



CITY OF IRWINDALE

5050 N. IRWINDALE AVE., IRWINDALE CA 91706 • PHONE: (626) 430-2200

MARICELA
FRYMARK
VICE-CHAIR

ALBERT
ACOSTA
COMMISSIONER

RICHARD
CHICO
COMMISSIONER

JOSEPH V.
RODRIGUEZ II
COMMISSIONER

AGENDA FOR THE REGULAR MEETING OF THE

PLANNING COMMISSION

April 17, 2024

6:30 P.M.

IRWINDALE COUNCIL CHAMBER

Join Webinar at

<https://us02web.zoom.us/j/86349691359>

Webinar ID

863 4969 1359

In the event that a Zoom broadcast is unavailable, staff will promptly notify the public through its social media platforms. The public meeting will proceed in accordance with The Brown Act.

Submit public comments by email to planning@irwindaleca.gov prior to the start of the meeting. Comments will be read by the Administrative Secretary during public comment. Lengthy public comment may be summarized in the interest of time.

Spontaneous Communications: The public is encouraged to address the Planning Commission on any matter listed on the agenda or on any other matter within its jurisdiction. The Planning Commission will hear public comments on items listed on the agenda during discussion of the matter and prior to a vote. The Planning Commission will hear public comments on matters not listed on the agenda during the Spontaneous Communications period.

Pursuant to provisions of the **Brown Act**, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The Planning Commission may request staff to investigate and/or schedule certain matters for consideration at a future Commission or City Council meeting.

Americans with Disabilities Act: In compliance with the ADA and Government Code section 54953(g), the City Council has adopted a reasonable accommodation policy to swiftly resolve accommodation requests. The policy can be found on the City's website: <https://www.irwindaleca.gov/DocumentCenter/View/8075/AB-2449-Reasonable-Accommodation-Policy>. If you need special assistance to participate in a City Council or Commission meeting or other services offered by this City, including an electronic or printed copy of the City's reasonable accommodation policy, please contact City Hall at (626) 430-2200. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service. **Note:** Staff reports are available for inspection at the Planning Division Counter, 16102 Arrow Highway or at City Hall, 5050 N. Irwindale Avenue, during regular business hours (8:00 a.m. to 6:00 p.m., Monday through Thursday) by appointment only, and by contacting the Planning Division at 626-430-2208.



Code of Ethics

As City of Irwindale Planning Commissioners, our fundamental duty is to serve the public good. We are committed to the principle of an efficient and professional local government. We will be exemplary in obeying the letter and spirit of Local, State and Federal laws and City policies affecting the operation of the government and in our private life. We will be independent and impartial in our judgment and actions.

We will work for the common good of the City of Irwindale community and not for any private or personal interest. We will endeavor to treat all people with respect and civility. We will commit to observe the highest standards of morality and integrity, and to faithfully discharge the duties of our office regardless of personal consideration. We shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of others.

We will inform ourselves on public issues, listen attentively to public discussions before the body, and focus on the business at hand. We will base our decisions on the merit and substance of that business. We will be fair and equitable in all actions, claims or transactions. We shall not use our official position to influence government decisions in which we have a financial interest or where we have a personal relationship that could present a conflict of interest, or create a perception of a conflict of interest.

We shall not take advantage of services or opportunities for personal gain by virtue of our public office that are not available to the public in general. We shall refrain from accepting gifts, favors or promises of future benefit that might compromise our independence of judgment or action or give the appearance of being compromised.

We will behave in a manner that does not bring discredit or embarrassment to the City of Irwindale. We will be honest in thought and deed in both our personal and official lives.

Ultimate responsibility for complying with this Code of Ethics rests with the individual elected official. In addition to any other penalty as provided by law, violation of this Code of Ethics may be used as a basis for disciplinary action or censure of a Commissioner.

These things we hereby pledge to do in the interest and purposes for which our government has been established.

IRWINDALE PLANNING COMMISSION



A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

D. ROLL CALL: Commissioners: Albert Acosta, Richard Chico, Joseph V. Rodriguez II; Vice-Chair Maricela Frymark

E. AB 2449 DISCLOSURES

Remote participation by a member of the legislative body for just cause or emergency circumstances.

F. ANNOUNCEMENTS

1. CONSENT CALENDAR

The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the Commission requests separate action on a specific item. At this time, members of the audience may ask to be heard regarding an item on the Consent Calendar.

A. Minutes

Recommendation: Approve the following minutes:

1. Regular meeting held February 21, 2024

2. SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on any item not on this agenda that is within the Planning Commission's subject matter jurisdiction. The Planning Commission is an advisory body appointed by the City Council to review and provide recommendations on matters related to land use, planning, and development within the City. Except for very limited circumstances, state law prohibits any Commission discussion or action on items that are not on the agenda.

All members of the public are asked to observe the City's Rules of Procedure and Public Meeting Decorum. The City's Rules of Procedure and Public Meeting Decorum can be found on the City's website, and Chapter 2.40 of the Irwindale Municipal Code. You may also contact the City Clerk's Office for copies.

Each speaker will be limited to 3 minutes unless such time limits are extended. If a member of the public wishes to donate their time to another speaker, both persons must be physically present and in attendance of the meeting. The Presiding Officer may, in his or her discretion, extend the 3-minute time limitation for the particular subject for all speakers. In no event shall the total amount of speaking time exceed 6 minutes per person for the subject under discussion. Organized groups of persons wishing to address the Board on the same subject should select a spokesperson to represent the group, so as to avoid unnecessary repetition.

The Commission may regulate a speaker who is speaking too long or out of order, being unduly repetitious, discussing irrelevancies, or extending to items not within the subject matter jurisdiction of the Commission. Please be reminded that discrimination, abusive use of profanity, unruly disruption, and violent or physically threatening conduct is discouraged. Members of the public shall not disrupt the orderly conduct of the meeting. The Presiding Officer will request that a person cease any disruptive conduct, and if not immediately stopped, will direct the person to be removed from the meeting.

In the hybrid format, both in-person and hybrid audience members will participate in the following order:

Tier 1: In-person attendees

Tier 2: Teleconference attendees

Tier 3: In-person and teleconference attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

3. NEW BUSINESS

4. PUBLIC HEARINGS

- A. ZONE CHANGE NO. 01-2024, GENERAL PLAN AMENDMENT (MAP) NO. 01-2024, REZONING OF SELECT PROPERTIES AT MERIDIAN STREET, CITRUSVIEW AVENUE, PARK ROSE AVENUE, RUELAS STREET, AMBRIZ STREET, AND MOUNTAIN AVENUE FROM M-1 (LIGHT MANUFACTURING) AND C-3 (HEAVY COMMERCIAL-RESIDENTIAL) ZONE TO R-1 (SINGLE FAMILY RESIDENTIAL), REZONING OF SELECT PROPERTIES AT BUENA VISTA STREET FROM Q (QUARRY OVERLAY) TO M-2 (HEAVY MANUFACTURING), AND REVISION OF THE GENERAL PLAN MAP TO CHANGE THE EXISTING GENERAL PLAN DESIGNATION OF SELECT PROPERTIES AT LIVE OAK LANE AND ARROW HIGHWAY FROM REGIONAL COMMERCIAL TO INDUSTRIAL/BUSINESS PARK.**

The City-initiated proposal will revise the General Plan and Zoning Maps to reconcile inconsistencies and make appropriate changes to support the highest and best uses. ENVIRONMENTAL REVIEW: The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Project has been determined to qualify for a general rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the General Plan Amendment or Zone Change, by themselves, will have a significant effect on the environment. However, the proposed physical development will undergo its own CEQA review when the entitlement is considered.

Recommendation: Adopt Resolution No. 822(24)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT A ZONE CHANGE NO. 01-2024 AND MODIFY THE CITY OF IRWINDALE ZONING MAP TO 1) REZONE PARCELS FROM M-1 (LIGHT MANUFACTURING) ZONE TO R-1 (SINGLE-FAMILY RESIDENTIAL) ZONE LOCATED AT: 730 MERIDIAN STREET (APN 8534-001-004), 716 MERIDIAN STREET (APN 8534-001-025), 714 MERIDIAN STREET (APN 8534-001-026), 740 MERIDIAN STREET (APN 8534-001-057), 726 MERIDIAN STREET (APN 8534-001-109), 737 SHRODE AVENUE (APN 8534-001-013), 731 SHRODE AVENUE (APN 8534-001-014), 727 SHRODE AVENUE (APN 8534-001-015), 2419 CITRUSVIEW AVENUE (APN 8534-001-053), 2425 CITRUSVIEW AVENUE (APN 8534-001-054), 2424 CITRUSVIEW AVENUE (APN 8534-001-055), 2412 CITRUSVIEW AVENUE (APN 8534-001-056), (APN 8534-001-952), (APN 8534-001-953), (APN 8534-001-954), 2414 PARK ROSE AVENUE (APN 8534-001-093), 2436 PARK ROSE AVENUE (APN 8534-001-096), 2448 PARK ROSE AVENUE (APN 8534-001-097), 2449 PARK ROSE AVENUE (APN 8534-001-098), 2437 PARK ROSE AVENUE (APN 8534-001-099), 2402 PARK ROSE AVENUE (APN 8534-001-106), 2408 PARK ROSE AVENUE (APN 8534-001-107), 2424 PARK ROSE AVENUE (APNS 8534-001-115, 8534-001-116), 2400 RUELAS STREET (APN 8534-001-072), 2416 RUELAS STREET (APN 8534-001-075), 2440 RUELAS STREET (APN 8534-001-078), 2446 RUELAS STREET (APN 8534-001-079), 2447 RUELAS STREET (APN 8534-001-080), 2439 RUELAS STREET (APN 8534-001-081), 2415 RUELAS STREET (APN 8534-001-084), 2406 RUELAS STREET (APN 8534-001-102), 2409 RUELAS STREET (APN 8534-001-104), 2401 RUELAS STREET (APN 8534-001-105), 2426 RUELAS STREET (APNS 8534-001-111, 8534-001-112), 2425 RUELAS STREET (APNS 8534-001-113, 8534-001-114); 2) REZONE

PARCELS FROM C-3 (HEAVY COMMERCIAL-RESIDENTIAL) ZONE TO R-1 (SINGLE-FAMILY RESIDENTIAL) ZONE LOCATED AT: 701 AMBRIZ STREET (APN 8534-001-120), 705 AMBRIZ STREET (APN 8534-001-121), 709 AMBRIZ STREET (APN 8534-001-122), 713 AMBRIZ STREET (APN 8534-001-123), 708 AMBRIZ STREET (APN 8534-001-124), 704 AMBRIZ STREET (APN 8534-001-125), 700 AMBRIZ STREET (APN 8534-001-126), 2416 MOUNTAIN AVENUE (APN 8534-001-039), 2408 MOUNTAIN AVENUE (APN 8534-001-058); 3) REZONE PARCELS FROM Q (QUARRY OVERLAY) TO M-2 (HEAVY MANUFACTURING) ZONE LOCATED AT: (APN 8533-015-901), 2381 BUENA VISTA STREET (APN 8533-015-014), 2381 BUENA VISTA STREET (APN 8533-015-015), AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3).

Recommendation: Adopt Resolution No. 823(24)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF IRWINDALE AMEND THE COMMUNITY DEVELOPMENT ELEMENT AND LAND USE PLAN MAP OF THE CITY'S GENERAL PLAN (GPA NO. 01-2024) FROM REGIONAL COMMERCIAL TO INDUSTRIAL/BUSINESS PARK PLAN FOR PARCELS LOCATED AT: (APN 8532-002-015), (APN 8532-002-016), (APN 8532-002-021), (APN 8532-002-022), (APN 8532-002-023), (APN 8532-002-024), (APN 8532-002-027), (APN 8532-002-800), (APN 8532-002-801), (APN 8532-002-900), (APN 8532-002-901), (APN 8533-002-800), 13631 LIVE OAK LANE (APN 8532-002-017), 13643 LIVE OAK LANE (APN 8532-002-029), 13644 LIVE OAK LANE (APN 8532-002-040), 13645 LIVE OAK LANE (APN 8532-002-030), 13646 LIVE OAK LANE (APN 8532-002-043), 13649 LIVE OAK LANE (APN 8532-002-020), 13651 LIVE OAK LANE (APN 8532-002-019), 13654 LIVE OAK LANE (APN 8532-002-036), 1400 ARROW HIGHWAY (APN 8532-002-009), 1438 ARROW HIGHWAY (APN 8532-002-028), 1580 ARROW HIGHWAY (APN 8532-002-012), 1600 ARROW HIGHWAY (APN 8532-002-005), AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3).

- 5. **DISCUSSION ITEMS/PRESENTATIONS**
- 6. **COMMUNITY DEVELOPMENT DIRECTOR REPORT**
- 7. **LEGAL COUNSEL COMMENTS**
- 8. **COMMISSIONER COMMENTS**
- 9. **ADJOURN**

AFFIDAVIT OF POSTING

I, Jesus Hernandez, Administrative Secretary, certify that I caused the agenda for the regular meeting of the Irwindale Planning Commission to be held on April 17, 2024 to be posted at the City Hall, Library, and Post Office on April 11, 2024.

Jesus Hernandez

Jesus Hernandez,
Administrative Secretary

Item 1-A.1

IRWINDALE COUNCIL CHAMBER
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706

February 21, 2024
Wednesday
6:30 P.M.

The Irwindale **PLANNING COMMISSION** met in a regular session at the above time and place.

CHAIR
FUENTES Hello everybody, I would like to call to order the Planning Commission meeting for February 21, 2024. Could we please stand for the Pledge Allegiance and the Invocation? Place your right hand over your heart please.

PLEDGE OF
ALLEGIANCE I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

INVOCATION
CHAIR
FUENTES Dear heavenly father, we come before you this evening thanking you so much for your love, your grace, and your mercy father. Dear Lord, we just ask that you bless this nation of ours for these upcoming elections, dear Lord, that you would put in place who you feel fitting dear God. I pray for this State, for this County, dear Lord, for this City. I pray for all our staff and our residents, and ask that you would just bless this Commission, dear Lord, to make decisions that our pleasing to you. In Jesus' name, Amen.

ROLL CALL: Present: Commissioners; Albert Acosta; Richard Chico; Maricela Frymark; David Fuentes

Absent: Commissioner Joseph Rodriguez

Also present: Julian Miranda, City Manager; Theresa Olivares, Assistant City Manager; Jamie Traxler, Assistant City Attorney; Marilyn Simpson, Community Development Director; Brandi Jones, Senior Planner; Luis Pimentel, Associate Engineer; Martin Romero, Planning Technician; Jesus Hernandez, Administrative Secretary; Karen Ruiz, Office Specialist

AB 2449
DISCLOSURES

CHAIR
FUENTES Okay let's see, AB 2449 Disclosures. Remote participation by a member of the legislative body for just cause or emergency circumstances.

ADMINISTRATIVE
SECRETARY
HERNANDEZ We do not have any.

CHAIR
FUENTES Okay, very good. Announcements. Do we have any announcements?

ANNOUNCEMENTS

ADMINISTRATIVE
SECRETARY
HERNANDEZ No announcements.

CHAIR
FUENTES How about the Commission? Any announcements for the
Commission? No, okay thank you. Consent Calendar.

CONSENT CALENDAR

CHAIR
FUENTES We have minutes. Can we have a motion on the minutes for December
20th and January 17th?

COMMISSIONER
CHICO Motion to approve.

COMMISSIONER
ACOSTA Second it.

CHAIR
FUENTES Motion and a second. Could we have a roll call please?

ADMINISTRATIVE
SECRETARY
HERNANDEZ Yes. Commissioner Acosta.

COMMISSIONER
ACOSTA Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Commissioner Chico.

COMMISSIONER
CHICO Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Commissioner Rodriguez is absent. Vice Chair Frymark.

VICE-CHAIR
FRYMARK Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Chair Fuentes.

CHAIR
FUENTES

Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Thank you.

CHAIR
FUENTES

I want to bring something up to the Commission, and also we are one Commissioner short, due to illness I believe or whatever reason. I know that back before we barely had a quorum, we had three. We put this on the back burner, we put this on hold until we had a full Commission for the next item coming up, for what is going to be our item tonight.

COMMISSIONER
CHICO

You got another set of minutes?

CHAIR
FUENTES

What's that?

COMMISSIONER
CHICO

You got another set of minutes?

CHAIR
FUENTES

I thought didn't we do them both?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

We did them, we did both.

CHAIR
FUENTES

We did both, I said both.

COMMISSIONER
CHICO

Ok, I'm sorry.

CHAIR
FUENTES

No problem, thank you for checking me though. Ok, anyways for our Public Hearing...

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Do you want to do Spontaneous first before we go ahead and do the Public Hearing item?

CHAIR
FUENTES

No, I am not trying to do it. I'm bringing some discussion up. I'm sorry, I'm not bringing that item up. I'm bringing discussion prior to it. Anyways, we are short a commissioner here, and I know we had put this back so that all commissioners could read it, the new commissioners, and have input. So, I need to know if the Commission, the remaining commissioners...

COMMISSIONER CHICO You got to do Spontaneous, you haven't done Spontaneous?

CHAIR FUENTES I understand, I am asking a question.

COMMISSIONER CHICO Ok, go ahead.

CHAIR FUENTES Yeah, I am asking a question of the Commission, if you feel comfortable moving forward before we go any further with the item that is on the agenda today, or if we should go ahead and postpone it to another day when we feel comfortable that we have the full Commission here? So, I would like to know the consensus of what the feeling is? If you gentleman and lady feel we should move forward, we will. If we feel we should hold off then we're going to go ahead and move it to another meeting.

COMMISSIONER ACOSTA I think with all the work that the Staff has put into it, and the time that the three Commissioners that have already had time to look it over. I appreciate the time that the new commissioners have gotten to go look over it. I think, I feel comfortable moving forward with it and that's my idea.

COMMISSIONER CHICO I would say we move forward, however, if we run into a roadblock then we should postpone but we'll see how far we get.

VICE-CHAIR FRYMARK Thank you Chair, for bringing this up. I do feel that it would be ideal to have a full commission so that we all have the ability to take action or vote, on this particular item considering that it is of high importance. I do recognize the Staff's effort and time in putting it together, and the delays in which we've already had in place. I'm comfortable moving forward, but I do agree that if there are any roadblocks that we need to consider, I do have some questions that I am hoping I can get answered today. So, that's how I'm leaning at this time.

ADMINISTRATIVE SECRETARY HERNANDEZ Can you speak closer to the mic?

VICE-CHAIR FRYMARK What was that?

ADMINISTRATIVE SECRETARY HERNANDEZ If you can speak closer to the mic?

VICE-CHAIR FRYMARK Sure, sorry about that. Do I need to restate what I just said?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

I think you'll be fine.

CHAIR
FUENTES

Okay, very good then we have a consensus. We'll move on with that then. I'd like to move to number two, Spontaneous Communication.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

My favorite part.

**SPONTANEOUS
COMMUNICATIONS**

ADMINISTRATIVE
SECRETARY
HERNANDEZ

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CHAIR
FUENTES

Thank you Jesus. With that being said, do we have anybody in the audience wishing to speak on Spontaneous Communication? Seeing there aren't any can we move to Tier 2, teleconference attendees. Do we have any?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

It does not look like we have any.

CHAIR
FUENTES

Very good, how about Tier 3?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

No one for Tier 3.

CHAIR
FUENTES

Very good, we'll move on then. New Business.

NEW BUSINESS

CHAIR
FUENTES

There is no New Business. So, let's go ahead with the Public Hearing.

PUBLIC HEARINGS

CHAIR
FUENTES

A Zoning Ordinance Amendment Number 03-2023 and Zone Change Number 04-2023; Citywide - Title 17 Zoning Code Update. Go ahead Marilyn.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you Chair and Commission, and members of the audience. So, the item before you is the Comprehensive Title 17 Zoning Code Update, which has been a work in progress for some time. This is to incorporate changes to State law. It's to comply with the City's General Plan and the Housing Element. Improve the usability of the Zoning Code and address different Zoning Districts, and to remedy what we found that there were some imperfect code amendments and map errors. So, the Zoning Code was adopted by the County, we adopted the County of LA's zoning code basically. We've made changes to that since that time, so it was timely to kind of update things. There were some outdated uses that were in our code, it was kind of a cumbersome code it being a tiered code. So, we were trying to get it so each zone has its own easy to read, easy to find development standards, uses, and things like that without having to refer back to every other zone in the Code. So, for this endeavor, we've been working with consultants since 2020 and we've had quite a bit of public outreach. We went to Music in the Park, we were at the Spring Book Festival that was here, we've done flyers, we've announced it to the business community as well as the residents to get as much input. We

had stakeholder meetings with residents, and with business owners, and developers. We had a joint study session that was back in June of last year, and we also have done surveys with the community. So, some of what I'm going to say is a little repetitious when we have the PowerPoint presentation, but I just want to highlight a couple of the things that were going to do with the Zoning Code Update. We want to streamline the development process, make the Zoning Code easier to use, comply with changes in State Law as I mentioned, and implement the City's General Plan, fix some problems, modernize it, and again streamlining. Then, just so you know, even though we're going through this Comprehensive Zoning Code Update from time to time we will still have to update it. As an example, the Surface Mining and Reclamation Plan section of the code. There were some recent changes that the State had made to that, and instead of us hurrying and putting something together. There is a process that we have to go through with that. We are in the process of updating it with Engineering and before it comes before the Planning Commission it has to go to the State for any comments and to the mining operators as well. So you'll be seeing that coming forward. I'd like to also point out that inadvertently, the Billboard section was left out of the copy of the Zoning Code that you had and that's been placed on the dais. There are no changes that are being proposed to that section of the Code, and it will be included in the final version, you know, as is. So, with that, I do not want to steal our consultant's thunder. I'm going to introduce, Nick Pergakes, from Interwest Consulting Group who will do the presentation.

NICK PERGAKES

Thank you, Marilyn. Good evening, Commission Chair, Planning Commission members, and members of the public. I'm going to give an overview of some of the Zoning Code amendments that we've been doing over the last few years. Some of this may look a little familiar, we've presented some of this material but with a new Planning Commission member, and just to kind of help refresh your memories I'm going to go over a little bit of content about the Zoning Code update. Marilyn did touch upon a couple of those items too already. So, we'll go ahead and move through. The meeting agenda is the status of the Zoning Code Update, the main objectives of the Zoning Code Update for the City, the Irwindale's existing Zoning Code, the structure of the new Zoning Code, the overview of the zoning districts that are being proposed to, that are being refined, and being consolidated, key changes to the code that we're proposing, as well as some new items to the commercial/industrial districts that we've discussed with the Planning Commission and wanted to get your feedback on. Then, we'll go through questions and comments from the Planning Commission members. So, in terms of the update we had public comment period on the Draft Zoning Code back in early June to July of last year. We had a Planning Commission and City Council joint study session on July 19, 2023. We reviewed comments and had a comments period extended through August for the Planning

Commission members, City Council members, and members of the public. We were able to look at those comments that came in and have addressed those in the draft version that is on the website, and that is before you today. Responses to public comments and questions from the study session were also discussed at the Planning Commission meeting on September 20th of last year. So, in terms of the objectives of the Zoning Code update, again it's to ensure consistency with the General Plan's vision, goals, and policies. The General Plan was updated about ten years ago, and the Zoning Code has to really follow the vision and the goals of the General Plan and help implement those. So, we're trying to just make sure those are in alignment, so there is no issues or in terms of legal issues with the Zoning Code and the General Plan. We're also modernizing the Zoning Code based off the uses that some of them are very old and antiquated, so we've been looking at modernizing the uses and making sure they reflect the goals of the City and economic development goals of the City. We're making the code more user friendly with tables and illustrations, improving the format, and also again complying with the recent legal State requirements, particularly housing over the last three to four years. The code has been reorganized with five articles. The first article is the Purpose and interpretation of the Zoning Code, its only really a few pages long but it just kind of sets up the framework for the Code. The next article is looking at all the zoning districts and overlay districts: residential, commercial, industrial, public/semi-public zoning districts, and the allowed uses and development standards. The third article is the Citywide regulations, so anything that's pertaining Citywide, in regard to topics such as parking, landscaping, signage, etc. Then we have an article just dedicated to the administration of the code, and the permitting process that's used by Staff and by the Planning Commission. Then, the definitions and glossary section at the very end. So, in the code we have a table just showing how the Zoning Districts, the base zoning districts, and the overlay districts correspond with the General Plan land use designations. This shows the consolidated, new zoning districts, the twelve districts, and the overlay districts. In terms of what's been changed or created, we have three new districts that have been created: the business park district, public/semi-public district for City uses and public uses that are in the city, and then recreation and parks has also been created to line more closely with the General Plan. We've also combined the A-1 district with the R-1 zoning district to better reflect the single-family development and uses already occurring in the City and to be consistent with the General Plan. The City did send out surveys regarding the combining of the A-1 district and the R-1 district back in September, they resent surveys out on October 31st of last year, and did receive twenty-three surveys which is out of six percent participation rate out of the total. A majority were in support of the A-1 district going away and the R-1 district being combined so there is just one district now moving forward. Some key changes to the code, we have a new general site design and general planning standard's

chapter, to help with just a lot of different topics related to the design and placement of buildings and general planning standards that are used by Staff, when looking at development projects and approving projects. We also updated the parking space and parking design standards, and have those in one section or chapter, Chapter 17.16. We have enhanced landscaping and screening provisions now provided in one chapter. We have a stand-alone signage chapter showing permitted sign types and regulations for signage, and then we have a new administration and permits chapter. In article four, that describes the review and approval authority of the different city administration functions. Since the last meeting we had, I guess really was in September, we did come in November but the item was moved to the to the next meeting which is tonight. We did discuss with Commission members proposed heights in the Commercial Zones and did make a change to those proposed heights. So having a maximum height of forty feet in the C-2 District. We had shown it as fifty feet in the draft document that you have before you, but we've since then have reconsidered and looking at heights in the City we are proposing to bring it down to forty feet in the C-2 District, and then for the C-3 District proposing to bring it down to a height of fifty feet as a maximum instead of sixty feet. So this table just shows how those changes will look at the very bottom where the maximum height row shows the heights for the C-1, C-2, and C-3 Districts. For the Industrial and Office Zones, we took again a look at the minimum front setbacks of buildings. Today, there is a twenty-foot setback that's along major, along streets for the Industrial Zoning Districts. So we did in the draft make that larger at thirty-five feet to allow for parking, allow for just having the building set back from the street. We're proposing to really bring that back to twenty feet, just to be consistent with what's out in the built environment today and how the buildings are placed today. So there's really not having nonconforming situations with existing industrial buildings, but we do have some other things in place like the M-2 District having a minimum of thirty feet front setback of buildings, proposed when a property is adjacent to or across the street from a Residential Zone. So still having some guidance in place, some minimums in place for when industrial buildings are next to residential, but when industrial buildings are next to industrial buildings, we think it's just best to keep that twenty feet, which is pretty much in line with other cities surrounding Irwindale. Typically, in Industrial Districts, the front setbacks are about ten to twenty feet. So, just bringing that to your consideration and then that's for major arterials. We're proposing twenty-five down to fifteen feet along all other streets. The minimum street side setback of industrial buildings, so when an industrial building or property is facing maybe a major street but that has a side of the property along another street, we have it proposed to change from twenty-five down to fifteen feet along major arterials and twenty-five to ten feet on other streets. But when the "M" district a minimum of twenty-five feet street side setback is proposed, for when properties are adjacent to or across from Residential Zone. That's the other

situation, the top bullet is really for one industrial is next to other industrial uses.

CHAIR FUENTES I got a question on that.

NICK PERGAKES Yeah, sure.

CHAIR FUENTES Fire Department, are they okay with all this? Is it all consistent with the requirements, as far as required trucks on the side of these buildings as with parking, and I mean, with this change from twenty-five feet to fifteen and the twenty-five to ten?

NICK PERGAKES Yeah, so this is just the setback of a building from the property line. It doesn't mean buildings can't be setback further from the property line. It just doesn't make it difficult for a developer, if they just have to really have part of the building up a little bit closer to the street. It still allows them to do that, but you're talking about buildings next to other buildings. Yes, we have placement of buildings not being usually less than twenty feet apart from each other to allow for fire truck access.

CHAIR FUENTES Alright.

NICK PERGAKES So, this is really just front setbacks. Yeah, front setbacks. Then in the M-1 and the Business Park districts we have a minimum of thirty feet interior side setback for building adjacent to a Residential Zone property, and currently that's twenty feet in the existing code. So we are having a little bit more of a setback between buildings, industrial buildings that are next to Residential Zone properties. And then in the M-2 district a minimum of fifty feet interior side setback for a building adjacent to Residential Zone property. That's being maintained from the existing code. And then in the current draft that you have before you, we didn't have a setback from a building and an alleyway, but we did increase that to ten feet, for a building to be at least ten feet from the alleyway, similar to the commercial districts. We did want to just kind of make those more similar. This table just shows some of those changes, and of course we want to hear your feedback on that tonight. We just want to let you see visually what that kind of looked like with some of those changes in that table 17.06.030. Then moving on to the Zoning Map. This is similar to the map we had shown back a few months ago for the proposed zoning, and how that would be displayed on the map. Then I think, Marilyn, you wanted to say a few things before we have questions and comments from the Planning Commission.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you, Chair and Commission. So, I did want to point out the environmental review for this, is that it was determined the proposed update was assessed in the Environmental Impact Report with the City's General Plan. So, it was looked at with the CEQA guidelines for that. For tonight, we want questions and comments what the Planning

Commission will do is make a recommendation to the City Council. You have the option to make recommendations that we will bring forward to the City Council, if there is a consensus of some of the changes and things, you know, we definitely want to be aware of that and hear that. So, tonight the three actions is adopt findings of consistency with the City's previously certified General Plan Environmental Impact Report and then we have two resolutions. One is adopting the Ordinance No. 772 and the resolution to adopt the Zone Change. I'll turn it over to you for questions and comments.

VICE-CHAIR
FRYMARK

I have a comment, if I may, can you hear me okay? Is this good? Okay, just double checking. First of all, I want to just thank Staff for making the setback changes when the properties are adjacent to Residential Zones. That is recognized and appreciated. Secondly, I have a clarifying question regarding Chapter 17.72 on Billboards, was it previously mentioned that this particular section wasn't included in the revised Zoning Plan but will be at a later time?

NICK PERGAKES

So, we did address billboards in the signage section, but after hearing comments from Staff and from the Planning Commission, we actually are bringing back in the existing billboard ordinance. We're bringing it in to the Zoning Code, so it will not change.

VICE-CHAIR
FRYMARK

Okay.

NICK PERGAKES

So you are not seeing it now in your draft, but we will be bringing it back in.

VICE-CHAIR
FRYMARK

But there was no changes made to this document? Its as is, the same?

NICK PERGAKES

The billboard?

VICE-CHAIR
FRYMARK

Yes.

NICK PERGAKES

Yes, it will be exactly the same.

VICE-CHAIR
FRYMARK

And then, my other question, is that regarding the, give me one second. Regarding Chapter 17.21, The Surface Mining and Reclamation Plans, I understand that there's some changes that are needed to be made based on some changes that were asked for by the State and that Staff is currently working on it. What is the timeline, by when would we expect to see 17.21? Which I think is being renumbered in the new zone.

NICK PERGAKES So for now. we're just going to keep the existing SMARA ordinance in this code draft, because it's going to take a while. I'll let Marilyn answer how long it's going to take or Staff, but we are going to keep the existing one in here just so we can make sure the Zoning Code can get adopted because it's going to take...How long Marilyn?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON I look at Engineering, and they're shaking their heads. No, I anticipate that when we're finished with our internal draft, you know, giving us at least a couple more weeks with that. When we send it up to the State it can take them two to three months for that, and then we can hope for some quicker comments. We've looked at what their model ordinance is and looked at the changes to that, and we have somebody who the consultant is extremely familiar with mining in the City as well as all of the state requirements. So I'm anticipating that when they look at that, it'll be a quick review but I would say at least sixty days to get that.

CHAIR FUENTES That's wishful thinking.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON The State moves at lightning speed with that.

VICE-CHAIR FRYMARK Oh yeah, my last comment at least for the time being is regarding M-2. So I'm looking at M-2 which is adjacent to R-1, the low density residential area. Now there's conversations and there's a workshop in place that is discussing proposed housing, but it's currently zoned as an M-2. So would that be revised? Is there some sort of, is it like a CUP or something that has to happen in order to change that into a residential use, if in fact it will be a residential use?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON So, what we do not have a certified Housing Element at this time. What we're proposing is an overlay for housing in those, and not taking away any of the underlying zoning. We didn't want any issues with that. And the property owners that did have those properties that were identified, they were interested in that. of having that overlay for housing.

VICE-CHAIR FRYMARK So there wouldn't be any issues?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON No, and again because the Housing and Community Development at the State level, they're still reviewing our element, our Housing Element. So, they may make some changes to those locations, but we've proposed it just as an overlay.

- CHAIR FUENTES Help me to understand this overlay, so if we go ahead and approve this tonight, as an M-2, but we come back and say we want Residential, do we amend the zone or the general? What do we do? How does that work?
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON The overlay would be included in our Housing Element in our General Plan Update to allow for that, but it would not change every M-2 zone in the City.
- CHAIR FUENTES Correct...
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON That's been our concern too. Our consultant is writing in particular language that it would only be for those areas that were identified as potential housing sites.
- CHAIR FUENTES Then, I guess, my question is, if this is approved tonight is that language going to be included in this or do we have to specify that the overlay is included in this document that we have, that we are going to vote on tonight.
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON I think that we would need to have the Housing Element approved first by the Council, because at this point we don't even know if that's going to be a possibility, you know, for them to have it at that location at a M-2. We would bring that back if there is any discrepancy, we'd bring it back to the Planning Commission and to the City Council so that we'd have consistency between our General Plan and our Zoning.
- CHAIR FUENTES So we can go ahead, if this is approved tonight and Council approves it, we can go ahead and bring it back and update it or amend it?
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Yes, and I can confer with Legal that you can add something to that, you know, pending Housing Element.
- CHAIR FUENTES That's what I would like.
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Yeah, to give a little bit more assurance.
- CHAIR FUENTES Okay, alright pretty good. Yes, Mr. Chico?
- COMMISSIONER CHICO Your staff report again references. What is it? SB2? Are we on a time clock?

ADMINISTRATIVE SECRETARY HERNANDEZ	We asked for an advancement, so they gave us the money, but we do have a time frame where we have to...
COMMISSIONER CHICO	What is it?
ADMINISTRATIVE SECRETARY HERNANDEZ	It is not a set date, we just know that they said, first early months of the year. We asked for the advancement in December, so I'm guessing until April, May.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yes, if I may Chair and Commission?
CHAIR FUENTES	Yes, please.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	At the previous meetings we did have, what we were told was kind of a firm deadline for that and after subsequent negotiations by Mr. Hernandez we were able to get an extension for that. So, we gave them what we thought was the anticipated timeline, you know and whatever the charges were. So they have extended that and they've not given us...they just said yeah, early in the year but you know we just reached out to them today and they've received it. They've been actually very good about working with us on that.
COMMISSIONER CHICO	Forgive me for asking a fundamental question, I might have overlooked the answer. What is considered a major arterial? What is the specs?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	That I'm going to defer to our Engineer.
COMMISSIONER CHICO	Well we know Arrow Highway must be, right?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yes, Arrow Highway. Is Vincent also considered?
COMMISSIONER CHICO	But what are the specs?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Yeah, I think, Foothill. Foothill is a major arterial. Arrow. Irwindale.

CHAIR FUENTES Could you please come to the podium, please?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Irwindale Avenue is, but I am not sure, if what, Vincent or Azusa Canyon Road?

ASSOCIATE ENGINEER PIMENTEL Good evening Chair, Vice Chair, Commissioners, Luis, Associate Engineer for the City. Yeah, the main arterials are really Arrow Highway, Live Oak, Irwindale Avenue, Foothill.

COMMISSIONER CHICO What is the criteria?

ASSOCIATE ENGINEER PIMENTEL Criteria depends on the average daily traffic, if I'm not mistaken for those streets. I'd have to look into it a little bit more, but I know there is certain criteria for certain arterials. I don't have them off the top of my head, unfortunately, I have to look into them a little bit more but I can definitely look into that and bring that back.

CHAIR FUENTES Would Vincent be one of them?

ASSOCIATE ENGINEER PIMENTEL I'm not sure if Vincent is one of them, I'd have to check back.

CHAIR FUENTES I was just wondering because I know all the refuse traffic from Athens goes that way. So, I am just curious, and I know with what's coming up in the future possibly with that land development there along Vincent. I'm assuming it would become a major artery.

ASSOCIATE ENGINEER PIMENTEL Possibly, depending on the traffic so we'd have to look into that. I know it is, believe, stated in our General Plan if I'm not mistaken. So yeah, I'll have a look into that and kind of give a little bit more details on it. I don't have that, unfortunately, off the top of my head.

CHAIR FUENTES If you can get back to us and let us know, we'd appreciate that. A call or text, or something.

ASSOCIATE ENGINEER PIMENTEL Sure, sure. No problem.

CHAIR FUENTES Do you still need him up there? Commission, do you still need him up there?

COMMISSIONER CHICO What is a Minor Permit?

NICK PERGAKES You mean like an administrative permit? Can you tell me the section you are looking at?

COMMISSIONER CHICO Okay, now I got to look for it. Okay. Let me see. It's part of that table that you had, but it's not on here.

NICK PERGAKES I think I know what you are talking about, let me see if I can find it.

COMMISSIONER CHICO I know I should've referenced this better, in any case a certain criteria requires a major permit and the other one is a minor permit. It has to do with uses.

NICK PERGAKES Mhmm.

COMMISSIONER CHICO I'm getting close. Okay, Table 17.04.020. R-1 let's see permitted, permitted, permitted. This one doesn't require an M, but in any case it has M is a Minor Permit required or a Conditional Use Permit required or not allowed. My question is what is a minor permit? Cultural institutions, which was my next question, requires a minor permit? What is that? And day care general requires a Minor Permit? That's on page three of our, whatever, Title 17 now, Residential Zone Districts.

NICK PERGAKES You're in...

COMMISSIONER CHICO That's just one example.

NICK PERGAKES Well we have Conditional Use Permits. We have permitted by right, and then we have that are not permitted. So...

COMMISSIONER CHICO That's covered.

NICK PERGAKES Yeah, I know but minor use permits. Maybe that's something... Yeah cause what we have we don't really have a Minor Use Permit. That might be a mistake in there, it's really an administrative permit that's probably what it's referring to. It's where like the City Staff can review something if it's a minor use it doesn't have many impacts.

COMMISSIONER CHICO There's got to be a definition somewhere, but there probably isn't, right?

NICK PERGAKES Well, we have the term like, you know, administrative permits or Minor Variances and other things like that, but I'm sorry I can't find the page that you're on right now. You're saying it's at the top of the table?

COMMISSIONER CHICO Yeah, it's at the top of the table. I'm looking at Residential Zone.

NICK PERGAKES Oh I see now what you are saying, okay I see it now. I see it says "M." Yeah, okay yeah we have it defined in the definition section. So, we can go to that, and I can show you what is stated in there. We have it defined as a permit provided for the individual review of a use at a location ensure that their operation is compatible with the surrounding areas and uses. They're provided increases which require, you know, individual scrutiny, but are, you know, less potentially impactful than the use that requires a Conditional Use Permit. So that would be something like a drive through or something maybe just has a little bit more impacts with noise or impacts to the residents.

COMMISSIONER CHICO Which brings me to another subject, I'd like to, maybe, hopefully discuss. I don't know how my colleagues feel about it, but as you read through the code the Planning Director has a lot of discretionary authority on many, many things. I would like to consider a concept if you will, best word I can come up with to add the word "significant change" or "significant approval." By that I mean that if it is significant, that such decisions require a witness if you will. I really, I don't mean witness, I mean a help, common exchange with, in this case, not being able to come up with anything else, the City Manager. That's one concept, or if there are some changes to be approved that aren't in the code that we haven't approved, if that's not the case, then they should be documented. Those changes that have been approved and become part of the file. So, our forefathers, successors can know what we intended at the time. That's the best we can do. Let me give you an example of why I'm after this. When I was in the Council, way back when, the intent was to widen Irwindale Avenue to the existing width right here, whatever it is, one hundred feet. Of course, time goes on and the succeeding council people didn't have that in mind. I don't know whether they knew our intent or not, but you see the street widens there. We were zoning everything to be able to widen the street, as time goes on they changed, well I can't say they changed their mind. They just had a different perspective. So, the street is narrow. All I'm saying is I would like whatever we adopt for the spirit to continue. Rather than somebody, somebody new, somebody different, somebody in a position says "Aye, lets just do it." I don't know if we can accomplish that but that's my intent. Food for thought.

CHAIR FUENTES Do you think it should come back before this board here?

COMMISSIONER CHICO I would like to see something to that effect?

CHAIR FUENTES I agree with that, that yeah I mean...

COMMISSIONER CHICO I've talked to Marilyn, due respect Marilyn, you know where I'm coming from. It has to do... since I've been on the Planning Commission, you were there when I first started. We've had five Planning Directors since 2005, and that's what happens and the succeeding Planning Directors they can't possibly know what we were doing.

VICE-CHAIR FRYMARK So, if I'm understanding this correctly. It's any significant changes being made to the zone, should it be recommended for approval tonight by this Commission, that it be any significant changes be made in consultation or in collaboration with the City Manager?

COMMISSIONER CHICO Yup, by the Planning Director.

VICE-CHAIR FRYMARK Yes, by the Planning Director.

COMMISSIONER CHICO Yes, absolutely, yes. That's what I'm suggesting.

CHAIR FUENTES Do you think we should put a little bit more in there besides that, that it comes back to the Commission?

COMMISSIONER CHICO Well in that case that we're taking all the discretionary power away, that wasn't my intent.

VICE-CHAIR FRYMARK I'd also like if we're going to go down that road, also identify "what is significant?" because what could be significant to me may not be significant to...

COMMISSIONER CHICO Exactly. Yes, I understand.

VICE-CHAIR FRYMARK ...someone else.

COMMISSIONER CHICO That's why it's a difficult concept.

VICE-CHAIR FRYMARK I'm following though, I'm with you.

CHAIR FUENTES Yeah, I agree also.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	If I might, if you can provide maybe a threshold?
COMMISSIONER CHICO	Yes, I agree but how would you...
VICE-CHAIR FRYMARK	Monetary threshold?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Or a percentage?
VICE-CHAIR FRYMARK	A percentage of set change?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	A percentage change? Something like that.
VICE-CHAIR FRYMARK	So, significant would be in my mind anything over fifty percent.
COMMISSIONER CHICO	If you can do it that way, yeah absolutely.
CHIAR FUENTES	Fifty percent of what?
VICE-CHAIR FRYMARK	Whatever the change is being proposed. So, if we are recommending that a zone be... fifty percent of a zone be changed that should not be done without having some kind of consultation?
COMMISSIONER CHICO	No, that's not, if I may, that's not where I'm coming from. I'm saying where, you know, the code specifies where there is conflict, or misunderstanding, or vagueness the Planning Director has to make a decision. That's the situation I'm talking about. If it's something serious like a Zone Change or a setback, no, she doesn't have that authority. You know, she or he doesn't have that.
CHAIR FUENTES	Is that considered significant where she does? I'm sorry, they do?
COMMISSIONER CHICO	Wait, say that. I'm sorry, say it...

- CHAIR FUENTES If it is something significant, where it's a zone change or something in that manner, does the director have the authority to go ahead and change it under discretion?
- COMMISSIONER CHICO She has the authority to resolve conflict.
- CHAIR FUENTES They, the person, do not say her.
- COMMISSIONER CHICO Yeah well he or she. Yeah.
- CHAIR FUENTES So what I am saying is, but at their discretion. So, I don't believe that, I think it should come before this Commission to get it approved.
- COMMISSIONER CHICO Well, I don't mean to take the streamlining away from the process. I can only think, let's take an example of a driveway that gives access to the property, and let's say that we stipulated it was to be thirty feet, and by golly for whatever reason, I'm just making this up, it has to be thirty-one feet. Or it might have to be twenty-eight and we say maximum whatever, but thirty-one let's say, one foot let's say. That shouldn't hold up the whole progress. Those are the kind of decisions I'm talking about.
- CHAIR FUENTES But is that significant, that's not significant?
- COMMISSIONER CHICO No, it isn't. That's why she wouldn't have to have, you know...
- CHAIR FUENTES Oversight.
- COMMISSIONER CHICO Oversight, yeah.
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON If I may...
- COMMISSIONER CHICO That kind of example she just writes it and puts it in the file.
- CHAIR FUENTES You said significant. You said significantly.
- COMMISSIONER CHICO Yes, I did say significant. I just gave you a poor example.
- CHAIR FUENTES Okay.

COMMISSIONER
CHICO

Supposed the roadway has to go six feet more...

CHAIR FUENTES

Okay, now that's significant because then you have to...

COMMISSIONER
CHICO

Bingo, then she could talk to the City Manager.

VICE-CHAIR
FRYMARK

But I think that there is also conditions, so like if were looking at Chapter 17.24 which talks about the planning authorities, it indicates here that the Director has the ability to make a decision on: the Minor Use Permits, on Temporary Use and Special Event Permits, on Sign Permits, Minor Variances, Reasonable Accommodations, Site Plans and Design Review, Lot Line Adjustments. Those are the things that I'm seeing here that the Director has the authority to make a decision on.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

If I may, Chair and Commission, the current code has that if there's anything that's thirty percent or more. So, I mean the threshold could be thirty-one percent then it would come to the Planning Commission. The other thing is that if there's anything that the director... Because we do get some unusual request or situations that weren't anticipated before but the director can always bring that up to the Planning Commission. That is not necessarily a Planning Commission item, but it's to get Planning Commission determination or some clarification on that. So that that discretion is already in our current code and we would continue that. I believe it's in the code right now, yes.

VICE-CHAIR
FRYMARK

You said its currently at thirty percent, Marilyn? I'm sorry, did you say thirty percent?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

It's thirty percent right now.

VICE-CHAIR
FRYMARK

Existing?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

So if its saying it's significant if it would be thirty-one percent, you know that, or if you choose a different percentage.

- NICK PERGAKES Yeah, and we created a new chapter called, its Chapter 17.31 Minor Variances, so there can be administrative variances for like parking or loading spaces of 10%. You know, reduction or increase setbacks. So, there is some flexibility with like lot coverage height, you know, landscaping but if it's a Zone Change that's not something that Marilyn or City Staff can do on their own. Yeah, so it's a checks and balances system. If you have specific items that we say, you know, Planning Director we'll have the, you know, full review and approve. If you want to change it to Planning Commission, I'm sure we can work that out if there's certain things, but I hear you about documenting that's a good idea. About having something, about documenting those changes.
- COMMISSIONER CHICO Yes, I was going to repeat myself on that. At the very least, any changes that are approved to be documented and made part of the file. So we know why it's different.
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Any kind of minor use or permit those would have their own files, you know, for each site and each use.
- COMMISSIONER CHICO Okay.
- CHAIR FUENTES You good? Is that it, you good? Anything else Commissioner?
- COMMISSIONER CHICO We'll see, um, okay I will end with one major concern that I have. After seeing what happened on Arrow Highway, and I'm partly to blame. I never want that to happen again. The Panattoni, whatever the developers name is. When it comes to residential areas, I feel that the setback should be no less than seventy feet from the property line regardless of side yard, rear yard, front yard. If the development is across the street it should be, yeah, seventy feet from the property line. No less than the set back of seventy feet when a residential housing area is right there next to the project.
- CHAIR FUENTES And its written as how much now?
- COMMISSIONER CHICO Right now? How much now? It's about thirty, in some cases it's thirty. That's ridiculous.
- CHAIR FUENTES I think its twenty in some.
- COMMISSIONER CHICO In some cases, it's thirty feet.
- NICK PERGAKES Are you talking about, for next to an Industrial Zone or for just generally?

COMMISSIONER CHICO All of them. All buildings.

NICK PERGAKES It depends on the district, so I don't have a table.

COMMISSIONER CHICO I don't want it to depend on a district, I want it to apply to all of it. Anything around a residential area, should be at least seventy feet from building, any new building.

CHAIR FUENTES Any building, any new building should be seventy feet setback from the property line as adjacent to any residential.

NICK PERGAKES Just throwing this out there, maybe legal you can help me with this? That can be considered really egregious, and like be considering like a taking of someone's rights that they couldn't develop within seventy feet of a property.

COMMISSIONER CHICO There's no applications out there right now, so they can't. In other words, if it becomes part of the code that's a condition they are considering, you know.

NICK PERGAKES Right, but it'll be very difficult for someone to build a new home.

COMMISSIONER CHICO I'm not concerned with that, I'm concerned with the residents. There aren't that many residential areas. Not at all.

NICK PERGAKES Well yeah, if you want to propose seventy feet. If that's the direction of the Planning Commission, we'll be happy to consider that.

VICE-CHAIR FRYMARK Do we anticipate that being problematic for any developers that want to come into the City?

NICK PERGAKES Very problematic, I imagine. It depends on the type of building too, like if it's a multifamily building, you know, setbacks can be a little more, right. You know, and sometimes residential, like single family, could be twenty/thirty feet but when you get to seventy feet that's... I've never seen that before, honestly.

COMMISSIONER CHICO Marilyn, excuse me, would you know the set back here on Arrow Highway across from that little center?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON That's twenty feet on Arrow Highway.

COMMISSIONER CHICO Twenty feet? I'm talking about, okay maybe I used the wrong word, the distance from the building to the curb, on these buildings over here.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Just for clarification, are we talking from Arrow or from Irwindale? The buildings? From Arrow?
CHAIR FUENTES	I think we are talking from Arrow Highway.
COMMISSIONER CHICO	The buildings are on the corner of Irwindale and Arrow, and the setback from Arrow Highway.
CHAIR FUENTES	So the Arrow Highway, it would be north.
COMMISSIONER ACOSTA	Northeast corner?
CHAIR FUENTES	It would be the north of Arrow Highway.
COMMISSIONER CHICO	The northeast corner.
CHAIR FUENTES	Yeah, but I'm talking. So, you're talking about the ones that are east of Irwindale Ave? The setback?
COMMISSIONER CHICO	Right where Arrow is, yes.
CHAIR FUENTES	What is our setback there?
COMMISSIONER CHICO	What is the setback?
ASSOCIATE ENGINEER LUIS PIMENTEL	Into the curb?
CHAIR FUENTES	Yup.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Assuming that's a...
ASSISTANT CITY ATTORNEY TRAXLER	Chair?
CHAIR FUENTES	Yes.

ASSISTANT
CITY ATTORNEY
TRAXLER If I may, just make a recommendation that each Commissioner speak directly into the microphone. So, we will be able to identify on the record who is speaking.

CHAIR FUENTES Please speak into the mic, so that we can hear you guys.

ASSISTANT
CITY ATTORNEY
TRAXLER And Chair if I may also give a recommendation, while they are pulling that up. It might be a good time to open the public hearing and take public comment before the Commission deliberates.

CHAIR FUENTES We're going to go ahead and open this up for the public, Item No. 4 A Zoning Ordinance Amendment to 03-23 and Zoning Change 04-2023 Citywide Title 17 Zoning Code Update. I would like to open that up.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON Chair, If I may, to respond to Commissioner Chico's request. So we've pulled that up there, its approximately sixty feet from the inside of the sidewalk. The setback. I forgot the landscape that was in there. So, you see you have parking and then you have the drive aisle.

CHAIR FUENTES That's from the sidewalk, what would it be from the curb? The curb is what eight/ten feet, I mean the sidewalk is eight/ten feet.

COMMISSIONER
CHICO Ugh, I don't know.

ASSOCIATE
ENGINEER
LUIS PIMENTEL Eight to ten, depending.

CHAIR FUENTES Yeah, so we're looking at seventy feet, you know, so pretty close. sixty-six, okay.

COMMISSIONER
CHICO How much is it, fifty?

CHAIR FUENTES Sixty, sixty-five.

COMMISSIONER
CHICO It's sixty-five?

CHAIR FUENTES Sixty-six, it shows on here but it's probably sixty-five.

COMMISSIONER
CHICO See that's perfect. I'll settle for sixty-five. That should've been straight all the way across Arrow Highway.

CHAIR FUENTES I'm sure it is. Anyways, the public hearing is now open.

OPEN PUBLIC
HEARING At 7:25 p.m., Chair Fuentes opened the Public Hearing.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

We'll start off with Tier 1.

CHAIR FUENTES

Hi, please state your name for the record.

TOM BEA

Hi, my name is Tom Bea. I'm managing partner with Mount Olive Storage, located at 2500 Central in Irwindale, California, and I'd like to thank the Commission for being here tonight. I'd also like to thank Marilyn and Nick for doing all this hard work. I've been following the work that they've done, and it's very commendable. Thank you very much, very thorough. Thank you. Um, I'm here on behalf of Mount Olive Storage, and I want to make sure that our property doesn't have a residential overlay on it. Do you guys have a current Zoning Map available that you can put up and see what the new proposal is? I'd like to see that, and I just want to make sure that our property does not have a residential overlay and we've had a number of correspondence with the City of Irwindale reflecting our concern. Also, Richard Chico regarding the seventy-foot setback, I've never seen that before in any type of development in any city, but I think what you have here up on this photo at Irwindale and Arrow Highway you got a combination of things that help mitigate, I think, runoff and storm drain issues. So that's why I think the setbacks are that large there. So, but I think each property is a little different and you have to address them differently with each project. Anyway, if I could see a current zoning map? I'd appreciate it. I'm up here in the north, right here.

SENIOR PLANNER
JONES

There is no overlays.

TOM BEA

There's no overlays? Alright, well thank you. I just want to make sure, and again, I really appreciate all the work that the Planning Commission has done and put into this. It has been very lengthy and it's a very nice job. Thank you.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you Chair and Commission, I just want to affirm that there is no overlay on the Mount Olive Storage parcel. I know, in previous times that had been an item of discussion, you know, because this has been a work in progress for several years, and then it was determined that site would not have an overlay. So, it's not even being proposed in our Housing Element.

CHAIR FUENTES

Thank you, for that clarification. Anyone else from the audience looking to come forward and speak on this item?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Seems like no one in Tier 1, we can move on to Tier 2. No one has rose their hands for Tier 2. So, then no one for Tier 3 as well.

- CHAIR FUENTES Very good, alright.
- VICE-CHAIR
FRYMARK I do have another question for Staff, if I may. For the project on 16203 and 16233 Arrow Highway, the newer building. I'm just curious to know what is the height on that particular building?
- CHAIR FUENTES Go ahead Marilyn.
- COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON Looking blankly at you, that was my project and I can't... I believe it was M-1. So the maximum height was thirty-five feet according to the current code. One of the things I also want to bring up about the seventy-foot, you know, for your consideration. You're looking at having a seventy-foot set back from any zone, that will create a lot of non-conformities that we would have in the existing. There are some parcels that I don't even think they could accommodate a seventy-foot setback. Just for your consideration.
- CHAIR FUENTES Commissioner Chico, your question is that concerning residents now for a new development, or any building anywhere, or what are you referring too? Give me some clarification, please.
- COMMISSIONER
CHICO It applies to where there is a building to be constructed for commercial or industrial uses that that abuts a residential property.
- CHAIR FUENTES So it would be existing residential property.
- COMMISSIONER
CHICO Existing residential.
- CHAIR FUENTES And it would be a new industrial or manufacturing.
- COMMISSIONER
CHICO Right.
- CHAIR FUENTES Okay, there is a little bit of clarification on that now. So it is not every building at all. It would be where there is existing residential residence, the set back facing the residence would be seventy foot back or sixty-five. Correct?
- COMMISSIONER
CHICO Sixty-five is fine. You can say Sixty-five.
- CHAIR FUENTES So it wouldn't encumber every single property.
- COMMISSIONER
CHICO No.
- CHAIR FUENTES No, I understand. I get you now.

COMMISSIONER CHICO Oh, okay.

CHAIR FUENTES Just for clarification. Anything else from the Commissioners? Any other remarks or conditions that we would like?

ASSISTANT CITY ATTORNEY TRAXLER Chair, before we get into Commission deliberation we can close the Public Hearing.

CHAIR FUENTES Oh, okay. I am sorry. So is anyone else wishing to speak on anything on this matter? Okay we are going to close... Oh okay, go ahead sir. Sir, yes absolutely.

TOM BEA I am Tom Bea, with Mount Olive Storage, back again. I think that offset is pretty extreme, and I don't think developers are really going to like that at all. You're going to drive a lot of them away from Irwindale. So, FYI. Thank you.

COMMISSIONER CHICO Let me just respond by saying, I don't represent the developers. I represent our residents.

CHAIR FUENTES Thank you.

TOM BEA And we do too. With Mount Olive Storage, we have quite a few residents that store in our facility so we would like to work with them as well. But also as a land owner, I would like to see the City of Irwindale work with land owners as well. Thank you.

CHAIR FUENTES Thank you for your comments. Thank you, Commissioner. Anyone else wishing to speak? And there isn't anyone else on the rest of those tiers?

ADMINISTRATIVE SECRETARY HERNANDEZ It doesn't look like there's anybody else.

CHAIR FUENTES Alright, let's go ahead and close the public participation. Just a minute we are going to leave it open. Go ahead Marilyn.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you Chair and Commission, just for clarification. So with that setback if it is sixty-five feet, if it is commercial or industrial next to residential, what if there is a street? Do we want to include that street? Or are you talking from the property line? Just strictly from the property line?

COMMISSIONER CHICO Not including the street, from the property line.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Okay. Thank you.

CHAIR FUENTES

Thank you. Okay, we are going to go ahead and close Public Participation.

CLOSE PUBLIC
HEARING

There being no speakers, Chair Fuentes closed the Public Hearing at 7:34 p.m.

CHAIR FUENTES

We are going to open this up for Commissioner comments. Any additions to what we talked about or any changes you would like to be seen within this document. Let's talk about it.

VICE-CHAIR
FRYMARK

I hear Commissioner Chico's concern and desire to extend the setback to sixty-five from residential. I also very much want to support the residents asks and wants. It is a fair balance between meeting the wants of the residents, but also making the City an economic viable city, where we want to be good partners with new businesses that come in so we can then use those revenues to support the residents. So I'm a little bit torn about sixty-five setback. I am also concerned about drawing businesses away from the City. I would like for us to be able to move forward in a way that is productive and brings in new businesses. That is my public concern with the sixty-five setback.

CHAIR FUENTES

I guess I have a question for Staff also. Marilyn, what percentage of area are we talking about here that could possibly be developed where there is residential? Is there a whole bunch, or is it just a little bit or...? I guess we would be talking Allen Drive. What else?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Allen. We would be talking about the Morada Street development as well.

CHAIR FUENTES

Well, I mean, if it's already in place and we change this, I mean can't we just grandfather that in?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

We can but those properties would be considered legal non-conforming. That they have been permitted before the change, but there are some implications with that of having non-conformity for the property owner.

VICE-CHAIR
FRYMARK

What would some of those implications be? Just out of curiosity.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Well, we get requests for zoning verification letters, you know, for a property and those typically come when somebody is either refinancing or they're selling the property. And if they are, this doesn't happen all the time but it's just one of the concerns, if there is a non-conformity they may not be eligible for whatever bank loan with that. You know, if somebody wants to redevelop it, you know, they may say it's putting a burden on it because they ask more questions about the non-conformity. They want what the current code is. If somebody was selling their property or they were proposing to redevelop it, they would have to do it according to the current code, which is what it is now, you know and the feedback that we have gotten on this over the years is that sometimes they're not eligible for a loan for that. Sometimes they are, it just depends on who wants to purchase the property. If I may, if it is at the Commissions discretion maybe a recommendation, maybe a range based on feasibility for the particular site. Maybe not a hard and fast sixty-five feet for everything but it depends on the size of the parcel.

CHAIR FUENTES

Going back to my original question, what is the percentage or how many? What are we looking at? I mean is there a whole bunch of properties that we are looking at or is it just...

VICE-CHAIR
FRYMARK

The areas that are next to residential currently are mostly all developed. If I am not mistaken.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Most of them are. Yeah, I'm referring to our map maker, who is always looking at things that if he knows what the percentage is.

CHAIR FUENTES

Do you have a pointer?

PLANNING
TECHNICIAN
ROMERO

So there there's not a percentage I can give. I could just name some of the areas where there might be issues.

CHAIR FUENTES

A pointer?

PLANNING
TECHNICIAN
ROMERO

A pointer, yes. Is the mouse fine? The cursor.

CHAIR FUENTES

Yeah. You can see it on our screen.

COMMISSIONER
ACOSTA

You can see it on ours.

PLANNING
TECHNICIAN
ROMERO

Okay. Just so that I make sure I understood your question, you want to know...

CHAIR FUENTES What would be the areas where there is existing residential that we could possibly put industrial, or M-1, new buildings.

PLANNING
TECHNICIAN
ROMERO Okay, so we have some M-2 and M-1 right off of the Nora Fraijo and...

CHAIR FUENTES But that is existing already.

COMMISSIONER
CHICO That is existing.

PLANNING
TECHNICIAN
ROMERO Right.

CHAIR FUENTES I am not asking existing.

COMMISSIONER
CHICO That is not what we are asking.

CHAIR FUENTES New development.

COMMISSIONER
CHICO Brand new development.

PLANNING
TECHNICIAN
ROMERO Other than Allen, I believe most of the M-2 and M-1 areas near residential are already built out. But that's not to say that there might not be new development in the future.

COMMISSIONER
CHICO That's generic.

CHAIR FUENTES Right there pretty much only on Allen Drive then, which I am cool with that. Okay.

COMMISSIONER
CHICO Let me say another thing. Don't forget if that becomes code, there is always the possibility that the applicant/developer could request a Conditional Use Permit. I mean it is in the code, what I am after is it won't require any administrative approval or anything like that. They have to come before us.

CHAIR FUENTES Like for a Variance?

COMMISSIONER
CHICO Exactly.

CHAIR FUENTES Okay, great.

ASSISTANT
CITY ATTORNEY
TRAXLER

Chair, if I may. Just make one comment for the Commission's consideration. Director Simpson briefly spoke about the feasibility of any site that would be developed, and we just do need to be careful. Like the consultant said, that the City doesn't impose restrictions that make it infeasible for the site to be developed, because in that case we would be putting the City at risk for liability for a taking of property. Essentially what that means is that the City, through regulation is making the property valueless. And we could be financially liable for the compensation for that. So just something to consider, we don't want to impose regulations that make the property infeasible for use.

CHAIR FUENTES

So what would that threshold be?

ASSISTANT
CITY ATTORNEY
TRAXLER

Well, I can't give you one. It would depend on the property and how much square feet can be developed.

CHAIR FUENTES

I understand what...

CITY MANAGER
MIRANDA

Chair if I can. You know there is another area, as well, if you think on Arrow Highway going west, the old Diaz Liquor site that abuts residential property up Hidalgo Street. So there is that. That's a major thoroughfare right there. It is a major artery. You could envision what that site looks like and what any kind of development might look like if you impose this. Of course there could be exceptions, but food for thought.

CHAIR FUENTES

Thank you for that.

VICE-CHAIR
FRYMARK

Question. What is like the industry standard in terms of setbacks? I know we're not like every other city, and I'm not trying to be. I am just curious.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

I think that we had is the fifty-foot setback if it's residential next to industrial. Commercial tends to be a little bit closer because you want commercial as kind of a buffer, with that. I know that we do have situations right now, that we do have M-2 that is adjacent to residential, which you know, is not ideal for that. But going back to the question. I think that Martin, our Planning Tech, pointed out the only property that I guess has been identified for residential is that Allen parcel. Directly east of that, you know, it is still zoned M-2 that property. That's not to say that a piece of property could be purchased in the future and somebody wants residential and it's next to an M-2 Zone.

COMMISSIONER
CHICO

I have another question.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Okay.

COMMISSIONER
CHICO

On the proposed map, over there on Meridian and Mountain, you still have it red and that is Mixed Used, yet there are single family residence that live on there. Am I correct?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

We are talking over here?

PLANNING
TECHNICIAN
ROMERO

That's with the inconsistencies. It's not with the Zoning Code.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yeah, we're not changing this as part of the Zoning Code. That's one of the things that there is an inconsistency that it's build Residential, but its underline zoning is still M-2 or M1. It's M-1 in there. That's going to be coming forward. We had brought that last year, you know, as an introduction to that, but what's taking precedent is working on the Zoning Code update, but we will be bring those inconsistencies to you in the next month or two.

CHAIR FUENTES

Can I open this back up for Public Participation? I believe this gentleman still had a comment.

ASSISTANT
CITY ATTORNEY
TRAXLER

Yes.

CHAIR FUENTES

Oh, not after all? I was going to do it just for you, partner.

TOM BEA

Sure.

CHAIR FUENTES

Okay, do you want to speak? We will open it back up to Public Participation.

OPEN PUBLIC
HEARING

At 7:45 p.m., Chair Fuentes opened the Public Hearing.

TOM BEA

Hi, Tom Bea, with Mount Olive Storage, Marilyn clarified. Our location actually abuts City of Irwindale's residents. I think... No Duarte, Duarte. I am sorry. So, I think we fall under their building code. Building close to residential. Thank you for opening it up.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON If I can for clarification. We've had other properties that are adjacent to a different jurisdiction, and we always look at what their code will say and accommodate that. But we have no jurisdiction over the City of Duarte and their zoning.

CHAIR FUENTES I would like to close Public Participation and continue with opening it back up to the Commissioner Comments. Albie, do you have anything Albie?

CLOSE PUBLIC HEARING There being no speakers, Chair Fuentes closed the Public Hearing at 7:46 p.m.

COMMISSIONER ACOSTA I am still stuck on the setbacks. I am just trying to figure out if we have any other options.

CHAIR FUENTES Well, we got plenty of options. It's just...

COMMISSIONER CHICO Let me make a comment for your consideration. You know where I live. From where I live, how far is it to Breeders Choice? I can hear their oven. I can hear...

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Chico...

COMMISSIONER CHICO I can hear their trucks unloading. I can smell the odor from the cooking. My question is, (inaudible). I know we can't achieve that but we are going to be facing the same thing right here on Allen Drive. The very same thing. You can zone or categorize everything anyway you want it, but somewhere along the way the users are going to create traffic, smoke, dust, noise, they're going to. I will end it with that.

CHAIR FUENTES And I understand. I completely understand and I agree with you. It just happens to be this is the City that we live in and that we have industrial all around us and manufacturing all around us. It has always been like that. It is unfortunate but that's how it is. It is not like other cities where it is just a city, and there is nothing around like that but that is not where we are at. I live here also, and I agree with everything you say. But I am wondering if there is some consideration we can take in as far as that sixty-five if you would be willing to say fifty. I understand you concerns Vice-Chair and yours also. If we went fifty because fifty is in there. Fifty feet is in there for, what is it M-1, M-2? What is it? I am sorry. M-2?

NICK PERGAKES I think you already have it in your existing code of 50-foot setback for a residential next to...

CHAIR FUENTES But I am saying if we change all of it to fifty-foot for all.

NICK PERGAKES You mean change the front and side setbacks to minimum of fifty feet?

CHAIR FUENTES Where the residential are. With new...

COMMISSIONER
CHICO Adjacent to residents.

CHAIR FUENTES Yeah with new development.

NICK PERGAKES We do have a table.

CHAIR FUENTES With new developments that are next to residential.

COMMISSIONER
CHICO On the curb.

CHAIR FUENTES From the property line, yeah.

COMMISSIONER
CHICO Yeah.

NICK PERGAKES Is it this presentation right here? Oh I am sorry. Ok, got it. So we
zoomed in right?

VICE-CHAIR
FRYMARK Right now it says M-2 Zone. In the proposed changes it says a
minimum of thirty feet for a property adjacent or across the street from
a Residential Zone. That's from the front. For the side, it says minimum
of twenty-five feet for a property adjacent or across the street from a
Residential Zone. The interior shows that it is fifty feet. So I think the
ask is to have it fifty feet all the way around the perimeter when it is
adjacent to a residential area.

COMMISSIONER
CHICO For all zones.

NICK PERGAKES I think we have more flexibility on the interior side, but with the front
setbacks and street side setbacks that is quite a bit. The City is very
generous, like I don't think I've ever, if I can recall seeing any city
actually do a minimum of fifty feet for residents adjacent to industrial.
I'm sure it's been out there but that that's pretty rare case, and I think
it's great for your City. But I still kind of think that could cause an issue
with, you know, a development.

COMMISSIONER
CHICO Let's cause an issue.

NICK PERGAKES We are getting into the issue that legal counsel brought up, just with
you know, that causing, you know...

- CHAIR FUENTES I guess my question is we have that for M-2, correct?
- NICK PERGAKES We have it for M-2 on the interior side. So kind of on the interior but as Marilyn mentioned maybe there can be a way to look at this where it's like a certain lot size, because if you're looking at a small lot of like maybe five to ten-thousand square feet could be an issue. If it's more of a larger property, an acre, that's not as much of an issue. But we do address, we're trying to through this code, like with landscaping, with buffers we're trying to find ways to really help with the appearance and you know those uses next to you. You know, trying to make it more in character or make it a little bit, you know, to work with it uses around it. I think we've done a good job at trying to get there. If you're trying to get the fifty feet, you know, for the front and the street side setbacks, I think that's perhaps a little bit too much still. But you know, this is your recommendation, so we can study it with Staff and look at it. But still, from just a first glance it does seem to be quite significant.
- COMMISSIONER CHICO That is forever.
- NICK PERGAKES And remember, these are minimums. It doesn't mean that you can't work with a developer on making it wider than that.
- COMMISSIONER CHICO We want minimum.
- NICK PERGAKES You could put a conditional use in there.
- COMMISSIONER CHICO Minimum will give us more.
- NICK PERGAKES I am sorry you can make Conditions of Approval, so you could do other things.
- CHAIR FUENTES I understand, I am sorry Marilyn, I understand the intent here Commissioner. At the end of the day, this is our residence. This is what we go out every day. These are the streets we drive. This is what we see. Whereas, forgive me, no offense you know you are a third party and other people are too. They come in here, we approve something, they move on to where they live, and they don't deal with this every day. As residents, we deal with this every day. So, I completely understand what you're saying Commissioner and I agree with you. What do you think about the set back from the street facing it fifty feet back? If it is a side street or...

COMMISSIONER CHICO I don't know what you mean by side street. My definition, I am looking for fifty feet if it is from the property line when it's adjacent to a residential area. That's the best legal interpretation you can have. That includes the side yard, rear yard, and front yard. The distance between buildings does not concern me. That does not even come into play here.

CHAIR FUENTES It is just what you are going to see from your property. I am sorry Marilyn, go ahead.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON If I may, thank you Chair and Commission. So then that setback could include the landscape setback in there, as well as parking?

COMMISSIONER CHICO That is fine.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON As well as drive aisle in there?

COMMISSIONER CHICO That is fine.

CHAIR FUENTES Absolutely, for space.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you for clarification.

CHAIR FUENTES Bear with me here, I am kind of a visual guy here too.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Excuse me?

CHAIR FUENTES I am a visual person. It helps me out more. This is a piece of property here. You have residents here, nothing here. So we are just talking from here back, fifty feet correct? This is a street here, okay?

COMMISSIONER CHICO Okay.

CHAIR FUENTES There is a new property here.

COMMISSIONER CHICO Yeah.

CHAIR FUENTES Alright and this is Arrow Highway. We want fifty foot back, correct? The residents live here across the street.

COMMISSIONER CHICO Oh, the residents live here across the street. We want fifty feet from the curb.

CHAIR FUENTES No, this is the new building.

COMMISSIONER CHICO Okay, go ahead.

CHAIR FUENTES The residence is here, there is a street in between. We want the setback, fifty foot, back here correct?

COMMISSIONER CHICO From the curb, but not the street.

CHAIR FUENTES Correct, from the curb.

COMMISSIONER CHICO From the curb on the resident's side. The curb on the residential side.

CHAIR FUENTES No, no that would be across the street then. That is less. You wanted. You live here. Look here. *Mira*

COMMISSIONER CHICO There is the residence. I want fifty feet in here.

CHAIR FUENTES No, no the residents live there.

COMMISSIONER CHICO No, this is a house.

CHAIR FUENTES This is your house, the building is going across the street.

COMMISSIONER CHICO Oh, okay. I see what you are saying. I see what you are saying. I am sorry, I want fifty feet here, yes.

CHAIR FUENTES Alright.

COMMISSIONER CHICO Yes. I don't want to set it backwards.

COMMISSIONER ACOSTA But is it just the fifty feet where the residence side is? Just on that side not this side of the building or the back of the building? Okay.

COMMISSIONER CHICO	Only on the side with the residents. The others don't matter.
CHAIR FUENTES	Unless it is on a corner lot.
COMMISSIONER CHICO	Exactly.
VICE-CHAIR FRYMARK	For the residents.
COMMISSIONER ACOSTA	But this side facing the residents.
CHAIR FUENTES	The sides here and here.
COMMISSIONER ACOSTA	Yeah, that makes sense.
CHAIR FUENTES	I am sorry we got some visual issues going here.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Chair and Commission if you can look at the aerial here. So we have a situation on the residential on Hildalgo and their rear yard. This is we're talking commercial here. So it would have to be seventy feet. The building would have to be seventy feet away. I don't even know how deep.
VICE-CHAIR FRYMARK	It would have to be a small building to build there.
CHAIR FUENTES	Is there even seventy feet there?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yeah, which is....
ASSISTANT CITY ATTORNEY TRAXLER	So that's when we get into issues, is that the property then just essentially becomes worthless.
CHAIR FUENTES	Right, and I understand that. I am envisioning more of what you are talking it's the front of it but now I am looking at this, the back of it. Yeah that would be an issue there, Commissioner.
COMMISSIONER CHICO	Well let them sue us. We can negotiate. We can't stop because of one piece of property. We can't. What are we going to do stipulate that property as the exemption? If that is what we have to do, let's do it but I am not afraid of a lawsuit we can always negotiate.

VICE-CHAIR FRYMARK	Would a lawsuit, though, impede our ability to be able to provide the services that we do to our residents?
COMMISSIONER CHICO	In what way?
VICE-CHAIR FRYMARK	If we get ourselves into litigation.
COMMISSIONER CHICO	Say that again.
VICE-CHAIR FRYMARK	So if we take a hard stand and say fifty feet, and someone comes to us and says that they're threatening to sue because we zoned that space in a way that doesn't make it buildable, if you will. Then we go into litigation, spend all this money and then that is taking away from what we're able to offer our residents as well. Just a thought.
COMMISSIONER CHICO	I know that if we were to get sued, in order to negotiate we would first have to defend but if we knew that we were going to acquiesce in the lawsuit, it wouldn't cost us that much. If we're going to fight it, yes. I'm saying if they do sue us now, we concede and then we can address this particular piece of property by itself. We have a good basis to exempt this property. Therefore we can't get sued by other people because, "Oh, you favored them". No, we had to favor them.
ASSISTANT CITY ATTORNEY TRAXLER	If I may, Chair. I think the bigger issue would be a challenge to the ordinance on its face. That would mean that someone would just challenge the regulation as illegal, as void. So then in that situation it might just be that a court would decide that regulation is void, it doesn't apply to anyone in the City so that could be one option. If we start entering into various settlement agreements with various properties, we do run into issues with spot zoning. Spot Zoning is treating one property different than others which is also an issue. So we just want to make sure that the Zoning Code would be applicable to the public equally and generally.
COMMISSIONER CHICO	Notwithstanding the first part of your comment, I already addressed the spot zoning. If we got sued and lost, we would have to modify our restrictions, ergo, it's not spot zoning.
ASSISTANT CITY ATTORNEY TRAXLER	Understood.
COMMISSIONER CHICO	We were forced to do it.

ASSISTANT
CITY ATTORNEY
TRAXLER

Understood.

COMMISSIONER
CHICO

Okay. We already have fifty feet stipulated, am I correct?

VICE-CHAIR
FRYMARK

In the interior.

COMMISSIONER
CHICO

Well, I would like to go for the fifty feet.

VICE-CHAIR
FRYMARK

So if you have here and you have M-2 right here it would be fifty feet from the interior side of the dwelling.

COMMISSIONER
CHICO

Okay.

VICE-CHAIR
FRYMARK

On the streetside, it is the way it is currently zoned. It is only twenty-five feet. So from here it would only be twenty-five feet.

CHAIR FUENTES

We are going to want to extend that.

VICE-CHAIR
FRYMARK

I do think we could extend that.

CHAIR FUENTES

Question Marilyn. On the map above us here there is Hidalgo Street. At the end of Hidalgo Street there is that building, I believe the Irwindale Medical Center whatever that is there.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yes.

CHAIR FUENTES

Let's just say we adopt this and Council adopts the fifty feet setback. Now will this be considered a non-conforming business?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yes, it would be considered legal non-conforming. The building not the business.

CHAIR FUENTES

Right. Okay, so what I am say is there any verbiage in there that this has been grandfathered in and it should not be held non-conformant. Am I making sense?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yes, but if...

CHAIR FUENTES

We are changing the zoning now, but this was in there and there's something we can't say "hey pick it up and move it fifty feet."

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yes, and we would say it is legal non-conforming because at the time that it was built, it was built with the code.

CHAIR FUENTES

Then I guess it would be non-conforming meaning if they tore it down then they would have to go fifty feet, correct?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

That is correct.

CHAIR FUENTES

Oh okay, but we couldn't grandfather in if they could just build right on where that is?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

What we would do is process a Variance and there are some very particular findings that we need to make, you know for that, that it couldn't be a self-imposed variance if they were able to make that. We wouldn't want to say that we're, you know, we're proposing a variance because we changed the code. I don't know if that's one of the findings that that would be able to make.

CHAIR FUENTES

Yeah. I mean I am all for a fifty-foot setback but with an existing building that's there already and something happens, I mean they went through the proper channel to build there at the time. I think they should be able to keep what they have.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Another thing with non-conformities is that if, you know, let's just say that something happened that this was destroyed, you know, over 50% they would have to build to the current code. They couldn't just build to their existing, you know. That's what the standards are with non-conformity.

VICE-CHAIR
FRYMARK

On the street side it is currently showing, in the proposed plan, it's currently at twenty-five feet from the property adjacent or across the street from the Residential Zone. I do think that that is too small.

PLANNING
TECHNICIAN
ROMERO

Excuse me, I just like to clarify something. So, Commissioner Chico mentioned a fifty-foot setback, but you meant for the perimeter, right? Just so that we get that clear.

COMMISSIONER CHICO	As opposed to what?
PLANNING TECHNICIAN ROMERO	Just whatever is facing residential like Commissioner Fuentes was...
CHAIR FUENTES	I believe that is what he meant, everything that is facing residential.
PLANNING TECHNICIAN ROMERO	So not the perimeter?
CHAIR FUENTES	I don't care how many buildings are next to each other.
PLANNING TECHNICIAN ROMERO	Okay, just for clarification.
COMMISSIONER CHICO	Yeah, no I don't care how many buildings you put on there. No.
VICE-CHAIR FRYMARK	Just when it is next to a residential.
COMMISSIONER CHICO	Only the perimeter. Only the property line.
PLANNING TECHNICIAN ROMERO	So is it just the sides that are facing the residential or?
COMMISSIONER CHICO	Yes.
PLANNING TECHNICIAN ROMERO	Okay. That is all I need.
COMMISSIONER CHICO	Right there, that's all.
CHAIR FUENTES	Go ahead Vice-Chair, you were saying that it is only twenty-five, we would like to change that to fifty on the setback from the street.

VICE-CHAIR
FRYMARK On the street side and the front side because right now on the front side the minimum setback as indicated shows, M-2 minimum of thirty feet for a property adjacent or across the street from a residential zone. Which I believe is what Commissioner Chico was talking about, is any area that is next to a residential zone, he would like to see it be at least fifty. Currently it shows that it's thirty feet, so that would be an extension of twenty feet making it to fifty feet on the front side.

NICK PERGAKES Commissioner Frymark, can you see your screen right now? Can you see the table here?

VICE-CHAIR
FRYMARK I can, yes.

NICK PERGAKES So you're pointing to this right here on the interior side, this thirty here?

VICE-CHAIR
FRYMARK I'm pointing to the front side, not on the other side.

NICK PERGAKES Oh I am sorry, up here?

VICE-CHAIR
FRYMARK Yes.

NICK PERGAKES Okay, and so what are you recommending? Or?

VICE-CHAIR
FRYMARK Just taking into consideration Commissioner Chico's thought on expanding that. I know originally it was, you know, anywhere between sixty to seventy, but now it sounds like we're at a fifty feet. That would be an additional twenty feet to the front side.

CHAIR FUENTES That would include the landscaping, parking, everything.

COMMISSIONER
CHICO Yeah, that would include...

VICE-CHAIR
FRYMARK That would include that.

NICK PERGAKES In the cases there is parking. If there isn't, you know just perhaps, then that would not allow the developer to go a little bit closer to the property line.

CHAIR FUENTES Fifty feet is fifty feet.

NICK PERGAKES But I mean it's something for consideration, I mean kind of talking through this. You know, we could study it further.

CHAIR FUENTES I like the fifty feet, regardless if they have parking or no parking or they have landscape, or no landscape. The set back of fifty feet across from a residential area, I like that, if we could amend that and have that put in there.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Just for clarification, measured from the property line? Correct?

CHAIR FUENTES Correct.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Okay. Thank you.

CHAIR FUENTES Are we all good with that? Are you good with that Commissioner Chico?

COMMISSIONER CHICO That is fine.

COMMISSIONER ACOSTA Yeah, I like that.

COMMISSIONER CHICO I wanted to generate some attorney fees, but I guess I am not going to.

CHAIR FUENTES No, no we're going to arbitrate. We're not...

VICE-CHAIR FRYMARK Let's avoid that.

CHAIR FUENTES Unless I was an attorney. Okay, we are all good? Commissioners are we all good?

COMMISSIONER CHICO I don't have the specific, well I do but I don't want to take time to find it. When an application has been approved and the construction is in process, sometimes there's an interruption. They have a limited time to, I won't say finish, but they have a limited time to start the project. In some cases, there has to be extensions authorized, and again, I don't have the chapter, but I notice that we can authorize an extension up to two years. I think two years is a bit much. I would like to see that cut back to a year. That's an extension mind you, not the... They've already been authorized two years of operating/building whatever you want to call it. Since there's problems, I don't want another two years. I'd like to see the extension limited to one year. I will see if I can find it.

VICE-CHAIR
FRYMARK I'm sorry, what area was that?

COMMISSIONER
CHICO Hold on a second, let's see. Okay hold on, I might get lucky. No, I didn't get lucky. Yeah, I am sorry. Okay. On the Development Overlay Zone page thirty-three, such extension shall be approved no more than two years. I'd like to have no more than one year because if it goes two years normally what happens it doesn't get done.

CHAIR FUENTES Oh, I agree.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON We have no comment on that. So, it is your discretion.

CHAIR FUENTES Excuse me?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON It is your discretion to change it.

CHAIR FUENTES Yeah, so we like that. We like that also to be put in the record. What is that page thirty-nine?

COMMISSIONER
CHICO Thirty-three, Chapter 17.09. I don't know if that helps.

VICE-CHAIR
FRYMARK As a point of clarity, did we land on deciding what is a significant change?

COMMISSIONER
CHICO No, I don't think so.

CHAIR FUENTES We thought it was at thirty percent.

VICE-CHAIR
FRYMARK We talked about it, but is that where... Okay.

COMMISSIONER
CHICO Marilyn said something about thirty percent. It is in the code.

VICE-CHAIR
FRYMARK It is currently at thirty...

CHAIR FUENTES I am good with that.

VICE-CHAIR
FRYMARK But we could keep it at thirty or move it to thirty-one. But thirty, I mean why change what is on there.

CHAIR FUENTES Over thirty, she said it would just come back to us. Thirty they have the discretion.

COMMISSIONER
ACOSTA Right. She said it was at thirty, but if it was thirty-one or above then we can consider that significant.

VICE-CHAIR
FRYMARK Okay, thank you for clarifying. I just wanted to make sure I understood that.

COMMISSIONER
CHICO Okay, I have one more question.

CHAIR FUENTES Absolutely.

COMMISSIONER
CHICO On the previous page, page thirty-two of the same Chapter 17.09. You get down to page two the second D, mitigate any potentially significant impacts. Now as I read this, once there are significant impacts that would require a CEQA, a California Environmental Quality Act report survey. What? In compliance with the requirements of the California Environmental Quality Act. That is a pretty general statement.

CHAIR FUENTES The document doesn't require that though, but if there is a substantial...

COMMISSIONER
CHICO Yeah, I will leave that alone. I will leave that alone. I want to ask something else.

PLANNING
TECHNICIAN
ROMERO Another question for clarity, for the setbacks the fifty-foot setback that we were talking about, is that only for the industrial zones, or also the commercial zones?

CHAIR FUENTES For all zones.

PLANNING
TECHNICIAN
ROMERO So all zones? Okay, thank you.

COMMISSIONER
CHICO Here we go with the language again. If there is an approval given for a significant change, the Commission and the Council should be noticed on such a change.

CHAIR FUENTES If it is significant, we will be because of the discretion of the thirty percent.

COMMISSIONER
CHICO How about if I say, we should be noted on all of them? I guess that is too much paperwork.

CHAIR FUENTES Then you are taking all their authority away.

COMMISSIONER
CHICO No, no I just said notice not taking all their authority. I just said notice.

CHAIR FUENTES Oh I see.

COMMISSIONER
CHICO I am done. That's all the nitpicking I can do. I had to make Marilyn work for her money, you know.

CHAIR FUENTES We are making up for all the quick meetings we have, huh? Is that what we are doing here? Okay, I guess we will go ahead and close the Public Hearing. Correct? I am sorry we already closed it. Go ahead Marilyn.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON Since you are making me work for my salary.

CHAIR FUENTES He is, He is.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON I am going to request maybe a break.

CHAIR FUENTES Oh okay.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON Which tells you what kind of an employee I am.

CHAIR FUENTES No, no, no okay.

COMMISSIONER
CHICO What do you belong to a union or something?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON You say work and I say break time. No but that would give us some time so we can put our notes together, you know with that.

CHAIR FUENTES How much time do you need? What do you need Marilyn? How long? Ten minutes? Five minutes?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	At least ten minutes, please.
CHAIR FUENTES	Okay, we will take a break for at least ten minutes.
RECESS	Chair Fuentes recessed the meeting at 8:12 p.m.
RECONVENED	Chair Fuentes reconvened the meeting at 8:42 p.m.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	We are good.
CHAIR FUENTES	I like to call the meeting back to order for the Planning Commission. Go ahead Marilyn.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Okay, thank you Chair and Commission. This is going to be a multi person effort here. So the first person that is going to be... Engineer Luis Pimentel regarding the definition for major arterial.
ASSOCIATE ENGINEER PIMENTEL	Good evening Chair and Commission, going back to one of the questions about the arterial. Our General Plan states the arterial roadways to be Arrow Highway, Foothill Boulevard, Irwindale Avenue, Live Oak Avenue, Myrtle Avenue, and Peck Road. Vincent is considered a secondary one and it was per the average daily traffic as I thought.
CHAIR FUENTES	That is fine it was just a question.
ASSOCIATE ENGINEER PIMENTEL	Yeah, just wanted to clarify that.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	We will make sure that the Zoning Code states that it is to be consistent with our General Plan definition. Okay, next I want to reiterate that we will be including the billboard chapter in that, and also the SMARA chapter will be updated and included.
CHAIR FUENTES	When that comes back.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON The next thing, regarding the threshold for the Minor Permits and the Variances. One of the things I wanted to say is, you know, the CD Director will be documenting any Minor Permits that are worked on. We will document everything in a file, you know, that will be accessible. Getting into the authority of the CD Director, the authority for the CD Director for any Conditional Use Permit would be less than thirty percent, but I want to point out that in Section 17.31, it's Minor Variances. We do have a table that does have the percentage for different reductions or increases, and those are all less than thirty percent in there. So if the Planning Commission wants to keep this but if anything is not stated in there, they want to add thirty percent to it or keep it as is.

VICE-CHAIR FRYMARK Are you referring to parking and loading spaces? That is a ten percent.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Yes, that's correct.

VICE-CHAIR FRYMARK Setbacks twenty percent, maximum lot coverage ten percent, maximum height ten percent, fence/wall height up to two feet increase in height, and then landscaping ten percent, but anything not listed would then default to the thirty percent range.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON If that is the Commissions desire.

CHAIR FUENTES That is fine.

COMMISSIONER CHICO That is good.

COMMISSIONER CHICO Yeah, I agree.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Let's see. So in Chapter 17.27, the Site Plan and Design Review. So currently, the authority for the CD director that is actually less than thirty percent on that. So if you want to leave it in as is and if you want to add or to leave it as currently written.

CHAIR FUENTES What is the currently written Marilyn?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON The current in there for Planning Commission, it's over 25,000 square feet so anything under would be part of the minor permanent. So many of our buildings, if we have a 500,000 square foot, that thirty percent would be pretty large. One hundred and fifty yes, thank you for the math on that. If we want to leave it as is in the code?

CHAIR FUENTES Leave it.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Okay, and then I want to point out it's in the Section 17.09.080.A(1) instead of the two year extension for the planned development, we revise it to one year extension.

CHAIR FUENTES Correct

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Okay, and then this one for clarification. The fifty-foot setback would be measured from the property line for, is it any property that is abutting any residential facing property? It would be a fifty foot setback, we are talking about industrial or commercial, and/or commercial, and/or office?

COMMISSIONER CHICO I am.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON And that's all I got folks, for that. I hope I captured...

COMMISSIONER CHICO We didn't do anymore than that?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Hey, I'm down to making less than minimum wage now. But if there's anything else you know, please you know any clarification that's needed.

CHAIR FUENTES That is what I have in all of these notes here. Is there any other? Is there anything else? So Jamie, how will we read that into the ordinance, or into the...

ASSISTANT CITY ATTORNEY TRAXLER I can read it into the record. I just want to clarify with staff real quick and confirm my list, to make sure that it's consistent and that I can read it into the record. And then one of the Commissioners can make the motion to approve that recommendation.

CHAIR FUENTES Very good. Do you need time to get together?

ASSISTANT
CITY ATTORNEY
TRAXLER

Yes, please like two minutes. One minute

CHAIR FUENTES

Okay, we're going to give you three. Okay. Do we need to do a break or we're okay or just....

ASSISTANT
CITY ATTORNEY
TRAXLER

We're okay.

CHAIR FUENTES

Okay. Very good job, guys. Ready?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yes, thank you.

CHAIR FUENTES

Okay, do you want to go ahead and read it Jamie?

ASSISTANT
CITY ATTORNEY
TRAXLER

Yes, thank you Chair.

CHAIR FUENTES

Okay.

ASSISTANT
CITY ATTORNEY
TRAXLER

Okay, so we have two recommendations for the Commission tonight. The first is adoption of Resolution Number 819(23). And that is a Resolution of the Planning Commission of the City of Irwindale, recommending that the City Council adopt findings of consistency with the City's previously certified General Plan Environmental Impact Report and finding the project exempt from further environmental review, pursuant to CEQA guidelines sections 15183 and 15162; and adopt Ordinance Number 772, a City-initiated application for a Zone Ordinance Amendment ZOA Number 03-2023 repealing and replacing Title 17 "Zoning" of the Irwindale Municipal Code in its entirety with Comprehensive Zoning Code Update, with the additional recommendation from the Planning Commission to amend the major arterials to be consistent with the General Plan, to add the Billboard Chapter and keep that as is, to keep the Surface Mining and Reclamation Act Chapter as is to be brought back at a later time to be consistent with State law. For the Minor Variances section, to add the Community Directors authority to default to thirty percent if it's not listed. For Section 17.09.080.A(1) to modify the Planned Development from two years to one year. And for a fifty-foot setback measured from the property line for the side facing and abutting any residentially zoned property, and that will be for all zones.

CHAIR FUENTES

Very good.

ASSISTANT CITY ATTORNEY TRAXLER	So that is recommendation number one and then number two is adopt Resolution Number 820(23). That's a resolution of the Planning Commission of the City of Irwindale, recommending that the City Council of the City of Irwindale adopt a Resolution approving the City initiated application for Zone Change number 04-2023 and amending the official Zoning Map of the City of Irwindale to reflect updates to Title 17 Zoning consistent with Ordinance Number 772.
CHAIR FUENTES	Very good. Do we have a motion on these items?
VICE-CHAIR FRYMARK	I so move.
COMMISSIONER CHICO	As amended?
ASSISTANT CITY ATTORNEY TRAXLER	Correct.
VICE-CHAIR FRYMARK	And as stated?
ASSISTANT CITY ATTORNEY TRAXLER	Yes.
COMMISSIONER CHICO	Second.
CHAIR FUENTES	For both of them or for one of them? Or what are we doing here?
VICE-CHAIR FRYMARK	She read both.
CHAIR FUENTES	We can move on both of them at the same time?
ASSISTANT CITY ATTORNEY TRAXLER	Yes.
CHAIR FUENTES	Okay, so we have a motion to move forward. Do we have a second?
COMMISSIONER CHICO	Second.
CHAIR FUENTES	Who motioned?

VICE-CHAIR FRYMARK I did.

CHAIR FUENTES Oh, I am sorry.

VICE-CHAIR FRYMARK That's okay.

CHAIR FUENTES I was looking at him. Okay, so we have a motion and a second, can we have Roll Call, please, for approval?

ADMINISTRATIVE SECRETARY HERNANDEZ Yes, Commissioner Acosta.

COMMISSIONER ACOSTA Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Chico.

COMMISSIONER CHICO Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Rodriguez is absent. Vice-Chair Frymark.

VICE-CHAIR FRYMARK Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Chair Fuentes.

CHAIR FUENTES Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Thank you.

CHAIR FUENTES Alright so now let's move on. Do we have any Discussion Items or Presentations, Staff?

**DISCUSSION ITEMS/
PRESENTATIONS**

CHAIR FUENTES Nothing okay.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON No Discussion Items or Presentations.

CHAIR FUENTES City Manager anything?

CITY MANAGER MIRANDA None at this time, Chair. Thank you.

CHAIR FUENTES Thank you. How about from the Community Development Director Report. Do you have one?

COMMUNITY DEVELOPMENT DIRECTOR REPORT

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you Chair and Commissioner, if you're not tired of listening to me tonight, I have one item. We will be having a scoping meeting tomorrow, Thursday at the Community Center. This is for a proposed project at the IBY, the Irwindale Brew Yard site. That will be at six o'clock in the Community Center. Just for reference, a scoping meeting, it's part of CEQA. It's not something that's required, but it is recommended for a project. What it is, is to get the scope of what the consultant will be studying environmentally for that. So we sent out notices to all the residents and it's been posted for some time now. We want to get feedback and what the concerns are with that.

CHAIR FUENTES Where is this? I am sorry.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON It'll be in the Community Center.

CHAIR FUENTES No, but for which project.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON It's a project or a specific plan over at the IBY, the Irwindale Brew Yard site.

CHAIR FUENTES Okay.

VICE-CHAIR FRYMARK So it's a proposal to build something within that site?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Yes, and the whole property in there. It's excluding the actual brewery.

COMMISSIONER CHICO It's a fact that there will be an Environmental Impact Report conducted. is that a given?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Yes.

CHAIR FUENTES Anything else? Okay, anything from Legal?

**LEGAL COUNSEL
COMMENTS**

ASSISTANT CITY ATTORNEY TRAXLER Thank you Chair, no.

CHAIR FUENTES Okay, are there any Commissioner Comments or request? Anything at all?

**COMMISSIONER
COMMENTS**

COMMISSIONER ACOSTA I just want to thank the Staff on all the hard work for putting together this zoning, and the years of work that went into it and everything they did. So, I think they did a great job.

COMMISSIONER CHICO We are not paying overtime, are we?

VICE-CHAIR FRYMARK Just a quick comment, rich discussion. I appreciated all of the back and forth, appreciate Staff's time and effort in getting this developed. It is exciting to see us moving forward and I am done talking for the day.

CHAIR FUENTES Very good and just a comment to the Commissioners, just keep in mind that this was a recommendation for the City Council. The City Council will take our recommendations under consideration, along with Staff's report. Although we have asked for items to be put in it, it doesn't necessarily mean that they will come through. Just so you guys know, but you guys did a great job. Everyone's done a great job. I want to thank Staff, thank you for your comments from the audience. We truly appreciate it and I would like to wish everybody a good evening. Thank you and God bless you. Meeting adjourned.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:57 p.m.

Maricela Frymark, Planning Commission Vice-Chair

Attest:

Jesus Hernandez, Administrative Secretary



CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT
 COMMUNITY DEVELOPMENT DEPARTMENT
 PLANNING DIVISION



Date: April 17, 2024 **Agenda Item No. 4-A**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP, Community Development Director

Project Planner: Brandi Jones, Senior Planner

Project: Zone Change No. 01-2024
 General Plan Amendment (Map) No. 01-2024
 Rezoning of select properties from M-1 (Light Manufacturing) and C-3 (Heavy Commercial-Residential) zone to R-1 (Single Family Residential) and rezoning of select properties from Q (Quarry Overlay) to M-2 (Heavy Manufacturing). Revision of the General Plan Map to change the existing General Plan designation of select properties from Regional Commercial to Industrial/Business Park.

Applicant: City of Irwindale

Property Owners: Various

Project Locations: **MERIDIAN STREET** – 730 Meridian Street (APN 8534-001-004), 716 Meridian Street (APN 8534-001-025), 714 Meridian Street (APN 8534-001-026), 740 Meridian Street (APN 8534-001-057), 726 Meridian Street (APN 8534-001-109);

SHRODE AVENUE – 737 Shrode Avenue (APN 8534-001-013), 731 Shrode Avenue (APN 8534-001-014), 727 Shrode Avenue (APN 8534-001-015);

CITRUSVIEW AVENUE – 2419 Citrusview Avenue (APN 8534-001-053), 2425 Citrusview Avenue (APN 8534-001-054), 2424 Citrusview Avenue (APN 8534-001-055), 2412 Citrusview Avenue (APN 8534-001-056);

PARK ROSE AVENUE – (APN 8534-001-952), (APN 8534-001-953), (APN 8534-001-954), 2414 Park Rose Avenue (APN 8534-001-093), 2436 Park Rose Avenue (APN 8534-001-096), 2448 Park Rose Avenue (APN 8534-001-097), 2449 Park Rose Avenue (APN 8534-001-098), 2437 Park Rose Avenue (APN 8534-001-099), 2402 Park Rose Avenue

(APN 8534-001-106), 2408 Park Rose Avenue (APN 8534-001-107), 2424 Park Rose Avenue (APNS 8534-001-115, 8534-001-116);

RUELAS STREET – 2400 Ruelas Street (APN 8534-001-072), 2416 Ruelas Street (APN 8534-001-075), 2440 Ruelas Street (APN 8534-001-078), 2446 Ruelas Street (APN 8534-001-079), 2447 Ruelas Street (APN 8534-001-080), 2439 Ruelas Street (APN 8534-001-081), 2415 Ruelas Street (APN 8534-001-084), 2406 Ruelas Street (APN 8534-001-102), 2409 Ruelas Street (APN 8534-001-104), 2401 Ruelas Street (APN 8534-001-105), 2426 Ruelas Street (APNS 8534-001-111, 8534-001-112), 2425 Ruelas Street (APNS 8534-001-113, 8534-001-114).

AMBRIZ STREET – 701 Ambriz Street (APN 8534-001-120), 705 Ambriz Street (APN 8534-001-121), 709 Ambriz Street (APN 8534-001-122), 713 Ambriz Street (APN 8534-001-123), 708 Ambriz Street (APN 8534-001-124), 704 Ambriz Street (APN 8534-001-125), 700 Ambriz Street (APN 8534-001-126);

MOUNTAIN AVENUE – 2416 Mountain Avenue (APN 8534-001-039), 2408 Mountain Avenue (APN 8534-001-058).

BUENA VISTA STREET – (APN 8533-015-901), 2381 Buena Vista Street (APN 8533-015-014), 2381 Buena Vista Street (APN 8533-015-015).

LIVE OAK LANE – (APN 8532-002-015), (APN 8532-002-016), (APN 8532-002-021), (APN 8532-002-022), (APN 8532-002-023), (APN 8532-002-024), (APN 8532-002-027), (APN 8532-002-800), (APN 8532-002-801), (APN 8532-002-900), (APN 8532-002-901), (APN 8533-002-800), 13631 Live Oak Lane (APN 8532-002-017), 13643 Live Oak Lane (APN 8532-002-029), 13644 Live Oak Lane (APN 8532-002-040), 13645 Live Oak Lane (APN 8532-002-030), 13646 Live Oak Lane (APN 8532-002-043), 13649 Live Oak Lane (APN 8532-002-020), 13651 Live Oak Lane (APN 8532-002-019), 13654 Live Oak Lane (APN 8532-002-036);

ARROW HIGHWAY – 1400 Arrow Highway (APN 8532-002-009), 1438 Arrow Highway (APN 8532-002-028), 1580 Arrow Highway (APN 8532-002-012), 1600 Arrow Highway (APN 8532-002-005).

Staff Recommendation: That the Planning Commission adopt Resolution No. 822(24) recommending that the City Council adopt 1) Zone Change No. 01-2024, to rezone select parcels on Meridian Street, Shrode Avenue, Citrusview Avenue, Park Rose Avenue, Ruelas Street, Ambriz Street, Mountain Avenue from M-1 (Light Manufacturing) and C-3 (Heavy Commercial-Residential) zone to R-1 (Single Family Residential), rezoning of select properties from Q (Quarry Overlay) to M-2 (Heavy Manufacturing); and 2) adopt Resolution No. 823(24) recommending that the City Council approve General Plan Amendment No. 01-

2024 to revise the General Plan Map to change the existing General Plan designation of select properties on Live Oak Lane and Arrow Highway from Regional Commercial to Industrial/Business Park.

REQUEST

The City-initiated proposal will revise the General Plan and Zoning Maps to reconcile inconsistencies and make appropriate changes to support the highest and best uses.

BACKGROUND/HISTORY

The Irwindale General Plan serves as the blueprint for future planning and development in the City. It indicates the City's vision for the future through the policies and plans that are designed to shape the physical development of the community. This General Plan acknowledges the City's previous planning efforts, the established land use patterns in the community, and adopted development policy. The Zoning Code, Map, and related zoning designations, are required to be consistent with the General Plan. Staff proposes to update the Zoning and General Plan Maps for consistency between the appropriate classifications.

Due to inconsistencies throughout the City, there are multiple non-conforming uses. The existing non-conformities limit the highest and best uses of the properties because of limitations on expansion/intensification for their zone. These impact properties zoned for industrial, commercial and residential. For example, the inconsistency would hinder residential improvements such as the ability to increase square footage for additions and Accessory Dwelling Units (ADU) conversions. For commercial and industrial businesses, the non-conformity hinders business growth with respect to increased square footage or scope of business operations.

This issue was discovered during a zoning map "clean-up" in November 2018. Since then, Planning Staff has received multiple applications that require General Plan Amendments. Zoning is one of the primary means of implementing the General Plan. The success of a General Plan rests upon the effectiveness of the Zoning Code and Map. Additionally, there should be consistency between the General Plan and Zoning as a common-sense approach to planning and transparency.

STATE LAW

Senate Bill (SB) 9 (Chapter 162, Statutes of 2021) requires ministerial approval of a housing development with no more than two primary units in a single-family zone, the subdivision of a parcel in a single-family zone into two parcels, or both. SB 9 facilitates the creation of up to four housing units in the lot area typically used for one single-family home. The parcel that will contain the proposed housing development or that will be subject to the lot split must be located in a single-family residential zone. Parcels located in multifamily residential, commercial, agricultural, mixed-use zones, etc., are not subject to SB 9 mandates even if they allow single-family residential uses as a permitted use.¹

TIMELINE

¹ California Department of Housing and Community Development – Housing Policy Development Division. SB 9 Fact Sheet On the Implementation of Senate Bill 9 (Chapter 162, Statutes of 2021). March 2022. <https://www.hcd.ca.gov/docs/planning-and-community-development/sb9factsheet.pdf>

On July 9, 2019, Staff held two (2) separate zone change workshops at the Community Center; one (1) for residentially zoned properties and the other for commercially and industrially zoned properties.

On August 31, 2022, Staff requested direction from the Planning Commission on the above referenced properties as well as Meridian Avenue, Ramona Boulevard (Vulcan Durbin Pit), Park Avenue, Calle Burrola, Fraijo Avenue, Nora Avenue and Las Lomas Road.

On May 23, 2023, Staff sent out a general information letter to property owners who were currently impacted by the inconsistencies. The letter explained the City-initiated process and future public notification informing them about the City's next steps.

On April 4, 2024, the property owners and property owners within 500 feet of the subject properties were notified by mail. The public notice was also published in the newspaper the next day.

LOCATIONS AND SITE HISTORY



PROPOSED ZONE CHANGE NO. 01-2024 TO 1) REZONE PARCELS FROM M-1 (LIGHT MANUFACTURING) ZONE TO R-1 (SINGLE-FAMILY RESIDENTIAL) ZONE LOCATED AT:

MERIDIAN STREET – 730 Meridian Street (APN 8534-001-004), 716 Meridian Street (APN 8534-001-025), 714 Meridian Street (APN 8534-001-026), 740 Meridian Street (APN 8534-001-057), 726 Meridian Street (APN 8534-001-109);

SHRODE AVENUE – 737 Shrode Avenue (APN 8534-001-013), 731 Shrode Avenue (APN 8534-001-014), 727 Shrode Avenue (APN 8534-001-015);

CITRUSVIEW AVENUE – 2419 Citrusview Avenue (APN 8534-001-053), 2425 Citrusview Avenue (APN 8534-001-054), 2424 Citrusview Avenue (APN 8534-001-055), 2412 Citrusview Avenue (APN 8534-001-056);

PARK ROSE AVENUE – (APN 8534-001-952), (APN 8534-001-953), (APN 8534-001-954), 2414 Park Rose Avenue (APN 8534-001-093), 2436 Park Rose Avenue (APN 8534-001-096), 2448 Park Rose Avenue (APN 8534-001-097), 2449 Park Rose Avenue (APN 8534-001-098), 2437 Park Rose Avenue (APN 8534-001-099), 2402 Park Rose Avenue (APN 8534-001-106), 2408 Park Rose Avenue (APN 8534-001-107), 2424 Park Rose Avenue (APNS 8534-001-115, 8534-001-116);

RUELAS STREET – 2400 Ruelas Street (APN 8534-001-072), 2416 Ruelas Street (APN 8534-001-075), 2440 Ruelas Street (APN 8534-001-078), 2446 Ruelas Street (APN 8534-001-079), 2447 Ruelas Street (APN 8534-001-080), 2439 Ruelas Street (APN 8534-001-081), 2415 Ruelas Street (APN 8534-001-084), 2406 Ruelas Street (APN 8534-001-102), 2409 Ruelas Street (APN 8534-001-104), 2401 Ruelas Street (APN 8534-001-105), 2426 Ruelas Street (APNS 8534-001-111, 8534-001-112), 2425 Ruelas Street (APNS 8534-001-113, 8534-001-114).

All of the properties listed are currently developed as single-family residential properties, and the General Plan designates these properties as Residential. However, on June 20, 1967, the City Council approved Ordinance No. 200 to allow the rezoning of the properties located on Citrusview Avenue, Park Rose Avenue, Ruelas Street and Shrode Avenue and parcels outside of City boundaries. This changed the existing zoning designation from A-1 (Agricultural) to M-1 (Light Manufacturing). Although the Ordinance memorialized the change, the City's Zoning Map was not updated. As a result, the residential developments were approved based on the previous A-1 (Agricultural) designation allowing single-family residential use. Thus, all of the current residential development is considered legally non-conforming because it is a residential use in an M-1 (Light Manufacturing) zone. This hinders improvements such as the ability to increase square footage and compliance with recent State legislation allowing Accessory Dwelling Units (ADU) conversions and small lot subdivisions. The proposed Zone Change from M-1 (Light Manufacturing) to R-1 (Single-Family Residential) would be consistent with current use and the existing Residential General Plan designation.

REZONE PARCELS FROM C-3 (HEAVY COMMERCIAL-RESIDENTIAL) ZONE TO R-1 (SINGLE-FAMILY RESIDENTIAL) ZONE LOCATED AT:

AMBRIZ STREET – 701 Ambriz Street (APN 8534-001-120), 705 Ambriz Street (APN 8534-001-121), 709 Ambriz Street (APN 8534-001-122), 713 Ambriz Street (APN 8534-001-123), 708 Ambriz Street (APN 8534-001-124), 704 Ambriz Street (APN 8534-001-125), 700 Ambriz Street (APN 8534-001-126);

MOUNTAIN AVENUE – 2416 Mountain Avenue (APN 8534-001-039), 2408 Mountain Avenue (APN 8534-001-058).

On May 2, 1967, the City Council approved Ordinance No. 195 to allow the rezoning of the properties located on Mountain Avenue and Ambriz Street (formerly known as Mountain

Avenue). This changed the existing zoning designation to C-3 (Heavy Commercial-Residential). Although single family residential units are permitted in this zone, there are limitations due to recent State legislature regarding housing. These residential parcels also are not able to utilize the latest housing legislature to build additional units, convert existing square footage or subdivide the property. The proposed Zone Change from C-3 (Heavy Commercial-Residential) to R-1 (Single-Family Residential) would be consistent with current use and the existing Residential General Plan designation.



REZONE PARCELS FROM Q (QUARRY OVERLAY) TO M-2 (HEAVY MANUFACTURING) ZONE LOCATED AT:

BUENA VISTA STREET – (APN 8533-015-901), 2381 Buena Vista Street (APN 8533-015-014), 2381 Buena Vista Street (APN 8533-015-015).

On July 2, 1968, the City Council approved Ordinance No. 220 to allow the rezoning of the properties located on Buena Vista Street – Buena Vista Street, east of Tifal Avenue (now known as Miguel Miranda Avenue). This changed the existing zoning designation from Q (Quarry Overlay) to M-2 (Heavy Manufacturing). The remaining parcels are not part of the adjacent mining operation to the north and are currently developed with an existing business park and associated parking. Although the Q (Quarry) zone does allow for uses that are first permitted in the M-2 (Heavy Manufacturing) zone, some outdoor uses are considered heavy and counter to the City's desired development for that area. Since the General Plan designation is Industrial/Business Park, the most appropriate zone would be M-2 (Heavy Manufacturing).



PROPOSED GENERAL PLAN AMENDMENT NO. 01-2024 TO CHANGE THE EXISTING GENERAL PLAN DESIGNATION FROM REGIONAL COMMERCIAL TO INDUSTRIAL/BUSINESS PARK FOR PARCELS LOCATED AT:

LIVE OAK LANE – (APN 8532-002-015), (APN 8532-002-016), (APN 8532-002-021), (APN 8532-002-022), (APN 8532-002-023), (APN 8532-002-024), (APN 8532-002-027), (APN 8532-002-800), (APN 8532-002-801), (APN 8532-002-900), (APN 8532-002-901), (APN 8533-002-800), 13631 Live Oak Lane (APN 8532-002-017), 13643 Live Oak Lane (APN 8532-002-029), 13644 Live Oak Lane (APN 8532-002-040), 13645 Live Oak Lane (APN 8532-002-030), 13646 Live Oak Lane (APN 8532-002-043), 13649 Live Oak Lane (APN 8532-002-020), 13651 Live Oak Lane (APN 8532-002-019), 13654 Live Oak Lane (APN 8532-002-036);

ARROW HIGHWAY – 1400 Arrow Highway (APN 8532-002-009), 1438 Arrow Highway (APN 8532-002-028), 1580 Arrow Highway (APN 8532-002-012), 1600 Arrow Highway (APN 8532-002-005).

The General Plan, adopted in 2008, designated a large area as Regional Commercial. This area encompassed all of the properties on Live Oak Lane as well as the properties along the south side of Arrow Highway, east of the I-605 westerly to the San Gabriel River. The General Plan called for the creation of a new zoning district that was compatible with Regional Commercial, but it was never created. The majority of the current uses are non-conforming due to the inconsistency between the Zoning and General Plan. In the past, to accommodate for the inconsistency, Staff brought forth entitlements with sunset clauses that would still allow the properties to expand until there was a resolution in consistency. In order to eliminate the inconsistencies and costly and time-consuming process of yearly Conditional Use Permit applications for some of these businesses, changing the General Plan to Industrial/Business Park would resolve the issue. The parcels on Live Oak Lane and Arrow Highway, which are consistent with permitted and conditionally permitted industrial uses, would be changed to the Industrial/Business Park General Plan designation.

GENERAL PLAN AND ZONING

A recommendation for approval of a General Plan Amendment is required to be made by the affirmative vote of not less than a majority of the total membership of the Planning Commission. The proposed changes to the General Plan and Zoning Maps will remedy the existing inconsistencies and non-conformities. The maps will be updated to reflect the proposed changes. The proposed Zone Change will supersede the changes adopted by Ordinance Nos. 195 and 200.

ENVIRONMENTAL REVIEW

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Project has been determined to qualify for a general rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the General Plan Amendment or Zone Change, by themselves, will have a significant effect on the environment. However, any proposed physical development will undergo its own CEQA review when the entitlement is considered.

CONCLUSION/RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

1. Adopt Resolution No. 822(24) recommending that the City Council approve Zone Change No. 01-2024
2. Adopt Resolution No. 823(24) recommending that the City Council approve General Plan Amendment No. 01-2024

Alternative Actions:

3. Request that Staff prepare a resolution of denial based on recommended findings of fact to be brought back at the next regularly Planning Commission meeting for adoption; OR
4. Request that Staff revise the project and continue the hearing to a date certain.

ATTACHMENTS:

Exhibit A: Resolution No. 822(24)
 Exhibit B: Resolution No. 823(24)
 Exhibit C: Existing and Proposed Zoning Map
 Exhibit D: Existing and Proposed General Plan Map
 Exhibit E: Ordinance No. 195
 Exhibit F: Ordinance No. 200
 Exhibit G: Ordinance No. 220
 Exhibit H: Resolution No. 58(66)
 Exhibit I: January 17, 1967 City Council Meeting Minutes
 Exhibit J: SB 9 Fact Sheet

EXHIBIT "A"**RESOLUTION NO. 822(24)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT A ZONE CHANGE NO. 01-2024 AND MODIFY THE CITY OF IRWINDALE ZONING MAP TO 1) REZONE PARCELS FROM M-1 (LIGHT MANUFACTURING) ZONE TO R-1 (SINGLE-FAMILY RESIDENTIAL) ZONE LOCATED AT: 730 MERIDIAN STREET (APN 8534-001-004), 716 MERIDIAN STREET (APN 8534-001-025), 714 MERIDIAN STREET (APN 8534-001-026), 740 MERIDIAN STREET (APN 8534-001-057), 726 MERIDIAN STREET (APN 8534-001-109), 737 SHRODE AVENUE (APN 8534-001-013), 731 SHRODE AVENUE (APN 8534-001-014), 727 SHRODE AVENUE (APN 8534-001-015), 2419 CITRUSVIEW AVENUE (APN 8534-001-053), 2425 CITRUSVIEW AVENUE (APN 8534-001-054), 2424 CITRUSVIEW AVENUE (APN 8534-001-055), 2412 CITRUSVIEW AVENUE (APN 8534-001-056), (APN 8534-001-952), (APN 8534-001-953), (APN 8534-001-954), 2414 PARK ROSE AVENUE (APN 8534-001-093), 2436 PARK ROSE AVENUE (APN 8534-001-096), 2448 PARK ROSE AVENUE (APN 8534-001-097), 2449 PARK ROSE AVENUE (APN 8534-001-098), 2437 PARK ROSE AVENUE (APN 8534-001-099), 2402 PARK ROSE AVENUE (APN 8534-001-106), 2408 PARK ROSE AVENUE (APN 8534-001-107), 2424 PARK ROSE AVENUE (APNS 8534-001-115, 8534-001-116), 2400 RUELAS STREET (APN 8534-001-072), 2416 RUELAS STREET (APN 8534-001-075), 2440 RUELAS STREET (APN 8534-001-078), 2446 RUELAS STREET (APN 8534-001-079), 2447 RUELAS STREET (APN 8534-001-080), 2439 RUELAS STREET (APN 8534-001-081), 2415 RUELAS STREET (APN 8534-001-084), 2406 RUELAS STREET (APN 8534-001-102), 2409 RUELAS STREET (APN 8534-001-104), 2401 RUELAS STREET (APN 8534-001-105), 2426 RUELAS STREET (APNS 8534-001-111, 8534-001-112), 2425 RUELAS STREET (APNS 8534-001-113, 8534-001-114); 2) REZONE PARCELS FROM C-3 (HEAVY COMMERCIAL-RESIDENTIAL) ZONE TO R-1 (SINGLE-FAMILY RESIDENTIAL) ZONE LOCATED AT: 701 AMBRIZ STREET (APN 8534-001-120), 705 AMBRIZ STREET (APN 8534-001-121), 709 AMBRIZ STREET (APN 8534-001-122), 713 AMBRIZ STREET (APN 8534-001-123), 708 AMBRIZ STREET (APN 8534-001-124), 704 AMBRIZ STREET (APN 8534-001-125), 700 AMBRIZ STREET (APN 8534-001-126), 2416 MOUNTAIN AVENUE (APN 8534-001-039), 2408 MOUNTAIN AVENUE (APN 8534-001-058); 3) REZONE PARCELS FROM Q (QUARRY OVERLAY) TO M-2 (HEAVY MANUFACTURING) ZONE LOCATED AT: (APN 8533-015-901), 2381 BUENA VISTA STREET (APN 8533-015-014), 2381 BUENA VISTA STREET (APN 8533-015-015), AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3).

A. RECITALS.

- (i) The City of Irwindale, 5050 Irwindale Avenue, Irwindale, CA 91706, acting as the Applicant, has initiated the request for a Zone Change (Zone Change No. 01-2024) to reconcile inconsistencies on the City's Zoning Map and make appropriate changes to support the highest and best use and modify the Zoning Map to reflect the updated zoning designations at the above referenced properties. (This Zone Change is being processed concurrently with General Plan Amendment No. 01-2024); and

- (ii) Section 17.84 (Amendments) of the Irwindale Municipal Code allows for changes to the classification of property whenever the public interest and necessity so require; and
- (iii) The Planning Commission has considered proposed Zone Change No. 01-2024, an amendment to the Zoning Map designation for fifty (50) parcels of land located at the above referenced locations; and
- (iv) Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Project has been determined to qualify for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the Zone Change, by itself, will have a significant effect on the environment. However, any proposed physical development will undergo its own CEQA review when the entitlement is considered; and
- (v) On April 17, 2024, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application and recommended that the City Council adopt an Ordinance rescinding Ordinance Nos. 195, 200, and 220, and approve the Zone Change, subject to the approval of a Resolution, which details the specific conditions under which the application is approved.
- (vi) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

NOW, THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Irwindale as follows:

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct and incorporated herein by this reference.
2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, and evidence in the City's record for the project, this Planning Commission hereby specifically finds as follows:
 - a. The proposed Zone Changes from M-1 (Light Manufacturing) to R-1 (Single Family Residential), C-3 (Heavy Commercial-Residential) to R-1 (Single Family Residential) and Q (Quarry Overlay) to M-2 (Heavy Manufacturing) are intended to encourage the highest and best use for the subject properties and is determined to be in the best interests and welfare of the City and its residents.

- b. The proposed Zone Changes are internally consistent with all other provisions of the General Plan. The Community Development Element of the General Plan promotes several policies that support the proposed entitlement. Community Development Element Policy 1 strives to preserve the overall mix of land uses and development in the community. Community Development Element Policy 3 seeks to ensure that the type, location, and intensity of all new development and intensified developments adhere to the requirements specified in its particular land use category. Community Development Element Policy 4 examines the future potential opportunities for residential development. Community Development Element Policy 5 promotes the comprehensive development consistent with the General Plan as opposed to piecemeal and incremental planning. If adopted, the proposed Zone Change would implement the General Plan.
 - c. The proposed Zone Change will not be detrimental to the public interest, health safety, convenience, or welfare of the City. The purpose of the proposed Zone Change is to properly rezone existing parcels to appropriate zoning designations and remedying inconsistencies with previously adopted ordinances and inconsistencies with the General Plan. If adopted, the proposed changes to the Zoning Map will remedy the existing inconsistencies and non-conformities that were specifically caused by such. The maps will be updated to reflect the proposed changes.
 - d. The affected properties are physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.
3. Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Planning Commission recommends that the City Council determine that the Project qualifies for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the Zone Change, by itself, will have a significant effect on the environment.
 4. Based upon substantial evidence and testimony received at public hearing and the findings and conclusions set forth hereinabove, the Planning Commission hereby recommends the City Council adopt an Ordinance rescinding Ordinance Nos. 195, 200, the specific properties identified in Ordinance No.

220, and adopt and approve proposed Zone Change No. 01-2024 to change the Zoning Map as shown in attached "Exhibit G".

The Secretary shall:

- a. Certify to the adoption of this Resolution; and
- b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED this 17th day of April 2024.

Maricela Frymark, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

CITY OF IRWINDALE
COUNTY OF LOS ANGELES } ss.
STATE OF CALIFORNIA

I, Marilyn Simpson, AICP, Community Development Director of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Irwindale held on the 17th day of April 2024, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, AICP, Secretary

EXHIBIT "B"**RESOLUTION NO. 823(24)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF IRWINDALE AMEND THE COMMUNITY DEVELOPMENT ELEMENT AND LAND USE PLAN MAP OF THE CITY'S GENERAL PLAN (GPA NO. 01-2024) FROM REGIONAL COMMERCIAL TO INDUSTRIAL/BUSINESS PARK PLAN FOR PARCELS LOCATED AT: (APN 8532-002-015), (APN 8532-002-016), (APN 8532-002-021), (APN 8532-002-022), (APN 8532-002-023), (APN 8532-002-024), (APN 8532-002-027), (APN 8532-002-800), (APN 8532-002-801), (APN 8532-002-900), (APN 8532-002-901), (APN 8533-002-800), 13631 LIVE OAK LANE (APN 8532-002-017), 13643 LIVE OAK LANE (APN 8532-002-029), 13644 LIVE OAK LANE (APN 8532-002-040), 13645 LIVE OAK LANE (APN 8532-002-030), 13646 LIVE OAK LANE (APN 8532-002-043), 13649 LIVE OAK LANE (APN 8532-002-020), 13651 LIVE OAK LANE (APN 8532-002-019), 13654 LIVE OAK LANE (APN 8532-002-036), 1400 ARROW HIGHWAY (APN 8532-002-009), 1438 ARROW HIGHWAY (APN 8532-002-028), 1580 ARROW HIGHWAY (APN 8532-002-012), 1600 ARROW HIGHWAY (APN 8532-002-005), AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3).

A. RECITALS.

- (i) The City of Irwindale, 5050 Irwindale Avenue, Irwindale, CA 91706, acting as the Applicant, has initiated the request for a General Plan Amendment (GPA No. 01-2024) to reconcile inconsistencies on the City's Zoning Map and make appropriate changes to support the highest and best use and modify the General Plan Map to remedy inconsistencies between the General Plan and Zoning Map at the above referenced properties. (This GPA is being processed concurrently with Zone Change No. 01-2024); and
- (ii) The Planning Commission has considered proposed General Plan Amendment No. 01-2024, an amendment to the General Plan Map designation for twenty (20) parcels of land located at the above referenced locations; and
- (iii) Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Project has been determined to qualify for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the General Plan Amendment, by itself, will have a significant effect on the environment. However, the proposed physical development will undergo its own CEQA review when the entitlement is considered; and

- (iv) On April 17, 2024, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application and recommended that the City Council approve the General Plan Amendment, subject to the approval of a Resolution, which details the specific conditions under which the application is approved.
- (v) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

NOW, THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Irwindale as follows:

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct and are incorporated herein by this reference.
2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, and evidence in the City's record for the project, this Planning Commission hereby specifically finds as follows:
 - a. The proposed General Plan Amendment from Regional Commercial to Industrial/Business Park is intended to encourage the highest and best use for the subject properties and is determined to be in the best interests and welfare of the City and its residents.
 - b. The proposed General Plan Amendments are internally consistent with all other provisions of the General Plan. The Community Development Element of the General Plan promotes several policies that support the proposed entitlement. Community Development Element Policy 1 strives to preserve the overall mix of land uses and development in the community. Community Development Element Policy 3 seeks to ensure that the type, location, and intensity of all new development and intensified developments adhere to the requirements specified in its particular land use category. Community Development Element Policy 5 promotes the comprehensive development consistent with the General Plan as opposed to piecemeal and incremental planning.
 - c. The proposed General Plan Amendment will not be detrimental to the public interest, health safety, convenience, or welfare of the City. The purpose of the proposed General Plan Amendment is to properly remedy inconsistencies with previously adopted ordinances and inconsistencies with the General Plan. If adopted, the proposed

changes to the General Plan Map will remedy the existing inconsistencies and non-conformities that were specifically caused by such. The maps will be updated to reflect the proposed changes.

- d. The affected properties are physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.
3. Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Planning Commission recommends that the City Council determine that the Project qualifies for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the General Plan Amendment, by itself, will have a significant effect on the environment.
 4. Based upon substantial evidence and testimony received at public hearing and the findings and conclusions set forth hereinabove, the Planning Commission hereby recommends the City Council adopt and approve proposed General Plan Amendment No. 01-2024 to change the General Plan Map as shown in attached "Exhibit G".

The Secretary shall:

- a. Certify to the adoption of this Resolution; and
- b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED this 17th day of April 2024.

Maricela Frymark, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

CITY OF IRWINDALE
COUNTY OF LOS ANGELES } ss.
STATE OF CALIFORNIA

I, Marilyn Simpson, AICP, Community Development Director of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Irwindale held on the 17th day of April 2024, by the following vote:

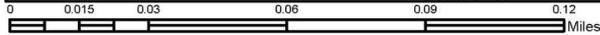
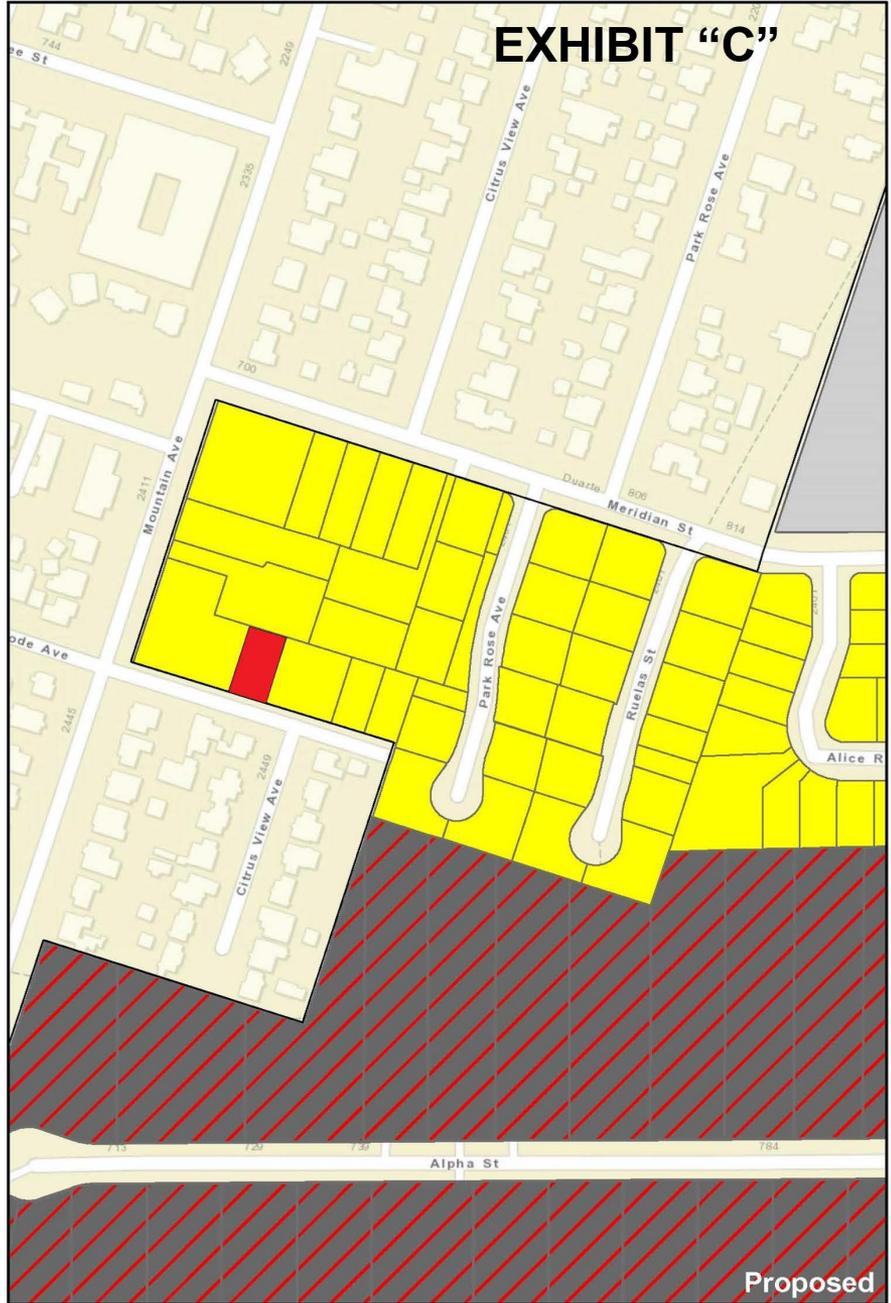
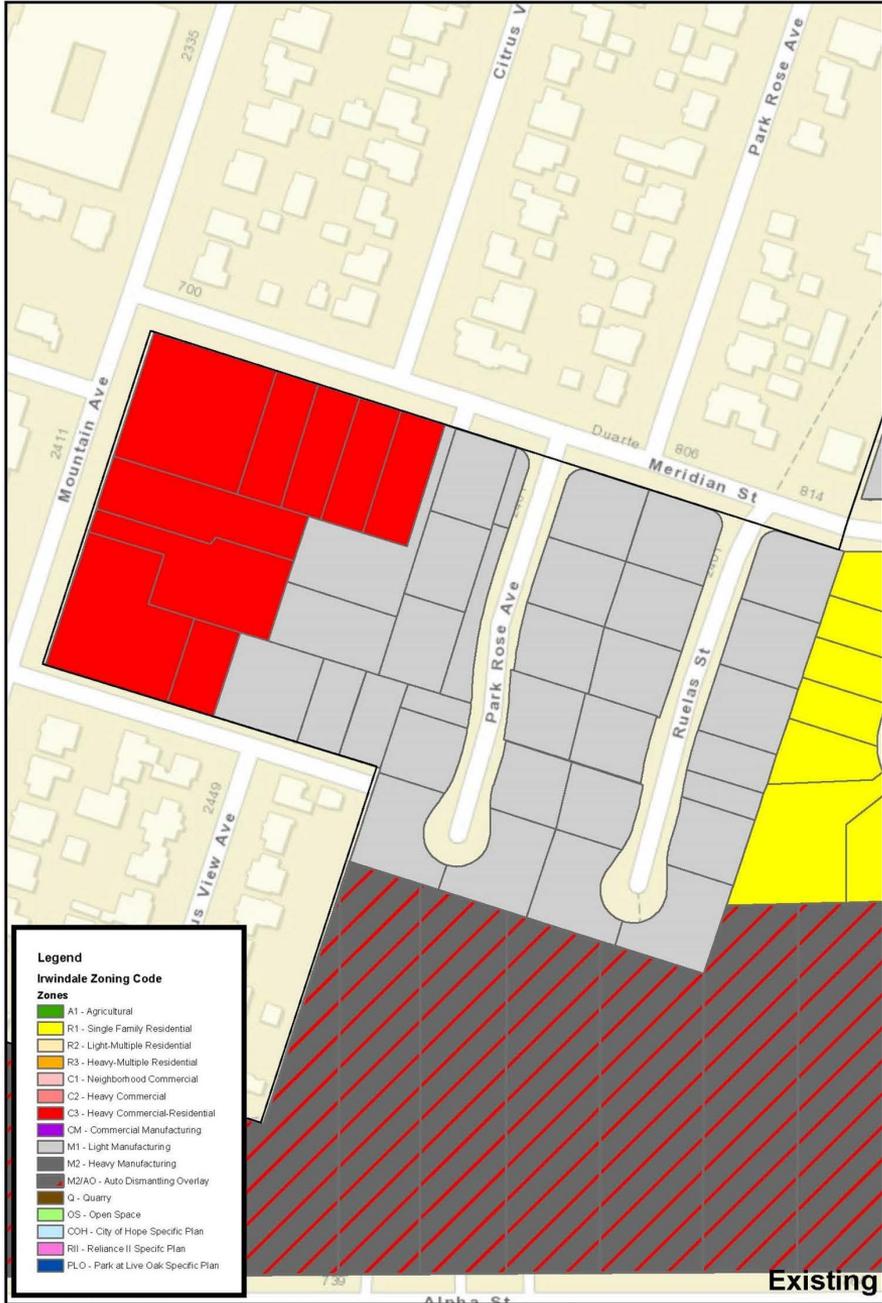
AYES: COMMISSIONERS:

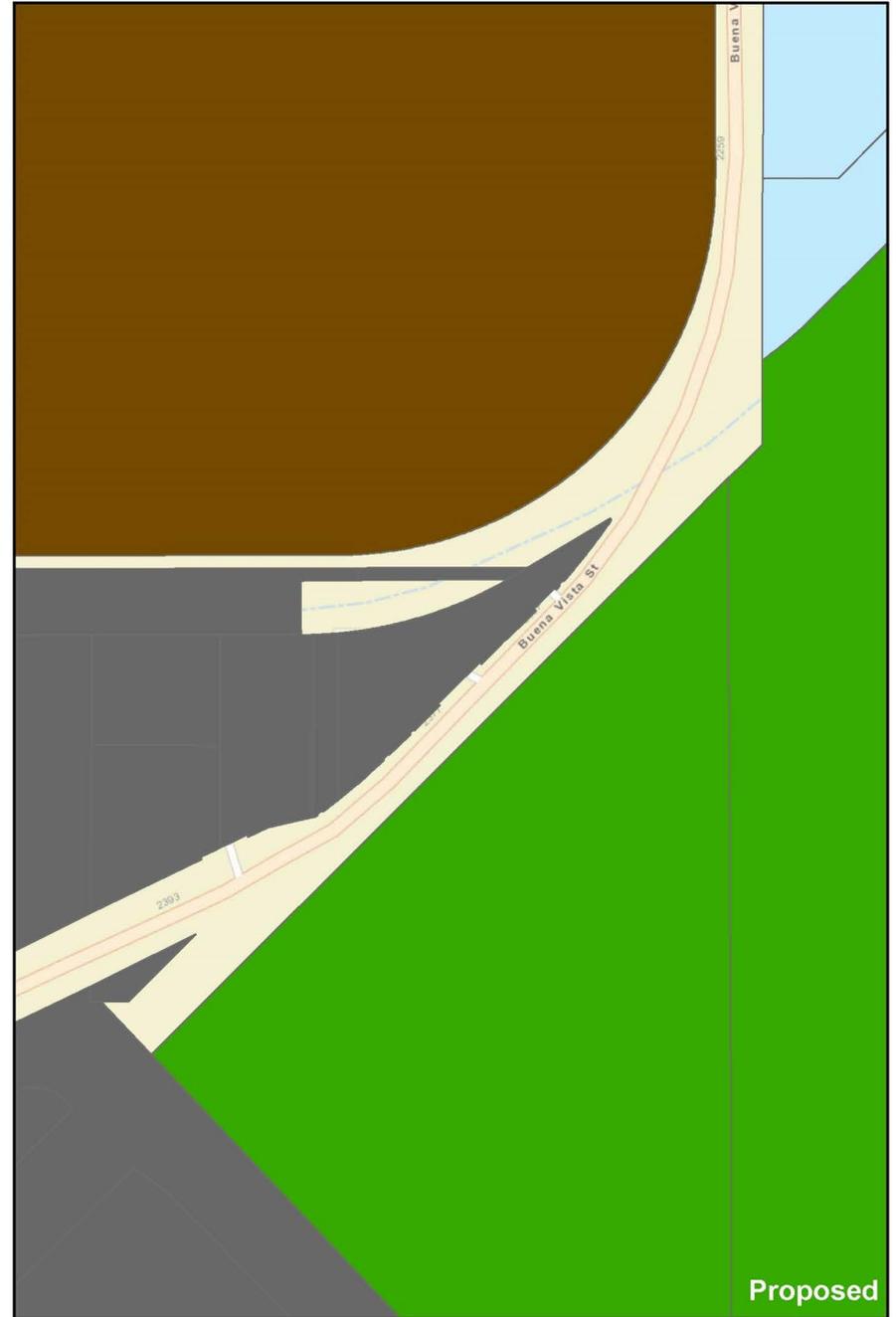
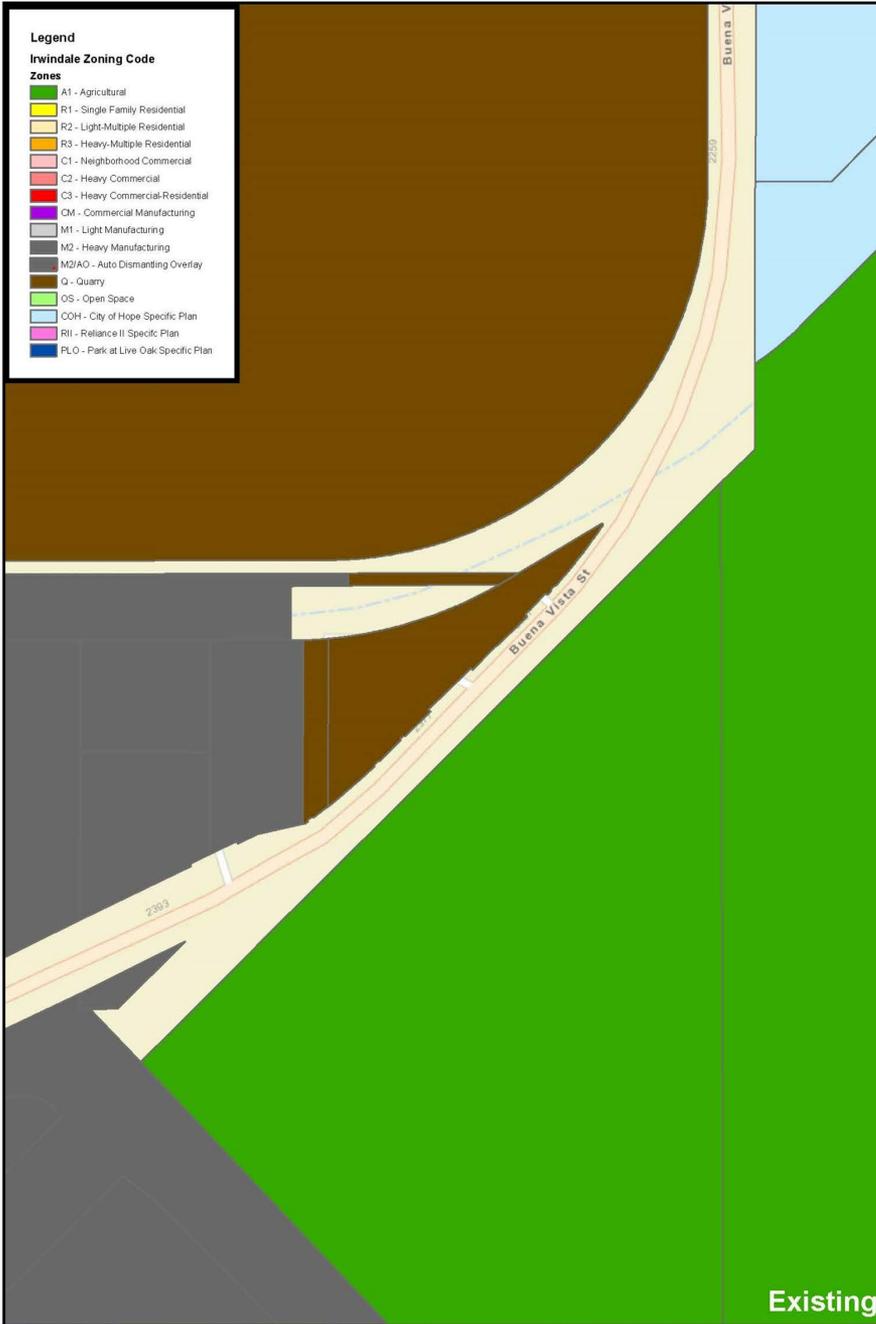
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, AICP, Secretary





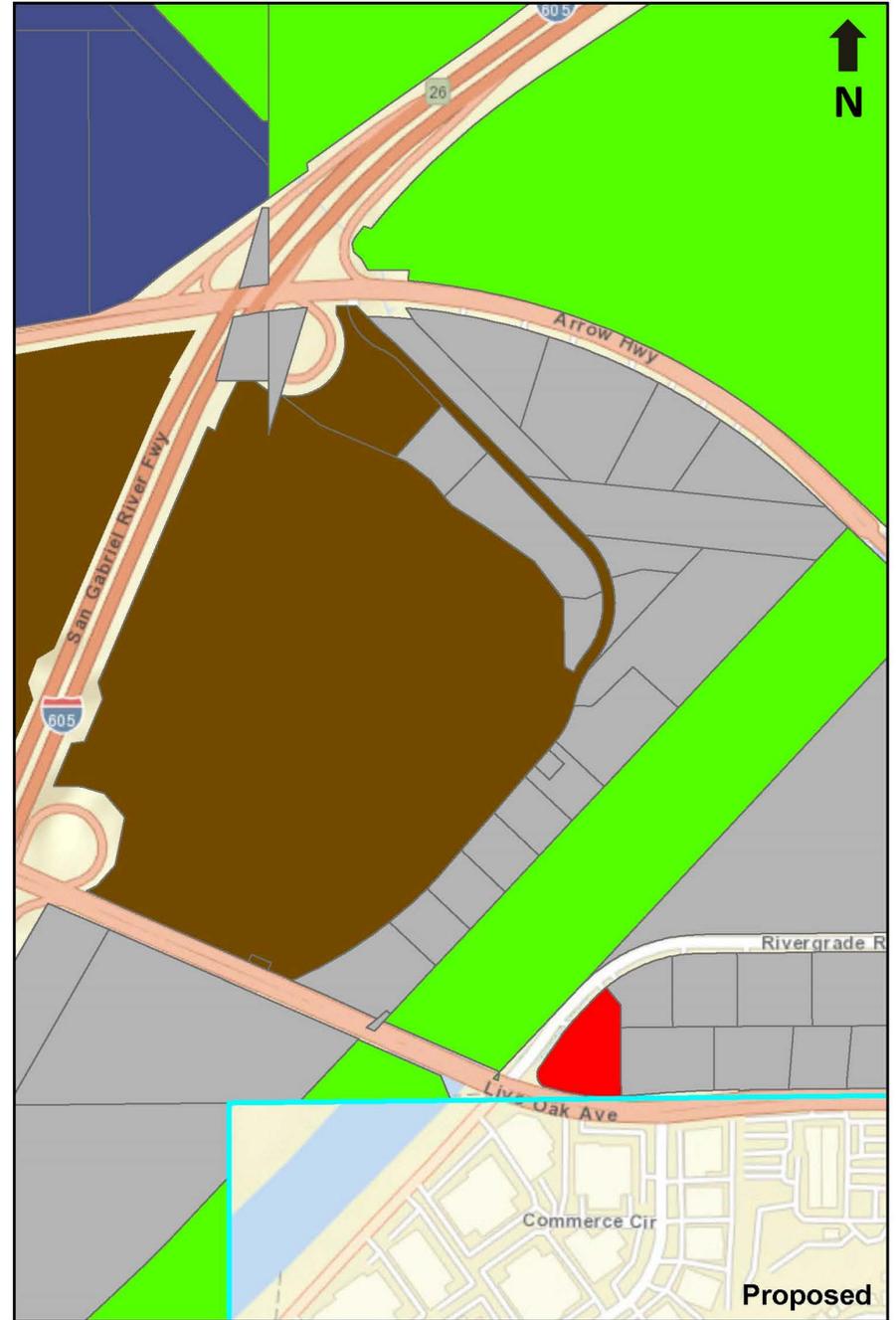
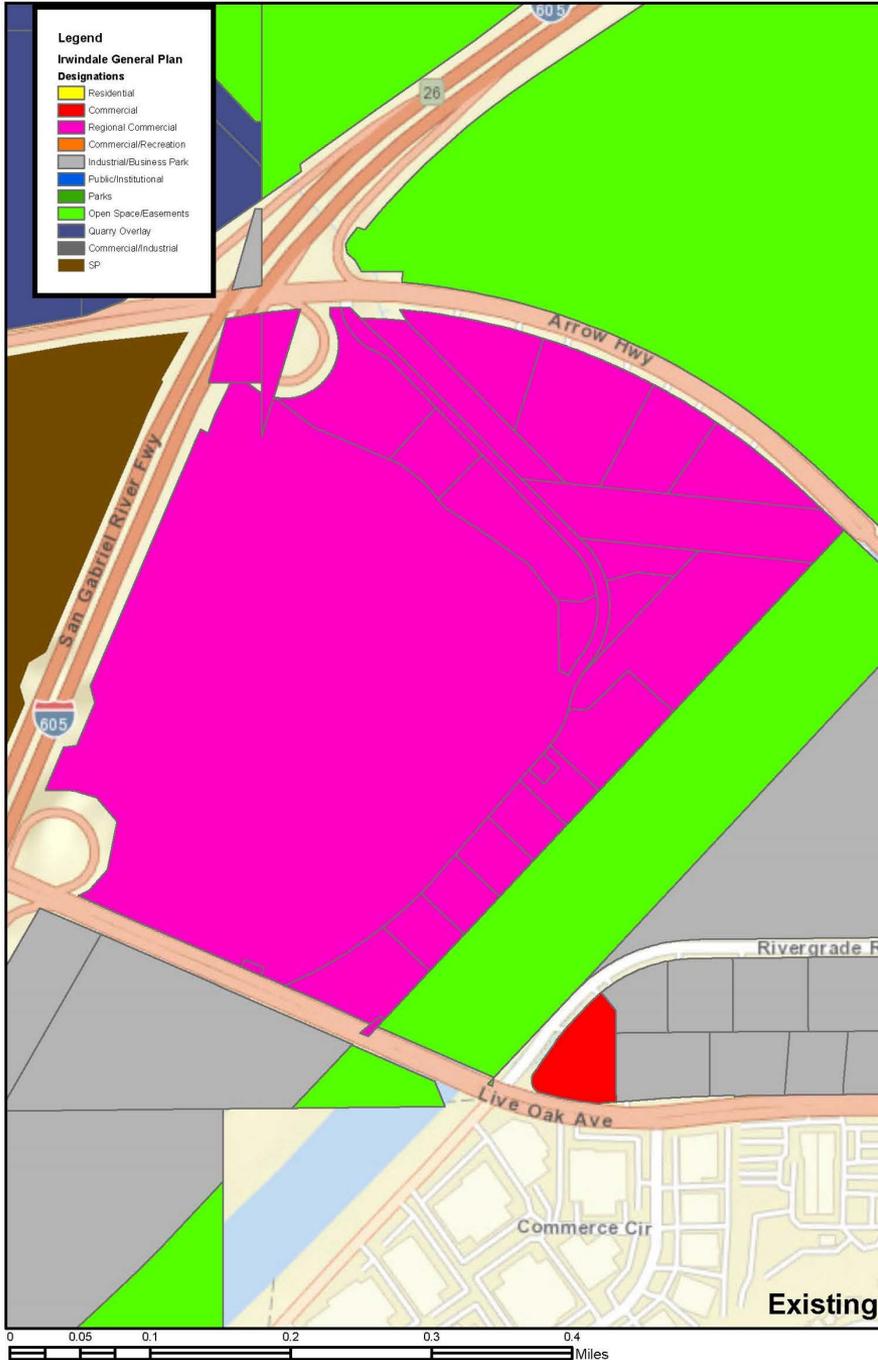


EXHIBIT "E"

ORDINANCE NO. 195

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF IRWINDALE REZONING CERTAIN
HEREINAFTER DESCRIBED REAL PROPERTY.

THE CITY COUNCIL OF THE CITY OF IRWINDALE DOES ORDAIN
AS FOLLOWS:

SECTION 1. That the City Council of the City of Irwindale
does hereby find, determine and declare as follows:

(a) That the Planning Commission of the
City of Irwindale has heretofore conducted a
series of public hearings to consider the
rezoning and reclassification of certain real
property located within said City; and

(b) That based upon the recommendations
of the Planning Commission, the City Council
conducted public hearings upon said matters,
and determined that the public interest,
convenience and necessity require the reclass-
ification of said real property in the manner
hereinafter described; and

(c) That the property to which this
Ordinance relates is more particularly described
as follows:

The West 150 feet and the
North 150 feet of Lot 1 of Tract
4675 as recorded in Book 99, Page
34 of Maps of the Office of the
County Recorder, County of Los
Angeles.

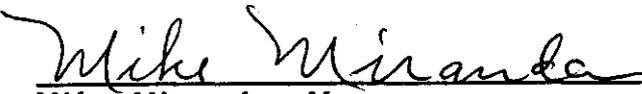
(d) That the Planning Commission's
recommendations were approved in part and
disapproved in part by the City Council; and

(e) That the public interest, convenience
and necessity requires that said property be
rezoned to Zone C-3.

SECTION 2. That notwithstanding the provisions of Section
9310 of the Irwindale Municipal Code, said real property, above
described, be and the same hereby is, rezoned to Zone C-3.

SECTION 3. That the City Clerk shall certify to the
adoption of this Ordinance and shall cause the same to be posted
in the manner prescribed by law.

PASSED AND APPROVED this 2nd day of May, 1967.


Mike Miranda, Mayor

ATTEST: 
City Clerk

Ordinance No. 195

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF IRWINDALE)

I, Margaret S. Barbosa, City Clerk of the City of Irwindale do hereby certify that the foregoing Ordinance No. 195 was regularly introduced, adopted and passed at a regular meeting of the City Council on the 2nd day of May, 1967, by the following vote:

- AYES: COUNCILMEN: Breceda, Diaz, Pat Miranda, Barbosa and Mike Miranda.
- NOES: COUNCILMEN: None.
- ABSENT: COUNCILMEN: None.

Margaret S. Barbosa
Margaret S. Barbosa, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF IRWINDALE)

I, Margaret S. Barbosa, being first duly sworn, deposes and says:

That she is the duly appointed and City Clerk of the City of Irwindale, California, and is and was at all times herein mentioned a citizen of the United States over the age of eighteen (18) years and competent to be witness herein.

On May 5, 1967, she securely and conspicuously posted at each of the public places in said City, to wit:

- 1. Police Department;
- 2. Post Office on Calle del Norte;
- 3. At or near the door of the Council Chambers, a copy of Ordinance No. 195 of the City of Irwindale, being in all respects the same as that attached hereto and made a part hereof.

Dated: May 5, 1967.

Margaret S. Barbosa
Margaret S. Barbosa, City Clerk

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EXHIBIT "F"

ORDINANCE NO. 200

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE REZONING CERTAIN REAL PROPERTIES FROM ZONE A-1 TO ZONE M-1. (Meridian)

Ruelas
Park Rose
Citrus View

THE CITY COUNCIL OF THE CITY OF IRWINDALE DOES ORDAIN AS FOLLOWS:

SECTION 1. That the Planning Commission of the City of Irwindale, after Public Hearing duly held, found that it is in the public interest that the hereinafter described property, presently zoned A-1 be rezoned to M-1.

SECTION 2. That the hereinafter described real property located in the City of Irwindale, County of Los Angeles, State of California, more particularly described as follows:

"Those lots and portion thereof of Tract #4675, recorded in Map Book 99, Page 34 of the County Recorder's Office described as follows:

- The south 50' of Lot 1 except therefrom, the West 148'
- Lots 2, 3, 4, & 5
- Lot 6 excepting the west 145'
- Lots 7, 8, 9, & 10
- Lot 11, excepting the west 200';

be, and the same hereby is rezoned to Zone M-1.

SECTION 3. That the City Clerk shall certify to the adoption of this ordinance and cause the same to be posted in the manner prescribed by law.

PASSED AND ADOPTED this 20th day of June, 1967.

Mike Miranda
Mike Miranda, Mayor

ATTEST: Margaret S. Barbosa
City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF IRWINDALE)

I, Margaret S. Barbosa, City Clerk of the City of Irwindale do hereby certify that the foregoing Ordinance No. 200 was regularly introduced, adopted and passed at a regular meeting of the City Council on the 20th day of June, 1967, by the following vote:

- AYES: COUNCILMEN: Diaz, ^{Pat Miranda} ~~Barbosa~~ & Mike Miranda.
- NOES: COUNCILMEN: Breceda and ^{Barbosa} ~~Pat Miranda~~
- ABSENT: COUNCILMEN: None.

Margaret S. Barbosa
Margaret S. Barbosa, City Clerk

Ordinance No. 200

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF IRWINDALE)

I, Margaret S. Barbosa, being first duly sworn, deposes and says:

That she is the duly appointed and City Clerk of the City of Irwindale, California, and is and was at all times herein mentioned a citizen of the United States over the age of eighteen years and competent to be witness herein.

On June 22, 1967, she securely and conspicuously posted at each of the public places in said City, to wit:

1. Police Department;
2. Post Office on Calle del Norte;
3. At or near the door of the Council Chambers, a copy of Ordinance No. 200 of the City of Irwindale, being in all respects the same as that attached hereto and made a part hereof.

Dated: June 22, 1967.


Margaret S. Barbosa, City Clerk

EXHIBIT "G"

ORDINANCE NO. 220

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE REZONING CERTAIN HEREIN DESCRIBED REAL PROPERTY (CASE NO. 68-5-ZC; APPLICANT: SAFFELL AND McADAM).

THE CITY COUNCIL OF THE CITY OF IRWINDALE DOES ORDAIN AS FOLLOWS:

SECTION 1. That the City Council of the City of Irwindale does hereby find, determine and declare as follows:

- (a) That the Planning Commission of the City of Irwindale has heretofore considered a zone change application requesting the rezoning from Zone Q to Zone M-2, for certain real property located on Bueno Rio Drive easterly of Tifal Avenue in the City of Irwindale, County of Los Angeles, State of California, more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference; and
- (b) That the Commission conducted a duly noticed public hearing upon said matter, and thereafter denied the application as above described; and
- (c) That the City Council conducted a duly noticed public hearing upon an appeal from the decision of the Planning Commission, and based upon the evidence presented at said hearing, and each member of the Council being familiar with the site, determined that the public interest, convenience and necessity require that said property be reclassified from Zone Q to Zone M-2.

SECTION 2. That notwithstanding Section 9310 of the Irwindale Municipal Code, the above described real property be, and the same hereby is, reclassified from Zone Q to Zone M-2.

SECTION 3. That the City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted in the manner prescribed by law.

PASSED AND APPROVED this 2nd day of July, 1968.

Mike Miranda
Mike Miranda, Mayor

ATTEST:

Margaret S. Barber
City Clerk

EXHIBIT "H"

RESOLUTION NO. 58-(66)

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF IRWINDALE RECOMMENDING
THE RECLASSIFICATION OF CERTAIN
PROPERTIES LOCATED WITHIN THE CITY.

THE PLANNING COMMISSION OF THE CITY OF IRWINDALE
DOES RESOLVE AS FOLLOWS:

SECTION 1. That the Planning Commission of the
City of Irwindale does hereby find, determine and
declare as follows:

(a) That pursuant to instruction by
the City Council the Commission has con-
ducted a series of hearings, over a period
of months, to consider the reclassification
of a number of parcels of real property
located within the City; and

(b) That attached hereto, marked
Exhibit "A", and incorporated herein by this
reference, is a description of the properties
considered for reclassification, each of
which description contains the proposal for
such reclassification; and

(c) That in each case, as to each
parcel described on Exhibit "A", the
Commission has determined as a result of
hearings, staff reports and each member of
the Commission being familiar with the
properties involved, that the public interest,
convenience and necessity require the reclass-
ification to the zones as indicated on Exhibit "A".

SECTION 2. That the said Commission does hereby
recommend to the City Council the reclassification of
the properties, to the zones indicated as set forth on
said Exhibit "A" attached hereto.

SECTION 3. That the Secretary of the Planning
Commission shall certify the adoption of this Resolution
and forward a copy hereof to the City Clerk for submission
to the City Council.

PASSED AND APPROVED this 10th day of November, 1966

Elias A. Amelas
Chairman

ATTEST:

Giles Hubbard
Secretary

EXHIBIT A

LANDS RECOMMENDED FOR REZONING BY IRWINDALE PLANNING COMMISSION

November 10, 1966

1. Rezone from A-1 to M-2: That property in the City of Irwindale lying northerly of Foothill Boulevard and presently zoned A-1.
2. Rezone from R-3 to M-1: That property in the City of Irwindale fronting Central Avenue and presently zoned R-3.
3. Rezone from R-1 to M-2: That property in the City of Irwindale fronting Central Avenue and presently zoned R-1.
4. Rezone from R-2 to M-1: Blocks 10, 11 and 12 of the Davis Addition to Duarte as recorded in Book 11 Page 72 of Miscellaneous Records.
5. Rezone from A-1 to C-3: Beginning at the intersection of Mountain Avenue and Van Meter Street on the east side of Mountain Avenue designated the southwest corner of Lot 10, J. R. Loftus Tract No. 1, Map Book 11, Page 170 and extending north to the northwest corner of Lot 11, Tract 4675, Map Book 99, Page 34, a uniform depth of 200 feet and beginning on the southwest corner of Lot 6 of said Tract 4675, and extending north to the northwest corner of Lot 1 of said Tract 4675, with a uniform depth of 150 feet. Also including those properties fronting Meridian Street from Mountain Avenue to Citrusview Avenue.
6. Rezone from A-1 to M-1: All that property in the City of Irwindale lying east of Mountain Avenue between Van Meter Street and Meridian Street presently zoned A-1, excepting therefrom that property to be rezoned C-3.
7. Rezone from A-1 to M-1: Lots 135-138 inclusive and Lots 2267-2272 inclusive of the Chicago Park Tract recorded in Miscellaneous Records, Book 30 Page 100.
8. Rezone from A-1 to M-1: Commencing at the southeast corner of Lot 12, Tract 4316, thence East 66 feet with a uniform depth of 500 feet.
9. Rezone from A-1 and C-2 to C-3: Parcels 1, 2, 13, 14, 15, 30 and 31 of Licensed Surveyors Map, recorded in Book 14 Page 32 of Maps of the County Recorder of Los Angeles County.

Parcels 1, 2a, 2b, 3, 4, 5, 6, 7, West 123.46 feet of 42, 43, 44, 45, 46, West 140.10 feet of 55, 56, 66, 68, 71 and West 187.68 feet of 75 of Possessory Map recorded in Book 4 Pages 58-61 inclusive of Official Maps of the County Recorder of Los Angeles County.

The West 200 feet of Lot 65A of Possessory Map recorded in Book 4 Page 75 of Official Maps of the County Recorder of Los Angeles County.
10. Rezone from C-2 to A-1: Parcels 16, 29, and 32 of Licensed Surveyors Map, recorded in Book 14 Page 32 of Maps of the County Recorder of Los Angeles County.
11. Rezone from A-1 to M-1: Commencing at the northeast corner of Tract 17517 recorded in Map Book 438 Pages 1 and 2; thence westerly along the north boundary of said tract a distance of 738.40 feet with a uniform depth of 225 feet; thence westerly along the Irwindale City boundary 525 feet with a uniform depth of 50 feet; thence continuing west along the Irwindale City boundary 325 feet with a uniform depth of 16.5 feet.
12. Rezone from A-1 to M-1: Commencing 618 feet southerly of the southeast corner of Azusa Canyon Road and Arrow Highway; thence southerly along the east line of Azusa Canyon Road with a uniform depth of 170 feet from the centerline of Azusa Canyon Road to a line 171 feet north of the centerline of Olive Street.
13. Rezone from A-1 to M-2: Lots 3, 4 and 5 of Orange Belt Tract recorded in Book 37 Pages 66-67 inclusive of Miscellaneous Records of the County Recorder of the County of Los Angeles.
14. Rezone from C-2 and A-1 to C-3: Parcels 3, 4, 5, 6 of Licensed Surveyors Map, recorded in Book 14 Page 32 of Maps of the County Recorder of Los Angeles County.

That land between Arrow Highway and Parcels 7 and 8 of said Licensed Surveyors Map.

Parcels 12, 15, 16, 17, 22, 23 and 24 of Possessory Map recorded in Book 4 Pages 58-61 inclusive of Official Maps of the County Recorder of Los Angeles County.

EXHIBIT "I"

COMMUNITY CENTER BUILDING
5050 NORTH IRWINDALE AVENUE
IRWINDALE, CALIFORNIA

TUESDAY
JANUARY 17, 1967
7 30 O'CLOCK P M

The City Council of the City of Irwindale met in regular session at the above time and place

Following the Pledge of Allegiance to the Flag of our Country, the meeting was opened with an invocation by Edwin T Powell, City Manager

ROLL CALL Present Councilmen Breceda,
Barbosa, and Pat Miranda

Absent Councilmen Diaz and M Miranda

Also present City Manager Edwin T Powell, City Attorney Robert Flandrick, City Engineer W J Lockman, City Clerk Margaret S Barbosa, Adm Sec T Werderman, Chief of Police Ernest Aguirre

APPROVAL OF MINUTES 3 The minutes of January 3, 1967,
OF PREVIOUS MEETINGS ✓ regular meeting, were presented for approval

Councilman Barbosa moved, seconded by Councilman Breceda to waive reading Carried unanimously

Councilman Breceda requested the following correction on Page 3, under Planning Commission vacancies

"Councilman Breceda stated that the other commissioner under consideration had made statements before this council that if the Council was to change a certain ordinance, relating to the functions of the Planning Commission, that the Planning Commission should be disbanded Councilman Breceda wondered if this commissioner still felt the same or if he would still be willing to serve "

Councilman Barbosa moved, seconded by Councilman Breceda to approve minutes as corrected Carried unanimously

COUNCILMAN DIAZ ARRIVED AT 7 36 O'CLOCK P M

APPROVAL OF WARRANTS 117 Warrant Register No 147 for the
AND DEMANDS ✓ month of January, 1967, was presented for approval

Upon question from Councilman Barbosa, the City Manager explained the charges on Warrant #9176, made payable to the Los Angeles County Road Department

COUNCILMAN MIKE MIRANDA ARRIVED AT 7 40 O'CLOCK P M

Councilman Breceda moved, seconded by Councilman Barbosa to approve as presented Carried unanimously

PAYROLL REGISTER 117 Payroll Register No 148, for the
RATIFICATION ✓ month of December, 1966, was presented for ratification

Councilman Diaz moved, seconded by Councilman Breceda to approve as presented Carried unanimously

PUBLIC HEARING

CONSIDERATION OF AMENDMENT 24 The City Attorney advised the Council
TO THE ZONING REGULATIONS ✓ that this was a continuation of the
APPLICABLE TO QUARRY AND Public Hearing to consider amendments
ALLIED USES to the Zoning Ordinance applicable to Quarry and Allied uses

Certificate of posting notice was received and filed
The City Attorney sworn in all persons wishing to speak

Regular Council Meeting

January 17, 1967

PROPOSERS

H R Stokes
1215 Oaklawn Road
Arcadia

Mr Stokes stated that the committee which had been appointed to meet with councilmembers to discuss problems had not gotten together

again, therefore problems had not been resolved

Councilman Mike Miranda moved, seconded by Councilman Breceda to table public hearing to February 21, 1967 Carried unanimously

PUBLIC HEARING

CONSIDERATION OF CHANGES OF
ZONE RECOMMENDED BY THE
PLANNING COMMISSION

24
✓

The City Engineer stated that this was the time and place set by the Council to consider changes on the zoning map within the community

The fourteen(14) changes as recommended by the Planning Commission, culminated 12 months of study

Affidavit of posting notice of public hearing was received and filed

The City Attorney swore in all persons wishing to speak

There was some discussion among the council whether the Public Hearing should be held at this time

After lengthy discussion, the Mayor asked that the Council proceed with the public hearing

MIKE MARTINEZ,
16042 Central St

Mr Martinez appeared and stated that his request was not included in the hearing, however, he would

like to know if his request could be considered as stated in his letter dated January 12, 1967, copies which had been submitted to the Council

Councilman Diaz moved, seconded by Councilman Mike Miranda to set his request for public hearing on February 7, 1967

There was confusion among council since they felt Mr Martinez was out of order, and they were not sure of what was needed

After discussion, Councilman Diaz amended his motion and Councilman Miranda amended his second, to have the council initiate a public hearing to be heard before the Planning Commission

Carried by the following vote of the Council

Ayes Councilmen Diaz, M Miranda and P Miranda

Noes Councilmen Breceda and Barbosa

Absent Councilmen None

Anthony Ortuno
346 N Azusa Avenue
Azusa

Mr Ortuno asked to be heard at this time since he had another meeting to attend He stated that he owned property at 4842 Azusa Canyon Road

in the City of Irwindale and referred to #12 of Exhibit "A" and stated that he was one of the first ones to sign the petition in favor of M-2 zoning He concurred with the recommendation of the Planning Commission for an M-1 zone, however, he would prefer M-2, if possible, but would accept M-1 as recommended by the Planning Commission

The City Engineer proceeded to explain the changes recommended by the Planning Commission on Exhibit "A" and the map on the wall, which was as follows

Regular Council Meeting

January 17, 1967

- 1) Rezone from A-1 to M-2 That property in the City of Irwindale lying northerly of Foothill Boulevard and presently zoned A-1
No opponents or proponents
- 2) Rezone from R-3 to M-1 That property in the City of Irwindale fronting Central Avenue and presently zoned R-3
No opponents or proponents
- 3) Rezone from R-1 to M-2 That property in the City of Irwindale fronting Central Avenue and presently zoned R-1
No opponents or proponents
- 4) Rezone from R-2 to M-1 Blocks 10, 11 and 12 of the Davis Addition to Duarte as recorded in Book 11 Page 72 of Miscellaneous Records
No opponents or proponents
- 5) Rezone from A-1 to C-3 Beginning at the intersection of Mountain Avenue and Van Meter Street on the east side of Mountain Avenue designated the southwest corner of Lot 10, J R Loftus Tract No 1, Map Book 11, Page 170 and extending north of the northwest corner of Lot 11, Tract 4675, Map Book 99, Page 34, a uniform depth of 200 feet and beginning on the southwest corner of Lot 6 of said Tract 4675, and extending north to the northwest corner of Lot 1 of said Tract 4675, with a uniform depth of 150 feet Also including those properties fronting Meridian Street from Mountain Avenue to Citrusview Avenue

PROPONENTS

Mr. & Mrs Binard
1848 Loma Alta
Altadena

Mrs Binard stated that she was owner of property on the east of Mountain Avenue and fronting Meridian Street from Mountain

Avenue and stated that they concurred with the recommendation of the Planning Commission to rezone their property from A-1 to C-3

Mr Binard appeared and stated that he concurred with the recommendation of the Planning Commission and what was stated by his wife

Richard L Diaz
2408 Mountain Avenue

Mr Diaz stated that he concurred with the recommendation of the Planning Commission

- 6) Rezone from A-1 to M-1 All that property in the City of Irwindale lying east of Mountain Avenue between Van Meter Street and Meridian Street presently zoned A-1, excepting therefrom that property to be rezoned C-3

PROPONENTS

Mr Rod Harbough
136 S Sepulveda
Los Angeles

Mr Harbough, representing Rahn Bros , Los Angeles, appeared and stated that he was very much in favor of changing the zone from

A-1 to M-1 since this zone would be better use of the land

Mr & Mrs Binard
1848 Loma Alta
Altadena

Mr & Mrs Binard were in favor of this change also

Regular Council Meeting

January 17, 1967

- 7) Rezone from A-1 to M-1 Lots 135 - 138 inclusive and Lots 2267-2272 inclusive of the Chicago Park Tract recorded in Miscellaneous Records, Book 30 Page 100
No proponents or opponents

- 8) Rezone from A-1 to M-1 Commencing at the southeast corner of Lot 12, Tract 4316, thence East 66 feet with a uniform depth of 500 feet
No proponents or opponents

PUBLIC HEARING
INTERRUPTEDWilliam LeZich, 400 Fisher,
Glendale, appeared and requested
that the Council consider his

property at the time Mr Mike Martinez' property is considered

- 9) Rezone from A-1 and C-2 to C-3 Parcels 1, 2, 13, 14, 15, 30, and 31 of Licensed Surveyors Map, recorded in Book 14 Page 32 of Maps of the County Recorder of Los Angeles County

Parcels 1, 2a, 2b, 3, 4, 5, 6, 7, West 123 46 feet of 42, 43, 44, 45, 46, West 140 10 feet of 55, 56, 66, 68, 71 and West 187 68 feet of 75 of Possessory Map recorded in Book 4 Pages 58-61 inclusive of Official Maps of the County Recorder of Los Angeles County

The West 200 Feet of Lot 65A of Possessory Map recorded in Book 4 Page 75 of Official Maps of the County Recorder of Los Angeles County

No proponents and opponents

RECESS

Recess was called at 9 00 P M
Meeting reconvened at 9 14 P M ,

with all councilmembers present

- 10) Rezone from C-2 to A-1 Parcels 16, 29, and 32 of Licensed surveyors map, recorded in Book 14 Page 32 of Maps of the County Recorder of Los Angeles County
No proponents and opponents

- 11) Rezone from A-1 to M-1 Commencing at the northeast corner of Tract 17517 recorded in Map Book 438 Pages 1 and 2, thence westerly along the north boundary of said tract a distance of 738 40 feet with a uniform depth of 225 feet, thence westerly along the Irwindale City boundary 525 feet with a uniform depth of 50 feet, thence continuing west along the Irwindale City boundary 325 feet with a uniform depth of 16 5 feet
No proponents and opponents

- 12) Rezone from A-1 to M-1 Commencing 618 feet southerly of the southeast corner of Azusa Canyon Road and Arrow Highway, thence southerly along the east line of Azusa Canyon Road with a uniform depth of 170 feet from the centerline of Azusa Canyon Road to a line 171 feet north of the centerline of Olive St
No proponents

The City Engineer stated that the Planning Commission had received a petition to rezone the property now zoned M-1 and A-1 to M-2, however, the Planning Commission had recommended that this property be zoned M-1

OPPONENTSMrs Bashem
4829 Azusa Canyon Road
Baldwin Park

Mrs Bashem appeared and stated that she was opposed to this change at this time, but would not be opposed at a later time, since her property was zoned C-M and had been for 3 years

Regular Council Meeting

January 17, 1967

The City Manager stated that property owners on the Irwindale side were in favor of this change

H R Stokes
1215 Oaklawn Road
Arcadia

Mr Stokes appeared as representative of Con Rock and stated that all property owners had been confronted along Azusa Canyon Road and they were

in favor of M-2

Mr Chaffee
4122 Via Verde
Claremont

Mr Chaffee, representing O'Kelley Eccles, stated that he had signed the petition requesting M-2 and felt this zone was very compatible

for that area He stated that he property had been purchased in 1948, which was in County at the time, and was under impression that their property was zoned M-2, however, later found out that it was actually M-1, therefore, they were a non-conforming use He felt this property should be M-2

- 13) Rezone from A-1 to M-2 Lots 3, 4 and 5 of Orange Belt Tract recorded in Book 37 Pages 66-67 inclusive of Miscellaneous Records of the County Recorder of the County of Los Angeles

PROPOSERS

G H Weber
1435 E Thackery
West Covina

Mr Weber, representing Con Rock, stated that he had appeared before the Planning Commission requesting an M-2 Zone

- 14) Rezone from C-2 and A-1 to C-3 Parcels 3, 4, 5, 6, of Licensed Surveyors Map, recorded in Book 14 Page 32 of Maps of the County Recorder of Los Angeles County
That Land between Arrow Highway and Parcels 7 and 8 of said Licensed Surveyors Map

Parcels 12, 15, 16, 17, 22, 23 and 24 of Possessory Map recorded in Book 4 Pages 58-61 inclusive of Official Maps of the County Recorder of Los Angeles County

No Proponents and opponents

Councilman Mike Miranda asked why the property where the church is located on Cypress Avenue was not being considered by the Planning Commission for a zone change

The City Attorney stated that this property required a conditional use permit for a church under the existing regulations and only the council could initiate a conditional use permit

Councilman Diaz moved, seconded by Councilman Mike Miranda to have this hearing continued until February 7, 1967 Carried unanimously

REQUEST FOR ZONE CHANGE
FROM MR MIKE MARTINEZ -
PEPPER TREE LANE

24 ✓

Councilman Diaz moved, seconded by Councilman Mike Miranda to have the Council initiate a zone change on properties on the north side of

Pepper Tree Lane and/or a variance on Mr Martinez' property and have the Planning Commission hold a public hearing on all properties Carried unanimously

Councilman Mike Miranda moved that the property where the Catholic Church is located on Cypress be considered

No action taken

Regular Council Meeting

January 17, 1967

COMMISSION CONSIDERATIONPLANNING COMMISSION
MINUTES123
✓

The minutes of December 22, 1966, which were presented for information, were received and filed

COMMUNICATIONS EXTERNALREQUEST TO PERMIT GAMES
OF SKILL FROM IRWINDALE
SPORTSMEN CLUB45
✓

A letter dated January 5, 1967, from Blattel Klein, attorneys at law, for the Irwindale Sportsmen Club, was presented

Councilman Diaz moved, seconded by Councilman Mike Miranda that this letter be received and filed and no action taken

Councilman Barbosa requested that the proponents of this request please rise so that the Council would know who they were

Mr Richard Kline, Attorney, 360 Bedford Drive, Beverly Hills, appeared and introduced Mr Roban and John Parker, officers of the corporation, and requested that a correction be made on page 3 of the monthly gross revenue schedule

Councilman Barbosa directed questions to Mr Kline and Mr Roban concerning his association with an annexation that had been considered for the City of Irwindale Since Mr Roban had been opposed to this annexation because a Pepsi Cola Plant was proposed to be constructed on this property Councilman Barbosa felt this request was unreasonable and detrimental to the people of the City of Irwindale He instructed Mr Roban to take it back to his own city

Councilman Breceda made the following statement for the record

"Mr Chairman, I want the record to show, that personally I do not believe that our people needs profits derived from gambling At the present time we have one of the best recreation facilities in the county We also have the revenue with which to improve it If I could get the support or majority of the City Council, we could approve a real recreation program for our city Gambling profits can stay in Las Vegas and Gardena as far as I'm concerned I repeat, we do not need gambling profits to give our children the best recreation program in the state I also repeat that I am voicing my personal views, and I do not pretend to know what the wishes of the people of Irwindale are in this matter, but I do hope that if this matter goes to a vote of the people, that the majority will share my views "

Motion to receive and file letter, carried unanimously

HUNTINGTON BEACH
FREEWAY ROUTE102
✓

A letter dated January 4, 1967, from the City of Covina relative to the Huntington Beach Freeway

Route, which was presented by Mayor Pat Miranda, was received and filed

JUVENILE LOITERING LAW -
L. A COUNTY DELINQUENCY
AND CRIME COMMISSION421
✓

Mayor Miranda presented a letter dated January 5, 1967, from the Los Angeles County Delinquency and Crime Commission requesting

that the City Council adopt a new ordinance similar to County Ordinance, a Juvenile Loitering Law

Councilman Mike Miranda moved to place this item in the next agenda Carried unanimously

Regular Council Meeting

January 17, 1967

APPEAL ON PLANNING COMMISSION
DECISION - OUTDOOR ADVERTISING

Letters dated January 13, 1967, from Foster & Kleiser and Pacific Outdoor Advertising Co appealing the

decision of the Planning Commission on Resolution #60(67) were presented. Said resolution denied proposed amendments to the zoning regulations of the City of Irwindale which would permit outdoor advertising structures in commercial or industrial zones.

Councilman Diaz moved, seconded by Councilman Mike Miranda that this appeal be placed for public hearing on February 21, 1967. Carried unanimously.

MEETING

The following meeting was noted

a Jan 18, 1967

28 ✓

Calif Contract Cities Assoc
Host Cities Rosemead & Temple City
T & J Restaurant, 8526 Valley Blvd
Rosemead - 6 30 P M

CITY OF IRWINDALE
CO-HOSTING CALIF CONTRACT
CITIES ASSOC, MEETING
JOINTLY WITH CITY OF DUARTE

28 ✓

The City Manager advised the City Council that the California Contract Cities Association meeting in March would be co-hosted by the Cities of Duarte and Irwindale.

EXAMINATION RESULTS FOR
PATROLMAN

6 ✓

The Chief of Police advised the City Council of the results of the Police Officer examination. He

advised the City Council that four reserves had taken the exam, however, no one received a passing grade, therefore, he would proceed to advertise outside the department.

GENTLEMEN FROM THE
PRESS ACKNOWLEDGED

21 ✓

Mayor Miranda acknowledged Messrs Alwell, Bortin and Devereaux, members of the press.

40 ✓ DEPARTMENTAL REPORTS

The following departmental reports for the month of December, 1966, were received and filed:

- ✓ a City Administrative Office
 - 1 Absence Record of all employees
- ✓ b Library,
- ✓ c Park & Recreation Department,
- ✓ d General Government Building & Grounds,
- ✓ e Public Works Department,
- ✓ f Police Department,
- ✓ g Equipment Maintenance Department, and
- ✓ h Fire Department

CITY MANAGERAPPOINTMENT FOR PLANNING
COMMISSION VACANCIES

125 ✓

The City Council adjourned to a personnel session to discuss these vacancies at 10 19 O'Clock P M.

Reconvened at 11 25 O'Clock P M, with all councilmembers present.

Mayor Pat Miranda moved, seconded by Councilman Mike Miranda to follow the recommendation of the Planning Commission and appoint Hardie Lee and Elias Ornelas to the Planning Commission.

Regular Council Meeting

January 17, 1967

Motion failed by the following vote of the Council

Ayes Councilmen Mike and Pat Miranda

Noes Councilmen Breceda, Diaz and Barbosa

Councilman Mike Miranda moved, seconded by Councilman Barbosa to reappoint Elias Ornelas and appoint Ben Aguayo to fill vacancies in the Planning Commission

Councilman Diaz stated that the Commissions were comprised of only one or two factions, however, he meant no reflection on the people being considered for appointment

Councilman Mike Miranda made the following statement for the Record

"The two names mentioned are not related to me in any way, shape or form "

Councilman Breceda agreed with Councilman Diaz that other names should be considered for these vacancies

Motion carried by the following vote of the Council

Ayes Councilmen Mike Miranda, Barbosa, & P Miranda

Noes Councilmen Breceda and Diaz

Absent Councilmen none

RESOLUTION COMMENDING
HARDIE LEE FOR HAVING
SERVED IN THE P/C

122
✓

Councilman Diaz moved, seconded by Councilman Mike Miranda to instruct the City Attorney to prepare a resolution commending Hardie Lee

for his services during his term of office in the Planning Commission for council adoption Carried unanimously

PUBLIC WORKS VACANCY

✓

The City Manager recommended in view of filling a vacancy created

and also having the City of Irwindale assume sewer maintenance, that Ruben Burrola and Max Rodriquez be appointed

Councilman Diaz moved, seconded by Mayor Pat Miranda to consider two men, but not the ones mentioned, that Ruben Burrola be appointed now and Ismael Torres at the time the City purchases sewer maintenance equipment, and that \$1,000 be appropriated from General Fund to secure this equipment Mr Rodriquez to be left as next person to be hired Carried unanimously

REQUEST FROM CHIEF OF POLICE
TO ATTEND ALL CHIEFS' AND ALL
COMMITTEE CONFERENCE IN PALO
ALTO

§
✓

The City Manager presented a request from the Chief of Police to attend an all Committee Conference and All Zones Chiefs' and Sheriffs' meeting at Palo Alto,

California, on February 2 and 3, 1967, at a cost of approximately \$120

Councilman Barbosa moved, seconded by Councilman Diaz that request be granted and the necessary funds be appropriated Carried unanimously

REQUEST FROM CITY MANAGER
TO ATTEND CITY MANAGER'S
CONFERENCE

§
✓

The City Manager requested Council permission to attend the Annual Spring Meeting of the City Managers' Department of the League of

California Cities Said meeting to be held in Palo Alto on February 8-10, 1967 An advance of \$100 was requested with the stipulation that only reasonable and necessary expenses be allowed

Councilman Barbosa moved, seconded by Councilman Diaz that request be granted and approve the advance funds as requested Carried unanimously

Any councilmember may attend, if they so desire

Regular Council Meeting

January 17, 1967

ORDINANCE

AMENDING THE IRWINDALE
MUNICIPAL CODE RELATING
TO SANITARY SEWERS

1
28
✓

The City Attorney presented an ordinance entitled, "AN ORDINANCE AMENDING CERTAIN OF THE PROVISIONS OF CHAPTER 2 OF ARTICLE V OF THE IRWINDALE MUNICIPAL CODE RELATING

TO SANITARY SEWERS," and read same by title

The City Attorney advised the Council that the ordinance was being presented for adoption

The City Engineer explained the difference between the existing ordinance and the one to be adopted, which was as follows

- 1) Five years to pay instead of 15 years,
- 2) Lump sum rather than front footage,
- 3) As right of appeal, city council had right to revise fees,
- 4) Payments to be made to city rather than the Tax Collector

Councilman Diaz moved, seconded by Councilman Mike Miranda to adopt the ordinance on second reading

Carried by the following vote of the Council

Ayes Councilmen Breceda, Diaz, M Miranda, & Barbosa
Noes Councilmen Pat Miranda

Absent Councilmen None

Ordinance as adopted is No 186

RESOLUTION

APPOINTING MEMBERS TO THE
PLANNING COMMISSION,
(ORNELAS AND AGUAYO)

125
✓

The City Attorney presented a resolution entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPOINTING MEMBERS OF THE

PLANNING COMMISSION OF THE CITY OF IRWINDALE", and read same by title

Councilman Mike Miranda moved, seconded by Councilman Barbosa to waive reading Carried unanimously

Councilman Mike Miranda moved, seconded by Councilman Barbosa to adopt resolution as presented

Carried by the following vote of the Council

Ayes Councilmen Breceda, M Miranda, Barbosa, & Pat
Miranda

Noes Councilmen Diaz

Absent Councilmen None

Resolution as adopted is No 67-1-612

OTHER LEGAL MATTERS

REQUEST FROM CITY ATTORNEY
TO FILE A SUPREME COURT
BRIEF.

191
✓

The City Attorney requested council permission to file a supreme court brief using the City's name with other cities to support the home rule concept at a cost not to exceed

\$50 (Broadway Association vs Board of Permit Appeals, 246 A C A 29)

Councilman Diaz moved, seconded by Councilman Mike Miranda to grant the City Attorneys' request Carried unanimously

Regular Council Meeting

January 17, 1967

COUNCILMEN ITEMSSISTER CITY COMMITTEE'S
PERMANENT ADDRESS105
✓

Councilman Diaz requested that in order to assist the Sister City Committee, that the City Hall be made their permanent address

Councilman Diaz moved, seconded by Mayor Miranda to approve request Carried unanimously

VARIANCE GRANTED BY THE
PLANNING COMMISSION TO
FRANK BARBOSA24
✓

Councilman Diaz requested discussion concerning Variance granted by the Planning Commission to Frank Barbosa Councilman Diaz stated that the

Council should have knowledge of matters such as these and felt a public hearing should be heard before the City Council

Public Hearing set to be heard before the City Council on February 7, 1967

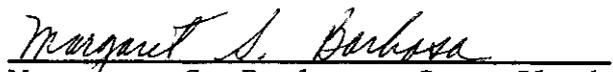
ADJOURNMENT

Upon motion, meeting was adjourned at 12 05 A M



Pat S. Miranda, Mayor

ATTEST



Margaret S Barbosa, City Clerk

Minutes approved at the meeting held February 7, 1967

EXHIBIT "J"

California Department of Housing and Community Development

SB 9 Fact Sheet

On the Implementation of Senate Bill 9 (Chapter 162, Statutes of 2021)



Housing Policy Development Division
March 2022

This Fact Sheet is for informational purposes only and is not intended to implement or interpret SB 9. HCD does not have authority to enforce SB 9, although violations of SB 9 may concurrently violate other housing laws where HCD does have enforcement authority, including but not limited to the laws addressed in this document. As local jurisdictions implement SB 9, including adopting local ordinances, it is important to keep these and other housing laws in mind. The Attorney General may also take independent action to enforce SB 9. For a full list of statutes over which HCD has enforcement authority, visit HCD's [Accountability and Enforcement webpage](#).

Executive Summary of SB 9

Senate Bill (SB) 9 (Chapter 162, Statutes of 2021) requires ministerial approval of a housing development with no more than two primary units in a single-family zone, the subdivision of a parcel in a single-family zone into two parcels, or both. SB 9 facilitates the creation of up to four housing units in the lot area typically used for one single-family home. SB 9 contains eligibility criteria addressing environmental site constraints (e.g., wetlands, wildfire risk, etc.), anti-displacement measures for renters and low-income households, and the protection of historic structures and districts. Key provisions of the law require a local agency to modify or eliminate objective development standards on a project-by-project basis if they would prevent an otherwise eligible lot from being split or prevent the construction of up to two units at least 800 square feet in size. For the purposes of this document, the terms “unit,” “housing unit,” “residential unit,” and “housing development” mean primary unit(s) unless specifically identified as an accessory dwelling unit (ADU) or junior ADU or otherwise defined.

Single-Family Residential Zones Only

(Reference: Gov. Code, §§ 65852.21, subd. (a); 66411.7 subd. (a)(3)(A))

The parcel that will contain the proposed housing development or that will be subject to the lot split must be located in a single-family residential zone. Parcels located in multi-family residential, commercial, agricultural, mixed-use zones, etc., are not subject to SB 9 mandates even if they allow single-family residential uses as a permitted use. While some zones are readily identifiable as single-family residential zones (e.g., R-1 “Single-Family Residential”), others may not be so obvious. Some local agencies have multiple single-family zones with subtle distinctions between them relating to minimum lot sizes or allowable uses. In communities where there may be more than one single-family residential zone, the local agency should carefully review the zone district descriptions in the zoning code and the land use designation descriptions in the Land Use Element of the General Plan. This review will enable the local agency to identify zones whose primary purpose is single-family residential uses and which are therefore subject to SB 9. Considerations such as minimum lot sizes, natural features such as hillsides, or the permissibility of keeping horses should not factor into the determination.

Residential Uses Only

(Reference: Gov. Code, §§ 65852.21, subd. (a))

SB 9 concerns only proposed housing developments containing no more than two residential units (i.e., one or two). The law does not otherwise change the allowable land uses in the local agency's single-family residential zone(s). For example, if the local agency's single-family zone(s) does not currently allow commercial uses such as hotels or restaurants, SB 9 would not allow such uses.

Ministerial Review

(Reference: Gov. Code, §§ 65852.21, subd. (a); 66411.7, subds. (a), (b)(1))

An application made under SB 9 must be considered ministerially, without discretionary review or a hearing. Ministerial review means a process for development approval involving no personal judgment by the public official as to the wisdom of carrying out the project. The public official merely ensures that the proposed development meets all the applicable objective standards for the proposed action but uses no special discretion or judgment in reaching a decision. A ministerial review is nearly always a "staff-level review." This means that a staff person at the local agency reviews the application, often using a checklist, and compares the application materials (e.g., site plan, project description, etc.) with the objective development standards, objective subdivision standards, and objective design standards.

Objective Standards

(Reference: Gov. Code, §§ 65852.21, subd. (b); 66411.7, subd. (c))

The local agency may apply objective development standards (e.g., front setbacks and heights), objective subdivision standards (e.g., minimum lot depths), and objective design standards (e.g., roof pitch, eave projections, façade materials, etc.) as long as they would not physically preclude either of the following:

Up to Two Primary Units. The local agency must allow up to two primary units (i.e., one or two) on the subject parcel or, in the case of a lot split, up to two primary units on each of the resulting parcels.

Units at least 800 square feet in size. The local agency must allow each primary unit to be at least 800 square feet in size.

The terms "objective zoning standards," "objective subdivision standards," and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. Any objective standard that would physically preclude either or both of the two objectives noted above must be modified or

waived by the local agency in order to facilitate the development of the project, with the following two exceptions:

Setbacks for Existing Structures. The local agency may not require a setback for an existing structure or for a structure constructed in the same location and to the same dimensions as an existing structure (i.e., a building reconstructed on the same footprint).

Four-Foot Side and Rear Setbacks. SB 9 establishes an across-the-board maximum four-foot side and rear setbacks. The local agency may choose to apply a lesser setback (e.g., 0-4 feet), but it cannot apply a setback greater than four feet. The local agency cannot apply existing side and rear setbacks applicable in the single-family residential zone(s). Additionally, the four-foot side and rear setback standards are not subject to modification. (Gov. Code, §§ 65852.21, subd. (b)(2)(B); 66411.7, subdivision (c)(3).)

One-Unit Development

(Reference: Gov. Code, §§ 65852.21, subd. (a); 65852.21, subd. (b)(2)(A))

SB 9 requires the ministerial approval of either one or two residential units. Government Code section 65852.21 indicates that the development of just one single-family home was indeed contemplated and expected. For example, the terms “no more than two residential units” and “up to two units” appear in the first line of the housing development-related portion of SB 9 (Gov. Code, § 65852.21, subd. (a)) and in the line obligating local agencies to modify development standards to facilitate a housing development. (Gov. Code, § 65852.21, subd. (b)(2)(A).)

Findings of Denial

(Reference: Gov. Code, §§ 65852.21, subd. (d); 66411.7, subd. (d))

SB 9 establishes a high threshold for the denial of a proposed housing development or lot split. Specifically, a local agency’s building official must make a written finding, based upon a preponderance of the evidence, that the proposed housing development would have a specific, adverse impact, as defined in Government Code section 65589.5, subdivision (d)(2), upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. (Gov. Code, § 65589.5, subd. (d)(2).)

Environmental Site Constraints

(Reference: Gov. Code, §§ 65852.21, subd. (a)(2) and (a)(6); 66411.7, subd. (a)(3)(C) and (a)(3)(E))

A proposed housing development or lot split is not eligible under SB 9 if the parcel contains any of the site conditions listed in Government Code section 65913.4, subdivision (a)(6)(B-K). Examples of conditions that may disqualify a project from using SB 9 include the presence of farmland, wetlands, fire hazard areas, earthquake hazard areas, flood risk areas, conservation areas, wildlife habitat areas, or conservation easements. SB 9 incorporates by reference these environmental site constraint categories that were established with the passing of the Streamlined Ministerial Approval Process (SB 35, Chapter 366, Statutes of 2017). Local agencies may consult HCD's [Streamlined Ministerial Approval Process Guidelines](#) for additional detail on how to interpret these environmental site constraints.

Additionally, a project is not eligible under SB 9 if it is located in a historic district or property included on the State Historic Resources Inventory or within a site that is designated or listed as a city or county landmark or as a historic property or district pursuant to a city or county ordinance.

California Environmental Quality Act (CEQA)

Reference: Gov. Code, §§ 65852.21, subd. (j); 66411.7, subd. (n))

Because the approval of a qualifying project under SB 9 is deemed a ministerial action, CEQA does not apply to the decision to grant an application for a housing development or a lot split, or both. (Pub. Resources Code, § 21080, subd. (b)(1) [CEQA does not apply to ministerial actions]; CEQA Guidelines, § 15268.) For this reason, a local agency must not require an applicant to perform environmental impact analysis under CEQA for applications made under SB 9. Additionally, if a local agency chooses to adopt a local ordinance to implement SB 9 (instead of implementing the law directly from statute), the preparation and adoption of the ordinance is not considered a project under CEQA. In other words, the preparation and adoption of the ordinance is statutorily exempt from CEQA.

Anti-Displacement Measures

(Reference: Gov. Code, §§ 65852.21, subd. (a)(3); 66411.7, subd. (a)(3)(D))

A site is not eligible for a proposed housing development or lot split if the project would require demolition or alteration of any of the following types of housing: (1) housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income; (2) housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power; or (3) housing that has been occupied by a tenant in the last three years.

Lot Split Requirements

(Reference: Gov. Code, § 66411.7)

SB 9 does not require a local agency to approve a parcel map that would result in the creation of more than two lots and more than two units on a lot resulting from a lot split under Government Code section 66411.7. A local agency may choose to allow more than two units, but it is not required to under the law. A parcel may only be subdivided once under Government Code section 66411.7. This provision prevents an applicant from pursuing multiple lot splits over time for the purpose of creating more than two lots. SB 9 also does not require a local agency to approve a lot split if an adjacent lot has been subject to a lot split in the past by the same property owner or a person working in concert with that same property owner.

Accessory Dwelling Units

(Reference: Gov. Code, §§ 65852.21, subd. (j); 66411.7, subd. (f))

SB 9 and ADU Law (Gov. Code, §§ 65852.2 and 65858.22) are complementary. The requirements of each can be implemented in ways that result in developments with both “SB 9 Units” and ADUs. However, specific provisions of SB 9 typically overlap with State ADU Law only to a limited extent on a relatively small number of topics. Treating the provisions of these two laws as identical or substantially similar may lead a local agency to implement the laws in an overly restrictive or otherwise inaccurate way.

“Units” Defined. The three types of housing units that are described in SB 9 and related ADU Law are presented below to clarify which development scenarios are (and are not) made possible by SB 9. The definitions provided are intended to be read within the context of this document and for the narrow purpose of implementing SB 9.

Primary Unit. A primary unit (also called a residential dwelling unit or residential unit) is typically a single-family residence or a residential unit within a multi-family residential development. A primary unit is distinct from an ADU or a Junior ADU. Examples of primary units include a single-family residence (i.e., one primary unit), a duplex (i.e., two primary units), a four-plex (i.e., four primary units), etc.

Accessory Dwelling Unit. An ADU is an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel on which the single-family or multifamily dwelling is or will be situated.

Junior Accessory Dwelling Unit. A Junior ADU is a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A Junior ADU may include separate sanitation facilities or may share sanitation facilities with the existing structure.

The terms “unit,” “housing unit,” “residential unit,” and “housing development” mean primary unit(s) unless specifically identified as an ADU or Junior ADU or otherwise defined. This distinction is critical to successfully implementing SB 9 because state law applies different requirements (and provides certain benefits) to ADUs and Junior ADUs that do not apply to primary units.

Number of ADUs Allowed. ADUs can be combined with primary units in a variety of ways to achieve the maximum unit counts provided for under SB 9. SB 9 allows for up to four units to be built in the same lot area typically used for a single-family home. The calculation varies slightly depending on whether a lot split is involved, but the outcomes regarding total maximum unit counts are identical.

Lot Split. When a lot split occurs, the local agency must allow up to two units on each lot resulting from the lot split. In this situation, all three unit types (i.e., primary unit, ADU, and Junior ADU) count toward this two-unit limit. For example, the limit could be reached on each lot by creating two primary units, or a primary unit and an ADU, or a primary unit and a Junior ADU. By building two units on each lot, the overall maximum of four units required under SB 9 is achieved. (Gov. Code, § 66411.7, subd. (j).) Note that the local agency may choose to allow more than two units per lot if desired.

No Lot Split. When a lot split has not occurred, the lot is eligible to receive ADUs and/or Junior ADUs as it ordinarily would under ADU law. Unlike when a project is proposed following a lot split, the local agency must allow, in addition to one or two primary units under SB 9, ADUs and/or JADUs under ADU Law. It is beyond the scope of this document to identify every combination of primary units, ADUs, and Junior ADUs possible under SB 9 and ADU Law. However, in no case does SB 9 require a local agency to allow more than four units on a single lot, in any combination of primary units, ADUs, and Junior ADUs.

See HCD’s [ADU and JADU webpage](#) for more information and resources.

Relationship to Other State Housing Laws

SB 9 is one housing law among many that have been adopted to encourage the production of homes across California. The following represent some, but not necessarily all, of the housing laws that intersect with SB 9 and that may be impacted as SB 9 is implemented locally.

Housing Element Law. To utilize projections based on SB 9 toward a jurisdiction’s regional housing need allocation, the housing element must: 1) include a site-specific inventory of sites where SB 9 projections are being applied, 2) include a nonvacant sites analysis demonstrating the likelihood of redevelopment and that the existing use will not constitute an impediment for additional residential use, 3) identify any governmental constraints to the use of SB 9 in the creation of units (including land use controls, fees,

and other exactions, as well as locally adopted ordinances that impact the cost and supply of residential development), and 4) include programs and policies that establish zoning and development standards early in the planning period and implement incentives to encourage and facilitate development. The element should support this analysis with local information such as local developer or owner interest to utilize zoning and incentives established through SB 9. Learn more on HCD's [Housing Elements webpage](#).

Housing Crisis Act of 2019. An affected city or county is limited in its ability to amend its general plan, specific plans, or zoning code in a way that would improperly reduce the intensity of residential uses. (Gov. Code, § 66300, subd. (b)(1)(A).) This limitation applies to residential uses in all zones, including single-family residential zones. “Reducing the intensity of land use” includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or any other action that would individually or cumulatively reduce the site’s residential development capacity. (Gov. Code, § 66300, subd. (b)(1)(A).)

A local agency should proceed with caution when adopting a local ordinance that would impose unique development standards on units proposed under SB 9 (but that would not apply to other developments). Any proposed modification to an existing development standard applicable in the single-family residential zone must demonstrate that it would not result in a reduction in the intensity of the use. HCD recommends that local agencies rely on the existing objective development, subdivision, and design standards of its single-family residential zone(s) to the extent possible. Learn more about [Designated Jurisdictions Prohibited from Certain Zoning-Related Actions](#) on HCD’s website.

Housing Accountability Act. Protections contained in the Housing Accountability Act (HAA) and the Permit Streaming Act (PSA) apply to housing developments pursued under SB 9. (Gov. Code, §§ 65589.5; 65905.5; 65913.10; 65940 et seq.) The definition of “housing development project” includes projects that involve no discretionary approvals and projects that include a proposal to construct a single dwelling unit. (Gov. Code, § 65905.5, subd. (b)(3).) For additional information about the HAA and PSA, see HCD’s [Housing Accountability Act Technical Assistance Advisory](#).

Rental Inclusionary Housing. Government Code section 65850, subdivision (g), authorizes local agencies to adopt an inclusionary housing ordinance that includes residential rental units affordable to lower- and moderate-income households. In certain circumstances, HCD may request the submittal of an economic feasibility study to ensure the ordinance does not unduly constrain housing production. For additional information, see HCD’s [Rental Inclusionary Housing Memorandum](#).