

ORDINANCE NO. 03 (2006)

AN ORDINANCE OF THE CITY OF DIAMOND BAR APPROVING ZONE CHANGE NO. 2005-03 WHICH CHANGES THE EXISTING ZONING FOR GENERAL PLAN COMPLIANCE FROM R-1-20,000 TO RURAL RESIDENTIAL (RR) FOR A PROPERTY LOCATED DIRECTLY SOUTH OF ROCKY TRAIL ROAD AND ALAMO HEIGHTS DRIVE AND WEST OF HORIZON LANE, DIAMOND BAR, CALIFORNIA IDENTIFIED BY APN NOS. 8713-023-002, 8713-023-004, 8713-023-005, 8713-024-001 AND 8713-024-002.

A. RECITALS

1. The property owner/applicant, Millennium Diamond Road Partners, LLC, has filed an application for Zone Change No. 2005-03 for a property identified by APN Nos. 8713-023-002, 8713-023-004, 8713-023-005, 8713-024-001 and 8713-024-002 located directly south of Rocky Trail Road and Alamo Heights Drive and west of Horizon Lane, Diamond Bar, Los Angeles County, California. Hereinafter in this Resolution, the subject Zone Change shall be referred to as the "Application."
2. On February 1, 2006 public hearing notices were mailed to approximately 180 property owners of record within a 1,000-foot radius of the project site. On February 1, 2006 public hearing notices were posted in three public places within the City of Diamond Bar and the project site was posted with a display board. On February 9, 2006, notification of the public hearing for this project was provided in the San Gabriel Valley Tribune and Inland Valley Daily Bulletin newspapers. Additionally, and pursuant to Public Resource Code, Section 21092.5, on February 6, 2006, agencies commenting on the project's Environmental Impact report were notified in writing of the February 21, 2006 City Council public hearing.
3. On December 13, 2005, the Planning Commission of the City of Diamond Bar conducted a duly noticed public hearing on the Application and continued the public hearing to January 10, 2006.
4. On January 10, 2006, the Planning Commission opened the continued public hearing and concluded the public hearing on the application. At that time, the Planning Commission recommended approval to City Council of Zone Change 2005-03
5. On February 21, 2006, the City Council of the City of Diamond Bar conducted and concluded a duly noticed public hearing on the Application.

6. Following due consideration of public testimony, staff analysis and the Planning Commission recommendation, the City Council hereby finds that Zone Change No. 2005-03 set forth within amends the Zoning Map and is consistent with the General Plan.

B. RESOLUTION

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

1. This 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. The City Council hereby finds that the zone change identified above in the resolution was addressed in the Environmental Impact Report (SCH No. 2003051102) prepared for Tentative Tract Map No. 53430 according to the requirements of the California Environmental Quality Act (CEQA) and guidelines promulgated there under and determined not to have a significant effect on the environment.
3. The City Council hereby finds as follows:
 - (a) The proposed Zone Change relates to a vacant property located directly south of Rocky Trail Road and Alamo Heights Drive and west of Horizon Lane within a gated community identified as "The Country Estates" which consists of large single-family homes. The project site is directly south of Alamo Heights Drive which would be extended to provide access to the project site with Rocky Trail Road as a secondary emergency access.
 - (b) Generally to the north, south, east and west, the Single Family Residence-Minimum Lot Size 20,000 square feet (R-1-20,000) and R-1-40,000 zoning districts surround the project site.
 - (c) The project site has a General Plan land use designation of Rural Residential (RR) Maximum 1 DU/AC and a current zoning designation of Single Family Residence-Minimum Lot Size 20,000 square feet (R-1-20,000).
 - (d) The Application request is for approval to change the existing zoning designation to Rural Residential (RR) Maximum 1 DU/AC, which is in compliance with the General Plan land use designation for the project site.
 - (e) The City Council of the City of Diamond Bar does hereby approve Zone Change No. 2005-03 based on the following findings, as required by Municipal Code Section 22.70.050 and in

conformance with California Government Code Section 65853 and 65860 is consistent with the General Plan.

- (1) Zone Change No. 2005-03 changes the existing zoning from Single Family Residence-Minimum Lot Size 20,000 square feet (R-1-20,000) to Rural Residential (RR).
- (2) Pursuant to the General Plan, the maximum gross density for the RR land use designation is 1.0 dwelling units per acre or less.
- (3) The Rural Residential (RR) zone implements the Strategies of the General Plan. Furthermore, the RR zoning district is used to identify hillside areas intended for rural living, including the keeping of animals, with supporting accessory structures.
- (4) The property the zone change affects is compatible with the General Plan land use designation description and will be able to adhere to the development standards for the RR zoning district as prescribed in the City's Development Code.

The City Council shall:

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

(b) Forthwith transmit a certified copy of this Resolution by certified mail: to Millennium Diamond Road Partners, LLC, 3731 Wilshire Blvd., Suite 850, Los Angeles, CA 90010.

PASSED, APPROVED AND ADOPTED THIS 7th DAY OF MARCH 2006, BY THE CITY COUNCIL OF THE CITY OF DIAMOND BAR.

BY: Carol Herrera
Carol Herrera, Mayor

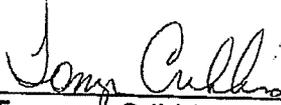
I, Tommye Cribbins, City Clerk of the City of Diamond Bar, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Diamond Bar held on the 21st day of February, 2006 and was finally passed at a regular meeting of the City Council held on the 7th day of March 2006, by the following vote:

AYES: Council Members: **Chang, Tanaka, Tye, MPT/Zirbes, M/Herrera**

NOES: Council Members: **None**

ABSENT: Council Members: **None**

ABSTAIN: Council Members: **None**



Tommye Cribbins, City Clerk,
City of Diamond Bar

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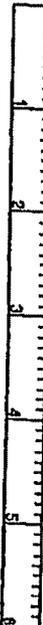
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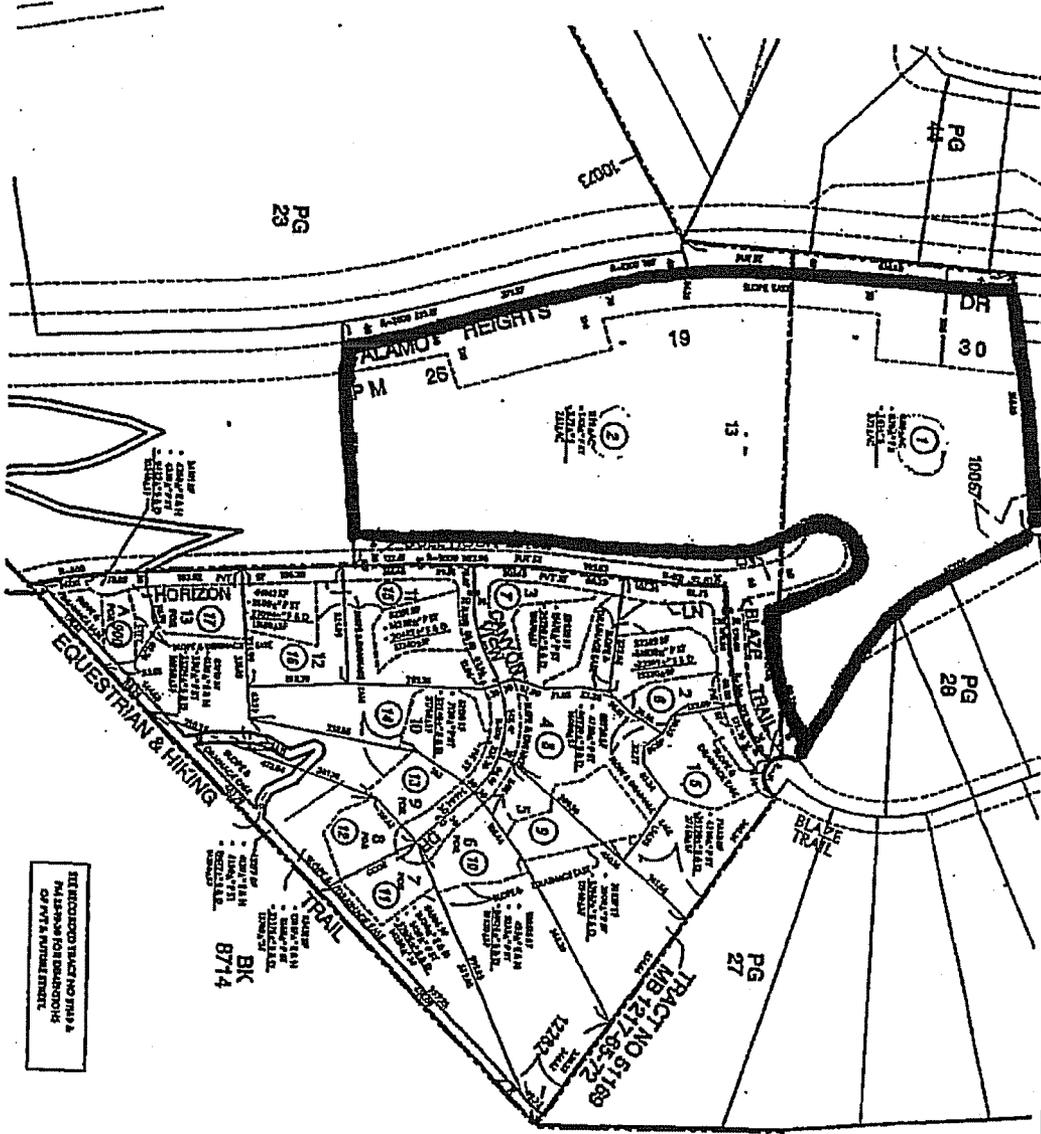
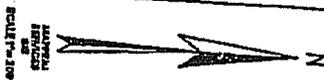
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SCALE IS 1/10 OF AN INCH



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EXHIBIT "A"

ATTACHMENT 1-5

8713 23

SCALE 1" = 200'
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COUNTY OF LOS ANGELES
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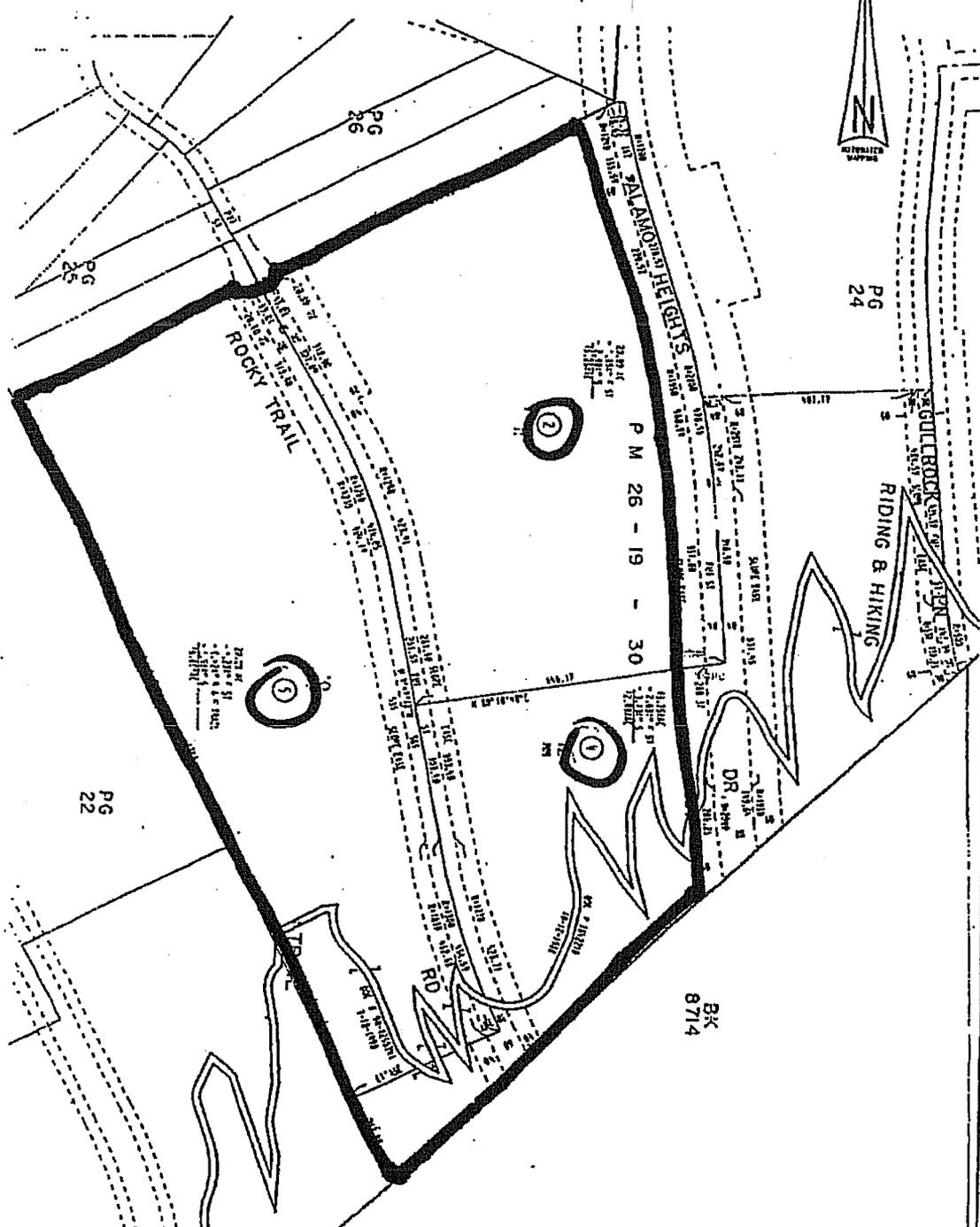


EXHIBIT "A"

ATTACHMENT 1-6