CITY COUNCIL
RESOLUTION NO. 2012-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DIAMOND BAR, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 2007-03 FOR PROPERY COMPRISED OF APPROXIMATELY 30.36 ACRES LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA (ASSESSOR'S PARCEL NUMBERS 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 and 8714-015-001).

A. RECITALS

1. On July 1, 2007, the property owner/co-applicant, Walnut Valley School District, and property owner/co-applicant/lead agency, City of Diamond Bar (City), executed a Memorandum of Understanding whereby the parties agreed to collaborate in a specific plan process in order to consider the possible rezoning of the site consisting of approximately 30.36-acres, and comprised of multiple parcels located at the southeast corner of Brea Canyon Road and Diamond Bar Boulevard, Diamond Bar, County of Los Angeles, California, collectively identified as Site D, so that both parties may each advance their respective objectives for the disposition and/or use of their respective real property interests.

2. The following approvals are requested of the City Council:

   (a) General Plan Amendment No. 2007-03 to change the land use designations of Site D from Public Facility (PF) and General Commercial (C) to Specific Plan (SP);

   (b) Zone Change No. 2007-04 to change the zoning districts of Site D from Low Density Residential (RL), Low/Medium Density Residential (RLM), and Neighborhood Commercial (C-1) to Specific Plan;

   (c) Specific Plan No. 2007-01 to adopt the Site D Specific Plan for the approximately 30.36 acre site to facilitate the development of 200 residential dwelling units and a minimum two net acres of useable neighborhood public park area;

   (d) Development Agreement No. 2012-01 to approve an agreement between the City and the Walnut Valley Unified School District setting forth the obligations and benefits to the City and the Walnut Valley Unified School District with regard to Site D; and

3. In accordance with the provisions of the California Environmental Quality Act (CEQA) and its implementing guidelines (CEQA Guidelines), an

Environmental Impact Report (EIR) was prepared for the above referenced entitlements. By prior action, the City Council of the City of Diamond Bar (City Council): (1) certified that the EIR: (a) was completed in compliance with CEQA; (b) was presented to the City Council and the City Council reviewed and considered the information contained therein prior to taking action on the project; and (c) reflects the City Council's independent judgment and analysis; (2) made specific findings in accordance with CEQA; and (3) adopted a mitigation reporting and monitoring program.

4. The January 2012 Site D Specific Plan, identified as Specific Plan No. 2007-01 (Site D Specific Plan), that is being reviewed concurrently with this General Plan Amendment, includes a land use plan that establishes planning areas (Residential and Public Park/Open Space) and includes standards and guidelines for future development of the specific plan site.

5. In recognition that no specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the agency's general plan, as specified herein, a consistency assessment has been conducted by the City Council and the City Council concluded that Specific Plan No. 2007-01 is consistent with the City of Diamond Bar General Plan.

6. Notification of the public hearing for this project was published in the San Gabriel Valley Tribune and the Inland Valley Daily Bulletin newspapers on February 10, 2012. Public hearing notices were mailed to property owners within a 1,000-foot radius of the project site and public notices were posted at the City's designated community posting sites. In addition to the published and mailed notices, the project site was posted with a display board and the notice was posted at three other locations within the project vicinity.

7. On April 13, April 27 and May 11, 2010, the Planning Commission of the City of Diamond Bar (Planning Commission) a duly noticed public hearing on the application and approved Resolution No. 2010-14 recommending that the City Council approve Specific Plan No. 2007-01, as conditioned. Prior to making its recommendation, the Planning Commission considered several alternative land use plans set forth in the EIR, including various all-residential and mixed-use scenarios.

8. On June 15, 2010, the City Council conducted a duly noticed public hearing, solicited testimony from all interested parties, and continued the matter to July 20, October 19, November 16, December 7, and on December 21, 2010 closed the public hearing.

9. On February 21, 2012, the City Council of the City of Diamond Bar re-opened the public hearing and conducted a duly noticed public hearing on the project.

10. The City Council has determined that the proposed General Plan Amendment represents a consistent, logical, appropriate and rational land use designation and implementing tool that furthers the goals and objectives of the City of Diamond Bar General Plan (General Plan).

11. The documents and materials constituting the administrative record of the proceedings upon which the City's decision is based are located at the City of Diamond Bar, Community Development Department, Planning Division, 21810 Copley Drive, Second Floor, Diamond Bar, CA 91765.

B. RESOLUTION

NOW, THEREFORE, it is found, determined and resolved by the City Council of the City of Diamond Bar as follows:

1. The City Council hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. Approval of General Plan Amendment No. 2007-03 for the Site D Specific Plan based on the following finding, as required by Section 22.70.050 of the Municipal Code and in conformance with California Government Code Section 65358:

   The amendment to the General Plan is internally consistent with the adopted goals and policies of the City and is in the public interest. General Plan Amendment No. 2007-03 will permit residential and public park/open space, rather than public facility, in an area adjacent to existing residential and commercial development. The General Plan Amendment promotes the following:

   - Land Use Element Vision Statement states: It is the overall goal of the land use element to ensure that the land uses and development decisions of Diamond Bar maintain and enhance the quality of life for its residents. Goal 1 states: Consistent with the Vision Statement, maintain a mix of land uses which enhance the quality of life of Diamond Bar residents, providing a balance of development and preservation of significant open space areas to assure both economic viability and retention of distinctive natural features of the community.

   - The Site D Specific Plan project is a residential development that provides quality low-medium to medium-density residential housing within proximity to a new neighborhood park, and maintains open space hillside areas.

   - Land Use Element – Goal 2 states: Manage land use with respect to the location, density and intensity, and quality of development. Maintain consistency with the capabilities of the City and special

districts to provide essential services which achieve sustainable use of environment and manmade resources.

The Site D Specific Plan project is located at the corner of a major and a secondary arterial in the City. This Specific Plan document will guide the build-out, use, and habitation of Site D in a manner which is consistent with City and State policies and standards and assures that the project is developed in a coordinated manner, to be compatible with surrounding land uses.

- Land Use Element - Goal 3 states: Maintain recognition within Diamond Bar and the surrounding regions as being a community with a well planned and aesthetically pleasing physical environment.

  The Site D Specific Plan is consistent with the needs of the Diamond Bar community by offering an aesthetically pleasing development incorporating community identity through the development of an entry feature at the corner of Brea Canyon Road and Diamond Bar Boulevard to mark the entrance into the City.

- Land Use Element – Goal 4 states: Encourage long-term and regional perspectives in local land use decisions, but not at the expense of the quality of life for Diamond Bar residents.

  Interweaving low-medium to medium-density residential housing with a neighborhood park and open space, will allow Site D to be a quality development that will positively contribute to the City.

- Housing Element Vision Statement states: It is the overall goal of the housing plan that there is adequate housing in the City, both in quality and quantity, to provide appropriate shelter for all without discrimination. Goal 1 states: Consistent with the Vision Statement, preserve and conserve the existing housing stock and maintain property values and residents' quality of life.

  The Site D Specific Plan has been developed in accordance with the General Plan's land use strategy for this area and creates logical and orderly development. Low-medium to medium-density residential and open space land uses will be carefully sited with regards to adjacent existing development and the project's tract map application process. Furthermore, the project may enhance surrounding property values, which will create a long-term positive fiscal impact to the City of Diamond Bar.

- Housing Element – Goal 2 states: Provide opportunities for development of suitable housing to meet the diverse needs of existing and future residents.

The low-medium to medium-density residential housing of Site D meets the fiscal and culturally diverse needs of both future and existing City residents by offering additional housing stock of single-family residences.

The Housing Element adopts the regional housing needs assessment (RHNA) allocation prescribed by SCAG for the 2008-2014 planning period, which requires the City to provide land inventory to accommodate 1,090 new housing units. The project represents about 18.3 percent of the projected housing needs for the period 2008-2014. The total number of dwelling units proposed (200) on Site D is less than the adopted SCAG 2008-2014 RHNA for new construction for "above moderate" income households (440) and only slightly more than identified new construction need for "moderate" income households (188). Since the projected increase appears generally consistent with regional projections, the project will further the attainment of SCAG's regional housing needs assessment.

- Housing Element – Goal 3 states: Provide adequate sites through appropriate land use and zoning designations to accommodate future housing growth.

  The General Plan Land Use Map designates the approximately 30.36-acre site as a Specific Plan Overlay. The Specific Plan Overlay designation requires a Specific Plan to be prepared and adopted to provide direction related to site planning, architectural design, and site specific development standards. The Site D Specific Plan provides a means to properly develop the site in a coordinated manner, taking into account all local goals, policies, and objectives. Additionally, the Specific Plan area will contain low-medium to medium-density residential housing, thereby increasing housing opportunities within the Diamond Bar community.

- Housing Element – Goal 5 states: Encourage equal and fair housing opportunities for all economic segment of the community.

  Site D will provide low-medium to medium-density residential uses in the form of attached and/or detached housing, which can accommodate various economic segments of the Diamond Bar community and its residents by supporting the variation in character of the Diamond Bar housing stock.

- Resource Management Element Vision Statement states: It is the overall goal of the resource management element to provide and maintain adequate open spaces in the City to serve the diverse recreational needs of its residents, while fostering the wise use of limited natural resources. Goal 1 states: Create and maintain an

open space system which will preserve scenic beauty, protect important biological resources, provide open space for outdoor recreation and the enjoyment of nature, conserve natural resources, and protect public health and safety.

The project will have open space, which includes manufactured slopes and greenbelts. In addition, a minimum of two net acres of useable neighborhood public park area will be improved and dedicated to the City for recreational open space.

- Resource Management Element – Goal 2 states: Identify limits on the resources needed to support existing and future uses within the City of Diamond Bar and its Sphere of Influence, and ensure that resources are used wisely.

  The project will provide sustainability performance standards which will, in comparison to other projects not within this specific plan area, facilitate energy and water conservation and reduce solid wastes through the use of specified "green" building techniques and requirements.

- Public Health and Safety Element Vision Statement states: It is the overall goal of the plan to provide a safe and healthy environment for the residents of Diamond Bar. Goal 1 states: Create a secure public environment which minimizes potential loss of life and property damage, as well as social, economic, or environmental disruption resulting from natural and manmade disasters.

  The Site D residential development will provide a safe and secure environment for City residents by promoting the policies and ideals particular to the City. Specific standards are included in this Site D Specific Plan regulating development within the project area, which will minimize potential loss of life and property damage. Additionally, each stage of development and occupancy permitted by this specific plan will adequately provide vehicular access, public facilities, and infrastructure for public health and safety.

- Circulation Element Vision Statement states: It is the overall goal of the plan to provide a safe, adequate and environmentally sensitive transportation system to meet the circulation needs of the citizens of Diamond Bar. Goal 1 states: Enhance the environment of the City's street network. Work toward improving the problems presented by intrusion of regionally oriented commuter traffic through the City and into residential neighborhoods. Consider programs to reinforce the regional transportation and circulation system to adequately accommodate regional needs.

Project-related improvement of interior and exterior roadways and circulation will ensure safe, direct, and convenient vehicular and pedestrian access to and through the project's land uses.

- Circulation Element – Goal 2 states: Provide a balanced transportation system for the safe and efficient movement of people, goods, and services through the City.

  The Site D Specific Plan will contain a strong internal circulation network that will serve to provide direct and efficient access to the site. While the automobile will be the predominant form of travel, the Site D Specific Plan recognizes the importance of alternative modes of transportation. Bus stops are located adjacent to Site D and facilitate alternative modes of transportation. Transit is expected to be provided by the Metropolitan Transit Authority (MTA), Foothill Transit, and the City's fixed-route transportation system.

- Circulation Element – Goal 3 states: Maintain an adequate level of service on area roadways.

  The required CEQA document and traffic impact analysis associated with entitlement of the Site D Specific Plan includes an analysis of project area roadways and existing and build-out levels of service. Appropriate mitigation measures have been formulated to ensure that the area's roadways do not operate under the required level of service as a result of the Site D development.

- Circulation Element – Goal 4 states: Provide or regulate the provision of the supply of parking to meeting the needs for both residents and park users.

  The Site D development will be consistent with Chapter 22.30, Off-Street Parking, of the Diamond Bar Development Code.

- Public Services and Facilities Element Vision Statement states: It is the overall goal of the plan that the City acquire and maintain adequate resources to meet the needs of its resident. Goal 1 states: Provide adequate infrastructure facilities and public services to support development and planned growth.

  As required, public services and utilities, including water, sewer, gas, electricity, telephone, and cable, will be extended into the Specific Plan area to support the Site D development.

- Public Services and Facilities Element – Goal 2 states: Achieve a fiscally solvent, financially stable community.

Site D will contain a high-quality, residential development, composed of low-medium to medium-density residential, and open space land uses. Site D will provide housing opportunities to the City's residents, which will generate property taxes that can be used for improvement of public services and facilities.

The proposed General Plan Amendment is consistent with all of these goals. Therefore, the General Plan Amendment is consistent with City policies and is in the public interest;

3. The City Council does hereby approve General Plan Amendment No. 2007-03 based on the above finding.

4. The Community Development Director shall modify the Diamond Bar General Plan Land Use Map in accordance with this resolution that the real property depicted in Exhibit A.

The City Council shall:

(a) Certify to the adoption of this Resolution; and

(b) Forthwith transmit a certified copy of this Resolution, by certified mail, to: Walnut Valley Unified School District, 880 South Lemon Avenue, Walnut, CA 91789.

APPROVED AND ADOPTED THIS 21st DAY OF FEBRUARY 2012, BY THE CITY COUNCIL OF THE CITY OF DIAMOND BAR.

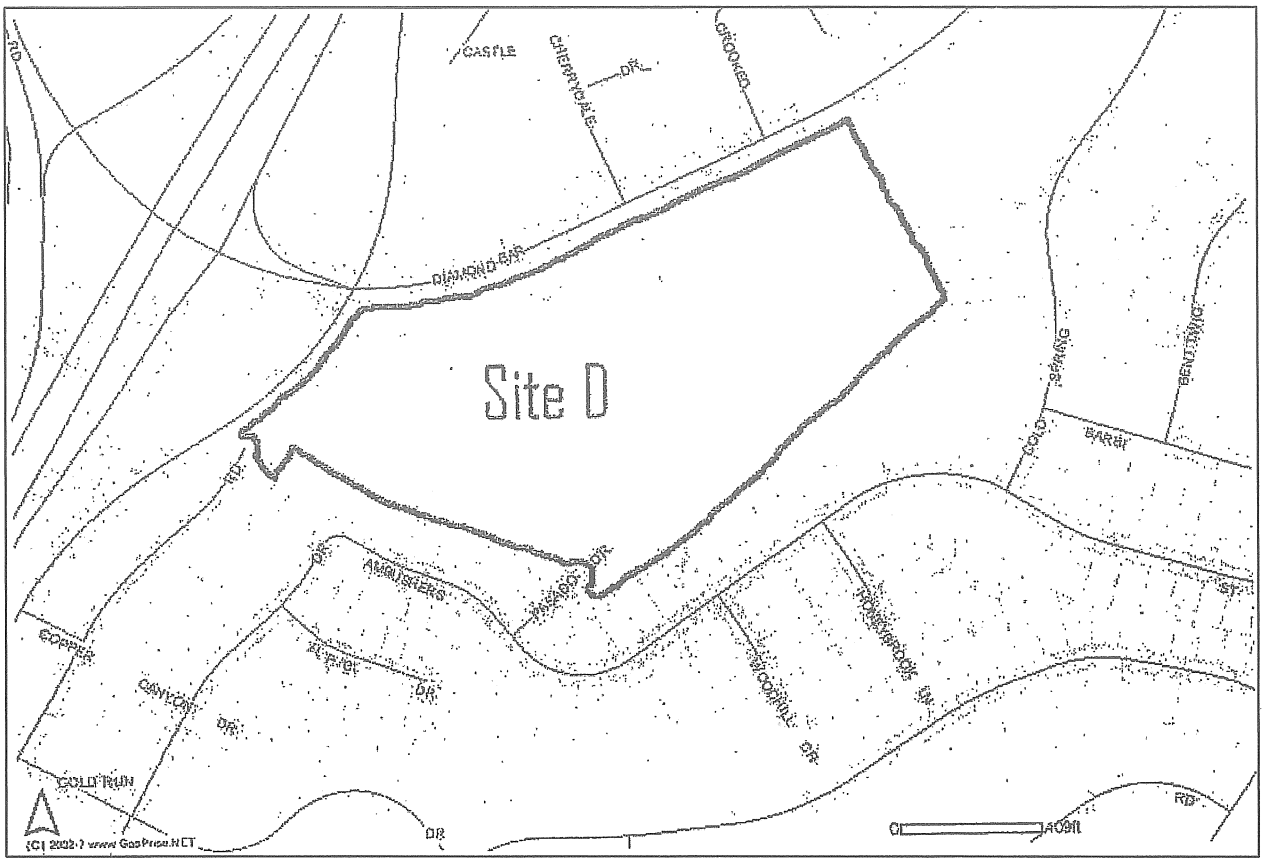
By: _____
Ling-Ling Chang, Mayor

I, Tommye Cribbins, City Clerk of the City of Diamond Bar, do hereby certify that the foregoing Resolution was duly introduced, passed, and adopted, at a regular meeting of the City Council held on the 21st day of February, 2012, by the following vote:

AYES:	Council Member:	Everett, Herrera, Tye, MPT/Tanaka
NOES:	Council Member:	M/Chang
ABSENT:	Council Member:	None
ABSTAIN:	Council Member:	None

ATTEST: _____
Tommye Cribbins, City Clerk
City of Diamond Bar

GENERAL PLAN LAND USE MAP AMENDMENT



OLD LAND USE DESIGNATIONS: PUBLIC FACILITY (PF) & COMMERCIAL (C)
NEW LAND USE DESIGNATION: SPECIFIC PLAN (SP)