

CITY OF IRWINDALE

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

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RODRIGUEZ II
COMMISSIONER

AGENDA FOR THE REGULAR MEETING OF THE

PLANNING COMMISSION

May 15, 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; Acting 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: No minutes for approval

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).

B. GENERAL PLAN AMENDMENT (MAP) NO. 02-2024 01-2024. REVISION OF THE GENERAL PLAN MAP TO CHANGE THE EXISTING GENERAL PLAN DESIGNATION OF SELECT PROPERTIES FROM PARK TO PUBLIC/INSTITUTIONAL FOR PROPERTY LOCATED AT 5050 IRWINDALE AVENUE AND 16053 CALLE DE PASEO (APNS 8417-030-901, 8417-030-902, 8417-031-900).

The City-initiated proposal will amend the Irwindale Zoning Code to exempt City-initiated public projects from the permitting requirements of the code. ENVIRONMENTAL REVIEW: The proposed project is exempt from the California Environmental Quality Act (CEQA), 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, any proposed physical development will undergo its own CEQA review when the entitlement is considered.

Recommendation: Adopt Resolution No. 825(24)

RA 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. 02-2024) FROM PARK TO PUBLIC/INSTITUTIONAL FOR SELECTED AREAS OF PROPERTIES LOCATED AT: (5050 IRWINDALE AVENUE AND 16053 CALLE DE PASEO (APNS 8417-030-901, 8417-030-902, 8417-031-900), AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3)

C. ZOA 01-2024 EXEMPTION OF PUBLIC PROJECTS FROM THE IRWINDALE ZONING CODE

The City-initiated proposal will revise the General Plan Map to reconcile the inconsistency of the existing public uses and the map and make the appropriate change to support the highest and best use. ENVIRONMENTAL REVIEW: The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the Zoning Code Amendment, by itself, will have a significant effect on the environment.

Recommendation: Adopt Resolution No. 826(24)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT ORDINANCE NO. 778, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPTING AND ADDING SECTION 17.04.090 ("PUBLIC PROJECT EXEMPTION") TO CHAPTER 17.04 ("GENERAL PROVISIONS AND REGULATIONS") OF TITLE 17 ("ZONING") OF THE IRWINDALE MUNICIPAL CODE TO EXEMPT PUBLIC PROJECTS FROM THE ZONING CODE," 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 May 15, 2024 to be posted at the City Hall, Library, and Post Office on May 09, 2024.

Jesus Hernandez

Jesus Hernandez,
Administrative Secretary



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



Date: May 15, 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

On April 17, 2024, the Planning Commission continued the item to the next regularly scheduled meeting of May 15, 2024, and directed staff to re-notice the item. The continuance allowed the affected property owners and the public additional notice and time to review the proposed project.

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

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. This timing met the minimum public notification requirement of 10 days prior to the meeting.

On April 15, 2024, the Planning Commission heard the proposed Zone Change and General Plan Amendment item and continued the item to the May 15, 2024 Planning Commission meeting. The Planning Commission directed staff to re-notice the continued meeting.

On April 18, 2024, the second public notice was mailed to property owners within 500 feet of the subject property. The second public notice was published in the newspaper on Friday, April 19, 2024. This timing met and exceeded the minimum public notification requirement of 10 days prior to meeting.

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>

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).

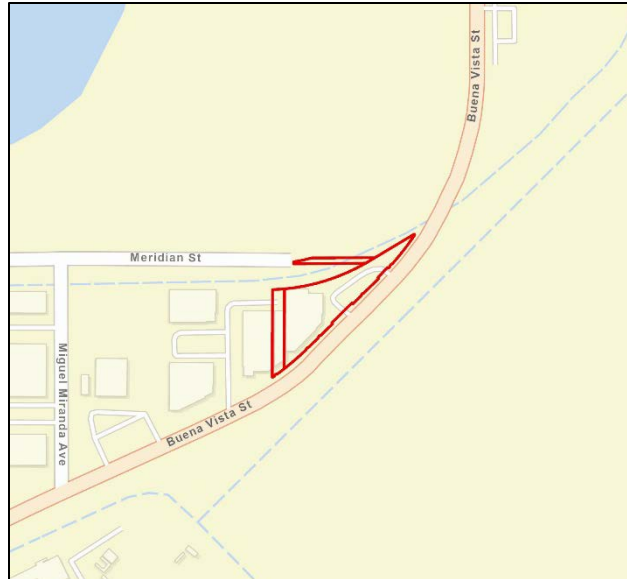
All of the properties listed are currently developed as single-family residential properties, and the General Plan designates these properties as Residential. However, on June 20, 1967, the City Council approved Ordinance No. 200 to allow the rezoning of the properties located on Citrusview Avenue, Park 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).

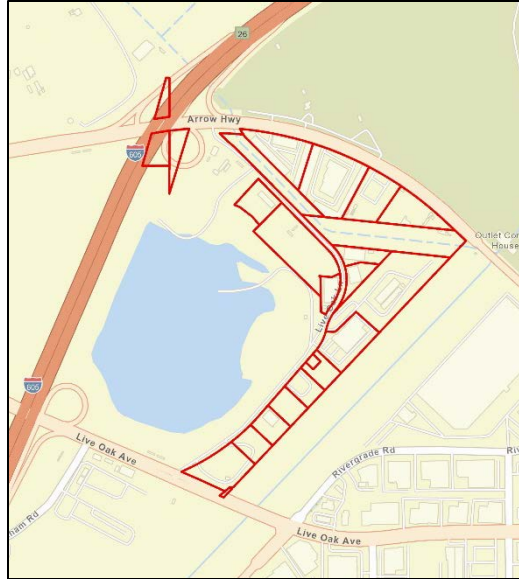
On May 2, 1967, the City Council approved Ordinance No. 195 to allow the rezoning of the properties located on Mountain Avenue and Ambriz Street (formerly known as Mountain Avenue). This changed the existing zoning designation to C-3 (Heavy Commercial-Residential). Although single family residential 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 Bueno Rio Drive – 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, 200, and the specific properties identified in Ordinance No. 220.

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-1: Existing and Proposed Zoning Map (Westside Irwindale Neighborhoods)
 Exhibit C-2: Existing and Proposed Zoning Map (Buena Vista Street)
 Exhibit D: Existing and Proposed General Plan Map (Live Oak Lane/Arrow Highway)
 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 on the Zone Change at which time it received input from Staff and the City Attorney's Office, heard public testimony, and discussed the Proposed Project; and closed the public hearing and continued the item to the next regularly scheduled meeting of May 15, 2024.
- (vi) On May 15, 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.
- (vii) 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 15th day of May 2024.

Maricela Frymark, Acting Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

CITY OF IRWINDALE
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

} ss.

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 15th day of May 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 on the General Plan Amendment at which time it received input from Staff and the City Attorney's Office, heard public testimony, and discussed the Proposed Project; and closed the public hearing and continued the item to the next regularly scheduled meeting of May 15, 2024.
- (v) On May 15, 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.
- (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 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 15th day of May 2024.

Maricela Frymark, Acting 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 15th day of May 2024, by the following vote:

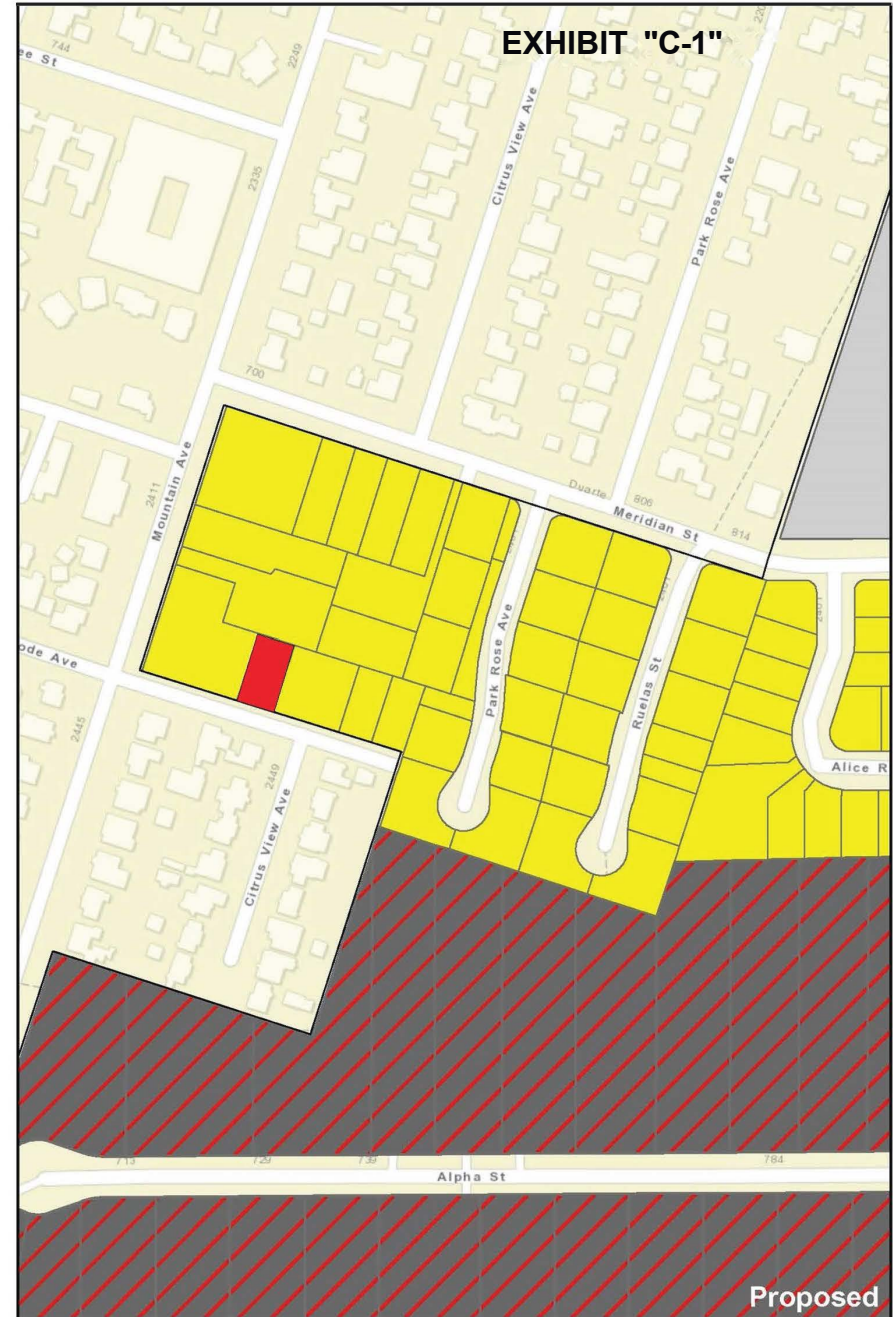
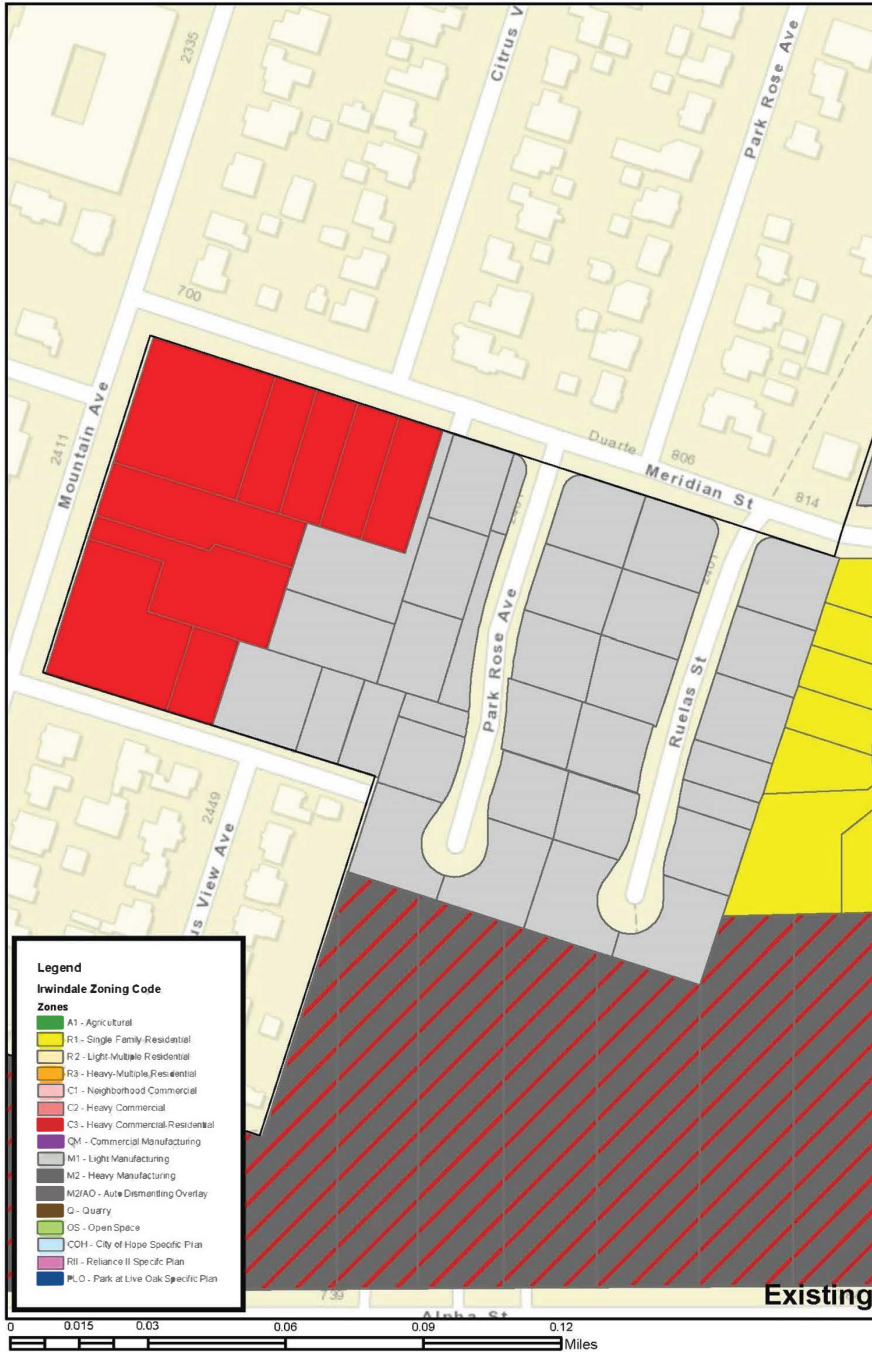
AYES: COMMISSIONERS:

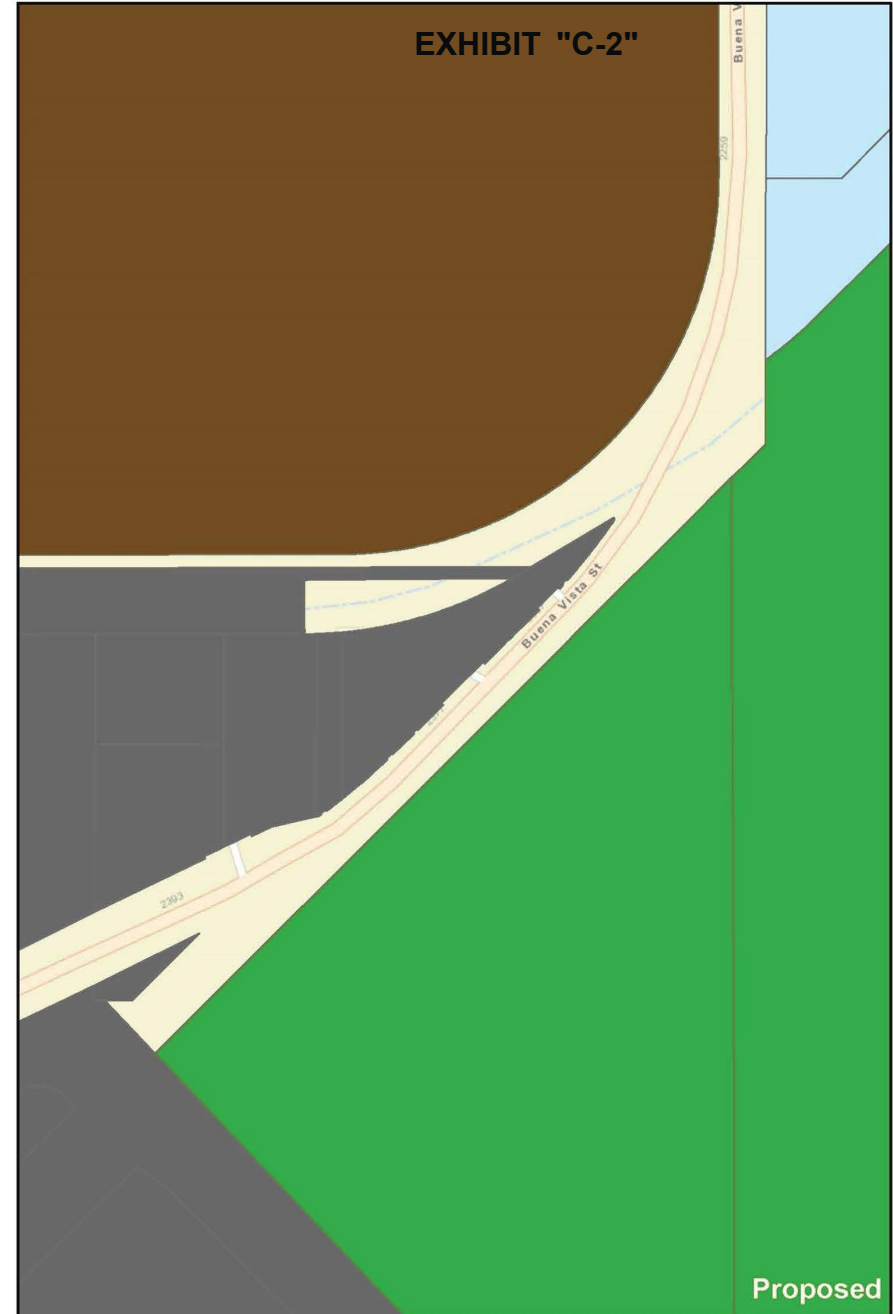
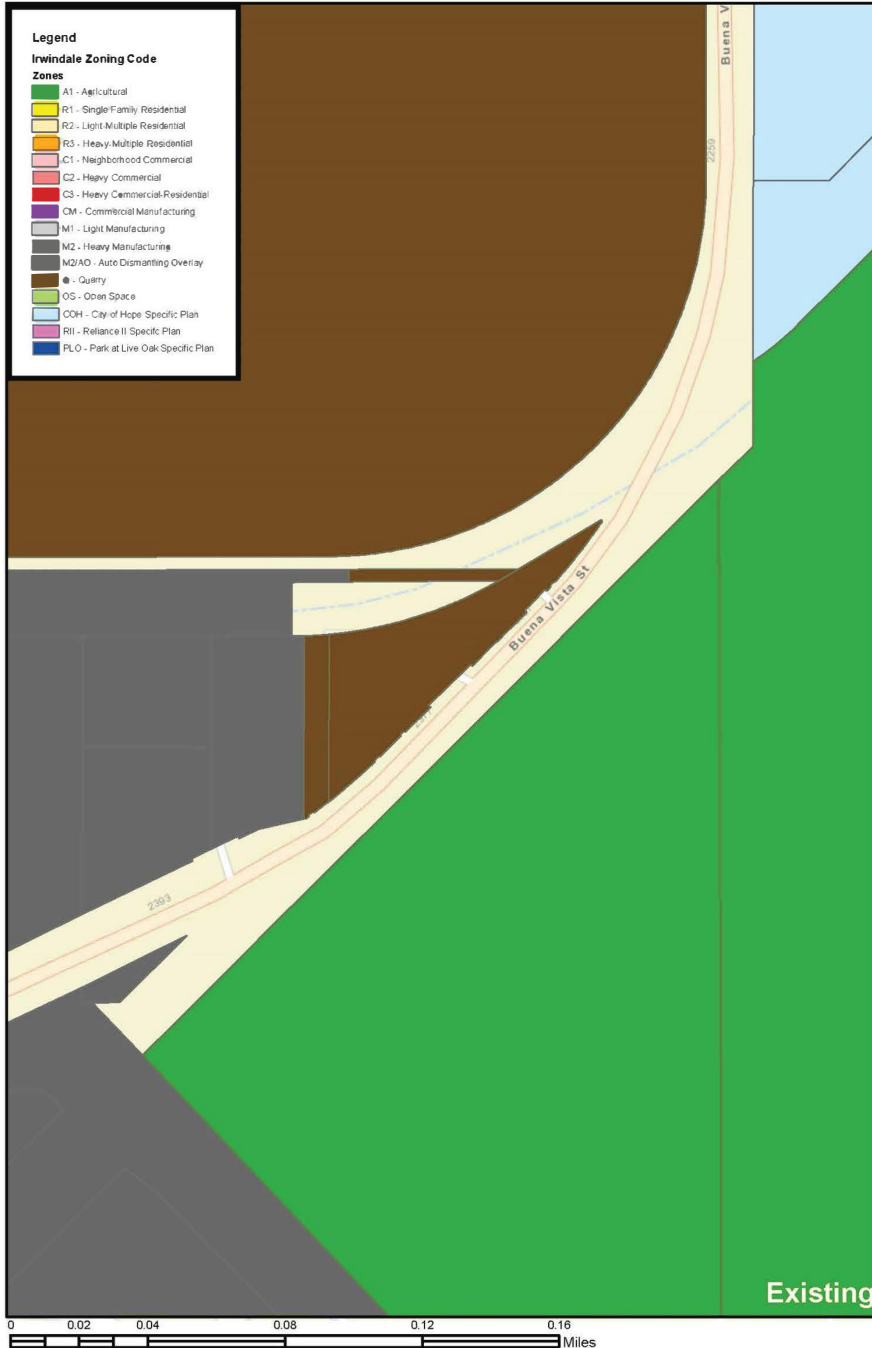
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, AICP, Secretary





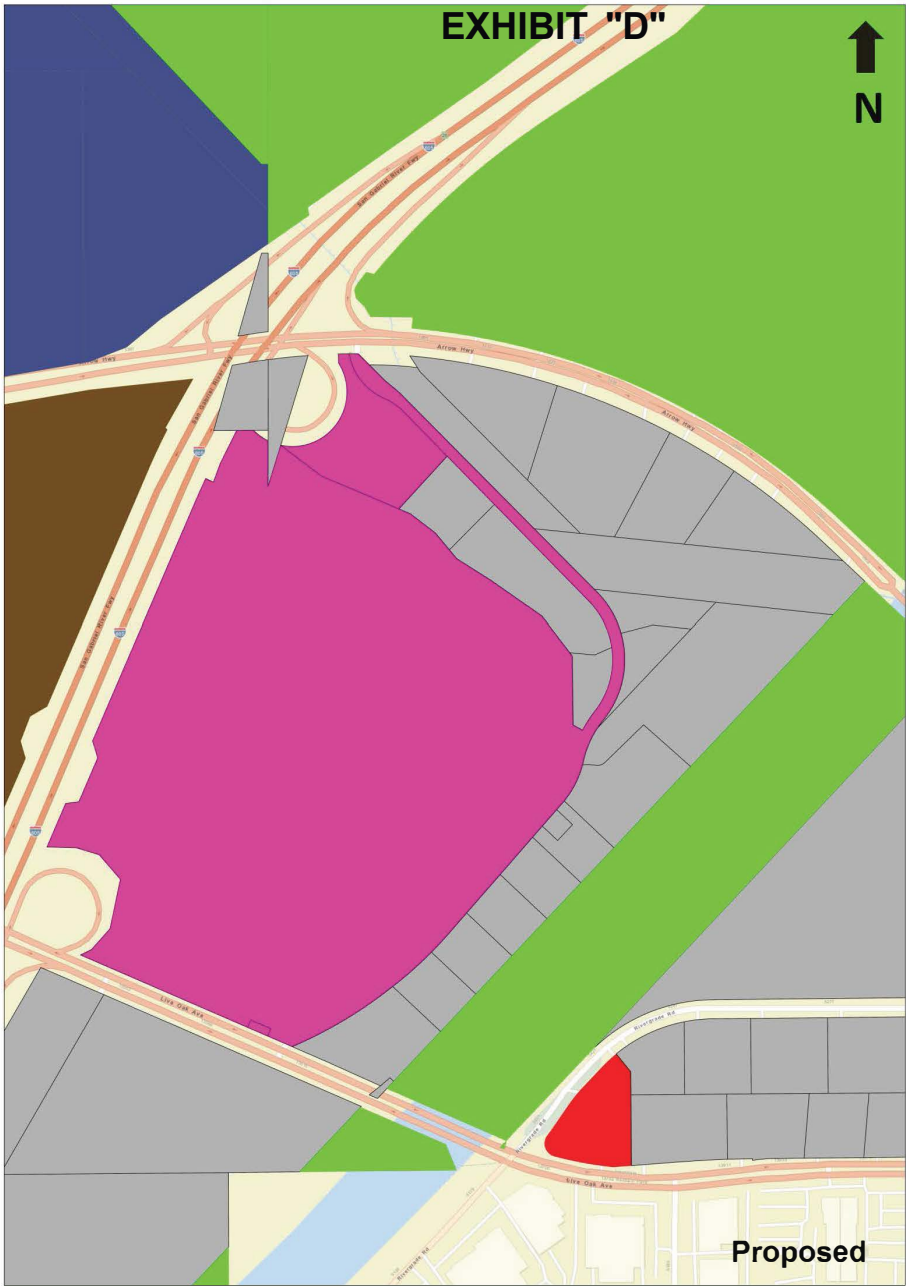
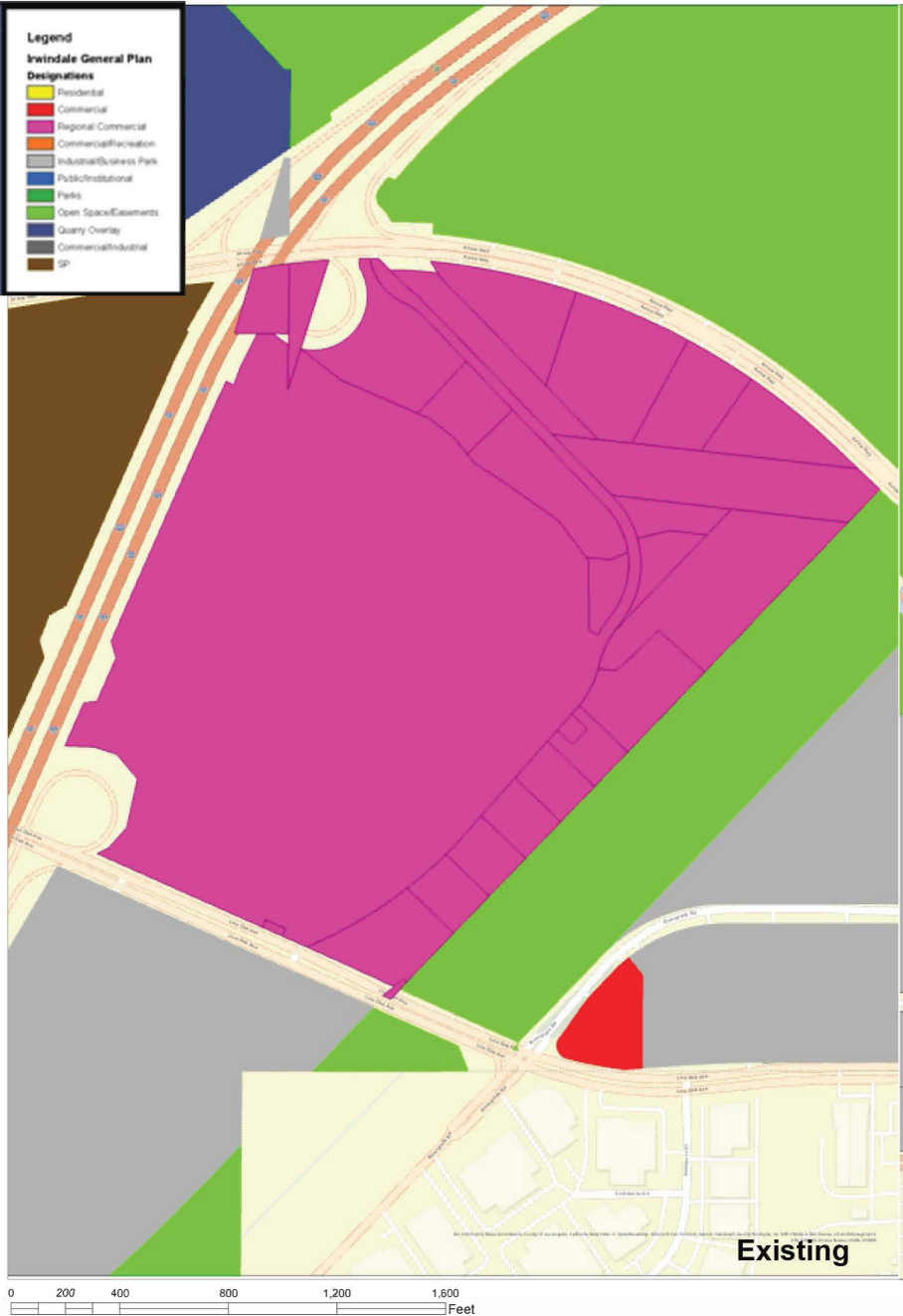


EXHIBIT "E"

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.

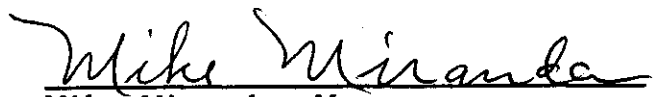
(d) That the Planning Commission's
recommendations were approved in part and
disapproved in part by the City Council; and

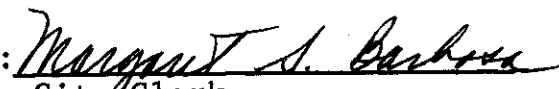
(e) That the public interest, convenience
and necessity requires that said property be
rezoned to Zone C-3.

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

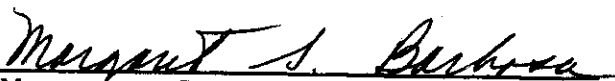
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF IRWINDALE)

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, City Clerk

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

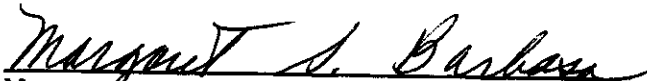
I, Margaret S. Barbosa, being first duly sworn, deposes and says:

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, City Clerk

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
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:

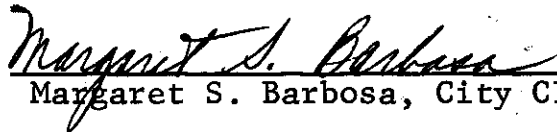
Margaret S. Barber
City Clerk

Ordinance No. 220

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. 220 was regularly introduced, adopted and passed at a regular meeting of the City Council on the 2nd day of July, 1968, by the following vote:

AYES: COUNCILMEN: Chico, Barbosa, M. Miranda, and Breceda.
NOES: COUNCILMEN: None.
ABSENT: COUNCILMEN: P. Miranda.


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 years and competent to be witness herein.

On July 9, 1968, she securely and conspicuously posted at each of the three designated public places in said City.

Dated: July 9, 1968

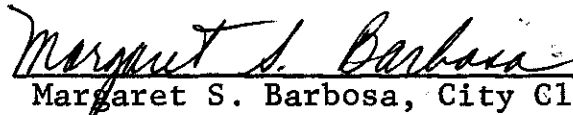

Margaret S. Barbosa, City Clerk

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

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.

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 OF PREVIOUS MEETINGS

3
✓

The minutes of January 3, 1967, 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 AND DEMANDS

117
✓

Warrant Register No 147 for the 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 RATIFICATION

117
✓

Payroll Register No 148, for the 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 TO THE ZONING REGULATIONS APPLICABLE TO QUARRY AND ALLIED USES

24
✓

The City Attorney advised the Council that this was a continuation of the Public Hearing to consider amendments 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

PROPONENTS

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
INTERRUPTED

William 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

OPPONENTS

Mrs 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

PROPONENTS

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
MINUTES

12/5 ✓

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 CLUB

4/5 ✓

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 ROUTE

10/2 ✓

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 COMMISSION

✓21 ✓

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

280 ✓

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

211 ✓

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

5
✓

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

5
✓

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 ADDRESS205
✓

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

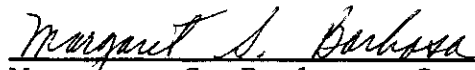
Public Hearing set to be heard before the City Council on February 7, 1967

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](#).



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



Date: May 15, 2024 **Agenda Item No. 4-B**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP, Community Development Director

Project Planner: Marilyn Simpson, AICP, Community Development Director

Project: General Plan Amendment (Map) No. 02-2024
Revision of the General Plan Map to change the existing General Plan designation of select properties from Park to Public/Institutional for property located at 5050 IRWINDALE AVENUE AND 16053 CALLE DE PASEO (APNS 8417-030-901, 8417-030-902, 8417-031-900).

Applicant: City of Irwindale

Property Owners: City of Irwindale

Project Locations: **5050 N. Irwindale Avenue, 16053 Calle de Paseo - (APNS 8417-030-901, 8417-030-902, 8417-031-900)**

Staff Recommendation: That the Planning Commission adopt Resolution No. 825(24) recommending that the City Council approve General Plan Amendment No. 02-2024 to revise the General Plan Map to change the existing General Plan designation of certain areas with public buildings and uses in the Civic Center campus from Park to Public/Institutional.

REQUEST

The City-initiated proposal will revise the General Plan Map to reconcile the inconsistency of the existing public uses and the map and make the appropriate change to support the highest and best use.

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. The Irwindale General Plan acknowledges the City's previous planning efforts, the established land use patterns in the community, and adopted development policy. Staff proposes to update the General Plan Map for consistency of the existing public uses. The Zoning Code, Map, and related zoning designations, are required to be consistent with the General Plan and will be updated

separately. A Parcel Map will be processed separately for the areas with the buildings currently developed and utilized for public/institutional use.

Due to inconsistencies throughout the City, there are multiple non-conforming uses, including the public uses at the Civic Center campus. In this case, the inconsistency would hinder the construction of the proposed new library at the Civic Center. The inconsistency issue was discovered during research for the proposed Irwindale Public Library project. The General Plan map shows the entire Civic Center campus designation as Park, which is inconsistent with public uses such as City Hall, the police station, the maintenance building, and the existing library and recreation building. Public/Institutional uses include buildings and uses such as a City Hall, a police station, maintenance, and a public library. The following excerpts from the adopted General Plan describe the Park and Public/Institutional uses:

Parks. This land use designation applies exclusively to all passive and active park areas in the City. Land uses within the Parks designation are limited to open space and indoor/outdoor recreation facilities. Building intensities within this land use designation will vary, although intensities must not exceed a FAR of 0.5 to 1.0

Public/Institutional Uses. The existing school, government offices, churches, and the library all fall within the Public/Institutional land use designation. These uses are scattered throughout the City. Building intensities within this land use designation will vary, although intensities cannot exceed a FAR of 0.5 to 1.0.

Civic Center Vicinity Map



The success of a General Plan rests upon the appropriate designations for both the General Plan and Zoning Code. Additionally, there should be consistency between the General Plan and Zoning as a common-sense approach to planning and transparency.

On May 2, 2024, the property owners and property owners within 500 feet of the subject property were notified by mail. The public notice was also published in the newspaper on May 3, 2024.

The General Plan (GP), adopted in 2008, identifies certain areas on the Civic Center campus as Public/Institutional, but a General Plan Amendment was not processed at that time to include public uses and the GP designation remains Park. The Civic Center public uses are inconsistent with the current General Plan designation of Park. The General Plan also called for the creation of a new zoning district that was compatible with Public/Institutional, but that was also never created. The Comprehensive Zoning Code Update (Update) that was recommended for approval to the City Council by the Planning Commission addresses the zoning inconsistency with a proposed zoning designation of Public/Semi-Public. The Update project is still in process after the City Council directed the item to be returned to the Planning Commission. While pending the completion of the Update, City initiated projects, including the new library, need to move forward. The City received a grant with a deadline of March 2026 for the construction of the library. The completion of the GPA No. 02-2024 regarding public buildings and uses is necessary given the timeline set by the grant.

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 change to the General Plan Map will remedy the existing designation inconsistency. The map will be updated to reflect the proposed changes.

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, 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.

CONCLUSION/RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

1. Adopt Resolution No. 825(24) recommending that the City Council approve General Plan Amendment No. 02-2024

Alternative Actions:

2. 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
3. Request that Staff revise the project and continue the hearing to a date certain.

ATTACHMENTS:

Exhibit A: Resolution No. 825(24)
 Exhibit B: Existing General Plan Map
 Exhibit C: Proposed General Plan Map

EXHIBIT “A”**RESOLUTION NO. 825(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. 02-2024) FROM PARK TO PUBLIC/INSTITUTIONAL FOR SELECTED AREAS OF PROPERTIES LOCATED AT: (5050 IRWINDALE AVENUE AND 16053 CALLE DE PASEO (APNS 8417-030-901, 8417-030-902, 8417-031-900), 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. 02-2024) 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 existing uses and the current General Plan land use designation at the above referenced properties; and
- (ii) The Planning Commission has considered proposed General Plan Amendment No. 02-2024, an amendment to the General Plan Map designation for three (3) 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 May 15, 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 Park to Public/Institutional 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 Amendment is 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. 02-2024 to change the General Plan Map as shown in attached "Exhibit B".

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 15th day of May 2024.

Maricela Frymark, Acting Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

CITY OF IRWINDALE
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

} ss.

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 15th day of May 2024, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, AICP, Secretary

Irwindale Existing General Plan Map

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0 125 250 500 Feet

EXHIBIT "C"

Sources: ESRI, LA County, Irwindale
Dated: 05/08/24



**CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT**

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION



Date: May 15, 2024 **Agenda Item No. 4-C**

To: Honorable Chair and Members of the Planning Commission

From: Administration and Community Development Departments

Project: Zone Ordinance Amendment No. 01-2024
Exemption of public projects from the Irwindale Zoning Code

Applicant: City of Irwindale

Property Owners: City of Irwindale

Property Location: City-wide

Staff Recommendation: That the Planning Commission adopt Resolution No. 826(24) recommending that the City Council adopt Ordinance No. 778, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPTING AND ADDING SECTION 17.04.090 ("PUBLIC PROJECT EXEMPTION") TO CHAPTER 17.04 ("GENERAL PROVISIONS AND REGULATIONS") OF TITLE 17 ("ZONING") OF THE IRWINDALE MUNICIPAL CODE TO EXEMPT PUBLIC PROJECTS FROM THE ZONING CODE," and find the project exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3)

REQUEST

The City-initiated proposal will amend the Irwindale Zoning Code to exempt City-initiated public projects from the permitting requirements of the code.

BACKGROUND/HISTORY

The City of Irwindale does not currently exempt its City-initiated development and public projects from the Irwindale Zoning Code, set forth in Title 17 of the Irwindale Municipal Code. This means that when the City initiates a project, the City must obtain approvals from the Planning Commission and City Council, just as any other project applicant. This would include Site Plan and Design Review approval.

Because the City has the authority to institute its own land use regulations and has the power to make and enforce regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, the public morals, or the public safety, the City may exempt itself from the land use regulations and permitting requirements set forth in the Zoning Code. This would improve the efficiency of public projects

by eliminating the need to seek project development approvals, use permits, or zone changes following City Council direction to initiate a public project.

Exempting the City from its Zoning Code would authorize City Staff to process any City-initiated projects administratively and would negate the need for the City to request entitlements from the Planning Commission and City Council in order to build City projects.

The proposed exemption would be added to the Irwindale Municipal Code as Section 17.04.090, and would exempt any City initiated project for public purposes by the City of Irwindale. This is consistent with the City of Irwindale's General Plan because the General Plan contemplates that public land would be used for various governmental activities, including government offices, schools, hospitals, and libraries, and projects initiated for the benefit of general public welfare. The proposed Ordinance is in the best interest of the public health, safety, and welfare of the community. The Public Project Exemption will improve the efficiency of implementation of public projects directed by the City Council by eliminating the need to comply with specific development standards.

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 Zoning Code Amendment, by itself, will have a significant effect on the environment.

CONCLUSION/RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

1. Adopt Resolution No. 826(24) recommending that the City Council approve Zone Ordinance Amendment No. 01-2024

Alternative Actions:

2. 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
3. Request that Staff revise the project and continue the hearing to a date certain.

ATTACHMENTS:

Exhibit A: Resolution No. 826(24)
Exhibit B: Proposed Ordinance No. 778

EXHIBIT “A”**RESOLUTION NO. 826(24)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT ORDINANCE NO. 778, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPTING AND ADDING SECTION 17.04.090 (“PUBLIC PROJECT EXEMPTION”) TO CHAPTER 17.04 (“GENERAL PROVISIONS AND REGULATIONS”) OF TITLE 17 (“ZONING”) OF THE IRWINDALE MUNICIPAL CODE TO EXEMPT PUBLIC PROJECTS FROM THE ZONING CODE,” 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 Ordinance Amendment (ZOA No. 01-2024) to amend the Irwindale Zoning Code to exempt City-initiated public projects from the permitting requirements of the code; and
- (ii) The City of Irwindale does not currently exempt its City-initiated development and public projects from the Irwindale Zoning Code, set forth in Title 17 of the Irwindale Municipal Code. This means that when the City initiates a project, the City must obtain approvals from the Planning Commission and City Council, just as any other project applicant; and
- (iii) Because the City has the authority institute its own land use regulations and has the power make and enforce regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, the public morals, and the public safety, the City may exempt itself from the land use regulations and permitting requirements set forth in the Zoning Code. This would improve the efficiency of public projects by eliminating the need to seek project development approvals, use permits, or zone changes following City Council direction to initiate a public project; 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 General Plan Amendment, by itself, will have a significant effect on the environment.
- (v) On May 15, 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 Zone Ordinance Amendment No. 01-2024.

- (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 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 Zone Ordinance Amendment is intended to encourage the highest and best use of public land, and improve the efficiency of implementation of public projects directed by the City Council by eliminating the need to comply with specific development standards, and is determined to be in the best interests and welfare of the City and its residents.
 - b. The proposed Zone Ordinance Amendment is internally consistent with all other provisions of the General Plan. The Community Development Element of the General Plan contemplates that public land would be used for various governmental activities, including government offices, schools, hospitals, and libraries, and this includes projects initiated by the City for the benefit of general public welfare.
 - c. The proposed Zone Ordinance Amendment will not be detrimental to the public interest, health safety, convenience, or welfare of the City. The purpose of the proposed Zone Ordinance Amendment is to allow for the more efficient processing of City initiated projects. The projects will be processed administratively and are still required to go through plan check and comply with all required local and state design and building standards.
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 Ordinance No. 778, attached hereto as Exhibit "A."

The Secretary shall:

- a. Certify to the adoption of this Resolution; and
- b. Forthwith transmit a certified copy of this Resolution to the City Council.

ADOPTED AND APPROVED this 15th day of May 2024.

Maricela Frymark, Acting 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 15th day of May 2024, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, AICP, Secretary

EXHIBIT “B”

ORDINANCE NO. 778

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADDING SECTION 17.04.090 (“PUBLIC PROJECT EXEMPTION”) TO CHAPTER 17.04 (“GENERAL PROVISIONS AND REGULATIONS”) OF TITLE 17 (“ZONING”) OF THE IRWINDALE MUNICIPAL CODE TO EXEMPT PUBLIC PROJECTS FROM THE ZONING CODE

WHEREAS, a city has the power make and enforce regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, the public morals, or the public safety; and

WHEREAS, in executing that power, a city council may make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws; and

WHEREAS, Title 17 of the Irwindale Municipal Code (“Zoning”), otherwise known as the Zoning Code, regulates land use and development within the City of Irwindale (“City”) to protect the public health, safety, and welfare of its residents; and

WHEREAS, the City Council desires to improve the efficiency of public projects by eliminating the need to seek project approvals following City Council direction to initiate a project; and

WHEREAS, the City Council finds that this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to the State CEQA Guidelines Sections 15061(b)(3) on the grounds that it can be seen with certainty that the activity in question will have no significant effect on the environment; and

WHEREAS, on May 15, 2024, the Planning Commission conducted a duly noticed public hearing, as required by law, regarding the proposed Ordinance to receive testimony and other evidence regarding the proposed Ordinance, including without limitation, information to the Planning Commission by City staff; and

WHEREAS, on May 15, 2024 the Planning Commission adopted Resolution No. 826(24), recommending that the City Council approve proposed Ordinance No. 778, adding the Public Project Exemption to Chapter 17.04 of Title 17 of the Irwindale Municipal Code; and

WHEREAS, the City Council now desires to approve the Public Project Exemption in order to further protect the public health, safety, and welfare of its residents; and

WHEREAS, the proposed Ordinance is consistent with and will implement the City’s vision, goals, and policies of the Irwindale 2020 General Plan; and

WHEREAS, on June 12, 2024, the City Council held a duly noticed public hearing, as required by law, on the proposed Ordinance to receive testimony and other evidence regarding the Public Project Exemption, including without limitation, information provided to the City Council by City staff; and

WHEREAS, the Public Project Exemption is authorized pursuant to Section 400 of the City Charter and Section 7, Article XI of the California Constitution as a police powers measure to improve the public welfare of the City; and

WHEREAS, consistent with the City Charter, the Public Project Exemption may be established by ordinance; and

WHEREAS, all legal prerequisites for the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IRWINDALE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. That the recitals in this Ordinance are true and correct and are incorporated herein by reference.

SECTION 2. Based upon substantial evidence and testimony taken from the record as a whole, and received at the public hearing, both oral and written, including the recommendation of the Planning Commission, the staff report, and all attachments thereto, all of which shall constitute the entire record of the matter, the City Council hereby finds that the proposed Public Project Exemption is consistent with and will implement the City's vision, goals, and policies of the Irwindale 2020 General Plan. The City Council further finds that the Public Project Exemption is consistent with state law, and the proposed Ordinance is in the interest of the public.

In particular, the proposed Ordinance is in the best interest of the public health, safety, and welfare of the community. The Public Project Exemption will improve the efficiency of implementation of public projects directed by the City Council by eliminating the need to comply with specific development standards.

SECTION 3. The City Council hereby adopts and adds section 17.04.090 ("Public Project Exemption") to Chapter 17.04 ("General Provisions and Regulations") of Title 17 ("Zoning") of the Irwindale Municipal Code to read in its entirety as follows:

"17.04.090 -- Public Project Exemption

Notwithstanding any other lawful exemptions to zoning regulations, the provisions of this title shall not apply to any City initiated buildings, improvements, lots or premises owned, leased, operated or controlled by the City for public purposes, or any City project for public purposes by the City of Irwindale."

SECTION 4. The City Council hereby finds and determines based on the independent judgment of the City Council, after consideration of the whole of the administrative record, that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to the State CEQA Guidelines Sections 15061(b)(3) on the grounds that it can be seen with certainty that the activity in question will have no significant effect on the environment.

SECTION 5. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional due to the writs of mandate issued by the Court.

SECTION 6. The Mayor shall sign this Ordinance and the City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect 30 days after its final passage. City staff are directed and authorized to inform and educate the public regarding the adoption of this Ordinance prior to it taking effect.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Irwindale this 12th day of June, 2024.

Albert F. Ambriz, Mayor

ATTEST:

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale do hereby certify that the foregoing Ordinance No. 778 was introduced for first reading at a regular meeting of the City Council of the City of Irwindale held on June 12, 2024, and duly adopted at a regular meeting of the City Council of the City of Irwindale held on June 26, 2024, and was carried by the following-roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Laura M. Nieto, MMC
Chief Deputy City Clerk

AFFIDAVIT OF POSTING

I, Laura M. Nieto, MMC, Chief Deputy City Clerk, certify that I caused a copy of Ordinance No. 778 adopted by the City Council of the City of Irwindale at its regular meeting held June 26, 2024, to be posted at the City Hall, Library, and Post Office on June 13, 2024.

Laura M. Nieto, MMC
Chief Deputy City Clerk

Dated: _____