

## ORDINANCE NO. 01 (2025)

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DIAMOND BAR, CALIFORNIA, AMENDING VARIOUS PROVISIONS OF TITLE 22 (DEVELOPMENT CODE) OF THE DIAMOND BAR CITY CODE TO ESTABLISH A HOUSING ELEMENT SITE OVERLAY DISTRICT TO IMPLEMENT THE GENERAL PLAN.**

**WHEREAS**, On November 3, 1998, the City of Diamond Bar adopted a Development Code (Title 22 of the Diamond Bar City Code);

**WHEREAS**, on December 17, 2019, the City Council adopted the Diamond Bar General Plan 2040 and the Climate Action Plan 2040 to create a vision and blueprint for development through 2040. The Diamond Bar General Plan 2040 establishes the Town Center Mixed-Use, Neighborhood Mixed-Use, Transit Oriented Mixed-Use, and Community Core Overlay focus areas and corresponding land use designations, estimates that up to 3,750 new housing units could be built in the city by 2040, and anticipates that much of this growth will occur within these four focus areas;

**WHEREAS**, on August 11, 2022, the City Council adopted the City's 2021-2029 General Plan Housing Element ("2021-2029 Housing Element"), which was subsequently found by the California Department of Housing and Community Development (HCD) to be in full compliance with State Housing Element Law (Article 10.6 of the Gov. Code) on October 5, 2022. The 2021-2029 Housing Element identifies sites to accommodate the City's Regional Housing Needs Allocation (RHNA) of 2,516 residential units, including through rezoning of underutilized sites in the Town Center Mixed-Use, Neighborhood Mixed-Use, Transit Oriented Mixed-Use focus areas to allow residential development at a minimum density of 20 dwelling units per acre and a maximum density of at least 30 dwelling units per acre;

**WHEREAS**, pursuant to State law, the City is required to rezone adequate sites to accommodate its RHNA pursuant to the 2021-2029 Housing Element by March 12, 2025;

**WHEREAS**, the City is in the process of developing specific plans for the Town Center Mixed-Use, Neighborhood Mixed-Use, Transit Oriented Mixed-Use focus areas to fully implement the Diamond Bar General Plan 2040; however, these specific plans will not be completed before the March 12, 2025 deadline;

**WHEREAS**, the City of Diamond Bar has initiated Planning Case No. 2024-87, which includes proposed amendments to the General Plan Land Use Element, Title 22 (Development Code) of the Diamond Bar City Code, and the City's Official Zoning Map to implement Program H-8 of the 2021-2029 Housing Element (collectively, the "Housing Element Site Overlay") to rezone sites within the Town Center Mixed-Use, Neighborhood Mixed-Use, and Transit Oriented Mixed-Use focus areas to implement Program H-8 of



the 2021-2029 Housing Element until specific plans for each of the focus areas that fully implement the General Plan are adopted;

**WHEREAS**, on January 27, 2025, the City Council adopted Resolution No. 2025-04 approving an amendment to the Land Use Element of the Diamond Bar General Plan 2040 to establish a minimum residential density of 20 dwelling units per acre on sites within the Town Center Mixed-Use and Neighborhood Mixed-Use Land Use Designations and a maximum residential density of 30 dwelling units per acre on sites within the Town Center Mixed-Use Land Use Designation;

**WHEREAS**, the proposed amendments to the Development Code and Official Zoning Map implement and are consistent with the General Plan, including the Land Use Element and the 2021-2029 Housing Element;

**WHEREAS**, in conjunction with the adoption of the Diamond Bar General Plan 2040 and the Climate Action Plan 2040, the City, as lead agency, prepared an Environmental Impact Report, State Clearinghouse Number 2018051066, to analyze the potential environmental impacts of those plans (the "EIR"). The City Council certified the EIR on December 17, 2019, and the City filed a Notice of Determination on December 18, 2019. In conjunction with adoption of the 2021-2029 Housing Element, the City, as lead agency, evaluated the potential environmental impacts of the Housing Element in an addendum to the EIR, and the City Council adopted the addendum on August 11, 2022. The proposed Housing Element Site Overlay implements the densities established in the General Plan Land Use Element and required by the 2021-2029 Housing Element for the Town Center Mixed-Use, Neighborhood Mixed-Use, Transit Oriented Mixed-Use focus areas. The Housing Element Site Overlay would not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts; therefore, no further environmental analysis is required. (Public Resources Code § 21166; CEQA Guidelines §§ 15168, 15162.)

**WHEREAS**, on January 14, 2025, the Planning Commission held a duly noticed public hearing regarding the proposed Housing Element Site Overlay and adopted Resolution No. 2025-02 recommending City Council approval of the proposed General Plan, Development Code, and Zoning Map Amendments;

**WHEREAS**, on January 27, 2025, the City Council held a duly noticed public hearing regarding the proposed Development Code Amendment; and

**WHEREAS**, the City Council hereby finds that the proposed amendments are internally consistent with the General Plan and other adopted goals and policies of the City and adopts the facts and reasons stated in Planning Commission Resolution No. 2025-02, a copy of which is on file with the City Clerk and which is incorporated herein by reference with the same force and effect as if set forth in full.



**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DIAMOND BAR DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The foregoing recitals set forth above are true and correct and are incorporated herein by reference.

**SECTION 2.** Chapter 22.14 of Title 22 of the Diamond Bar City Code is hereby amended to add new Section 22.14.050, entitled "Housing Element Site Overlay," to read in its entirety as follows:

**"Sec. 22.14.050 – Housing element site (H) overlay district.**

- (a) *Purpose.* The housing element site (H) overlay district is established to provide development and land use regulations for the development of multifamily dwellings on specified sites identified in the City of Diamond Bar 2021-2029 Housing Element to accommodate the City's unmet Regional Housing Needs Allocation (RHNA).
- (b) *Applicability.* The (H) overlay district shall apply to those parcels so designated on the Zoning Map. The (H) overlay district generally applies to those parcels with a General Plan land use designation of Town Center Mixed-Use, Neighborhood Mixed-Use, and Transit-Oriented Mixed-Use identified in Tables B-3, B-4, and B-5 of Appendix B to the City of Diamond Bar 2021-2029 General Plan Housing Element, which have not otherwise been made subject to the regulations of an adopted specific plan or other residential or mixed-use zoning district.
- (c) *Uses.* Multifamily dwellings shall be a permitted use on sites within the (H) overlay district, either as a standalone development, or as part of a mixed-use development containing other uses permitted within the underlying zoning district. Other uses permitted by state law or another provision of the Development Code to be developed on sites zoned for multifamily use shall also be permitted or conditionally permitted, as applicable.
- (d) *Development Standards.* Except as otherwise expressly provided in this section, the site planning and development standards applicable to the development of property within the RH-30 (high density residential-30 dwelling units per acre) zoning district shall apply to developments within the (H) overlay district containing multifamily dwellings. All other applicable development standards in the underlying zoning district and not in conflict with this section shall apply to uses within a mixed-use development containing a multifamily dwelling.
- (e) *Special Provisions Applicable to Lower-Income Sites.* In accordance with subdivision (h) of Government Code Section 65583.2, the following additional regulations shall apply to those sites within the (H) overlay district identified in Tables B-3, B-4, and B-5 of Appendix B to the City of Diamond Bar 2021-2029



General Plan Housing Element to accommodate the City's low- or very low-income housing needs:

- i. At least sixteen (16) dwelling units may be developed on the site.
  - ii. Residential uses shall occupy at least 50 percent of the total gross floor area of any new development on the site.
  - iii. For developments in which 20 percent or more of the units are affordable to lower income households, multifamily dwellings shall be considered a use by right and shall be reviewed ministerially pursuant to section 22.18.040(f).
- (f) *Parking Requirements.* Except as otherwise expressly provided in Section 22.18.010 or another provision of this Code, or by state law, the number of and design of required off-street parking spaces shall be as set forth in Chapter 22.30. The calculation of required parking spaces shall be based upon the parking required for each individual use within a development. Where a mix of uses are developed and two or more uses have distinct and differing peak parking usage periods, an applicant may request, but shall not be entitled to, a reduction in the required number of parking spaces. Such a request may be approved by the final review authority, provided that the most remote space is located within 300 feet of the use it is intended to serve (as measured along the most direct pedestrian path) and the number of parking spaces provided shall not be less than either (i) the demonstrated estimated peak demand for the site during any twenty-four hour period, plus a 15 percent contingency, or (ii) the minimum number of spaces required in Chapter 22.30 for use requiring the fewest spaces. A shared parking analysis prepared by a duly licensed professional shall be provided by the applicant to support a request for a parking reduction.
- (g) *Special Procedures Applicable to Housing Development Projects.* The special procedures applicable to housing development projects set forth in Chapter 22.18 shall apply to proposed development on sites within the (H) overlay district.

**SECTION 3.** The Zoning Map of the City of Diamond Bar is hereby amended as shown in Exhibit 1 to this Ordinance to denote the Housing Element Site (H) Overlay District for the applicable properties.


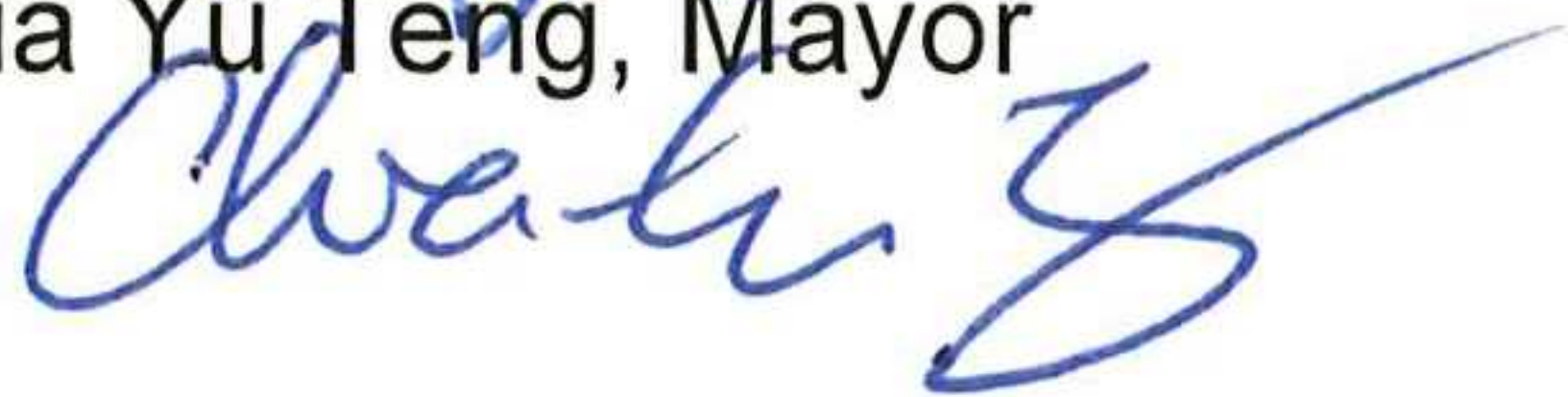
**SECTION 4.** If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.



**SECTION 5.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause a certified copy of this Ordinance to be posted within fifteen (15) days after this Ordinance is passed and adopted, in the Office of the City Clerk and two additional public places, together with the vote for and against the same.

**PASSED AND ADOPTED,** at a regular meeting of the City Council of the City of Diamond Bar on this 4<sup>th</sup> day of February, 2025.

**CITY OF DIAMOND BAR**

  
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Chia Yu Teng, Mayor  


**ATTEST:**

I, Kristina Santana, City Clerk of the City of Diamond Bar, California, do hereby certify that the foregoing Ordinance was introduced at the special meeting of the City Council held on the 27<sup>th</sup> day of January, 2025, and was duly passed and adopted at a regular meeting of the City Council held on the 4<sup>th</sup> day of February, 2025, by the following vote:

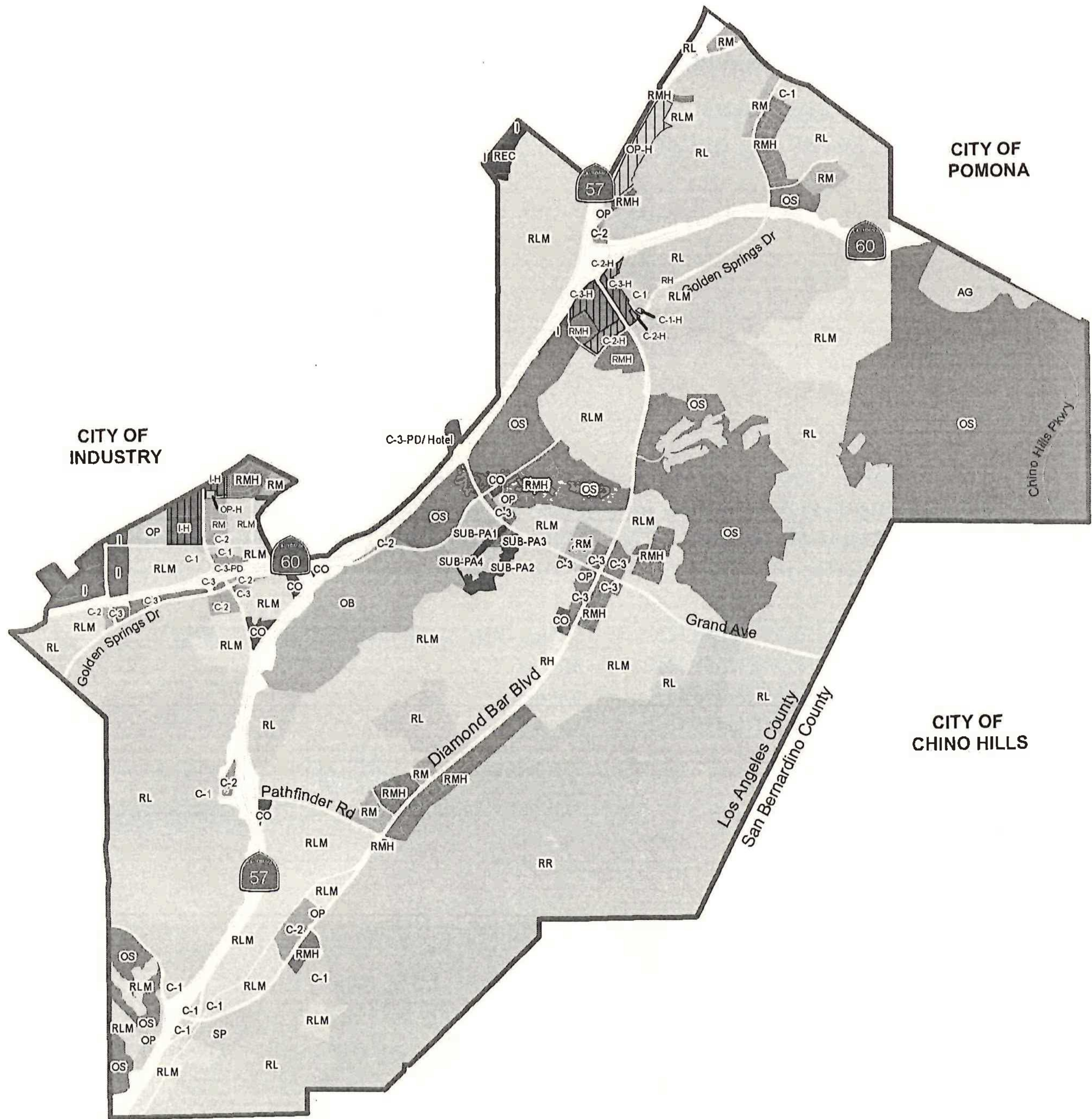
AYES:	COUNCILMEMBERS:	Chou, Liu, Low, MPT/Tye, M/Teng
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

  
\_\_\_\_\_  
Kristina Santana, City Clerk



# Exhibit 1

## City of Diamond Bar Zoning Map



City Boundary	OP-H: Office, Professional-Housing Element Site Overlay
<b>Zoning</b>	OS: Open Space/ Conservation
AG: Agricultural	REC: Recreation
C-1: Neighborhood Commercial	RH: High Density Residential
C-1-H: Neighborhood Commercial-Housing Element Site Overlay	RH-30: High Density Residential-30 units/acre
C-2: Community Commercial	RL: Low Density Residential
C-2-H: Community Commercial-Housing Element Site Overlay	RLM: Low Medium Density Residential
C-3: Regional Commercial	RM: Medium Density Residential
C-3-H: Regional Commercial-Housing Element Site Overlay	RMH: Medium High Density Residential
C-3-PD: Regional Commercial Planned Development	RR: Rural Residential
C-3-PD/Hotel: Regional Commercial/Hotel	SP: Specific Plan Overlay
CO: Commercial Office	SUB-PA1: Planning Area 1
I: Light Industry	SUB-PA2: Planning Area 2
I-H: Light Industry-Housing Element Site Overlay	SUB-PA3: Planning Area 3
OB: Office, Business Park	SUB-PA4: Planning Area 4
OP: Office, Professional	

## Zoning Map

