabiola Wong  
Associate Planner Jennifer Williams  
Planning Secretary Jan Sutton

## **Absent**

Commissioner John Davis

## **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 Ross led the flag salute.

## **APPROVAL OF MINUTES**

1. February 4, 2016 (Bratt absent)
2. February 18, 2016

**MOTION:** Moved by Green, seconded by Molina to approve the February 4, 2016 minutes. Motion carried 3-0-1-1 (Davis absent, Bratt abstain).

**MOTION:** Moved by Green, seconded by Molina to approve the February 18, 2016 minutes. Motion carried 4-0-1 (Davis absent).

## **PUBLIC HEARINGS**

3. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 15-10** – A request to permit Alcoholic Beverage Manufacturing and Tasting Rooms in the M-1 Zone; Creative Growth Zone, Areas 1, 2, and 4; Specific Plan No. 6, Areas 1, 3, and 4; Specific Plan No. 9, Area 4; Specific Plan No. 21; and Specific Plan No. 24, Areas 2 and 3. **(Continued from February 4, 2016)**

**Chairman Bratt** stated while he was not in attendance at the February 4<sup>th</sup> meeting, he has listened to the tape recording and reviewed the minutes and is confident he can participate in the meeting.

Staff report presented by **Associate Planner Jennifer Williams** who went over the history of the hearing process for both brewpub restaurants and microbreweries as directed by City Council. At the February 4, 2016 Planning Commission meeting Staff was given direction to consider looking at alcoholic beverage manufacturing in general, and possibly including Areas 1 and 2 of the Creative Growth Zone (CG-1 and CG-2) in the amendment. While micro-wineries and micro-distilleries are not as prevalent as micro-breweries, they are on the rise, and the State recently passed a craft distillers act that grants a new ABC license starting in 2017. To accommodate the suggested change, the wording has been modified in the Permitted Uses section to allow manufacturing, etc., of "alcoholic beverages" in the industrial zones, and removed the barrel limits since that is more conducive to beer manufacturing, but kept the square footage at 5,000 square feet to keep it from negatively impacting other users in the area. Tasting rooms would still be conditionally permitted as an accessory use to the manufacturing process.

In regards to including this use in the commercial areas of the Creative Growth Zone (Areas 1 and 2), based on some general comments made by the City Council in November and the Planning Commission in February, after further review Staff feels it would be inappropriate to have in the commercial areas and that it should be only in the industrial zones, with the exception of Specific Plan No. 9, Area 4. Most of the CG-2 zone is located in the downtown area, and during the recent four day charrettes for the new Downtown Specific Plan, the discussion centered on how to encourage more restaurants and retail in the downtown area. Staff's perspective is that the downtown should provide a variety of business options, and having manufacturing in that area would not be conducive to that. Also, most of the tenant spaces are too small to accommodate a larger manufacturing operation, and there were concerns about odors from the process. It has also been the practice of the City Council to not allow stand-alone bars in the commercial areas; alcohol sales are always accessory to a restaurant. She stated the purpose of the CG-1 zone also did not seem compatible to a manufacturing facility. However, both zones would allow a brewpub restaurant to operate and provide a unique dining opportunity to the community.

**Associate Planner Williams** stated one of the main points for allowing alcohol beverage manufacturing in the industrial zones, and specifying tasting rooms as conditionally permitted, is that there are a number of vacant spaces in areas along Allen Avenue and Arrow Highway, and this gives landlords another option for helping to fill those spaces. She stated there were two alternative resolutions being presented tonight. Alternative 1 contains Staff's recommendation allowing this use just in the manufacturing zones, with the exception of Specific Plan No. 9. That area was included at the request of the property owner, and while it is a commercial zone, it is only located on one property in the City and the location is unique in that it is physically separated from surrounding zones so it might be a way to see how this use would fit in a commercial zone. Alternative 2 reflects the Commission's recommendation to also allow this in the CG-1 and CG-2 zones.

**Commissioner Molina** wanted to clarify that the idea of allowing manufacturing in the CG-1 and CG-2 zones was because the City Council brought it up at one of their meetings.

**Associate Planner Williams** stated when the City Council reviewed initiating this amendment in November 2015, there were some comments made about those zones, but it was not necessarily direction to permit it there. The thought was at the time there were some vacancies along Village Court that might be conducive to a manufacturing operation, but if it is allowed in the CG-1 zone, that would include all areas of the zone, not just the Village Court area. In Staff's review it seemed like allowing brewpub restaurants in the commercial areas of the CG zone met the desire of the City Council.

**Commissioner Green** asked where the CG-4 zone was located, and was there any consideration given in allowing in the CG-3 zone.

**Associate Planner Williams** showed them on the zoning map where CG-4 was located in the area along Arrow Highway and Eucla and Borrego Court. She stated the CG-4 zone has a little more flexibility than the M-1 zone, but it also includes all the same uses as the M-1. She stated at the February 4<sup>th</sup> meeting the Commission felt that area was not appropriate as it was almost all residential in nature with just a small amount of commercial area.

**Commissioner Molina** asked where the old packing house was located.

**Associate Planner Williams** showed them on the map and stated it was located in Specific Plan No. 23 (SP-23). It was anticipated that when the new Downtown Specific Plan was created that the parcels in SP-23 would be incorporated into that zone.

**Chairman Bratt** stated he understood the reasoning for not including manufacturing in the CG-2 zone, but concurred with the comments made by the Council in November that it could be feasible in the CG-1 zone along Village Court because of some of the building sizes there, even if it were conditionally permitted. He felt that would be a good fit for a manufacturing and brewery type of business.

**Associate Planner Williams** stated she believes that was mentioned by one of the Councilmembers, but if it was to be permitted there, it would have to be allowed anywhere in the CG-1 zone. Also from Staff's perspective, based on recent code amendments to bring all of the shopping centers along the freeway corridor into alignment with their allowed uses, permitting it in the CG-1 zone could then also impact the Target center and San Dimas Plaza, so overall it was felt it was best to restrict this to the industrial zones.

**Chairman Bratt** stated he did not think it was appropriate for San Dimas Station but that along the freeway would be, and would like to at least see the potential to have it allowed there.

**Associate Planner Williams** stated it would be up to the Planning Commission to decide, but reiterated that if they permit it to be in the CG-1 zone, it would have to be allowed in the entire zone, not just in one area.

**Chairman Bratt** stated in regards to Specific Plan No. 9 (SP-9), that was originally approved as office uses only. Then the property owner requested an amendment to permit a restaurant for his daughter, so the uses in the zone were changed to allow that, and the restaurant was allowed based on a parking agreement to have off-set hours with an office tenant to accommodate the parking. Since the buildings were designed to be office space, he did not think there was anything large enough there to accommodate a manufacturing use and that this zone should come off the list.

**Associate Planner Williams** stated this is a unique zone, and when they recently updated the allowed uses there, many of them would only be allowed if the overflow parking lot was available, which was currently in plan check. Staff can remove it from the list of zones if that was the Commission's direction.

**Commissioner Ross** stated he would be concerned about the odor from that location because the wind direction was prevalent from the west the majority of the time and would blow it towards the residential properties to the east. He stated there was a similar situation in San Diego where a microbrewery was allowed in a residential area and they had so many odor

complaints that they had to close and relocate. He could see the same thing happening here and would like to see that zone removed from the list.

**Associate Planner Williams** stated if it was removed from SP-9 then it would make it uniform across the zoning in that it would only be allowed in industrial areas and not in any commercial areas.

**Chairman Bratt** asked if that impacted the ability to allow it in other commercial zones or was each Specific Plan handled separately. He asked if a brewpub restaurant was allowed in SP-9.

**Associate Planner Williams** stated it would only impact that particular Specific Plan, not the others. She stated SP-9 currently allows a brewpub restaurant to operate there.

**Chairman Bratt** stated that would make more sense to him in that zone. The existing buildings are not conducive to large-scale manufacturing, and he would recommend the removal of SP-9 from the list of allowed zones but would like to add the CG-1 zone.

**Commissioner Ross** asked what the timing for rezoning SP-23 was.

**Associate Planner Williams** stated they just concluded the charrettes for the new Downtown Specific Plan so she was not certain.

**Planning Manager Fabiola Wong** stated there are a number of issues to be worked out before they had the language for the new zone, including the location of the future Gold Line station. That will be one of the topics at the upcoming City Council Spring Retreat.

**Commissioner Green** stated she would support removing SP-9 from the list of allowed zones, but was not in support of including the CG-1 zone.

**Commissioners Molina and Ross** concurred.

#### RESOLUTION PC-1557 – ALTERNATIVE 1

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 15-10 TO ALLOW ALCOHOLIC BEVERAGE MANUFACTURING AND TASTING ROOMS IN THE M-1 ZONE, CREATIVE GROWTH ZONE, AREA 4, SPECIFIC PLAN NO. 6, AREAS 1, 3, AND 4, SPECIFIC PLAN NO. 9, AREA 4, SPECIFIC PLAN NO. 21, AND SPECIFIC PLAN NO. 24, AREAS 2 AND 3

#### RESOLUTION PC-1557 – ALTERNATIVE 2

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 15-10 TO ALLOW ALCOHOLIC BEVERAGE MANUFACTURING AND TASTING ROOMS IN THE M-1 ZONE, CREATIVE GROWTH ZONE, AREAS 1, 2, AND 4, SPECIFIC PLAN NO. 6, AREAS 1, 3, AND 4, SPECIFIC PLAN NO. 9, AREA 4, SPECIFIC PLAN NO. 21, AND SPECIFIC PLAN NO. 24, AREAS 2 AND 3

**MOTION:** Moved by Green, seconded by Molina to recommend Municipal Code Text Amendment 15-10 to the City Council by adopting Resolution PC-1557 Alternative 1, with the deletion of Specific Plan No. 9, Area 4 from the list of allowed zones. Motion carried 4-0-1 (Davis absent).

## ORAL COMMUNICATION

### 4. Community Development Department

**Planning Manager Wong** stated that Café Rio has opened at the Costco center, and there were a few other tenants hoping to open in the next couple of weeks.

**Associate Planner Williams** stated there are still some site improvements that need to be completed by the master developer before the other tenants can open.

**Planning Manager Wong** stated the City Council Spring Retreat will be on April 25, 2016 from 5:00 to 9:00 p.m. which is open to the public. There will be two items on the next Commission agenda to review a CUP for a personal training facility and revisions to the Brasada Tentative Tract Map.

### 5. Members of the Audience

No communications were made.

### 6. Planning Commission

#### a. Report on Meetings

**Commissioner Ross** stated he attended the Planning Commissioner's Academy in San Ramon in March and as a new Commissioner found it to be very worthwhile. While all of the sessions were beneficial, he really liked the mock commission meeting. He found it to be well-executed and very insightful.

**Commissioner Green** stated she also attended the Academy. She went to ten different sessions, and also found the mock commission meeting to be one of her favorites. She felt they made many good points during that session.

**Commissioner Molina** stated he too attended the Academy, and commented on the mock commission meeting session, but he really liked the session on CEQA and felt it was very productive. As a first-time attendee he was impressed with how the Academy was managed. He felt it would have been helpful though to have a list of the participants and what cities they were representing. That way if that city had a program you thought might be helpful to San Dimas, you would have the opportunity to try and locate that person to discuss it.

**Chairman Bratt** stated he has attended some conferences in the past where they did provide a roster and found it to be very helpful.

**ADJOURNMENT**

**MOTION:** Moved by Bratt, seconded by Green to adjourn. Motion carried 4-0-1 (Davis absent). The meeting adjourned at 7:41 p.m. to the regular Planning Commission meeting scheduled for Thursday, April 21, 2016, at 7:00 p.m.

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David A. Bratt, Chairman  
San Dimas Planning Commission

ATTEST:

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Jan Sutton  
Planning Commission Secretary

Approved:

DRAFT

## RESOLUTION PC-1557

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 15-10 TO ALLOW ALCOHOLIC BEVERAGE MANUFACTURING AND TASTING ROOMS IN THE M-1 ZONE, CREATIVE GROWTH ZONE, AREA 4, SPECIFIC PLAN NO. 6, AREAS 1, 3, AND 4, SPECIFIC PLAN NO. 21, AND SPECIFIC PLAN NO. 24, AREAS 2 AND 3

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 18.128, 18.508, and 18.534 for the purpose of allowing alcoholic beverage manufacturing and tasting rooms, which in turn affect Chapters 18.140 and 18.540 by reference of the use lists of said chapters to Chapter 18.128; and

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

WHEREAS, notice was duly given of the public hearings on the matter and the public hearings held on Thursday, February 4, 2016 and Thursday, April 7, 2016 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. The project is determined to be exempt from CEQA per Section 15061(b)3 of the CEQA Guidelines as the activity will not result in a direct or reasonably foreseeable indirect physical change in 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. The industrial zones affected already permit manufacturing and production uses, and the text indicates that the tasting room and all of its ancillary offerings be secondary and incidental to the brewing component. Furthermore, the draft text clearly indicates that any outdoor activities first are subject to a site plan approval by the

Development Plan Review Board and any live entertainment activities first are subject to review and approval by the License and Permit Hearing Board prior to commencement.

Tasting rooms in the industrial zones are required to comply with the provisions of the City's parking code or be subject to Planning Commission review in the context of the other businesses on-site at the particular proposed location to ensure that parking conflicts do not arise.

In all zones, tasting rooms would only be permitted with a conditional use permit to ensure that:

1. Any selected site is adequate in size and shape to accommodate the use and required development standards;
2. The use will not generate negative traffic impacts;
3. The use will be arranged, designed, constructed, operated, and maintained to be compatible with the intended character of the area; and
4. The use will provide for growth and orderly development while maintaining consistency with the subject zone and the general plan.

The conditional use permit process will provide the Planning Commission the ability to individually review and 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 business owners wishing to locate alcoholic beverage manufacturing and tasting businesses within the City. Micro-breweries, micro-wineries, and micro-distilleries are low-impact uses and small scale operations that fit within industrial zones. Furthermore, the amendment creates opportunities for the City to use underutilized industrial space. It additionally provides residents an entertainment opportunity and point of interest within their hometown which supports the local economy.

- 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 consistent with the General Plan. The proposed amendments only provide for an additional use to be provided through the conditional use permit process to support the permitted industrial use of alcoholic beverage manufacturing.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission recommends to the City Council approval of Municipal Code Text Amendment 15-10 as set forth in attached Exhibit A.

PASSED, APPROVED and ADOPTED, the 7<sup>th</sup> day of April, 2016 by the following vote:

AYES: Bratt, Green, Molina, Ross

NOES: None

ABSENT: Davis

ABSTAIN: None



\_\_\_\_\_  
David A. Bratt, Chairman  
San Dimas Planning Commission

ATTEST:



\_\_\_\_\_  
Jan Sutton, Planning Secretary

## EXHIBIT A

### Municipal Code Text Amendment 15-10

\*New text changes are in Blue and Underlined

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

#### Item 1

#### Chapter 18.128- Industrial Zones, M-1 Light Manufacturing Zone

18.128.080 Uses permitted.

Subsection K of Section 18.128.080 is hereby amended to read as follows:

- K. Manufacturing, compounding, processing, packaging or treatment of products such as:
1. Alcoholic beverages;
  2. ~~4.~~ Bakery goods;
  3. ~~2.~~ Candy;
  4. ~~3.~~ Cosmetics;
  5. ~~4.~~ Dairy products;
  6. ~~5.~~ Drugs;
  7. ~~6.~~ Food products (excluding sauerkraut, vinegar, yeast and rendering of fats and oils);
  8. ~~7.~~ Fruit and vegetable packaging;
  9. ~~8.~~ Perfumes;
  10. ~~9.~~ Toiletries.

## Item 2

### Chapter 18.128- Industrial Zones, M-1 Light Manufacturing Zone

18.128.090 Conditional uses.

Subsection R of Section 18.128.090 is hereby added to read as follows:

R. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

## Item 3

### Chapter 18.508- Specific Plan No. 6, Area 1- Industrial uses

18.508.080 Area 1-Industrial uses.

Subsection A(8) of Section 18.508.080 is hereby amended to read as follows:

8. Manufacturing, compounding, processing, packaging or treatment of products such as:
  - a. Alcoholic beverages.
  - b. ~~a.~~ Bakery goods,
  - c. ~~b.~~ Candy,
  - d. ~~e.~~ Cosmetics,
  - e. ~~d.~~ Dairy products,
  - f. ~~e.~~ Drugs,

- ~~g. f.~~ Food products (excluding sauerkraut, vinegar, yeast and rendering of fats and oils),
- ~~h. g.~~ Perfumes,
- ~~i. h.~~ Toiletries;

## Item 4

### Chapter 18.508- Specific Plan No. 6, Area 1- Industrial uses

18.508.080 Area 1-Industrial uses.

Subsection C(6) of Section 15.508.080 is hereby added to read as follows:

6. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

## Item 5

### Chapter 18.534- Specific Plan No. 21

18.534.160 Permitted uses.

Subsection C(8) of Section 18.534.160 is hereby amended to read as follows:

8. Manufacturing, compounding, processing, packaging, or treatment of products such as, alcoholic beverages, bakery goods, candy, cosmetics, dairy products, drugs, food products (excluding sauerkraut, vinegar, yeast, and rendering of fats and oils), perfumes, toiletries;

## Item 6

### Chapter 18.534- Specific Plan No. 21

18.534.170 Uses subject to conditional use permits.

Subsection B(16) of Section 18.534.170 is hereby added to read as follows:

16. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.



# Planning Commission Staff Report

**DATE:** Thursday, April 7, 2016

**TO:** Planning Commission

**FROM:** Jennifer Williams, Associate Planner

**SUBJECT:** **Municipal Code Text Amendment 15-10;** Consideration of a Municipal Code Text Amendment to permit alcoholic beverage manufacturing with tasting rooms in the M-1 zone, Creative Growth Zone, Areas 1, 2, and 4, Specific Plan No. 6, Areas 1, 3, and 4, Specific Plan No. 9, Area 4, Specific Plan No. 21, and Specific Plan No. 24, Areas 2 and 3

## **SUMMARY**

*This report is in follow-up to the Planning Commission's review and comments on this matter at its February 4, 2016 meeting. The Staff report from that meeting contains more detailed background information and analysis.*

## **BACKGROUND**

On February 4, 2016, the Planning Commission continued the proposed Municipal Code Text Amendment to conditionally allow alcoholic beverage manufacturing within certain zones within the City. The Staff report from that meeting contains more detailed background information and analysis and is attached as Exhibit B.

At its February 4, 2016 meeting, the Planning Commission was generally supportive of the text as proposed with the following amendments and points of clarification:

1. The Planning Commission expressed an interest in extending the affected zones to include Area 1 (Regional Commercial) and Area 2 (Frontier Village) of the C-G Creative Growth Zone. The Planning Commission expressed that it would not support the allowance of food trucks as associated uses in these zones or commercial shopping centers.

2. The Planning Commission directed Staff to explore and include micro-wineries and micro-distilleries.

## **ANALYSIS**

Staff is providing two sets of language for the Planning Commission's consideration.

1. Alternative 1 is Staff's recommendation after reviewing the issues in further detail since the February 4, 2016 Planning Commission meeting. It would allow alcoholic beverage manufacturing (expanding from beer manufacturing to other types of alcohol) in the M-1 industrial zone, zones permitting industrial uses, and Specific Plan No. 9 but would not allow the use in the CG-1 or CG-2 zone.
2. Alternative 2 includes the allowance of alcoholic beverage manufacturing in the CG-1 and CG-2 zones in addition to those listed above. This text is not recommended for approval by Staff.

### *Micro-Wineries and Micro-Distilleries*

While not as prevalent as micro-breweries, micro-wineries and micro-distilleries are on the rise. REV Winery is located in Covina and is the closest micro-winery Staff could locate to San Dimas. Micro-distilleries may become more prevalent in part due to the recent creation of the Type 74 Craft Distiller's license that was established through the Craft Distiller's Act of 2015 which became effective on January 1, 2016 (see Exhibit D). The closest micro-distillery Staff located is in Pasadena.

### Changes to Draft Text:

In both alternatives, the text was modified to allow the manufacture of "alcoholic beverages" rather than "beer" in industrial zones. Staff removed the barrel limits that were in the draft text presented on February 6, 2016 as they were more applicable to microbrewery operations. Staff kept the 5,000 square foot threshold for the production area in commercial zones as a mechanism to try to prevent the manufacturing component from negatively effecting surrounding users and businesses, with the flexibility that a larger area may be permitted by the Planning Commission after review of operational criteria. The production area remains unrestricted in manufacturing zones.

### *Additional Zones (Creative Growth Zone, Areas 1 & 2)*

Alternative 2 contains draft text that includes the Creative Growth Zone, Areas 1 & 2 in light of comments made by the City Council at its November 10, 2015 meeting and the Planning Commission at its February 6, 2016 meeting. These zones were selected in consideration of some of the available building stock and potentially suitable locations as well as being appropriate areas to encourage the

infusion of commercial activity and entertainment into the downtown/Frontier Village.

However, after a closer look at the Creative Growth Zone, Areas 1 & 2, Staff has concerns in recommending approval to allow alcoholic beverage manufacturing with tasting rooms within this zone. Most of the CG-2 zone is located in the area typically known as the City's Downtown. The City held a four-day Charrette related to the Downtown Specific Plan which sought feedback from members of the community. Although there was a range of ideas proposed in transforming the downtown, a prevalent theme was to transform the downtown as a destination place primarily for locals that seek having a wider range of restaurants, services and retail opportunities. The Specific Plan also seeks to make Downtown more vibrant and accessible to a larger section of residents and visitors, especially if the Gold Line station is built within the next few years. Therefore, downtown retail space that provides a variety of dining opportunities rather than just a stand-alone use would be more suitable for this zone and long-term economic vitality of the downtown. Also, most of the retail spaces within the downtown are limited in providing adequate space to accommodate equipment required for these type of businesses that include storage of grain and production waste (for beer manufacturing) or storage of barrels. Production waste might also produce foul odors that could detract from the downtown and affect residential uses in close proximity to the CG-2 zone. As such, it would be difficult to ensure compatibility with surrounding uses and protect the identity and purpose of the downtown.

The CG-1 zone is located along Arrow Highway and Bonita Avenue. The SDMC states that the purpose of this area is to take full advantage of the freeway access and visibility and to encourage the development of major commercial enterprises, as well as those related to the needs of freeway travelers. At this time, Staff believes that stand-alone alcoholic beverage manufacturing facilities, with or without tasting rooms, would not be the most compatible use to the existing commercial uses. The City recently adopted a Municipal Code Text Amendment to allow brewpub restaurants within commercial zones, including the CG-1 and CG-2 zones. Brewpub restaurants provide residents and visitors the opportunity of dining and having a unique beer produced on the premises. Introducing stand-alone alcoholic beverage manufacturing facilities would be contrary to the purpose and intent of the zone.

In addition, the intent of allowing micro-breweries, micro-wineries and micro-distilleries was an effort to extend the permissible land uses within the manufacturing zones to allow an additional use that might assist property owners in filling some of the vacant manufacturing tenant spaces without reducing the square footage of the existing manufacturing buildings available when the market demand for other manufacturing uses increases.

## **PROPOSED LANGUAGE**

### *LANGUAGE RECOMMENDED FOR APPROVAL BY STAFF*

Attachment A (Resolution PC-1557- Alternative 1) contains the full draft text. The following is an excerpt:

1. Chapter 18.128; M-1 Light Manufacturing Zone

- a. Added "Alcoholic beverages" to list of products permitted by right to be manufactured, compounded, processed, packaged, or treated; and
- b. Added "Tasting rooms" as described below to list of conditionally permitted uses:

"Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission."

2. Chapter 18.140; Creative Growth Zone, Area 4- Commercial / Light Industrial

- a. No changes to code text, however it is important to note that this zone lists "All uses permitted in the M-1 zone" as permitted uses and "All uses listed as conditional uses in the M-1 zone" as conditional uses; as such, any changes to M-1 zone affect this zone.

3. Chapter 18.508; Specific Plan No. 6, Area 1- Industrial uses, Area 3- Industrial park (I-P) zone uses, and Area 4- Industrial park (I-P) zone uses

- a. Added "Alcoholic beverages" to list of products permitted by right to be manufactured, compounded, processed, packaged, or treated;
- b. Added "Tasting rooms" as described in the M-1 zone to list of conditionally permitted uses; and
- c. No changes to code text for Areas 3 and 4; however it is important to note that the use lists for these areas permit by right all of the uses

permitted by right in Area 1 and conditionally permit all of the conditional uses in Area 1; as such, any changes to Area 1 affect Areas 3 and 4.

4. Chapter 18.514; Specific Plan No. 9, Area 4

a. From list of conditional uses, struck out:

“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 five thousand 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”

And replaced with:

“On-site manufacturing and service of alcohol produced on the premises, with or without food service. No other alcohol besides that produced on the premises shall be sold unless in conjunction with a full service restaurant use. The manufacturing component shall be limited to 5,000 square feet in gross floor area unless an increased size is granted by the planning commission to support the commercial business after finding that the operations are compatible with the subject site and its surroundings during review of the conditional use permit. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment.”

5. Chapter 18.534; Specific Plan No. 21

- a. Added “alcoholic beverages” to list of products permitted by right to be manufactured, compounded, processed, packaged, or treated; Struck out “yeast” as an excluded food product from same list
- b. Added “tasting rooms” as described in the M-1 zone to list of conditionally permitted uses

6. Chapter 18.540, Specific Plan No. 24, Areas 2 and 3

- a. No changes to code text, however it is important to note that this zone lists those uses permitted in the M-1 Zone as permitted uses and those uses listed as conditional uses in the M-1 zone as conditional uses; as such, any changes to M-1 zone affect this zone.

*ALTERNATIVE LANGUAGE NOT RECOMMENDED FOR APPROVAL BY STAFF- Includes CG-1 and CG-2 Zones*

Attachment A (Resolution PC-1557- Alternative 2) contains the full draft text. The following is an excerpt:

*Summary of Changes*

1. Chapter 18.128; M-1 Light Manufacturing Zone

- a. Added "Alcoholic beverages" to list of products permitted by right to be manufactured, compounded, processed, packaged, or treated; and
- b. Added "Tasting rooms" as described below to list of conditionally permitted uses:

"Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the brewing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission."

2. Chapter 18.140; Creative Growth Zone, Area 1

- a. From list of conditional uses, struck out:

"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 five thousand 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;"

And replaced with:

- b. "On-site manufacturing and service of alcoholic beverages produced on the premises, with or without food service. No other alcohol besides that produced on the premises shall be sold unless in conjunction with a full service restaurant use. The manufacturing component shall be limited to 5,000 square feet in gross floor area unless an increased size is granted by the planning commission to support the commercial business after finding that the operations are compatible with the subject site and its surroundings during review of the conditional use permit. Accessory tasting rooms may include other ancillary activities to the tastings such as outdoor patios and live entertainment, but excluding food trucks, provided that such uses are secondary and incidental and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment;"

3. Chapter 18.140; Creative Growth Zone, Area 2

- a. From list of conditional uses, struck out

"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 five thousand 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;"

And replaced with:

- b. "On-site manufacturing and service of alcoholic beverages produced on the premises, with or without food service. No other alcohol besides that produced on the premises shall be sold unless in conjunction with a full service restaurant use. The manufacturing component shall be limited to 5,000 square feet in gross floor area unless an increased size is granted by the planning commission to support the commercial business after finding that the operations are compatible with the subject site and its surroundings during review of the conditional use permit. Accessory tasting rooms may include other ancillary activities to the tastings such as outdoor patios and live entertainment, but excluding food trucks, provided that such uses are secondary and incidental and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor

activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment;”

4. Chapter 18.140; Creative Growth Zone, Area 4- Commercial / Light Industrial
  - a. No changes to code text, however it is important to note that this zone lists “All uses permitted in the M-1 zone” as permitted uses and “All uses listed as conditional uses in the M-1 zone” as conditional uses; as such, any changes to M-1 zone affect this zone.
5. Chapter 18.508; Specific Plan No. 6, Area 1- Industrial uses, Area 3- Industrial park (I-P) zone uses, and Area 4- Industrial park (I-P) zone uses
  - a. Added “Alcoholic beverages” to list of products permitted by right to be manufactured, compounded, processed, packaged, or treated;
  - b. Added “Tasting rooms” as described in the M-1 zone to list of conditionally permitted uses; and
  - c. No changes to code text for Areas 3 and 4; however it is important to note that the use lists for these areas permit by right all of the uses permitted by right in Area 1 and conditionally permit all of the conditional uses in Area 1; as such, any changes to Area 1 affect Areas 3 and 4.
6. Chapter 18.514; Specific Plan No. 9, Area 4
  - a. From list of conditional uses, struck out:

“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 five thousand 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”

And replaced with:

“On-site manufacturing and service of alcohol produced on the premises, with or without food service. No other alcohol besides that produced on the premises shall be sold unless in conjunction with a full service restaurant use. The manufacturing component shall be limited to 5,000 square feet in gross floor area unless an increased size is granted by the planning commission to support the commercial business after finding that the operations are compatible with the subject site and its surroundings during review of the conditional use

permit. Accessory tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment.”

7. Chapter 18.534; Specific Plan No. 21

- a. Added “alcoholic beverages” to list of products permitted by right to be manufactured, compounded, processed, packaged, or treated; Struck out “yeast” as an excluded food product from same list
- b. Added “tasting rooms” as described in the M-1 zone to list of conditionally permitted uses

8. Chapter 18.540, Specific Plan No. 24, Areas 2 and 3

- a. No changes to code text, however important to note that this zone lists those uses permitted in the M-1 Zone as permitted uses and those uses listed as conditional uses in the M-1 zone as conditional uses; as such, any changes to M-1 zone affect this zone.

**RECOMMENDATION**

Staff recommends that the Planning Commission adopt a resolution recommending approval of the language in Alternative 1 as a Municipal Code Text Amendment to the City Council. However, Staff has prepared the alternate language in Alternative 2 as directed by the Planning Commission if the Commission desires to proceed forward in recommending approval of the Municipal Code Text Amendment to City Council that includes the Creative Growth Zone Areas 1 and 2.

Respectfully Submitted,



Jennifer Williams  
Associate Planner

Attachments:

- |            |  |
|------------|--|
| Exhibit A- | Resolution PC-1557<br>Alternative 1- Recommended for Approval by Staff<br>Alternative 2- Not Recommended for Approval by Staff |
| Exhibit B- | February 6, 2016 Planning Commission Staff Report  |
| Exhibit C- | February 6, 2016 Planning Commission Minutes   |
| Exhibit D- | Industry Advisory and FAQ's on Craft Distiller's Act and License from the Department of Alcoholic Beverage Control             |

**Exhibit A**

**Resolution PC-1557**

**Alternatives 1 and 2**

See Attached- 22 Pages

## ALTERNATIVE 1

### RESOLUTION PC-1557

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 15-10 TO ALLOW ALCOHOLIC BEVERAGE MANUFACTURING AND TASTING ROOMS IN THE M-1 ZONE, CREATIVE GROWTH ZONE, AREA 4, SPECIFIC PLAN NO. 6, AREAS 1, 3, AND 4, SPECIFIC PLAN NO. 9, AREA 4, SPECIFIC PLAN NO. 21, AND SPECIFIC PLAN NO. 24, AREAS 2 AND 3

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 18.128, 18.508, 18.514, and 18.534 for the purpose of allowing alcoholic beverage manufacturing and tasting rooms, which in turn affect Chapters 18.140 and 18.540 by reference of the use lists of said chapters to Chapter 18.128; and

WHEREAS, the Amendment would affect multiple zones and Specific Plans that allow industrial uses and one Specific Plan that permits commercial uses in conjunction with an overflow parking lot; and

WHEREAS, notice was duly given of the public hearings on the matter and the public hearings held on Thursday, February 4, 2016 and Thursday, April 7, 2016 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. The project is determined to be exempt from CEQA per Section 15061(b)3 of the CEQA Guidelines as the activity will not result in a direct or reasonably foreseeable indirect physical change in 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. The industrial zones affected already permit

**EXHIBIT A**

manufacturing and production uses, and the text indicates that the tasting room and all of its ancillary offerings be secondary and incidental to the brewing component. Furthermore, the draft text clearly indicates that any outdoor activities first are subject to a site plan approval by the Development Plan Review Board and any live entertainment activities first are subject to review and approval by the License and Permit Hearing Board prior to commencement.

Tasting rooms in the industrial zones are required to comply with the provisions of the City's parking code or be subject to Planning Commission review in the context of the other businesses on-site at the particular proposed location to ensure that parking conflicts do not arise.

The commercial zone affected (Specific Plan No. 9, Area 4) is unique in that the permitted and conditionally permitted uses are dependent upon an overflow parking lot which will provide excess parking to the site. It is additionally somewhat geographically separated from surrounding development due to the Department of Water and Power facilities and City horse trail. In order to ensure that the production operations are supporting the commercial component and compatible with the site and its surroundings, the draft text limits the maximum production area to 5,000 square feet unless an increased size is granted by the Planning Commission through review of the conditional use permit.

In all zones, tasting rooms would only be permitted with a conditional use permit to ensure that:

1. Any selected site is adequate in size and shape to accommodate the use and required development standards;
2. The use will not generate negative traffic impacts;
3. The use will be arranged, designed, constructed, operated, and maintained to be compatible with the intended character of the area; and
4. The use will provide for growth and orderly development while maintaining consistency with the subject zone and the general plan.

The conditional use permit process will provide the Planning Commission the ability to individually review and 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 business owners wishing to locate alcoholic beverage manufacturing and tasting businesses within the City. Micro-breweries,

micro-wineries, and micro-distilleries are low-impact uses and small scale operations that fit within industrial zones and limited commercial zones. Furthermore, the amendment creates opportunities for the City to use underutilized industrial space. It additionally provides residents an entertainment opportunity and point of interest within their hometown which supports the local economy.

- 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 consistent with the General Plan. In those zones allowing industrial uses, the proposed amendments only provide for an additional accessory use to be provided through the conditional use permit process. In the zone allowing commercial uses, the proposed amendments provide size criteria and the Planning Commission discretion through review of a conditional use permit to ensure that the brewing component does not change the character of the site to be industrial in nature.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission recommends to the City Council approval of Municipal Code Text Amendment 15-10 as set forth in attached Exhibit A.

PASSED, APPROVED and ADOPTED, the 7<sup>th</sup> day of April, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

David A. Bratt, Chairman  
San Dimas Planning Commission

ATTEST:

---

Jan Sutton, Planning Secretary

## ALTERNATIVE 1

### EXHIBIT A

#### Municipal Code Text Amendment 15-10

\*New text changes are in Blue and Underlined

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

#### Item 1

#### Chapter 18.128- Industrial Zones, M-1 Light Manufacturing Zone

18.128.080 Uses permitted.

Subsection K of Section 18.128.080 is hereby amended to read as follows:

K. Manufacturing, compounding, processing, packaging or treatment of products such as:

1. Alcoholic beverages;
2. ~~4.~~ Bakery goods;
3. ~~2.~~ Candy;
4. ~~3.~~ Cosmetics;
5. ~~4.~~ Dairy products;
6. ~~5.~~ Drugs;
7. ~~6.~~ Food products (excluding sauerkraut, vinegar, yeast and rendering of fats and oils);
8. ~~7.~~ Fruit and vegetable packaging;
9. ~~8.~~ Perfumes;
10. ~~9.~~ Toiletries.

## Item 2

### Chapter 18.128- Industrial Zones, M-1 Light Manufacturing Zone

18.128.090 Conditional uses.

Subsection R of Section 18.128.090 is hereby added to read as follows:

R. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

## Item 3

### Chapter 18.508- Specific Plan No. 6, Area 1- Industrial uses

18.508.080 Area 1-Industrial uses.

Subsection A(8) of Section 18.508.080 is hereby amended to read as follows:

8. Manufacturing, compounding, processing, packaging or treatment of products such as:
  - a. Alcoholic beverages,
  - b. ~~a.~~ Bakery goods,
  - c. ~~b.~~ Candy,
  - d. ~~e.~~ Cosmetics,
  - e. ~~d.~~ Dairy products,
  - f. ~~e.~~ Drugs,

- ~~g. f.~~ Food products (excluding sauerkraut, vinegar, yeast and rendering of fats and oils),
- ~~h. g.~~ Perfumes,
- ~~i. h.~~ Toiletries;

## Item 4

### Chapter 18.508- Specific Plan No. 6, Area 1- Industrial uses

18.508.080 Area 1-Industrial uses.

Subsection C(6) of Section 15.508.080 is hereby added to read as follows:

- 6. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

## Item 5

### Chapter 18.514- Specific Plan No. 9, Area 4- Highway retail

18.514.080 Area 4- Highway Retail

Subsection E of Section 18.514.080 is hereby amended to read as follows:

- E. Conditional Uses Permitted in Conjunction with Overflow Parking Lot. These uses shall only be permitted in conjunction with the availability and use of the overflow parking lot in Area 5 for the benefit of the development in Area 4. Should at some future time after its development the overflow parking lot becomes unavailable and businesses with uses listed in

Section 18.514.080(D) or (E) have been established, then those businesses that were established legally shall be permitted to remain with no future expansion and all new businesses shall be limited to operating with uses permitted under Section 18.514.080(C).

When any of the uses below are operated in Area 4 and there is evidence of poor distribution of use and/or parking and/or inadequate management of on-site parking in Area 4 or overflow parking in Area 5, the planning commission may initiate a review of the circumstances and establish conditions on the management and operation of parking and uses within the development.

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

1. On-sale alcoholic beverages, provided that such use is secondary and incidental ~~use~~ to a permitted use in this zone;
2. ~~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 five thousand 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;~~

On-site manufacturing and service of alcohol produced on the premises, with or without food service. No other alcohol besides that produced on the premises shall be sold unless in conjunction with a full service restaurant use. The manufacturing component shall be limited to 5,000 square feet in gross floor area unless an increased size is granted by the planning commission to support the commercial business after finding that the operations are compatible with the subject site and its surroundings during review of the conditional use permit. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment.

3. Off-sale alcoholic beverages provided that such use is secondary and incidental to a permitted primary use;
4. Instructional physical activities to include, but not be limited to, uses such as pilates, yoga, personal trainers, dance studios, and martial arts studios;
5. Veterinary, pet grooming and pet hotel;
6. Accessory game arcade consisting of seven or more machines within an indoor recreation facility.

## Item 6

### Chapter 18.534- Specific Plan No. 21

18.534.160 Permitted uses.

Subsection C(8) of Section 18.534.160 is hereby amended to read as follows:

8. Manufacturing, compounding, processing, packaging, or treatment of products such as, alcoholic beverages, bakery goods, candy, cosmetics, dairy products, drugs, food products (excluding sauerkraut, vinegar, yeast, and rendering of fats and oils), perfumes, toiletries;

## Item 7

### Chapter 18.534- Specific Plan No. 21

18.534.170 Uses subject to conditional use permits.

Subsection B(16) of Section 18.534.170 is hereby added to read as follows:

16. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business

owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

## **ALTERNATIVE 2**

### **RESOLUTION PC-1557**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 15-10 TO ALLOW ALCOHOLIC BEVERAGE MANUFACTURING AND TASTING ROOMS IN THE M-1 ZONE, CREATIVE GROWTH ZONE, AREAS 1, 2, AND 4, SPECIFIC PLAN NO. 6, AREAS 1, 3, AND 4, SPECIFIC PLAN NO. 9, AREA 4, SPECIFIC PLAN NO. 21, AND SPECIFIC PLAN NO. 24, AREAS 2 AND 3

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 18.128, 18.140, 18.508, 18.514, and 18.534 for the purpose allowing alcoholic beverage manufacturing and tasting rooms, which in turn affect Chapters 18.140 and 18.540 by reference of the use lists of said chapters to Chapter 18.128; and

WHEREAS, the Amendment would affect multiple zones and Specific Plans that allow industrial uses, one Specific Plan that permits commercial uses in conjunction with an overflow parking lot, and the Creative Growth Zone, Areas 1 and 2; and

WHEREAS, notice was duly given of the public hearings on the matter and the public hearings held on Thursday, February 4, 2016 and Thursday, April 7, 2016 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. The project is determined to be exempt from CEQA per Section 15061(b)3 of the CEQA Guidelines as the activity will not result in a direct or reasonably foreseeable indirect physical change in 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. The industrial zones affected already permit manufacturing and production uses, and the text indicates that the tasting room and all of its ancillary offerings be secondary and incidental to the brewing component. Furthermore, the draft text clearly indicates that any outdoor activities first are subject to a site plan approval by the Development Plan Review Board and any live entertainment activities first are subject to review and approval by the License and Permit Hearing Board prior to commencement.

Tasting rooms in the industrial zones are required to comply with the provisions of the City's parking code or be subject to Planning Commission review in the context of the other businesses on-site at the particular proposed location to ensure that parking conflicts do not arise.

One of the commercial zones affected (Specific Plan No. 9, Area 4) is unique in that the permitted and conditionally permitted uses are dependent upon an overflow parking lot which will provide excess parking to the site. It is additionally somewhat geographically separated from surrounding development due to the Department of Water and Power facilities and City horse trail.

The other commercial zones affected (Creative Growth Zone, Areas 1 and 2) are unique due to the available building stock within Area 1- Regional Commercial, and the location of Area 2- Frontier Village as the downtown of the City, where infusion of activity should be encouraged.

In order to ensure that the production operations are supporting the commercial component and compatible with the site and its surroundings, the draft text limits the maximum production area to 5,000 square feet unless an increased size is granted by the Planning Commission through review of the conditional use permit.

In all zones, tasting rooms would only be permitted with a conditional use permit to ensure that:

1. Any selected site is adequate in size and shape to accommodate the use and required development standards;
2. The use will not generate negative traffic impacts;
3. The use will be arranged, designed, constructed, operated, and maintained to be compatible with the intended character of the area; and
4. The use will provide for growth and orderly development while maintaining consistency with the subject zone and the general plan.

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 business owners wishing to locate alcoholic beverage manufacturing and tasting businesses within the City. Micro-breweries, micro-wineries, and micro-distilleries are low-impact uses and small scale operations that fit within industrial zones and limited commercial zones. Furthermore, the amendment creates opportunities for the City to use underutilized industrial and commercial space. It additionally provides residents an entertainment opportunity and point of interest within their hometown which supports the local economy.

- 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. In those zones allowing industrial uses, the proposed amendments only provide for an additional accessory use to be provided through the conditional use permit process. In the zones allowing commercial uses, the proposed amendments provide size criteria and the Planning Commission discretion through review of a conditional use permit to ensure that the brewing component does not change the character of the site to be industrial in nature.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission recommends to the City Council approval of Municipal Code Text Amendment 15-10 as set forth in attached Exhibit A.

PASSED, APPROVED and ADOPTED, the 7<sup>th</sup> day of April, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

John Davis, Vice-Chairman  
San Dimas Planning Commission

ATTEST:

---

Jan Sutton, Planning Secretary

EXHIBIT A

## ALTERNATIVE 2

### EXHIBIT A

#### Municipal Code Text Amendment 15-10

\*New text changes are in Blue and Underlined

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

#### Item 1

#### Chapter 18.128- Industrial Zones, M-1 Light Manufacturing Zone

18.128.080 Uses permitted.

Subsection K of Section 18.128.080 is hereby amended to read as follows:

- K. Manufacturing, compounding, processing, packaging or treatment of products such as:
1. Alcoholic beverages
  2. ~~1.~~ Bakery goods;
  3. ~~2.~~ Candy;
  4. ~~3.~~ Cosmetics;
  5. ~~4.~~ Dairy products;
  6. ~~5.~~ Drugs;
  7. ~~6.~~ Food products (excluding sauerkraut, vinegar, yeast and rendering of fats and oils);
  8. ~~7.~~ Fruit and vegetable packaging;
  9. ~~8.~~ Perfumes;
  10. ~~9.~~ Toiletries.

## Item 2

### Chapter 18.128- Industrial Zones, M-1 Light Manufacturing Zone

18.128.090 Conditional uses.

Subsection R of Section 18.128.090 is hereby added to read as follows:

R. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

## Item 3

### Chapter 18.410- Creative Growth Zone, Area 1

18.140.090

Subsection A(2) of Section 18.140.090 is hereby amended to read as follows:

#### 2. 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 five thousand 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;~~

On-site manufacturing and service of alcohol produced on the premises, with or without food service. No other alcohol besides that produced on the premises shall be sold unless in conjunction with a full service restaurant use. The manufacturing component shall be limited to 5,000 square feet in gross floor area unless an increased size is granted by the planning commission to support the commercial business after finding that the operations are compatible with the subject site and its surroundings during review of the conditional use permit. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment.

- g. Health/exercise club to include, but not be limited to, uses such as: personal trainers, Pilates, and yoga;
- h. Recreational entertainment to include, but not be limited to, uses such as: inflatable jumper facilities and laser tag;

- i. Instructional physical activities to include, but not be limited to, uses such as dance studio, martial arts studio, and trampoline;
- j. Hotels and motels, including retail establishments as part of a hotel or motel complex;
- k. Gasoline service stations in areas designated on the specific plan map;
- l. Accessory game arcade consisting of seven or more machines within an indoor recreational facility;
- m. Indoor sales of outdoor recreation vehicles including all-terrain vehicles, motorcycles, dirt-bikes and jet skis;
- n. 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. 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.

## Item 4

### Chapter 18.140- Creative Growth Zone, Area 2

18.140.090

Subsection B(2) of Section 18.140.090 is hereby amended to read as follows:

- 2. 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 five thousand 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;~~

On-site manufacturing and service of alcohol produced on the premises, with or without food service. No other alcohol besides that produced on the premises shall be sold unless in conjunction with a full service restaurant use. The manufacturing component shall be limited to 5,000 square feet in gross floor area unless an increased size is granted by the planning commission to support the commercial business after finding that the operations are compatible with the subject site and its surroundings during review of the conditional use permit. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment.

- c. Off-sale alcoholic beverages;
- d. Gasoline service stations, but only where such use is designated on the specific plan area map;
- e. Automobile tire sales and service;
- f. Automotive repair;
- g. 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. 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. Motorcycle sales and services;
- j. Athletic clubs and performing arts studios;
- k. Mass transit facilities, such as bus and train stations;
- l. Senior citizen housing projects;
- m. Accessory game arcades consisting of seven or more machines within an indoor recreation facility;
- n. Theaters and bowling alleys;
- o. Senior citizen housing located on the second and third floors of buildings.

## Item 5

### Chapter 18.508- Specific Plan No. 6, Area 1- Industrial uses

18.508.080 Area 1-Industrial uses.

Subsection A(8) of Section 18.508.080 is hereby amended to read as follows:

- 8. Manufacturing, compounding, processing, packaging or treatment of products such as:
  - a. Alcoholic beverages,
  - ~~b. a.~~ Bakery goods,
  - ~~c. b.~~ Candy,
  - ~~d. e.~~ Cosmetics,
  - ~~e. d.~~ Dairy products,
  - ~~f. e.~~ Drugs,
  - ~~g. f.~~ Food products (excluding sauerkraut, vinegar, yeast and rendering of fats and oils),
  - ~~h. g.~~ Perfumes,
  - ~~i. h.~~ Toiletries;

## Item 6

### Chapter 18.508- Specific Plan No. 6, Area 1- Industrial uses

18.508.080 Area 1-Industrial uses.

Subsection C(6) of Section 15.508.080 is hereby added to read as follows:

6. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

## Item 7

### Chapter 18.514- Specific Plan No. 9, Area 4- Highway retail

18.514.080 Area 4- Highway Retail

Subsection E of Section 18.514.080 is hereby amended to read as follows:

- E. Conditional Uses Permitted in Conjunction with Overflow Parking Lot. These uses shall only be permitted in conjunction with the availability and use of the overflow parking lot in Area 5 for the benefit of the development in Area 4. Should at some future time after its development the overflow parking lot becomes unavailable and businesses with uses listed in Section 18.514.080(D) or (E) have been established, then those businesses that were established legally shall be permitted to remain with no future expansion and all new businesses shall be limited to operating with uses permitted under Section 18.514.080(C).

When any of the uses below are operated in Area 4 and there is evidence of poor distribution of use and/or parking and/or inadequate management

of on-site parking in Area 4 or overflow parking in Area 5, the planning commission may initiate a review of the circumstances and establish conditions on the management and operation of parking and uses within the development.

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

1. On-sale alcoholic beverages, provided that such use is secondary and incidental ~~use~~ to a permitted use in this zone;
2. ~~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 five thousand 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;~~

On-site manufacturing and service of alcohol produced on the premises, with or without food service. No other alcohol besides that produced on the premises shall be sold unless in conjunction with a full service restaurant use. The manufacturing component shall be limited to 5,000 square feet in gross floor area unless an increased size is granted by the planning commission to support the commercial business after finding that the operations are compatible with the subject site and its surroundings during review of the conditional use permit. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment.

3. Off-sale alcoholic beverages provided that such use is secondary and incidental to a permitted primary use;
4. Instructional physical activities to include, but not be limited to, uses such as pilates, yoga, personal trainers, dance studios, and martial arts studios;
5. Veterinary, pet grooming and pet hotel;

6. Accessory game arcade consisting of seven or more machines within an indoor recreation facility.

## **Item 8**

### **Chapter 18.534- Specific Plan No. 21**

18.534.160 Permitted uses.

Subsection C(8) of Section 18.534.160 is hereby amended to read as follows:

8. Manufacturing, compounding, processing, packaging, or treatment of products such as, [alcoholic beverages](#), bakery goods, candy, cosmetics, dairy products, drugs, food products (excluding sauerkraut, vinegar, yeast, and rendering of fats and oils), perfumes, toiletries;

## **Item 9**

### **Chapter 18.534- Specific Plan No. 21**

18.534.170 Uses subject to conditional use permits.

Subsection B(16) of Section 18.534.170 is hereby added to read as follows:

16. Tasting rooms providing on-site alcoholic beverage tastings and the sale of alcoholic beverages for off-site consumption provided that the alcoholic beverage is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the manufacturing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.



# Planning Commission Staff Report

**DATE:** Thursday, February 4, 2016

**TO:** Planning Commission

**FROM:** Jennifer Williams, Associate Planner

**SUBJECT:** **Municipal Code Text Amendment 15-10;** Consideration of a Municipal Code Text Amendment to conditionally permit microbreweries in the M-1 zone, Creative Growth Zone, Area 4, Specific Plan No. 6, Areas 1, 3, and 4, Specific Plan No. 9, Area 4, Specific Plan No. 21, and Specific Plan No. 24, Areas 2 and 3

## **SUMMARY**

*One of the topics of discussion at the March 30, 2015 City Council retreat was the potential allowance of microbreweries and brewpub restaurants in the City of San Dimas.*

*Since then, the City Council approved a Municipal Code Text Amendment to conditionally permit "brewpub restaurants," which are full-service restaurants with accessory beer production and service, within commercial zones.*

*Staff separated the topic of microbreweries, which regionally have tended to be located in industrial zones, for further consideration and analysis. Typically, microbreweries include other related uses and activities beyond the production of beer including tap rooms, food trucks, trivia/game nights, and live entertainment, among other activities, that warrant more careful consideration.*

*The City Council formally initiated a Municipal Code Text Amendment to conditionally permit microbreweries at its November 10, 2015 meeting. Staff has prepared the draft text for the Planning Commission's and public's input and the Planning Commission's recommendation to the City Council.*

## **BACKGROUND**

At the March 30, 2015 City Council retreat, the Council discussed the potential allowance of microbreweries and brewpub restaurants in the City of San Dimas. At the retreat, Council heard a brief presentation from Staff which included technical differentiations between microbreweries and brewpub restaurants, an explanation of current zoning code constraints, preliminary considerations in addressing the uses, and a summary table listing characteristics of similar uses in nearby cities.

Staff received direction to analyze the zoning code and potential amendments necessary in consideration of conditionally permitting brewpubs and microbreweries in various zones. Discussion led to differentiating between and separating the two uses at that time so that consideration of permitting brewpub restaurants in commercial zones could be addressed more expeditiously while allowing the time needed to do the additional analysis necessary to address the more complex considerations associated with microbreweries in industrial zones. Considerations for microbreweries include the creation of a bar-like atmosphere with the inclusion of taprooms/tasting rooms which are intended to draw people in. In addition, other associated activities include catering and food truck uses, activities such as game/trivia nights and live entertainment, among others, and potential outdoor patios or activity areas.

On July 14, 2015 the City Council conducted 1<sup>st</sup> reading of the brewpub restaurant Municipal Code Text Amendment (MCTA 15-03), which became effective on August 28, 2015 allowing restaurant owners in commercial zones the ability to apply for a conditional use permit to incorporate the brewing and service of beer produced on-site as an accessory use to their restaurant operation.

On November 10, 2015 Staff provided a report to the City Council which contained an analysis of:

- a) Components of microbreweries
- b) Typical characteristics, offerings, and accessory uses in surrounding cities
- c) Four potential issues and discussion topics, including:
  1. Identification of Primary Use vs. Accessory Use- Are the taprooms / tasting rooms an accessory and secondary use or the main attraction?
  2. Compatibility Issues and Appropriate Zones for Consideration Due to Assembly / Congregational Nature and Associated Uses
    - i. Is the use appropriate in industrial zones and / or commercial zones?
    - ii. How does the City want to address their associated uses?
      1. Food trucks
      2. Live entertainment
      3. Trivia / game nights
      4. TV's, sports viewing

3. Parking
4. Potential Demands on Public Safety / Calls for Service

The City Council expressed its support for researching the matter further and considering industrial zones in addition to certain commercial zones. The Council directed Staff to prepare the draft text for a formal Municipal Code Text Amendment for review and comment by the public and the Planning Commission. The staff report and minutes of the meeting are attached as Exhibits B and C.

### **ANALYSIS**

*The following analysis draws from and expands upon the analysis contained in the staff report of the November 10, 2015 City Council meeting.*

Microbreweries are generally defined as small-scale brewery operations that are dedicated primarily to the production of specialty beers. Microbreweries typically produce 15,000 barrels of beer per year (465,000 gallons at 31 gallons per barrel). Microbreweries may or may not have a food service component. Descriptions of the Department of Alcoholic Beverage Control license types for brewery operations are included as Exhibit D.

The following are typical components of microbreweries:

**Brewing Area-** The area where the beer is manufactured / produced.

**Taproom / Tasting Room-** The area where beer is served.

**Outdoor Seating / Patio Area-** Many microbreweries offer an outdoor seating area or patio area, sometimes referred to as a beer garden, which provides additional area for people to congregate and drink.

**Office Area-** Oftentimes the businesses have a small accessory office use.

**Kitchen Area and Dining Room-** Some microbreweries have a kitchen and serve food produced on the premise. This hasn't been the case in immediately surrounding cities, which tend to bring food trucks or caterers to the site for food service, but has been done in other cities in Southern California.

#### *Microbreweries in Surrounding Cities*

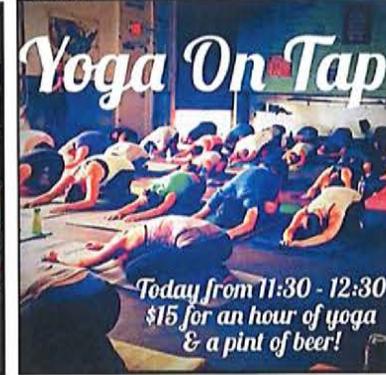
Exhibit E is a compilation of microbreweries in surrounding cities with information on their location, size, ABC license type, and associated uses. All of the microbreweries in surrounding cities are located in industrial zones. Based on a review of their operations, brewing takes place 7 days / week and the tap / tasting rooms generally tend to be open Wednesday - Sunday in the afternoon and evening hours.

All of those microbreweries listed in Exhibit E have a tap or tasting room component. Most have a catering or food truck component at least some days of the week. Many host other activities intended to attract visitors and patrons with varying activities and offerings including trivia and game nights, live entertainment, televisions to offer sports viewings, painting parties, and even yoga. The pictures on the following pages are taken from the microbreweries' social media sites and web sites and demonstrate the activities offered and the crowds the establishments can attract.

*Dale Brothers - Upland*



*Claremont Craft Ales- Claremont*



CLAREMONT CRAFT ALES						
October						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
10/1 Tap	10/2 Tap	10/3 Tap	10/4 Tap	10/5 Tap	10/6 Tap	10/7 Tap
10/8 Tap	10/9 Tap	10/10 Tap	10/11 Tap	10/12 Tap	10/13 Tap	10/14 Tap
10/15 Tap	10/16 Tap	10/17 Tap	10/18 Tap	10/19 Tap	10/20 Tap	10/21 Tap
10/22 Tap	10/23 Tap	10/24 Tap	10/25 Tap	10/26 Tap	10/27 Tap	10/28 Tap
10/29 Tap	10/30 Tap	10/31 Tap				

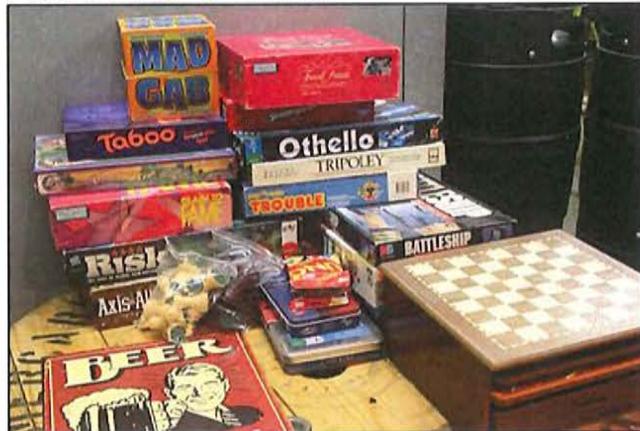
*Rok House- Upland*



*Alosta Brewing- Covina*



*Pacific Plate- Monrovia*



Discussion Topics

The potential issues and discussion items Staff has identified are as follows.

**1. Taproom / Tasting Room as Primary vs Accessory Component**

*Are the taprooms / tasting rooms an accessory use or the main attraction?*

Currently, the San Dimas Municipal Code does not permit stand-alone bars in any zone. The SDMC conditionally permits the sale of alcoholic beverages for on-site consumption in a number of commercial zones provided that such use is a *secondary* and *incidental* use to a permitted use in the zone, which is typically a restaurant. The Code does not currently permit on-sale alcoholic beverages in the M-1 industrial zone at all.

To be consistent with existing Code language for commercial zones, the determination would need to be made that the primary use is the microbrewery with or without food uses and that the taproom/tasting room component is a secondary and incidental use.

**2. Compatibility Issues, Process, and Appropriate Zones for Consideration Due to Assembly / Congregational Nature and Associated Uses**

*Is the use appropriate in industrial zones and/or commercial zones?*

Should the use be allowed by conditional use permit or by right with pre-determined development standards/operational criteria (or some combination thereof)?

Does the City want to address their associated uses, and if so, how?

1. Food trucks
2. Live entertainment

3. Trivia / game nights
4. TV's, sports viewing

Per San Dimas Municipal Code Section 18.128.010, Industrial Zones, *“the general purpose of this chapter is to set forth a wide variety and complexity of industrial uses and processes and those retail uses incidental to the permitted industrial uses which may function efficiently and harmoniously within an industrial zone...”*

Surrounding cities take varying approaches. For example, Covina lists “brewery and / or winery” under “Manufacturing” as a permitted use in its industrial zone and lists on-site tasting in conjunction with the brewery or winery as a conditional use. Claremont lists “manufacturing, wholesale and distribution, including winery or micro-brewery with or without tasting room and no restaurant” as permitted only in its Business / Industrial Park zone with a Special Use and Development permit, while listing “micro-breweries in conjunction with restaurant” as a conditionally permitted use in some of its commercial zones and mixed use districts. The City of Anaheim amended its code to allow “Alcoholic Beverage Manufacturing” with tasting rooms by right, subject to certain development standards and operational criteria, in almost all of its manufacturing and commercial zones. Sections from their and other cities’ Municipal Codes, staff reports, and development applications are included as Exhibit F.

While these facilities do have a manufacturing and production component, they can also tend to draw in crowds and provide recreational activities. Common components include the tap / tasting room and outdoor patios / beer gardens. Many make use of food trucks which may visit for a few hours to provide food service to patrons, with schedules often posted in advance on the microbrewery’s calendar on its website. Others allow patrons to bring food in or even order pizzas to the location and offer games, trivia nights, or other activities. Because of this, some considerations of allowing these uses in industrial zones include:

- a) Compatibility with industrial users and
- b) The potential lost opportunity to funnel these types of businesses into commercial zones, where assembly uses are generally desired and encouraged.

On the other hand, manufacturing is not a permitted use in commercial zones and the production levels were limited in the recent approval of brewpub restaurants in commercial zones. Additionally, associated food truck uses could compete with brick and mortar businesses within shopping centers. One approach to allowing microbreweries in commercial zones would be to prohibit food truck uses and to limit them to a certain size and/or production volume, such as 5,000 square feet in total area or 15,000 barrels per year in production in an attempt to avoid industrial characteristics such as frequent freight shipping and delivery activities. The City of Anaheim took a similar approach by permitting

microbreweries by right in commercial zones provided that the business not exceed 6,000 square feet except with a conditional use permit and that the tasting room component not exceed 750 square feet in size except with a conditional use permit.

Zones Addressed in and/or Affected By Draft Text as Currently Proposed Include:

1. M-1 Light Manufacturing
2. C-G Creative Growth Zone, Area 4 (Commercial / Light Industrial)
3. Specific Plan No. 6, Areas 1 (Industrial Uses), 3 (Industrial Park), and 4 (Industrial Park)
4. Specific Plan No. 9, Area 4 (Highway Commercial)
5. Specific Plan No. 21
6. Specific Plan No. 24, Areas 2 (Light Industrial) and 3 (Light Industrial)

Staff recommends that the Planning Commission consider the allowance of microbreweries in the following zones:

1. Creative Growth Zone, Area 1 (Regional Commercial- Lowe's Center, Village Court, San Dimas Station, etc), Area 2 (Frontier Village- Downtown on Bonita Avenue) and Area 3 (Mixed Use- Downtown)
2. Other commercial zones the Planning Commission and/or City Council is interested in exploring

With the brewpub restaurant Code Amendment (MCTA 15-03), the City made brewpub restaurants a conditionally permitted use in commercial zones with the following language:

*"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;*

At the November 10, 2015 City Council meeting, the Council expressed an interest in also exploring the allowance of microbreweries in commercial areas. Staff purposefully identified the Creative Growth Zone due to comments by the Council members, the building stock available within Area 1- Regional Commercial, and to encourage infusion of activity into the downtown area- Areas 2 and 3.

Should the Planning Commission be interested in exploring commercial zones in more depth, the Commission may continue the item to allow Staff to include

those additional commercial zones.

### **3. *Micro-wineries and Micro-distilleries***

*Does the City wish to also address micro wineries and micro distilleries?*

As proposed, the draft text deals specifically with microbreweries for the production of beer. In surrounding cities in the San Gabriel Valley, this has been the predominant trend; however, micro wineries and micro distilleries have also been a discussion point or included in some other cities recent code amendments. Staff's research focus has been on microbreweries up to this point; however Staff can revise the language to include and/or address these other uses.

### **4. *Parking***

*How will parking be addressed?*

Most commercial shopping centers would not have issues complying with the parking ratios for manufacturing or commercial uses. Industrial centers, however, are typically parked at much lower levels (1 space per 500 square feet) than commercial uses require (1 space per 75 square feet for a restaurant or 1 space per 225 square feet for general commercial uses). Outdoor patios and food trucks are additional uses which may involve use of the parking lot stalls. However, the common hours of operation for microbreweries in surrounding cities are evening hours during the week and afternoon and evening hours on the weekends which tends to lessen parking conflicts and impacts as many of the other industrial users in the park tend to be closed in the evening hours.

Cities have taken multiple approaches to parking, including, but not limited to:

1. Calculating the entire use at a manufacturing / industrial ratio (such as 1 space per 500 square feet) as the tap room / tasting room is considered an "accessory use" and not parked separately.
2. Calculating the industrial component at the industrial ratio and the tasting room / tap room component at the appropriate commercial / restaurant / bar ratio (example shown below with Code required parking ratios)

Parking Requirements When Use Components are Calculated Separately			
	Area in sq ft	Required Ratio	Spaces Required
Brewing Area	1,500	1:500	3
Tasting Area	500	1:75	7
Total:	2,000		10

3. Utilizing approach No. 2 above, but also making allowances when the business hours of the tasting area do not conflict with other businesses on site. For example, the City of Rancho Cucamonga has used the condition "Amount of parking spaces shall be in accordance with Development Code Section 17.64 or business hours shall not conflict with other businesses onsite."

Staff has utilized the 3<sup>rd</sup> approach in the creation of the draft text for the M-1 Light Manufacturing Zone and other zones and Specific Plans permitting industrial uses. For Specific Plan No. 9, Area 4 (Canyon Trail Plaza- north side of Foothill Boulevard, East of Walnut Avenue), the standards are unique in that the use list is dependent upon an overflow parking lot that is currently in plan check for development.

#### **5. Potential Demands on Public Safety / Calls for Service**

In speaking with planners who have worked on microbrewery applications in surrounding cities, a representative from the Department of Alcoholic Beverage Control, and a representative from the Sheriff's station, Staff has not heard any comments on increased calls for service or public safety issues at these types of establishments. They tend to have earlier closing hours such as 9-10pm, only serve what is brewed on-site (no hard liquor), and tend to market their products as specialty and craft and as such are pricier than bars. Conditions of approval on a use permit can also help to control items such as hours of operation and changes to operational procedures should problems arise.

#### **PROPOSED LANGUAGE**

Attachment A (Resolution PC- 1557) contains the full draft text. The following is an excerpt:

#### **Proposed Language to be Added to the List of Conditionally Permitted Uses in Industrial Zones and Other Zones Permitting Industrial Uses**

*"Tasting rooms providing on-site beer tastings and the sale of beer for off-site consumption provided that the beer is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the brewing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission."*

**Proposed Language to be Added to the List of Conditionally Permitted Uses in Specific Plan No. 9, Area 4**

*“On-site brewing and service of beer produced on the premises, with or without food service. No other alcohol besides that produced on the premises shall be sold unless in conjunction with a full service restaurant use. The brewing component shall be limited to a maximum production of 15,000 thousand barrels per year and 5,000 square feet in gross floor area unless an increased size or 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. Accessory tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the brewing production and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment.”*

**SUMMARY OF CHANGES**

1. Chapter 18.128; M-1 Light Manufacturing Zone
  - a. Added “Beer” to list of products permitted by right to be manufactured, compounded, processed, packaged, or treated; and
  - b. Added “Tasting rooms” as described above to list of conditionally permitted uses.
2. Chapter 18.140; Creative Growth Zone, Area 4- Commercial / Light Industrial
  - a. No changes to code text, however it is important to note that this zone lists “All uses permitted in the M-1 zone” as permitted uses and “All uses listed as conditional uses in the M-1 zone” as conditional uses; as such, any changes to M-1 zone affect this zone.
3. Chapter 18.508; Specific Plan No. 6, Area 1- Industrial uses, Area 3- Industrial park (I-P) zone uses, and Area 4- Industrial park (I-P) zone uses
  - a. Added “Beer” to list of products permitted by right to be manufactured, compounded, processed, packaged, or treated;
  - b. Added “Tasting rooms” as described above to list of conditionally permitted uses; and
  - c. No changes to code text for Areas 3 and 4; however it is important to note that the use lists for these areas permit by right all of the uses permitted by right in Area 1 and conditionally permit all of the

conditional uses in Area 1; as such, any changes to Area 1 affect Areas 3 and 4.

4. Chapter 18.514; Specific Plan No. 9, Area 4

a. From list of conditional uses, struck out:

“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 five thousand 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”

And replaced with:

“On-site brewing and service of beer produced on the premises, with or without food service. No other alcohol besides that produced on the premises shall be sold unless in conjunction with a full service restaurant use. The brewing component shall be limited to a maximum production of 15,000 thousand barrels per year and 5,000 square feet in gross floor area unless an increased size or 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. Accessory tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the brewing production and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment.”

5. Chapter 18.534; Specific Plan No. 21

- a. Added “beer” to list of products permitted by right to be manufactured, compounded, processed, packaged, or treated; Struck out “yeast” as an excluded food product from same list
- b. Added “tasting rooms” as described above to list of conditionally permitted uses

6. Chapter 18.540, Specific Plan No. 24, Areas 2 and 3

- a. No changes to code text, however important to note that this zone lists those uses permitted in the M-1 Zone as permitted uses and those uses listed as conditional uses in the M-1 zone as conditional uses; as such, any changes to M-1 zone affect this zone.

### **RECOMMENDATION**

Staff recommends that the Planning Commission provide feedback to Staff on the issues identified, appropriate zones for consideration, and the draft language. Should the Planning Commission wish to acquire more information, to include additional zones, and/or make revisions to the draft text, the item can be continued to a later meeting. Alternatively, Staff has prepared a draft resolution recommending approval of the draft code text to the City Council should the Planning Commission wish to recommend the draft language as proposed.

Respectfully Submitted,



Jennifer Williams  
Associate Planner  
Attachments:

- Exhibit A- Resolution PC-1557
- Exhibit B- November 10, 2015 City Council Staff Report (Initiation)
- Exhibit C- Excerpt of November 10, 2015 City Council Minutes (Initiation)
- Exhibit D- Select License Types- Department of Alcoholic Beverage Control
- Exhibit E- Table of Microbreweries in Surrounding Cities
- Exhibit F- Text from Surrounding Cities' Municipal Codes, Staff Reports, Etc.

**Exhibit A**

**Resolution PC-1557**

See Attached- 8 Pages

## RESOLUTION PC-1557

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 15-10 TO CONDITIONALLY PERMIT MICROBREWERIES IN THE M-1 ZONE, CREATIVE GROWTH ZONE, AREA 4, SPECIFIC PLAN NO. 6, AREAS 1, 3, AND 4, SPECIFIC PLAN NO. 9, AREA 4, SPECIFIC PLAN NO. 21, AND SPECIFIC PLAN NO. 24, AREAS 2 AND 3

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 18.128, 18.508, 18.514, and 18.534 for the purpose of conditionally permitting microbreweries, which in turn affect Chapters 18.140 and 18.540 by reference of the use lists of said chapters to Chapter 18.128; and

WHEREAS, the Amendment would affect multiple zones and Specific Plans that allow industrial uses and one Specific Plan that permits commercial uses in conjunction with an overflow parking lot; and

WHEREAS, notice was duly given of the public hearing on the matter and the public hearing held on Thursday, February 4, 2016 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. The project is determined to be exempt from CEQA per Section 15061(b)3 of the CEQA Guidelines as the activity will not result in a direct or reasonably foreseeable indirect physical change in 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. The industrial zones affected already permit manufacturing and production uses, and the text indicates that the tasting room and all of its ancillary offerings be secondary and incidental to the brewing component. Furthermore, the draft text clearly indicates and any

outdoor activities first are subject to a site plan approval by the Development Plan Review Board and any live entertainment activities first are subject to review and approval by the License and Permit Hearing Board prior to commencement.

Tasting rooms in the industrial zones are required to comply with the provisions of the City's parking code or be subject to Planning Commission review in the context of the other businesses on-site at the particular proposed location to ensure that parking conflicts do not arise.

The commercial zone affected (Specific Plan No. 9, Area 4) is unique in that the permitted and conditionally permitted uses are dependent upon an overflow parking lot which will provide excess parking to the site. It is additionally somewhat geographically separated from surrounding development due to the Department of Water and Power facilities and City horse trail. In order to ensure that the brewing/production operations are supporting the commercial component and compatible with the site and its surroundings, the draft text limits the maximum production volume to 15,000 barrels per year and the maximum size of to 5,000 square feet unless an increased size is granted by the planning commission through review of the conditional use permit.

In all zones, tasting rooms would only be permitted with a conditional use permit to ensure that:

1. Any selected site is adequate in size and shape to accommodate the use and required development standards;
2. The use will not generate negative traffic impacts;
3. The use will be arranged, designed, constructed, operated, and maintained to be compatible with the intended character of the area; and
4. The use will provide for growth and orderly development while maintaining consistency with the subject zone and the general plan.

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 business owners wishing to locate microbrewery businesses within the City. A microbrewery is a low-impact use and a small scale operation that fits within commercial and industrial zones. Furthermore, it creates opportunities for the City to use underutilized

industrial and commercial space. It additionally provides residents an entertainment opportunity and point of interest within their hometown which supports the local economy.

- 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. In those zones allowing industrial uses, the proposed amendments only provide for an additional accessory use to be provided through the conditional use permit process. In the zone allowing commercial uses, the proposed amendments provide size criteria and the planning commission discretion through review of a conditional use permit to ensure that the brewing component does not change the character of the site to be industrial in nature.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission recommends to the City Council approval of Municipal Code Text Amendment 15-10 as set forth in attached Exhibit A.

PASSED, APPROVED and ADOPTED, the 4<sup>th</sup> day of February, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

John Davis, Vice-Chairman  
San Dimas Planning Commission

ATTEST:

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Jan Sutton, Planning Secretary

EXHIBIT B

## EXHIBIT A

### Municipal Code Text Amendment 15-10 Microbreweries

\*New text changes are in Blue and Underlined

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

#### Item 1

#### Chapter 18.128- Industrial Zones, M-1 Light Manufacturing Zone

18.128.080 Uses permitted.

Subsection K of Section 18.128.080 is hereby amended to read as follows:

- K. Manufacturing, compounding, processing, packaging or treatment of products such as:
1. Bakery goods;
  2. Candy;
  3. Cosmetics;
  4. Beer;
  5. ~~4.~~ Dairy products;
  6. ~~5.~~ Drugs;
  7. ~~6.~~ Food products (excluding sauerkraut, vinegar, yeast and rendering of fats and oils);
  8. ~~7.~~ Fruit and vegetable packaging;
  9. ~~8.~~ Perfumes;
  10. ~~9.~~ Toiletries.

**Item 2****Chapter 18.128- Industrial Zones, M-1 Light Manufacturing Zone**

18.128.090 Conditional uses.

Subsection R of Section 18.128.090 is hereby added to read as follows:

R. Tasting rooms providing on-site beer tastings and the sale of beer for off-site consumption provided that the beer is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the brewing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

**Item 3****Chapter 18.508- Specific Plan No. 6, Area 1- Industrial uses**

18.508.080 Area 1-Industrial uses.

Subsection A(8) of Section 18.508.080 is hereby amended to read as follows:

8. Manufacturing, compounding, processing, packaging or treatment of products such as:
  - a. Bakery goods,
  - b. Beer,
  - ~~c. b-~~ Candy,
  - ~~d. e-~~ Cosmetics,
  - ~~e. d-~~ Dairy products,
  - ~~f. e-~~ Drugs,

- ~~g. f.~~ Food products (excluding sauerkraut, vinegar, yeast and rendering of fats and oils),
- ~~h. g.~~ Perfumes,
- ~~i. h.~~ Toiletries;

## Item 4

### Chapter 18.508- Specific Plan No. 6, Area 1- Industrial uses

18.508.080 Area 1-Industrial uses.

Subsection C(6) of Section 15.508.080 is hereby added to read as follows:

6. Tasting rooms providing on-site beer tastings and the sale of beer for off-site consumption provided that the beer is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the brewing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

## Item 5

### Chapter 18.514- Specific Plan No. 9, Area 4- Highway retail

18.514.080 Area 4- Highway Retail

Subsection E of Section 18.514.080 is hereby amended to read as follows:

- E. Conditional Uses Permitted in Conjunction with Overflow Parking Lot. These uses shall only be permitted in conjunction with the availability and use of the overflow parking lot in Area 5 for the benefit of the development in Area 4. Should at some future time after its development the overflow parking lot becomes unavailable and businesses with uses listed in Section 18.514.080(D) or (E) have been established, then those

businesses that were established legally shall be permitted to remain with no future expansion and all new businesses shall be limited to operating with uses permitted under Section 18.514.080(C).

When any of the uses below are operated in Area 4 and there is evidence of poor distribution of use and/or parking and/or inadequate management of on-site parking in Area 4 or overflow parking in Area 5, the planning commission may initiate a review of the circumstances and establish conditions on the management and operation of parking and uses within the development.

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

1. On-sale alcoholic beverages, provided that such use is secondary and incidental ~~use~~ to a permitted use in this zone;
2. ~~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 five thousand 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;~~

On-site brewing and service of beer produced on the premises, with or without food service. No other alcohol besides that produced on the premises shall be sold unless in conjunction with a full service restaurant use. The brewing component shall be limited to a maximum production of 15,000 barrels per year and 5,000 square feet in gross floor area unless an increased size or 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. Accessory tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental to the brewing production and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment.

3. Off-sale alcoholic beverages provided that such use is secondary and incidental to a permitted primary use;

4. Instructional physical activities to include, but not be limited to, uses such as pilates, yoga, personal trainers, dance studios, and martial arts studios;
5. Veterinary, pet grooming and pet hotel;
6. Accessory game arcade consisting of seven or more machines within an indoor recreation facility.

## Item 6

### Chapter 18.534- Specific Plan No. 21

18.534.160 Permitted uses.

Subsection C(8) of Section 18.534.160 is hereby amended to read as follows:

8. Manufacturing, compounding, processing, packaging, or treatment of products such as, bakery goods, beer, candy, cosmetics, dairy products, drugs, food products (excluding sauerkraut, vinegar, yeast, and rendering of fats and oils), perfumes, toiletries;

## Item 7

### Chapter 18.534- Specific Plan No. 21

18.534.170 Uses subject to conditional use permits.

Subsection B(16) of Section 18.534.170 is hereby added to read as follows:

16. Tasting rooms providing on-site beer tastings and the sale of beer for off-site consumption provided that the beer is produced on the premises. Tasting rooms may include other ancillary activities to the tastings such as food trucks and live entertainment, provided that all uses are secondary and incidental the brewing component and that, prior to their commencement, a site plan approval by the development plan review board is obtained for any outdoor activities and a live entertainment permit from the license and permit hearing board is obtained for any live entertainment. Parking for such uses shall comply with the provisions of Chapter 18.156 or the business owner shall be required to demonstrate that the hours of the tasting room will not conflict with the other businesses onsite to the satisfaction of the Planning Commission.

**Exhibit B**

**November 10, 2015 City Council Staff Report (Initiation)**

See Attached- 13 Pages



# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
*For the Meeting of November 10, 2015*

**FROM:** Blaine Michaelis, City Manager

**INITIATED BY:** Planning Department

**SUBJECT:** Initiation of a Municipal Code Text Amendment to Conditionally Permit Microbreweries

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## **SUMMARY**

*One of the topics of discussion at the March 30, 2015 City Council Retreat was the potential allowance of microbreweries and brewpub restaurants in the City of San Dimas.*

*Since then, Staff prepared and the City Council approved a Municipal Code Text Amendment to conditionally permit "brewpub restaurants," which are full-service restaurants with accessory beer production and service, in commercial zones.*

*Staff separated the topic of microbreweries, which regionally have tended to be located in industrial zones, for further consideration and analysis due to more complex considerations including related uses and activities beyond the production of beer including tap rooms, food trucks, trivia / game nights, and live entertainment, among other activities.*

## **BACKGROUND**

At the March 30, 2015 City Council Retreat, the Council discussed the potential allowance of microbreweries and brewpub restaurants in the City of San Dimas. The Council heard a brief presentation from Staff which included technical differentiations between microbreweries and brewpub restaurants, an explanation of current zoning code constraints, preliminary considerations in addressing the uses, and a summary table listing characteristics of similar uses in nearby cities.

Staff received direction to analyze the zoning code and potential amendments necessary in consideration of conditionally permitting brewpubs and microbreweries in various zones. Discussion led to differentiating between and separating the two uses at this time so that consideration of permitting brewpub restaurants in commercial zones could be addressed more expeditiously while allowing the time needed to do the additional analysis necessary to address the more complex considerations associated with microbreweries in industrial zones. Considerations for microbreweries include the creation of a bar-like atmosphere with the inclusion of taprooms/tasting rooms which are intended to draw people in in addition to their generally associated activities including catering and food truck uses, activities such as game / trivia nights and live entertainment, among others, and potential outdoor patios or activity areas.

In July 14, 2015 the City Council conducted 1<sup>st</sup> reading of the brewpub restaurant Municipal Code Text Amendment (MCTA 15-03), and as of the Ordinance's August 28, 2015 effective date restaurant owners in commercial zones have had the ability to apply for a conditional use permit to incorporate the brewing and service of beer produced on-site as an accessory use to their restaurant operation.

The purpose of this request for initiation of a Municipal Code Text Amendment will be for consideration of microbreweries.

## **ANALYSIS**

Microbreweries are generally defined as small-scale brewery operations that are dedicated primarily to the production of specialty beers. Microbreweries typically produce 15,000 barrels of beer per year (465,000 gallons). Microbreweries may or may not have a food service component. Descriptions of the Department of Alcoholic Beverage Control license types for brewery operations are included as Exhibit A.

The following are typical components of microbreweries:

**Brewing Area-** The area where the beer is manufactured / produced.

**Taproom / Tasting Room-** The area where beer is served.

**Outdoor Seating / Patio Area-** Many microbreweries offer an outdoor seating area or patio area, sometimes referred to as a beer garden, which provides additional area for people to congregate and drink.

**Office Area-** Oftentimes the businesses have a small accessory office use.

**Kitchen Area and Dining Room-** Some microbreweries have a kitchen and serve food produced on the premise. This hasn't been the case in immediately

surrounding cities, which tend to bring food trucks or caterers to the site for food service, but has been done in other cities in Southern California.

### *Microbreweries in Surrounding Cities*

Exhibit B is a compilation of microbreweries in surrounding cities with information on their location, size, ABC license type, and associated uses. All of the microbreweries in surrounding cities are located in industrial zones. Based on a review of their operations, brewing takes place 7 days / week and the tap / tasting rooms generally tend to be open Wednesday - Sunday in the afternoon and evening hours.

All of those microbreweries listed in Exhibit B have a tap or tasting room component. Most have a catering or food truck component at least some days of the week. Many host other activities intended to attract visitors and patrons with varying activities and offerings including trivia and game nights, live entertainment, televisions to offer sports viewings, painting parties, and even yoga. The pictures on the following pages are demonstrative of the activities offered and the crowds the establishments can attract and are taken from the microbreweries' social media and web sites.

### *Dale Brothers - Upland*



### *Claremont Craft Ales- Claremont*



*Rok House- Upland*



*Alosta Brewing- Covina*



*Pacific Plate- Monrovia*



*Discussion Topics*

The primary potential issues and discussion topics Staff has identified are as follows. Additional background and discussion on these items follows below.

1. Are the taprooms / tasting rooms an accessory and secondary use or the main attraction?
2. Compatibility Issues and Appropriate Zones for Consideration Due to Assembly / Congregational Nature and Associated Uses
  - a. Is the use appropriate in industrial zones and / or commercial zones?
  - b. How does the City want to address their associated uses?
    - i. Food trucks

- ii. Live entertainment
  - iii. Trivia / game nights
  - iv. TV's, sports viewing
- 3. Parking
  - 4. Potential Demands on Public Safety / Calls for Service

#### *1. Taproom / Tasting Room as Primary vs Accessory Component*

Currently, the San Dimas Municipal Code does not permit stand-alone bars in any zone. The SDMC conditionally permits on-sale alcoholic beverages in a number of commercial zones provided that such use is a *secondary* and *incidental* use to a permitted use in the zone, which is typically a restaurant. The Code does not currently permit on-sale alcoholic beverages in the M-1 industrial zone at all.

To be consistent with existing Code language for commercial zones, the determination would need to be made that the primary use is the microbrewery with or without food uses and that the taproom / tasting room component is a secondary and incidental use.

#### *2. Compatibility Issues and Appropriate Zones for Consideration Due to Assembly / Congregational Nature and Associated Uses*

Per San Dimas Municipal Code Section 18.128.010, Industrial Zones, “the *general purpose of this chapter is to set forth a wide variety and complexity of industrial uses and processes and those retail uses incidental to the permitted industrial uses which may function efficiently and harmoniously within an industrial zone...*”

Surrounding cities take varying approaches. For example, Covina lists “brewery and / or winery” under “Manufacturing” as a permitted use in its industrial zone and lists on-site tasting in conjunction with the brewery or winery as a conditional use. Claremont lists “manufacturing, wholesale and distribution, including winery or micro-brewery with or without tasting room and no restaurant” as permitted only in its Business / Industrial Park zone with a Special Use and Development permit, while listing “micro-breweries in conjunction with restaurant” as a conditionally permitted use in some of its commercial zones and mixed use districts. Sections from their Municipal Codes are included as Exhibit C.

While these facilities do have a manufacturing and production component, they can also tend to draw in crowds and provide recreational activities. Common components include the tap / tasting room and outdoor patios / beer gardens. Many make use of food trucks which may visit for a few hours to provide food service to patrons, with schedules posted in advance on the microbrewery's calendar on its website. Others allow patrons to bring food in or even order pizzas to the location and offer games, trivia nights or other activities. Because of

this, some considerations of allowing these uses in industrial zones are compatibility with industrial users and the potential lost opportunity to funnel businesses interested in conducting such a use into commercial zones, where assembly uses are generally desired and encouraged. On the other hand, manufacturing is not a permitted use in commercial zones and the production levels were capped in the recent approval of brewpub restaurants in commercial zones, and associated food truck uses could compete with brick and mortar businesses within shopping centers.

### *3. Parking*

Industrial centers typically are parked at much lower levels (1 space per 500 square feet) than commercial uses require (1 space per 75 for a restaurant or 1 space per 225 for general commercial uses). However, the common hours of operation for microbreweries in surrounding cities are evening hours during the week and afternoon and evening hours on the weekends which tends to lessen parking conflicts / impacts as many of the other industrial users in the park tend to be closed in the evening hours. Outdoor patios and food trucks are additional uses which may involve use of the parking lot stalls.

### *4. Potential Demands on Public Safety / Calls for Service*

In speaking with planners who have worked on microbrewery applications in surrounding cities, a representative from the Department of Alcoholic Beverage Control, and a representative from the Sheriff's station, Staff has not heard any comments on increased calls for service or public safety issues at these types of establishments. They tend to have earlier closing hours such as 9-10pm, only serve what is brewed on-site (no hard liquor), and tend to market their products as specialty and craft and as such are pricier than bars. Conditions of approval on a use permit can also help to control items such as hours of operation and changes to operational procedures should problems arise.

## **RECOMMENDATION**

Staff recommends that the City Council provide feedback to Staff and, if the Council desires, initiate a Municipal Code Text Amendment to conditionally permit microbreweries. Should the Council initiate the Code Amendment, Staff will prepare draft text and bring back to the City Council after receiving the public's and the Planning Commission's input at a public hearing.

Respectfully Submitted,



Jennifer Williams  
Associate Planner

Attachments:

- Exhibit A- Select License Types- Department of Alcoholic Beverage Control
- Exhibit B- Table of Microbreweries in Surrounding Cities
- Exhibit C- Text from Surrounding Cities' Municipal Codes

## 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).

**Exhibit B**

**Table of Microbreweries in Surrounding Cities**

See Attached- 1 Page

Exhibit B Microbreweries in Surrounding Cities									
Facility	City	Location	Size	ABC License Type(s)	Process	Food Trucks/ Caterers	Activities	Outdoor Seating	Tap Room Hours
Microbreweries									
Claremont Craft Ales	Claremont	Industrial Park	3,500	Type 23	Special Use & Dev Permit	Yes	Yoga on Tap	Yes	Wednesday 4-9, Thursday 4-10, Friday 3-10, Saturday 1-10, Sunday 1-7
La Verne Brewing Co	La Verne	Industrial Park	3,500	Type 23	CUP	Yes	Live entertainment, trivia, TV's for sports viewing	No	Tuesday-Thursday 4-9:30, Friday 4-10, Saturday 2-10, Sunday 12-6
Dale Bros.	Upland	Industrial Park	Interior 7,000 Patio Unkn	Type 23, Type 17	Administrative Committee	Yes	Live entertainment	Yes	Tuesday-Sunday 12-9
Rok House Brewing	Upland	Industrial Park	2,101	Type 23	Administrative Committee & Administrative Determination	No	Board games, Trivia nights, TV's for sports viewings, Paint Nites	Yes	Wednesday 5-9, Thursday 4-9, Friday 2-9, Saturday 1-9, Sunday 1-6
Pacific Plate	Monrovia	Industrial Park	1,650	Type 23	CUP	Yes	Board games	No	Monday-Friday 4-10, Saturday & Sunday 12-10
Alosta Brewing Co	Covina	Industrial Park	Interior 4,016 Patio 1,300	Type 23	Code Amendment & CUP	Yes	Trivia nights, Paint Nites	Yes	Wednesday 4-9, Thursday 4-10, Friday 4-10, Saturday 2-10, Sunday 1-6
REV Winery & Brewing Co	Covina	Industrial Park	3,000	Type 23, Type 02	Code Amendment & CUP				
Old Stump	Pomona	Industrial Park	Interior 11,814 Patio 736	Type 23	Code Amendment & CUP	Yes		Yes	Thursday 3-10, Friday 3-10, Saturday 1-10, Sunday 1-6
Innovation Brew Works	Pomona	Business Center		Type 23	Under State Land-Not subject to City requirements	No- Brewery and Café			Monday-Wednesday 6:30am-9pm, Thursday & Friday 6:30am-10pm, Sunday 1-6
Sanctum Brewing Co.	Pomona	Industrial Park		Type 23	Code Amendment & CUP				Thursday & Friday 4-9:30, Saturday 2-9:30, Sunday 12-5

**Exhibit C**

**Text from Surrounding Cities' Municipal Codes**

**City of Claremont**

**Claremont Municipal Code- 16.051- Uses and Development Permitted**

3) Alcoholic Beverage Sales	CP	CN	CL	CH	CF	CV/ CVO*	CVO w/ display window	B/IP	MU1**	MU2**	MU3**	MU4**
Alcoholic sales for off-site consumption with or without tasting room	< >	CUP	CUP	CUP	CUP	CUP	CUP	<>	CUP	CUP	CUP	CUP
On-site sales in connection w/restaurant	< >	CUP	CUP	CUP	CUP	CUP	CUP	<>	CUP	CUP	CUP	CUP
Manufacturing, wholesale and distribution, including winery or micro-brewery with or without tasting room and no restaurant	< >	<>	<>	<>	<>	<>	<>	SUDP	<>	<>	<>	<>
Micro-breweries in connection w/restaurant	< >	<>	<>	CUP	CUP	CUP	CUP	<>	<>	CUP	CUP	CUP

- P = Permitted
- SUDP = Special Use & Development Permit Required
- CUP = Conditional Use Permit Required
- < > = Not Permitted
- CP = Commercial Professional
- CN = Commercial Neighborhood
- CL = Commercial Limited
- CH = Commercial Highway
- CF = Commercial Freeway
- CV/CVO\* = Commercial Village/Overlay without display window
- CVO w/display window = Commercial Village Overlay w/display window on ground floor
- B/IP = Business/Industrial Park

\*\* MU1, MU2, MU3, MU4 – Development in Mixed Use Districts requires approval of MUDDP (see Chapter 16.040)

## **Exhibit C Continued**

### **Text from Surrounding Cities' Municipal Codes**

#### **City of Covina**

#### **Covina Municipal Code- 17.54- M-1 Light Industrial Zone**

##### **Permitted Uses**

5. **Brewery** and/or winery;

##### **Conditional Uses**

S. On-site wine tasting in conjunction with a winery (as defined by the State Department of Alcoholic Beverage Control (ABC) as a business having only a Type 02 license (winegrower/winery)), as opposed to any other ABC license classification; and further provided, that it shall not be located within 1,000 feet from any other winery with on-site wine tasting or a **brewery** with on-site beer tasting;

T. On-site beer tasting in conjunction with a small **brewery** (as defined by the State Department of Alcoholic Beverage Control (ABC) as a business having only a Type 23 license (small beer manufacturer)), as opposed to any other ABC license classification; and further provided, that it shall not be located within 1,000 feet from any other **brewery** with on-site beer tasting or winery with on-site wine tasting;

U. Notwithstanding any provision in subsections (S) and (T) of this section to the contrary, the same site may operate both a winery with on-site wine tasting and a small **brewery** with on-site beer tasting, provided a conditional use permit has been obtained to operate both;

V. Mobile food facilities located on the same site as permitted on-site beer tasting or on-site wine tasting (as defined in subsections (S) and (T) of this section), subject to an administrative conditional use permit pursuant to CMC [17.62.190\(E\)](#).

## Exhibit C Continued

### Text from Surrounding Cities' Municipal Codes

#### City of Monrovia

#### Determination on Microbrewery Use



### **PLANNING COMMISSION STAFF REPORT**

**APPLICATION:** CUP2013-02

**AGENDA ITEM:** PH-4

**PREPARED BY:** Barbara Lynch  
Senior Planner

**MEETING DATE:** January 9, 2013

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**SUBJECT:** Conditional Use Permit CUP2013-02  
1999 South Myrtle Avenue

**REQUEST:** Permit a micro brewery business in an existing industrial building that will manufacture specialty beer and offer beer sampling within a tasting room that will be open to the public. This property is located in the PD-16 (Planned Development-Area 16) Zone.

**APPLICANT:** Jonathan Rene Parada/Pacific Plate Brewing Co.  
3112 Brighton Avenue  
Los Angeles, CA 90018

**ENVIRONMENTAL DETERMINATION:** Categorical Exemption (Class 1)

**BACKGROUND:** The proposed micro brewery location is in an industrial complex that was developed in the late 1980's. The micro brewery will be occupying an end suite on the west side of a building located in the middle of the complex. Because there is no definition in the Zoning Ordinance (§17.08.030) for a micro brewery the Development Review Committee made the determination that it should be considered an "Other Use" as defined in the code and the applicant should apply for a conditional use permit. The code defines "Other Use" as "uses not specifically mentioned or easily identified by the Development Review Committee as belonging to one or more of the use types defined (in the definition section of the Zoning Ordinance), and shall be permitted in any zone if granted a conditional use permit by the Commission. When granting a conditional use permit in such a circumstance, the Commission must find that the use is compatible with other uses permitted in the zone."

Also, a conditional use permit is required (§17.44.025) when alcoholic beverages are sold or served on-site and the facility is located within 500 feet of any residential zone, park, school, recreation center, religious assembly or hospital. The location of the micro brewery is within 500 feet of a residential zone.

## Exhibit C

### **Excerpt of November 10, 2015 City Council Minutes (Initiation)**

City Council Minutes  
November 10, 2015

Page 4

e. **Initiation of a Municipal Code Text Amendment to Conditionally Permit Microbreweries**

Associate Planner Jennifer Williams presented staff's report on this item.

**Recommendation:** Staff recommends that the City Council provide feedback to staff and, if the Council desires, initiate a Municipal Code Text Amendment to conditionally permit microbreweries.

Mayor Morris asked if it was possible to have a tax or fee for food trucks.

Mr. Stevens stated the city could create some additional standards, that would address problems of parking on the street and potential safety of the customers.

It was the consensus of the council that staff should move forward with initiating a Municipal Code Text Amendment to conditionally permit microbreweries.

## Exhibit D

### 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).

**Exhibit E**

**Table of Microbreweries in Surrounding Cities**

See Attached- 1 Page

**Exhibit E**

**Microbreweries in Surrounding Cities**

Facility	City	Location	Size	ABC License Type(s)	Process	Food Trucks/ Caterers	Activities	Outdoor Seating	Tap Room Hours
<b>Microbreweries</b>									
Claremont Craft Ales	Claremont	Industrial Park	3,500	Type 23	Special Use & Dev Permit	Yes	Yoga on Tap	Yes	Wednesday 4-9, Thursday 4-10, Friday 3-10, Saturday 1-10, Sunday 1-7
La Verne Brewing Co	La Verne	Industrial Park	3,500	Type 23	CUP	Yes	Live entertainment, trivia, TV's for sports viewing	No	Tuesday-Thursday 4-9:30, Friday 4-10, Saturday 2-10, Sunday 12-6
Dale Bros.	Upland	Industrial Park	Interior 7,000 Patio Unkn	Type 23, Type 17	Administrative Committee	Yes	Live entertainment	Yes	Tuesday-Sunday 12-9
Rok House Brewing	Upland	Industrial Park	2,101	Type 23	Administrative Committee & Administrative Determination	No	Board games, Trivia nights, TV's for sports viewings, Paint Nites	Yes	Wednesday 5-9, Thursday 4-9, Friday 2-9, Saturday 1-9, Sunday 1-6
Pacific Plate	Monrovia	Industrial Park	1,650	Type 23	CUP	Yes	Board games	No	Monday-Friday 4-10, Saturday & Sunday 12-10
Alostia Brewing Co	Covina	Industrial Park	Interior 4,016 Patio 1,300	Type 23	Code Amendment & CUP	Yes	Trivia nights, Paint Nites	Yes	Wednesday 4-9, Thursday 4-10, Friday 4-10, Saturday 2-10, Sunday 1-6
REV Winery & Brewing Co	Covina	Industrial Park	3,000	Type 23, Type 02	Code Amendment & CUP				
Old Stump	Pomona	Industrial Park	Interior 11,814 Patio 736	Type 23	Code Amendment & CUP	Yes		Yes	Thursday 3-10, Friday 3-10, Saturday 1-10, Sunday 1-6
Innovation Brew Works	Pomona	Business Center		Type 23	Under State Land- Not subject to City requirements	No- Brewery and Café			Monday-Wednesday 6:30am-9pm, Thursday & Friday 6:30am-10pm, Sunday 1-6
Sanctum Brewing Co.	Pomona	Industrial Park		Type 23	Code Amendment & CUP				Thursday & Friday 4-9:30, Saturday 2-9:30, Sunday 12-6

## Exhibit F

### Text from Surrounding Cities' Municipal Codes, Staff Reports, Etc.

#### City of Claremont

#### Claremont Municipal Code- 16.051- Uses and Development Permitted

3) Alcoholic Beverage Sales	CP	CN	CL	CH	CF	CV/ CVO*	CVO w/ display window	B/IP	MU1**	MU2**	MU3**	MU4**
Alcoholic sales for off-site consumption with or without tasting room	< >	CUP	CUP	CUP	CUP	CUP	CUP	<>	CUP	CUP	CUP	CUP
On-site sales in connection w/restaurant	< >	CUP	CUP	CUP	CUP	CUP	CUP	<>	CUP	CUP	CUP	CUP
Manufacturing, wholesale and distribution, including winery or micro-brewery with or without tasting room and no restaurant	< >	<>	<>	<>	<>	<>	<>	SUDP	<>	<>	<>	<>
Micro-breweries in connection w/restaurant	< >	<>	<>	CUP	CUP	CUP	CUP	<>	<>	CUP	CUP	CUP

- P = Permitted
- SUDP = Special Use & Development Permit Required
- CUP = Conditional Use Permit Required
- <> = Not Permitted
- CP = Commercial Professional
- CN = Commercial Neighborhood
- CL = Commercial Limited
- CH = Commercial Highway
- CF = Commercial Freeway
- CV/CVO\* = Commercial Village/Overlay without display window
- CVO = Commercial Village Overlay w/display window on ground floor
- w/display window = Commercial Village Overlay w/display window on ground floor
- B/IP = Business/Industrial Park

\*\* MU1, MU2, MU3, MU4 – Development in Mixed Use Districts requires approval of MUDDP (see Chapter 16.040)

## Exhibit F Continued

### Text from Surrounding Cities' Municipal Codes, Staff Reports, Etc.

#### City of Covina

#### Covina Municipal Code- 17.54- M-1 Light Industrial Zone

##### Permitted Uses

5. **Brewery** and/or winery;

##### Conditional Uses

S. On-site wine tasting in conjunction with a winery (as defined by the State Department of Alcoholic Beverage Control (ABC) as a business having only a Type 02 license (winegrower/winery)), as opposed to any other ABC license classification; and further provided, that it shall not be located within 1,000 feet from any other winery with on-site wine tasting or a **brewery** with on-site beer tasting;

T. On-site beer tasting in conjunction with a small **brewery** (as defined by the State Department of Alcoholic Beverage Control (ABC) as a business having only a Type 23 license (small beer manufacturer)), as opposed to any other ABC license classification; and further provided, that it shall not be located within 1,000 feet from any other **brewery** with on-site beer tasting or winery with on-site wine tasting;

U. Notwithstanding any provision in subsections (S) and (T) of this section to the contrary, the same site may operate both a winery with on-site wine tasting and a small **brewery** with on-site beer tasting, provided a conditional use permit has been obtained to operate both;

V. Mobile food facilities located on the same site as permitted on-site beer tasting or on-site wine tasting (as defined in subsections (S) and (T) of this section), subject to an administrative conditional use permit pursuant to CMC [17.62.190\(E\)](#).

## Exhibit F Continued

### Text from Surrounding Cities' Municipal Codes, Staff Reports, Etc.

#### City of Monrovia

#### Determination on Microbrewery Use

	<b>PLANNING COMMISSION STAFF REPORT</b>	
<b>APPLICATION:</b>	CUP2013-02	<b>AGENDA ITEM:</b> PH-4
<b>PREPARED BY:</b>	Barbara Lynch Senior Planner	<b>MEETING DATE:</b> January 9, 2013
<hr/>		
<b>SUBJECT:</b>	Conditional Use Permit CUP2013-02 1999 South Myrtle Avenue	
<b>REQUEST:</b>	Permit a micro brewery business in an existing industrial building that will manufacture specialty beer and offer beer sampling within a tasting room that will be open to the public. This property is located in the PD-16 (Planned Development-Area 16) Zone.	
<b>APPLICANT:</b>	Jonathan Rene Parada/Pacific Plate Brewing Co. 3112 Brighton Avenue Los Angeles, CA 90018	
<b>ENVIRONMENTAL DETERMINATION:</b>	Categorical Exemption (Class 1)	
<b>BACKGROUND:</b>	<p>The proposed micro brewery location is in an industrial complex that was developed in the late 1980's. The micro brewery will be occupying an end suite on the west side of a building located in the middle of the complex. Because there is no definition in the Zoning Ordinance (§17.08.030) for a micro brewery the Development Review Committee made the determination that it should be considered an "Other Use" as defined in the code and the applicant should apply for a conditional use permit. The code defines "Other Use" as "uses not specifically mentioned or easily identified by the Development Review Committee as belonging to one or more of the use types defined (in the definition section of the Zoning Ordinance), and shall be permitted in any zone if granted a conditional use permit by the Commission. When granting a conditional use permit in such a circumstance, the Commission must find that the use is compatible with other uses permitted in the zone."</p> <p>Also, a conditional use permit is required (§17.44.025) when alcoholic beverages are sold or served on-site and the facility is located within 500 feet of any residential zone, park, school, recreation center, religious assembly or hospital. The location of the micro brewery is within 500 feet of a residential zone.</p>	



## **Exhibit F Continued**

### **Text from Surrounding Cities' Municipal Codes, Staff Reports, Etc.**

#### **City of Anaheim (Continued)**

#### **Staff Report**

Anaheim, California

ZONING CODE AMENDMENT NO. 2013-00113  
February 25, 2014  
Page 2 of 4

**Land Use Definition:** A new land use category and definition is proposed called "Alcoholic Beverage Manufacturing." This land use category would include manufacturing facilities for the production of beer, wine, and distilled spirits, in accordance with a valid alcohol production license issued by the State of California. This use would also allow a "tasting room" which is defined as an accessory use in a brewery, winery, or distillery that only serves beverages produced at that location.

Tasting room visitors would be allowed to consume alcoholic beverages on the premises and purchase containers of alcohol for off-site consumption.

**Permitted Land Uses:** Specific land uses within the Zoning Code are categorized as permitted, conditionally permitted, and prohibited. Historically, alcoholic beverage producing facilities were conditionally permitted and typically approved with a set of standard conditions of approval. The proposed Code Amendment would allow Alcoholic Beverage Manufacturing, including tasting rooms, by right, in almost all commercial and industrial zones. The permitted locations include 89 percent of all the City's commercial and industrially zoned properties.

Although the proposed Code amendment would eliminate the need for a conditional use permit (CUP), conditions of approval that are typically added through the CUP process would be incorporated as Code requirements. This approach is consistent with prior amendments to the Zoning Code, where conditionally permitted uses were allowed by right, and the commonly applied conditions of approval were included in the Code. Staff believes that allowing these uses by right, while incorporating the operational standards into the Code, would ensure that these uses operate in a manner compatible with surrounding land uses. Some of the Code-required operational standards would include, but are not limited to, the following:

- Alcoholic beverage manufacturing uses in commercial zones may not exceed 6,000 square feet, unless otherwise permitted by conditional use permit. Businesses located in the Industrial zone would not be subject to a size limit. The 6,000 square foot commercial standard is 1,000 square feet larger than the City's largest permitted brewery. Breweries larger than 6,000 square feet often exhibit industrial characteristics including frequent freight shipping and deliveries and such activity may not be suitable in all commercial areas, particularly those located adjacent to residential properties.
- Tasting rooms would be limited to 750 square feet. This limit is based on fire and building codes which require substantial additional improvements and design features for larger assembly areas. All tasting rooms approved in Anaheim to date fall within this limit. Larger tasting rooms may be permitted through a conditional use permit. Outdoor patios would be limited to 1,000 square feet to minimize potential conflicts with adjoining land uses.
- Only beverages produced on the property may be served in the tasting room.
- A security plan will be required to be approved by the Police Department prior to operation.

## Exhibit F Continued

### Text from Surrounding Cities' Municipal Codes, Staff Reports, Etc.

#### City of Anaheim (Continued)

#### Staff Report

Anaheim, California

ZONING CODE AMENDMENT NO. 2013-00113  
February 25, 2014  
Page 3 of 4

Staff received positive feedback regarding these size standards from members of the Mayor's working group and believes the proposed sizes are adequate to meet the needs of most craft breweries.

Eliminating the need for a CUP will create an incentive for microbreweries to locate in Anaheim. Eliminating the public hearing process associated with a conditional use permit application will save significant amounts of time and processing costs for prospective microbrewers. More importantly, the proposed approach creates certainty for the businesses.

The proposed ordinance will allow any of the operating standards that are incorporated into the Code to be modified through a conditional use permit (CUP). The purpose of requiring a CUP is to ensure compatibility with the surrounding land uses.

Determination of Public Convenience or Necessity: The State Department of Alcoholic Beverage Control (ABC) requires that a Determination of Public Convenience or Necessity (PCN) be made for businesses that sell alcohol for off-premises consumption when those uses are in areas that have a crime rate that is higher than the City average or where there is an overconcentration of off-sale licenses in the census tract where the business is proposed. Currently, the Planning Commission is the sole authority for making this determination. This proposal would allow the Planning Director to make this determination for Alcoholic Beverage Manufacturing uses that would be permitted by right. The granting of such authority to the Planning Director is allowed under state law. Should an applicant have a business proposal that requires a conditional use permit or a variance, then approval of the PCN determination would revert back to the Planning Commission and would be considered concurrently with the CUP or variance at a public hearing.

Parking: Alcoholic beverage manufacturing would be subject to the same parking standards required for an industrial or manufacturing use. These standards take into consideration the low number of employees per square foot for the manufacturing use and include provisions for accessory office uses. Parking for the tasting room or outdoor patio area would be based on the standard for bars and nightclubs. All of the breweries approved in the City to date could be located in a commercial space while easily meeting this parking standard. Breweries proposed within industrial areas would have the option of meeting this requirement on site or through a shared parking arrangement with an adjacent property owner.

The proposed Ordinance implements recommendations from the Mayor's working group and makes opening a brewery or similar businesses simpler by eliminating the need for a CUP. This Ordinance also includes Code requirements for the safe and orderly operation of alcoholic beverage manufacturers. Therefore, staff recommends that the City Council concur with the Planning Commission's recommendations and introduce the attached Ordinance.

## Exhibit F Continued

### Text from Surrounding Cities' Municipal Codes, Staff Reports, Etc.

#### City of Rancho Cucamonga

#### Approval Letter

Project #:	DRC2015-00976
Project Name:	Conditional Use Permit
Location:	8560 VINEYARD AVE - 020726249-0000
Project Type:	Conditional Use Permit

**ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT:**

**Planning Department**  
Standard Conditions of Approval

18. Approval of this request shall not waive compliance with all sections of the Development Code, all other applicable City Ordinances, and applicable Community, Specific Plans and/or Master Plans in effect at the time of Building Permit issuance.
19. The site shall be developed and maintained in accordance with the approved plans which include Site Plan and floor plan on file in the Planning Department, the conditions contained herein, and Development Code regulations.
20. Occupancy of the facilities shall not commence until such time as all California Building Code and State Fire Marshal regulations have been complied with. Prior to occupancy, plans shall be submitted to the Rancho Cucamonga Fire Protection District and the Building and Safety Services Department to show compliance. The buildings shall be inspected for compliance and final acceptance granted prior to occupancy.
21. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Director.

**Engineering Services Department**  
Please be advised of the following Special Conditions

1. (Per Traffic Engineering)
  1. Amount of parking spaces shall be in accordance with Development Code Section 17.64 or business hours shall not conflict with the other businesses onsite.

**Building and Safety Services Department**  
Please be advised of the following Special Conditions

1. Maintain the assembly area to a maximum occupant load of 49 persons ("B" Occupancy). Expansion of the facility will trip fire and Life safety requirements for an A occupancy at a considerable expense to the business owner. Submit TI plans to the Building Department for review, approval and building permit issuance

# CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting  
Thursday, February 4, 2016 at 7:00 p.m.  
245 East Bonita Avenue, Council Chambers

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## **Present**

Vice-Chair John Davis  
Commissioner Margie Green  
Commissioner Tomas Molina  
Commissioner Ted Ross  
Planning Manager Fabiola Wong  
Senior Planner Marco Espinoza  
Associate Planner Jennifer Williams  
Planning Secretary Jan Sutton

## **Absent**

Chairman David Bratt

## **CALL TO ORDER AND FLAG SALUTE**

Vice-Chair Davis called the regular meeting of the Planning Commission to order at 7:00 p.m. and led the flag salute.

## **APPROVAL OF MINUTES**

1. December 17, 2015

**MOTION:** Moved by Green, seconded by Ross to approve the minutes of December 17, 2015. Motion carried 4-0-1 (Bratt absent).

2. January 7, 2016

**MOTION:** Moved by Green, seconded by Ross to approve the minutes of January 7, 2016. Motion carried 4-0-1 (Bratt absent).

## **PUBLIC HEARINGS**

3. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 15-10** – A request to Conditionally Permit Microbreweries in the M-1 Zone; Creative Growth Zone, Area 4; Specific Plan No. 6, Areas 1, 3, and 4; Specific Plan No. 9, Area 4; Specific Plan No. 21; and Specific Plan No. 24, Areas 2 and 3.

Staff report presented by **Associate Planner Jennifer Williams** who stated at the City Council retreat in March 2015 Staff was directed to move forward with the code change for brewpub restaurants and address microbreweries at a later date. The Council adopted the brewpub code in August, and in November the City Council formally initiated the code change for microbreweries. In the industrial zones manufacturing and compounding are allowed by right, but beer isn't mentioned specifically, so if someone wanted to submit an application for

**EXHIBIT C**

brewing beer, it would go through a Classification of Use which is a simple process. However, the current code does not allow for retail sales in that zone. The recent update for brewpub restaurants does permit a limited amount of brewing in commercial zones for service at the restaurant, but not allow other activities that could negatively impact the shopping center. Microbreweries are usually small concerns that would produce less than the allowed number of barrels, but they may or may not have a food component, and in the survey conducted of surrounding cities, most of the food is provided by catering, such as food trucks.

**Associate Planner Williams** went over the results of the survey and the different aspects that could be on-site. Based on an analysis of the surrounding cities, brewing occurs seven days a week, and then the tap and tasting rooms open just a few days a week, typically in the late afternoon, and close around 10:00 p.m. All of them were located in industrial zones, not commercial areas; some of them had food trucks on certain days of the week, and some of the larger ones had other accessory activities or services they scheduled in advance and put on their website. Staff was looking for feedback from the Commission on if the taproom or tasting room would be considered the main attraction of the business even if it has a smaller percentage of the floor area, or is it an accessory entertainment component to the brewing process. The current municipal code does not allow for any stand-alone bars; alcohol service is accessory to another use. We also don't allow on-site sale of alcohol in the industrial zone. Also, is this use appropriate in industrial zones or in commercial zones, and should it be allowed by right or conditionally permitted.

She stated even though in San Dimas the sale of alcohol has always been conditionally permitted other cities have taken a different approach. Staff was also looking to see if the Commission wanted to address the associated uses such as food trucks, game nights, etc., and if so, how. Many cities take the approach that the manufacturing process is allowed by right and the tasting is accessory, and spoke about the code adopted by Anaheim. She stated Staff is looking for input on if this use is more appropriate in an industrial zone, commercial zone, or both. There can be concerns about compatibility in the industrial zones when you have large crowds. In that respect it makes more sense for them to be in a commercial zone, but most want to be in a manufacturing zone because the rent is less expensive.

**Associate Planner Williams** stated manufacturing is not an allowed use in the commercial zones, and the Mayor has expressed concerns about food trucks creating an unfair competition to local restaurants because they don't pay the same taxes or have to comply with the same operational standards. When brewpubs were considered the production level was limited. If the Commission feels they should be allowed in commercial zones, then they may want to set restrictions such as prohibiting food trucks or limiting production volume.

She stated the zones identified in tonight's hearing were based on comments by the City Council in November, but if the Commission felt other zones should be included, such as the other areas in the CG zone, Staff would recommend continuing the item for further study. She stated Specific Plan No. 9 is unique as it is not industrial, but was included at the request of the property owner. The proposed area is the Canyon Trail Plaza, which is mostly an office complex and may not be appropriate, but because of its isolated location from other zones it may be a good place to test this use outside of an industrial area. She stated they have focused on microbreweries even though other cities have microwineries or microdistilleries.

**Associate Planner Williams** stated parking standards also vary greatly by use and zone. In the industrial area parking is 1:500 square feet, in commercial areas it is 1:225 square feet, and parking for restaurants is 1:75 square feet. Using the calculation for industrial could create a problem based on the number of people coming to the facility. Some cities have set the parking requirements for the manufacturing and the tasting portions separately. Also, inclusion of

outside patios or food trucks can take away parking area. Tasting room hours tend to be opposite the industrial user hours and showed how that has worked in other cities. The draft language is in the form that the required parking needs to comply with Code Section 18.56 or the business owner shall be required to demonstrate to the Planning Commission the hours of operation will not conflict with the surrounding businesses. She stated on the dais was an article provided by Commissioner Ross and a letter of support from Maurice Kane that came after the agenda was distributed. Staff is recommending the Planning Commission provide feedback for the City Council to consider, or continue and direct Staff to gather more information.

Vice-Chair Davis opened the meeting for public hearing. There being no comments, the public hearing was closed.

**Vice-Chair Davis** asked to review the zoning map and commented if the only commercial zone they are considering is the Creative Growth zone, then only the Albertson's center would be impacted, and not where Target or Smart and Final are located because they are in a different zone.

**Associate Planner Williams** stated none of the commercial zones would be affected as it is written now. Staff is recommending looking at the rest of the Creative Growth zone, but they could look at commercial zones as a whole or just leave it targeted if directed by the Commission.

**Vice-Chair Davis** felt it was better to be targeted right now, and asked if the only other commercial zone was the CN.

**Associate Planner Williams** stated the CN and the CH zones allow commercial, but would be hesitant about including the CN because it is usually located close to residential uses, and that zone is not prevalent in town.

**Commissioner Molina** clarified the current code states in the commercial zones you could have food and entertainment, but not the brewing.

**Associate Planner Williams** stated with the brewpub amendment there can be a limited amount of brewing in the commercial zones not to exceed 5,000 barrels annually, and that a larger producer might be allowed with a Conditional Use Permit. But in that instance the restaurant is the primary use and the brewing was accessory.

**Commissioner Molina** stated it seemed from the survey results that most microbreweries in other cities were in industrial zones, so if they approve the use in the industrial zone, one could be located behind the Valero Gas Station on Arrow Highway.

**Associate Planner Williams** that area is zoned M1, and if they were approached today by a microbrewery, they could go through the Classification of Use process for the brewing component, but they would not be allowed to have a taproom, tasting or food service. The proposed language requires site plan approval by the DPRB to address any ancillary outdoor activities associated with the microbrewery.

**Commissioner Ross** asked if the surrounding cities limit food trucks, and what if patrons wanted to bring their own food.

**Associate Planner Williams** stated some cities accommodate food trucks while others do not, and that some places will allow patrons to bring their own food.

**Commissioner Green** asked if there was any sales tax benefit to the City from food trucks.

**Associate Planner Williams** stated they would pay for a business license, and sometimes an in-town business will also operate a food truck, but they do not pay the City any sales tax.

**Commissioner Ross** asked if food trucks were regulated by the County Health Department. He also asked if there is a breakdown on revenue from the food component compared to alcohol sales.

**Associate Planner Williams** stated food trucks would have to be licensed by the Health Department in every county they operated in. She stated most microbreweries don't have food, so there would be very little revenue generated; most of the food is provided by the food trucks.

**Vice-Chair Davis** stated he went to a microbrewery in La Verne that had a taproom in the front, but as they were holding a fundraiser they had set up tables in the manufacturing area, and asked if that was normal.

**Associate Planner Williams** stated that is something you have to think about that if it's approved at a certain size or occupancy class but they keep going over that, then it should have permits from Building and Safety and Fire.

**Vice-Chair Davis** felt they would be kidding themselves to think the business will contain itself within 750 square feet because they will expand into the brewing area when they hold special events. If they are held at night, they at least would not be impacting the neighboring businesses.

**Associate Planner Williams** stated the current proposal does not have a floor area size limit, that is from the Anaheim regulations, and that any business would have to go through the Building Department review to be sure they are protecting life safety.

**Vice-Chair Davis** felt it would be important to see the business from the street if it was in an industrial complex, and asked if that was common or if there would be any concerns with them being located in the back.

**Commissioner Molina** stated he went to a wine tasting located in the back of an industrial park and said it was very easy to drive right by it, and when you did find it you had to call them so they could open the gate.

**Associate Planner Williams** stated not all of them have street visibility and the one in Claremont is difficult to find. Staff has concerns over appropriate lighting levels and lack of visibility like you would have in a commercial center. In response to a question about food trucks, she stated not all of them have that. If we were to allow microbreweries in the commercial zones without a food component and restricted food trucks, then patrons would have to go to neighboring businesses for food.

**Commissioner Green** felt rent would be higher for a street-front location in the industrial zone.

**Associate Planner Williams** stated customer traffic is important and thought a business would want to be visible, but rent is important too. Many are located in the middle or back of business parks.

**Vice-Chair Davis** felt microbreweries should be conditionally permitted, and asked if that would allow the Commission to address concerns regarding location and public safety issues as part of the review.

**Associate Planner Williams** went over what findings would need to be met to approve a Conditional Use Permit, and if the Commission felt there were public safety concerns, an application could be denied or given conditions to mitigate the issue.

**Commissioner Molina** clarified that with a Conditional Use Permit if the proposed location was in the back of an industrial park, then they could do something like require additional lighting.

**Associate Planner Williams** stated they may be able to require additional lighting around the tenant space but wasn't sure how it would be addressed for the whole complex. They might also require a security guard.

**Vice-Chair Davis** and **Commissioner Green** preferred to have microbreweries conditionally permitted instead of having to write every contingency into the code.

**Commissioner Molina** asked what the concern was about competition with surrounding restaurants if they are located in a commercial zone.

**Associate Planner Williams** stated the concern is if they bring food trucks to a shopping center, then it will draw business away from the restaurants.

**Vice-Chair Davis** stated another issue in the commercial zones could be if they are having large trucks come to make supply deliveries or to pick-up beer to take to other locations, not all commercial locations have a loading dock area that can accommodate that type of vehicle traffic.

**Associate Planner Williams** stated that would be a concern. Some microbreweries only serve on-site, and that is where size limits can help to address this type of concern. If a microbrewery was producing that much product, they would probably want to be in an M1 zone. She stated if the Commission moved forward tonight, it would not include any commercial zones. If they wanted to continue the item for additional review, they would re-notice the hearing at a later date.

**Vice-Chair Davis** felt CG-1 and CG-2 seemed appropriate to consider, but did not think CG-3 needed to be included as it was mostly residential and built-out. He also did not think it needed to be in the CH or CN zones.

**The Commission** concurred.

**Vice-Chair Davis** asked when they build the Gold Line Station in CG-2, would that allow for a microbrewery to go nearby.

**Associate Planner Williams** stated this would allow for that until the new Downtown Specific Plan is adopted for that area. She stated Staff would not have a problem with allowing food trucks as an accessory use in the industrial zones, but would not recommend allowing them in the commercial zones or downtown.

**Commissioner Green** asked if that would prohibit them from having food trucks at special events in the downtown.

**Associate Planner Williams** stated no, only on a regular basis for a particular business.

**Commissioner Molina** asked would live entertainment be allowed.

**Associate Planner Williams** stated there is a different permit process they would have to go through if they wished to have live entertainment.

**Vice-Chair Davis** asked about microwineries and microdistilleries, and should we be looking at allowing those as well.

**Associate Planner Williams** stated some cities will allow alcoholic beverage manufacturing and not specify what type. Staff has not had any requests for that type of business so research was not done, and she was not aware of any in the area. That may be more of a draw in large urban areas.

**Vice-Chair Davis** felt they should take this opportunity to look into that without having to go through the whole process again. Since it would be conditionally permitted, they could look at the pros and cons of other types of breweries.

**The Commission** concurred to look at broadening the concept of allowing other alcohol manufacturing opportunities. **The Commission** also concurred with the proposed language in regards to parking.

**Associate Planner Williams** stated the last item to discuss was in regards to calls for service, and conditions relating to lighting.

**Planning Manager Fabiola Wong** stated they can have operational standards in the code, but if they are requiring this to be conditionally permitted, then they have a better opportunity to review each location and tailor the conditions to each site to prevent them from being detrimental to surrounding businesses.

**Vice-Chair Davis** asked if there was a definition for what constitutes a microbrewery.

**Associate Planner Williams** stated they give an explanation of what one is but it is not defined in the code. Manufacturing beer is listed as a permitted use in the industrial zone, and the tasting room as conditionally permitted, This will be the first time it has been allowed to have alcohol sales without being accessory to a restaurant, so there is specific language relating to serving only what is manufactured onsite.

#### RESOLUTION PC-1557

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 15-10 TO CONDITIONALLY PERMIT MICROBREWERIES IN THE M-1 ZONE, CREATIVE GROWTH ZONE, AREA 4, SPECIFIC PLAN NO. 6, AREAS 1, 3, AND 4, SPECIFIC PLAN NO. 9, AREA 4, SPECIFIC PLAN NO. 21, AND SPECIFIC PLAN NO. 24, AREAS 2 AND 3

**MOTION:** Moved by Molina, seconded by Green to continue this item to a date uncertain and direct Staff to provide language on adding the CG Zone Areas 1 and 2 to the list of allowed zones, to research expanding the use to include other types of alcoholic beverages, and to limit food trucks to the industrial zones and Specific Plan No. 9 only. Motion carried 4-0-1.

EXHIBIT C

## ORAL COMMUNICATION

### 4. Community Development Department

**Associate Planner Williams** stated at the next meeting there will be a presentation for conditionally permitting the electric vehicle charging stations at San Dimas Plaza.

**Planning Manager Wong** advised the Commission of the schedule for the upcoming Downtown Specific Plan Charrette.

### 5. Members of the Audience

No communications were made.

### 6. Planning Commission

**Vice-Chair Davis** liked the focus group meetings scheduled for Monday but did not think he would be available to attend all four days.

**Commissioner Molina** asked if there was more than one business owner in the Economic Group.

**Associate Planner Williams** stated she thought there were others.

## ADJOURNMENT

**MOTION:** Moved by Green, seconded by Ross to adjourn. Motion carried, 4-0-1 (Bratt absent). The meeting adjourned at 8:32 p.m. to the regular Planning Commission meeting scheduled for Thursday, February 18, 2016, at 7:00 p.m.

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John Davis, Vice-Chairman  
San Dimas Planning Commission

ATTEST:

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Jan Sutton  
Planning Commission Secretary

Approved:

EXHIBIT C



## INDUSTRY ADVISORY

### The Craft Distillers Act of 2015

Effective January 1, 2016, the Department may issue a new Craft Distiller's license to qualified businesses. AB 1295 (Levine) amends Sections 23363.1, 23508, 23771 and 23772, and adds Article 6 ("Craft Distiller's Licenses"; Sections 23500, 23501, 23502, 23504, 23506 and 23508) to the Business and Professions Code.

This new license will be designated a Type-74 by the Department. In addition to creating the Craft Distiller's license, which provides for a number of expanded license privileges and tied-house exceptions, the new law also amends several provisions of the ABC Act that apply to both holders of Craft Distiller's and Distilled Spirits Manufacturers (Type-04) licenses. This Advisory summarizes the key provisions of the new and amended laws.

**(Note:** This is intended to be a summary only. Licensees are cautioned to review the new and amended provisions in their entirety for a complete understanding of the privileges and restrictions of this new license.)

1. A Craft Distiller's license may be issued to a person who has facilities and equipment for the purpose of, and is engaged in, the commercial manufacture of distilled spirits.
2. The Craft Distiller's license authorizes the licensee to, among other things:
  - a. Manufacturer up to 100,000 gallons of distilled spirits per fiscal year (July 1 through June 30). "Gallon" is defined in Section 23031 as "that liquid measure containing 231 cubic inches." For clarification, the amount to be reported is the actual liquid volume manufactured **not** proof gallons. The point in the production process at which the measurement of gallons occurs is the volume of distilled spirits (excluding waste product) drawn off the still. The calculation of the 100,000 gallon limit excludes brandy that the craft distiller manufactures or has manufactured for them under a brandy manufacturer license.
  - b. Package, rectify, mix, flavor, color, label, and export only those distilled spirits manufactured by the licensee.
    - i. This means that if a distiller packages, rectifies, mixes, flavors, colors, labels, or exports distilled spirits manufactured by any other person (distilled spirits manufacturer, craft distiller, or rectifier) they may not hold a Craft Distiller's license.
    - ii. In consulting with the sponsors of AB 1295, the Department has determined that this provision is not intended to preclude the use of grain neutral spirits manufactured by another distiller in the manufacture of distilled spirits by a craft distiller licensee. This requires the actual re-distillation of grain neutral spirits.
    - iii. Because the Craft Distiller's license specifically prohibits the rectification, etc., of distilled spirits manufactured or produced by any other person,

any person holding a rectifier's license (Type-07 or Type-24) is not eligible to hold a Craft Distiller's license and will be required to cancel the rectifier license upon issuance of the Craft Distiller's license.

- c. Only sell distilled spirits that are manufactured and packaged by the licensee solely to a wholesaler, manufacturer, winegrowers, manufacturer's agent, or rectifier that holds a license authorizing the sale of distilled spirits or to persons that take delivery of those distilled spirits within this state for delivery or use without the state.
- d. Sell up to the equivalent of 2.25 liters (in any combination of prepackaged containers) per day per consumer of distilled spirits manufactured by the licensee at its premises to a consumer attending an instructional tasting conducted by the licensee on its licensed premises pursuant to subdivision (c) of Section 23363.1 (detailed below).
- e. Hold the ownership of any interest in up to two (2) on-sale licenses. Such on-sale licenses shall be issued pursuant to all of the normal requirements that apply to on-sale licenses. In addition, this tied-house exception is subject to the following limitations:
  - i. Except for distilled spirits produced or bottled by, or produced and packaged for, the craft distiller that holds the interest in the on-sale license, the on-sale licensee shall purchase all alcoholic beverages sold and served only from California wholesale licensees. In addition to distilled spirits, this restriction also applies to wine and beer that may otherwise be sold directly to retailers by the winegrower or brewer.
  - ii. The number of distilled spirits items by brand offered for sale by the on-sale licensee that are manufactured, produced, bottled, processed, imported, or sold by the craft distiller shall not exceed 15 percent (15%) of the total distilled spirits items by brand listed and offered for sale by the on-sale licensee.
- f. May sell all beers, wines, brandies, or distilled spirits to consumers for consumption on the premises in a bona fide eating place as defined in Section 23038, which is located on the licensed premises or on premises owned by the licensee that are contiguous to the licensed premises and which is operated by and for the licensee, provided that any alcoholic beverages not manufactured or produced by the licensee must be purchased from a licensed wholesaler. Because this is a privilege of the Craft Distiller's license, a separate license is not required for the operation of this bona fide eating place. However, the licensee must comply with all state and local requirements pertaining to the operation of such a facility. In addition, if not already included as part of the original licensure of the premises, the licensee is required to notify the Department and obtain consent for such changes to the physical arrangements or usage of the premises (Rule 64.2(b)).
- g. May have upon its licensed premises all beers, wines, and distilled spirits, regardless of source, for sale or service only to guests during private events or private functions not open to the general public. All alcoholic beverages sold at

the premises that are not manufactured or produced and bottled by, or manufactured or produced and packaged for, the licensed craft distiller shall be purchased only from a licensed wholesaler. "Private events" and "private functions" do not include events, activities, or functions for which anyone (the general public) can purchase or obtain tickets, or otherwise gain entry. For example, the Department would not consider a cocktail-making class that anyone could attend to be a "private event or private function".

3. A Craft Distiller's license may not be issued to any person, any officer, director, employee, or agent of such person, or any person who is affiliated with, directly or indirectly, a person that manufactures or has manufactured for them more than 100,000 gallons of distilled spirits per year within or without the state, excluding brandy it manufactures or has manufactured for them pursuant to a brandy manufacturer license, or to any person that is affiliated with, directly or indirectly, a wholesaler.
4. The original license fee and annual renewal fee for the Craft Distiller's license shall be consistent with such fees established for the distilled spirits manufacturer's license (Type-04).
5. At the time of annual license renewal, licensed Craft Distillers shall report to the Department the amount of distilled spirits (excluding brandy produced by or for the licensee pursuant to a brandy manufacturer license) produced during the previous fiscal year. This will be done on form that will be provided by the Department. If the licensee no longer qualifies to hold a Craft Distiller's license the Department shall automatically renew the license as a distilled spirits manufacturer's license (Type-04).
6. In the event that a licensee holding a Craft Distiller's license no longer qualifies as a craft distiller they may continue to hold the interests in up to two (2) on-sale licenses authorized by Section 23506 as long as the interests was first obtained at a time when the licensee did hold a Craft Distiller's license. Any bona fide eating place operated at the Craft Distiller's licensed premises that is not separately licensed with an on-sale license **is not** currently included in this "grandfather" provision.
7. Because the Craft Distiller's license is a new license, anyone wishing to obtain this license, including existing holders of distilled spirits manufacturer's licenses, must apply with the Department and meet regular licensing requirements.
8. Section 23363.1, related to tastings of distilled spirits at the premises of production for both Type-04 (distilled spirits manufacturer) and Type-74 (Craft Distiller's) licensees has also been amended. This section now allows for a total of one and one-half ounces (previously no more than six one-quarter ounce tastes) of distilled spirits per individual per day to be provided as tastes. In addition, the restriction that tastes of distilled spirits may not be served by way of cocktail or mixed drink has now been removed.



## **Craft Distiller's License (Type-74)**

### **Frequently Asked Questions**

Since issuing its Industry Advisory concerning the newly authorized Type-74 Craft Distiller's license the Department has received a number of inquiries seeking clarification of several points. This FAQ is intended to respond to such inquiries and will be updated periodically as necessary if additional inquiries are received.

#### **1. Can mixers made by other people be used in tastes of distilled spirits?**

Yes. Section 23363.1 allows both distilled spirits manufacturers (Type-4) and craft distillers (Type-74) to "conduct tastings of distilled spirits produced or bottled by, or produced or bottled for, the licensee", subject to certain limitations. With respect to tastings conducted at the distillery, this provision was amended in two ways: (1) the limitation on six ¼ oz. tastes was changed to allow for a total of 1.5 oz. of distilled spirits per person per day; and (2) the prohibition on tastes being served in the form of a mixed drink or cocktail was removed. Tastings "shall only include the products that are authorized to be produced or bottled by or for the licensee." With respect specifically to the Type-74 (craft distiller) license, this does mean that only distilled spirits that are manufactured by the licensee may be tasted. However, the restriction is only to the distilled spirits tasted and not to other (non-alcoholic) products used to offer the tastes by way of mixed drinks or cocktails.

#### **2. Can a Type-74 licensee taste, bottle, mix, blend and ship product for someone else without distilling at all or selling its own product?**

No. First, the Type-74 requires the holder to engage in the commercial manufacture of distilled spirits. This means that the licensee must actually manufacture distilled spirits. Second, the Type-74 license authorizes the licensee to package, rectify, mix, flavor, color, label, and export only those distilled spirits manufactured by the licensee. This means that if a distiller packages, rectifies, mixes, flavors, colors, labels, or exports distilled spirits manufactured by any other person (distilled spirits manufacturer, craft distiller, or rectifier) they may not hold a Craft Distiller's license.

#### **3. Can a licensee obtain a Type-74 without obtaining a type 6 license?**

No. Separate and apart from the Type-74 license, a distilled spirits manufacturer (Type-4 or Type-74) must also hold a Type-6 (still) license in order to own and/or operate a still to produce the distilled spirits.

**4. Can you hold a Type-12 or Type-18 and a Type-74 together?**

Business and Professions Code section 23771 specifically allows only the issuance of a Type-4 (distilled spirits manufacturer), a Type-74 (craft distiller), or a Type-5 (distilled spirits manufacturer's agent) to any person engaged in the manufacture of distilled spirits (either within or without California). Because both the Type-12 (distilled spirits importer) and Type-18 (distilled spirits wholesaler) licenses are "distilled spirits" licenses, this provision prohibits the holder of a Type-74 from also holding either a Type-12 or a Type-18 license. In addition, beyond the prohibition in section 23771, the holder of a Type-74 license is prohibited from engaging in activities permitted under the Type-12 and Type-18 licenses.

**5. Will an applicant for a Type-74 license need to get CUP?**

Whether or not a Conditional Use Permit ("CUP"), or other type of use permit or business license, is required (and whether it is necessary for a new business or an existing business that now has expanded privileges under this new license) is determined by the local jurisdiction in which the business is located. It is recommended that you contact the appropriate local government agency to determine this.

**6. Can a licensee hold both a Type-4 and a Type-74?**

No. The privileges and restrictions on each of the licenses are inherently incompatible.

**7. Does the Type-74 license have the same sales privileges as the Type-7 license?**

No. The Type-7 (rectifier) license authorizes, among other things, sales of distilled spirits "to persons holding licenses authorizing the sale of distilled spirits" (see Business and Professions Code section 23368). Except for sales to Type-18 (distilled spirits wholesaler), this is specifically prohibited under the Type-74 license. Likewise, the Type-74 license authorizes the manufacture of distilled spirits; whereas, this is not permitted under the Type-7. In addition, because the license privileges of these two license types are incompatible, they cannot be held together.

**8. Do Type-74 licenses authorize the use of distilled spirits manufactured by other distillers for infusions or similar purposes without them having to be re-distilled?**

No. The Type-74 license prohibits rectification (which includes redistilling, mixing, and flavoring, among other things) of distilled spirits manufactured by anyone other than the Type-74 licensee. The new law (and specifically section 23502(a)(2)) states: "The craft distiller's license authorizes the licensee to do all of the following: . . . Package, rectify, mix, flavor, color, label, and export **only those distilled spirits manufactured by the licensee.**" (Emphasis added.)

**9. Does the Type-74 license authorize the sale of distilled spirits manufactured by the licensee to consumers for off-sale consumption at a restaurant operated at the distillery?**

Craft distillers may operate restaurants (“bona fide eating place”) in two ways: (1) at the licensed premises of production under the authority of Type-74 license; or (2) by obtaining a separate on-sale license (pursuant to section 23506). To be clear, a craft distiller licensee may operate **both** a restaurant at the premises of production **and** up to two (2) restaurants under on-sale licenses. It should also be noted that the on-sale licensed businesses need not be restaurants, but may be bars (which are “public premises” required to operate under the same laws and rules as other licensed bars).

Section 23504 provides that “a licensed craft distiller may sell up to the equivalent of 2.25 liters in any combination of prepackaged containers per day per consumer of distilled spirits manufactured by the licensee at its premises to a consumer attending an instructional tasting conducted by the licensee on its licensed premises pursuant to subdivision (c) of Section 23363.1.” This off-sale privilege would apply to sales from a restaurant operated by the licensee on the licensed premises of production under the Type-74 license (subject to the other requirements). On-sale licensees are not authorized to sell any distilled spirits off-sale (Business and Professions Code section 23401). As such, if the restaurant is operated under an on-sale license, the Type-74 licensee may not sell any distilled spirits to consumers for off-sale consumption.

# MAURICE S. KANE, JR.

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January 29, 2015

City of San Dimas

Planning Division

245 East Bonita Avenue, San Dimas, CA 91773

Re: Municipal Code Text Amendment 15-10

Dear Gentilepersons:

This correspondence is submitted in support of the proposed Text Amendment to the City of San Dimas Municipal Code as described in the Notice of the February 4<sup>th</sup> Public Hearing scheduled for discussion of a conditional permit allowing for establishment of microbreweries in the M-1 Zone aka Creative Growth Zone, Area 4, Specific Plan No. 6, Areas 1, 3 and 4 *etc., et al.*

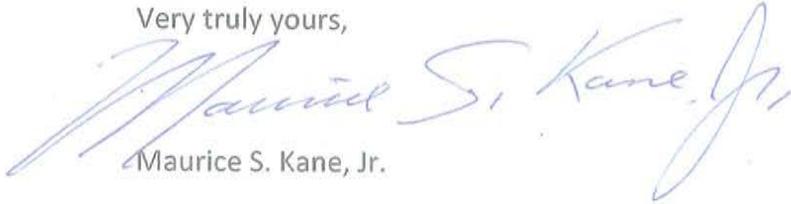
As an occasional homebrewer, attendee of beer festivals, server at the Beer Garden in Covina's former Bluesapalooza (and trained by the Covina Police Department in that regard) and visitor to local microbreweries (*i.e.*, Alostia Brewing Company in Covina, Old Stump Brewing in Pomona), I write with a knowledge spawned or one might say, brewed in direct gustatory experience. The atmosphere in the tasting rooms of microbreweries is convivial with a camaraderie shared by the friends that accompany you to the brewery and the friends you meet while partaking of the local elixir and friendlier and peaceful in the manner of wine-tasting room. I have found and others no doubt would echo me, that the microbrewery tasting experience is grounded in a certain aesthetic, the craftsmanship of the creators, and the use of your palate to experience the variety of ingredients in a particular beer. A good microbrewery is a living laboratory of libation. It is a magnet for adventurers with a cultivated taste for new flavors that the brewers have assembled like artisans and for locavores who are willing to travel to different towns for beers that have a relationship with a particular place.

This project ought to be approved. As the Notice indicates, there is no direct or reasonably foreseeable indirect impact on the environment; it is not a novel thing to have

microbreweries given the examples that abound throughout this County alone; and it provides additional recreation for locals and tourists alike.

Thank you for the opportunity to share my thoughts in this minor but earnest advocacy of this undertaking.

Very truly yours,

A handwritten signature in blue ink that reads "Maurice S. Kane, Jr." The signature is written in a cursive style with a large, sweeping initial "M".

Maurice S. Kane, Jr.