CITY OF IRWINDALE

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

MARICELA FRYMARK
CHAIR

RICHARD CHICO
VICE-CHAIR

ALBERT ACOSTA
COMMISSIONER

CASEY J. MIRANDA
COMMISSIONER

JOSEPH V. RODRIGUEZ II
COMMISSIONER

AGENDA FOR THE REGULAR MEETING OF THE

PLANNING COMMISSION

September 18, 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, Casey J. Miranda, Joseph V. Rodriguez II; Vice-Chair Richard Chico; Chair Maricela Frymark

E. AB 2449 DISCLOSURES
Remote participation by a member of the legislative body for just cause or emergency circumstances.

F. ANNOUNCEMENTS

1. CONSENT CALENDAR

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

A. Minutes

Recommendation: Approve the following minutes:

1. Regular meeting held July 17, 2024

2. SPONTANEOUS COMMUNICATIONS

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

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

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

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

In the hybrid format, both in-person and hybrid audience members will participate in the following order:
Tier 1: In-person attendees
Tier 2: Teleconference attendees
Tier 3: In-person and teleconference attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

3. NEW BUSINESS

4. PUBLIC HEARINGS

A. CONTINUED PUBLIC HEARING - ZONING ORDINANCE AMENDMENT NO. 03-2023 AND ZONE CHANGE NO. 04-2023; CITYWIDE – TITLE 17 ZONING CODE UPDATE

Request for the Planning Commission to recommend to the Irwindale City Council to 1) adopt Zone Ordinance Amendment (ZOA) No. 03-2023 to update Title 17 – Zoning Code of the Irwindale Municipal Code and 2) adopt Zone Change (ZC) No. 04-2023 modifying the Zoning Map.

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 City, as the Lead Agency, has analyzed the project, and has determined that the proposed Comprehensive Zoning Code Update was assessed in the Environmental Impact Review for the City's General Plan and, pursuant to CEQA Guidelines Sections 15183 and 15162, and is consistent with the previously certified EIR for the City's General Plan, therefore no subsequent EIR, Negative Declaration, or addendum is required for approval of the Comprehensive Zoning Code Update.

Recommendation:
RECOMMEND THAT THE CITY COUNCIL ADOPT FINDINGS OF CONSISTENCY WITH THE CITY'S PREVIOUSLY CERTIFIED GENERAL PLAN ENVIRONMENTAL IMPACT REPORT (SCH# 2005071047), AND FINDING THE PROJECT EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW, PURSUANT TO CEQA GUIDELINES SECTION 15183, AND 15162; AND

Adopt Resolution Nos. 828(24) and 829 (24)
RESOLUTION NO. 828(24) A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL (1) ADOPT FINDINGS OF CONSISTENCY WITH THE CITY'S PREVIOUSLY CERTIFIED GENERAL PLAN ENVIRONMENTAL IMPACT REPORT, AND FINDING THE PROJECT EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW, PURSUANT CEQA GUIDELINES SECTIONS 15183, AND 15162; AND (2) ADOPT ORDINANCE NO. 772, A CITY-INITIATED APPLICATION FOR A ZONE ORDINANCE AMENDMENT (ZOA NO. 03-2023) REPEALING AND REPLACING TITLE 17 (ZONING) OF THE IRWINDALE MUNICIPAL CODE IN ITS ENTIRETY WITH A COMPREHENSIVE ZONING CODE UPDATE.

RESOLUTION NO. 829(24) A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT A RESOLUTION APPROVING THE CITY-INITIATED APPLICATION FOR ZONE CHANGE NO. 04-2023 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF IRWINDALE TO REFLECT UPDATES TO TITLE 17 (ZONING) CONSISTENT WITH ORDINANCE NO. 772

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 September 18, 2024 to be posted at the City Hall, Library, and Post Office on September 12, 2024.

Jesus Hernandez
Jesus Hernandez,
Administrative Secretary

IRWINDALE COUNCIL CHAMBER **July 17, 2024**
5050 N. IRWINDALE AVENUE **Wednesday**
IRWINDALE, CALIFORNIA 91706 **6:31 P.M.**

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

CHAIR FRYMARK — Good evening everyone, I would like to call the Planning Commission meeting to order, July 17, 2024, at 6:31p.m. For those that are able to and can see, please stand for the pledge of allegiance.

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

INVOCATION CHAIR FRYMARK — Dear Heavenly Father, Lord, we stand before you, thanking you for our health and for our safety. Lord, we ask that you bless this community, you bless the first responders, you bless the Staff, you bless the residents, and that you are here with us tonight as we go through the agenda and discuss issues that will impact the future generation of our Irwindale community. We ask that you guide us with strength, with clarity to help us make decisions that will not only impact and be beneficial to our residents, but also to our business community. To bless those and take care of those that are ill and those that couldn't be with you. Be here with us today. All this in Jesus' name we pray, Amen.

ROLL CALL: Present: Commissioners; Albert Acosta; Richard Chico; Casey Miranda; Joseph Rodriguez; Maricela Frymark

Also present: Julian Miranda, City Manager; Theresa Olivares, Assistant City Manager; Jamie Traxler, Assistant City Attorney; Eddie Chan, Director of Engineering; Marilyn Simpson, Community Development Director; Brandi Jones, Senior Planner; Martin Romero, Assistant Planner; Baltazar Barrios, Associate Planner; Jesus Hernandez, Administrative Secretary; Karen Ruiz, Office Specialist; Jarrod Palmer, Community Development Intern

AB 2449 DISCLOSURES

CHAIR FRYMARK — We know move on to Item E, AB 2449 Disclosures. Seeing that everyone is here today, I'm assuming we are good to go.

ADMINISTRATIVE SECRETARY HERNANDEZ — That is correct.

CHAIR FRYMARK — Thank you.

ANNOUNCEMENTS

CHAIR FRYMARK Do we have any announcements?

ADMINISTRATIVE SECRETARY HERNANDEZ No announcements from Staff.

CHAIR FRYMARK Do any members of the Commission have any announcements they would like to share?

CONSENT CALENDAR

CHAIR FRYMARK We are going to move onto to number 1 in the Consent Calendar. So, the Consent Calendar contains a matter of routine business and is to be approved with one motion unless the 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. For today, it looks like we have one item: that is going to be minutes of the regular meeting that was held on June 19, 2024. At this time, we could entertain a motion if the Commission would so like.

VICE-CHAIR CHICO Motion to approve.

CHAIR FRYMARK Okay, do we have a second?

COMMISSIONER MIRANDA Approve.

ADMINISTRATIVE SECRETARY HERNANDEZ Second was from who? I'm sorry.

COMMISSIONER MIRANDA Second from Casey.

ADMINISTRATIVE SECRETARY HERNANDEZ Thank you.

CHAIR FRYMARK Roll call?

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Acosta.

COMMISSIONER ACOSTA Yes

ADMINISTRATIVE SECRETARY HERNANDEZ — Commissioner Miranda.

COMMISSIONER MMIRANDA — Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ — Commissioner Rodriguez.

COMMISSIONER RODRIGUEZ — Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ — Vice chair Chico.

VICE-CHAIR CHICO — Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ — Chair Frymark.

CHAIR FRYMARK — Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ — Thank you.

CHAIR FRYMARK — Thank you. Next item on our agenda for tonight is Spontaneous Communications.

SPONTANEOUS COMMUNICATIONS

ADMINISTRATIVE SECRETARY HERNANDEZ — This is the time set aside for members of the audience to speak on items not on this agenda that is within the Planning Commission's subject's matter jurisdiction. The Planning Commission is an advisory board 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. So we are in the hybrid format, we have both in-person and hybrid audience members, and they will participate in the following order: Tier 1: In-person attendees, Tier 2: Teleconference attendees, and Tier 3: In-person and teleconference attendees who have not previously provided comments on the matter(s) being discussed by the legislative body.

CHAIR FRYMARK We're now going to move into Tier 1. In person attendees, is there anyone here who would like to speak on an item not on the agenda? Please come forward.

SUZANNE GOMEZ Good evening Commissioners, Staff and Residents. I was just wanting to share what's happening this summer as a component of the City of Irwindale. We have the opportunity to have a youth employment that are working and studying with some of us in the City, the different components of the departments. And what we're reviewing is that of the government set up. How our government in the City of Irwindale is set up. City Manager, Council Manager set up. But also, I was really excited because the newest budget provided an organizational development departmental chart, and it's newly updated. I brought a copy because I wanted to show you what Irwindale stands by and what we… If I may, can we get them a copy? So the youth employment is set up of youth from our families and it's generational. Some of our nieces and nephews and grandchildren. And they get the opportunity to review the City Council, and all of the departments, and also the Commissioners. And one of the things that I want to highlight tonight is the Community Development Department Organizational Chart. And as you go through the whole organizational chart, I only brought one page, but there's several pages as to all the departments, and as to the City Council, and the City Manager and how it runs. But again, the highlight part here is the forefathers were so wise. If you see the first box, it says who's in charge. And who's in charge is citizens of

Irwindale. Then next is the City Council and the City Manager. And this particular example, that I copied, is Community Development. Next is Assistant City Manager, the Community Development Director, and the rest of the wonderful staff that we have in the Planning Department. And so, I bring this to your attention because we stand here as mentors and representatives for our community. And I just wanted to thank you for taking the opportunity to listen and sharing tonight.

CHAIR FRYMARK Thank you very much for bringing this forward.

ROBERT DIAZ Robert Diaz, 2408 South Mountain Ave, Irwindale. I just wanted to say that in the General Plan, I mean in the… I feel that the City Planning Commission perhaps should be looking also, not just the zoning, but the General Plan for the City of Irwindale, because some of the decisions such as traffic circulation. Since we have undeveloped land, if developed in the future during the time that the next Zoning Map and code is in effect. If we wish to widen the roadway. Well, what's the size of an arterial highway? *CHUCKLES* Other cities like Monrovia, they have a wider in the county territory by Myrtle Avenue. Their highway is wider than ours and I'm noticing on the west side of the City, west of the 605 you're getting a lot of traffic. Once you develop the west side, which is underdeveloped at this point. On the far west by Longden. You're going to have more traffic. But when the EIR's are done, they're looking at impact from buildings that are around, not future development. And so, they don't count traffic impact that might exist once they developed the other properties. So, we wind up potentially with traffic congestion. And in the General Map, it shows an example of where road goes through Arrow Highway, the old Buena Vista Road, if you remember where that is. Some of you do. The Buena Vista, the old route was rerouted, but looks like in the General Plan Map it shows that it's back in. And I would question why would you wanna have to divide the lot up? If it's currently a mining use, why would you want to have a General Plan to split it up? Unless you already have some plans in mind, I would think you'd want to keep it all one big parcel for development instead of splitting up with that roadway that's not even there yet but planned to be according to the General Plan or the Zoning Map. So that's when feeling that you need to look perhaps at the General Plan. That's a comment that Councilmember Burrola raised when going along with the motion to bring this matter of the zoning issue back to the Council.

CHAIR FRYMARK Do we have any other members of the public here today that would like to speak on any other matters that are not currently on the agenda? Seeing none, we can move into Tier 2. Do we have any teleconference attendees?

ADMINISTRATIVE SECRETARY HERNANDEZ We do not.

CHAIR FRYMARK Thank you. Tier 3 is in person attendees and teleconference attendees who have not previously provided any comment, are there any in person attendees that would like to make a comment? Seeing none, do we have any in the hybrid?

ADMINISTRATIVE SECRETARY HERNANDEZ No one on Zoom.

NEW BUSINESS

CHAIR FRYMARK Okay. Thank you very much. So we will move on to Item 3, which is New Business. Not seeing anything under New Business, we're going to move on and open up the Public Hearing.

CHAIR FRYMARK Under public hearing, we have one item, Item A. Zoning Ordinance Amendment No. 03-2023 and Zone Change No. 04-2023. Citywide Title 17 Zoning Code Update. Do we have a presentation from staff?

PUBLIC HEARING

CHAIR FRYMARK Under Public Hearing, we have one item, Item A. Zoning Ordinance Amendment No. 03-2023 and Zone Change No. 04-2023. Citywide Title 17 Zoning Code Update. Do we have a presentation from Staff?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Yes, thank you, Chair and Commission. So thank you, Chair, Commissioners, and members of the public. So, this project tonight is a comprehensive Zoning Code update. And when we say comprehensive, not every item is changed, but it involves the entire Zoning Code. So, per the Irwindale Municipal Code provisions of Title 17, which is Zoning, it shall be amended from time to time. So, this work on this update, it began in 2020 with hiring Interwest Consulting Group to prepare the document and provide the environmental analysis for it. The purpose of the update is to implement the General Plan and the Housing Element policies and programs, incorporate changes to state law, better defined land uses, regulations and improve the usability of the Zoning Code. The biggest change to this code is the look and the flow of the code, which has changed for ease of use. Our existing code is what is called a tiered code. What that means is that each section of the code may tier off or refer back to another section. In the pass what we found, this creates confusion for the readers and users of the code. Now it's organized by each zoning designation for uses and development standards. The update also includes text changes and a couple of map updates. So, our current Zoning Code, it was built upon the County Code when the City was incorporated and many of those chapters, they were adopted in 1966 with no updates. There have been some efforts to modernize certain chapters, and comply with state laws, and address some of the

outdated uses, the nonconformity, and also to include overlays zones, incorporate new specific plans, and update administrative policies. And those are done, you know, as needed case by case basis. So over the past 50 some years, there have been a few efforts of preparing and adopting a comprehensive Zoning Code Update, but none have gotten to this level of completion. That is it. Just so you know, there will be future Zoning Code updates that will come to the Planning Commission and to the City Council. Some may include for individual projects, you know, and some when we have to comply with state law. Also, you know, there may be updates that comply with any new technology that affects anything with land use. So with this, you know, over the years there was extensive public outreach for the update. It included mailed and posted public notices, social media outreach, virtual meetings, flyers, written surveys, phone interviews with stakeholders, and emails. This has been going on, you know, even when COVID was going on. So we had to kind of pivot and go to virtual meetings, you know, for some of it was pretty old school, you know, just mailing things out with that. We did have, when we could, we had the informational tables that were set up at city events. And then we included the Chamber of Commerce, and they sent out any updates with their e-mail blast to their members. Notices were also sent to all businesses that did have a Business License in the City. So, we did have a 30-day public review of the document and that was back in 2023. And we did extend it for an additional month at that time. So, we had this update scheduled with the Planning Commission in October and then again in November of 2023. And then at the November meeting, the Planning Commission requested a few changes to the document that were included in the latest version, the April version. Then on February 21, 2024, the Planning Commission heard the item and recommended that the City Council approve the update with a few additional items for the City Council to consider. So, there were seven (7) items. One was to amend the definition of major arterials in the Zoning Code to be consistent with the definition in the Irwindale General Plan. To add the Billboard chapter to the Zoning Code as currently written, there is no changes to that. To keep the SMARA chapter as is and with direction to bring back the amended chapter at later date for consistency with State Law. Just to let you know, we're still working on that. Then the other recommended change to the City Council had to do with Minor Variances, to add Community Development Director authority to default to 30% if not listed already in the document. And then for administrative approvals by the Community Development Director to document all approvals in the application file. Then it was to modify section, it was 17.09.080(A), Planned Development. To give the time extension from two (2) years to one (1) year. And then finally the recommendation was for all Commercial and Industrial zones to institute a 50-foot setback for new development, measured from the property line for the side facing and abutting any residentially zoned property. So, on April 10, 2024, the draft Title 17 Zoning Code Update was presented to the City Council at a Public Hearing, and at that

meeting the City Council heard various comments from the public and directed Staff to have the Planning Commission review the update in light of those public comments. The direction that was given was to take all of the information that was discussed and brought up at that Council Meeting and bring it back to the Planning Commission for reconsideration. But there weren't any real specifics identified. We did have the unofficial transcript of that portion of City Council is attached to the Planning Commission report and it is included in the packet here. And then we did have Interwest prepare a matrix. They went through those comments, prepared a matrix of the public questions and comments, and that was attached as well. Because there were some common themes in those comments. Tonight, the Planning Commission has a few options with this, and we'll go into more detail later, but either it keeps the original Planning Commission recommendation, or add, revise, or provide alternative recommendations, or give alternative direction to Staff. And one of the things I do need to mention is that with this update, it was funded primarily through a grant from the State. And the California Housing and Community Development Department or HCD, they have given the City several time extensions to complete and adopt the update. But recently Staff was informed that if the update does not get adopted, HCD is stated that the City must return the grant money. So I do want to make you aware of that. That concludes my report. Right now, what I will do is I am turning it over to Nick Pergakes with Interwest to go over tonight's meeting agenda.

CHAIR FRYMARK Thank you.

NICK PERGAKES Evening.

CHAIR FRYMARK Evening.

NICK PERGAKES Commissioner Frymark, Planning Commissioners, Planning Staff and residents of Irwindale. I am going to give a presentation now, going over the status of the Zoning Code Update. Where we are today. Marilyn mentioned some of those items, so I'll go through that pretty briefly, just for the public attending tonight and people online that may not be as familiar with the code update. I just give a little bit of an overview of the objectives of the code update, and why it was done, and going to major planning action and updates. Give an overview of the topics discussed at that April City Council Meeting, review some key changes to the Zoning Code, and then go into questions and comments. And then, Marilyn I guess addressed SB-2 grant already and then we'll go into requesting Planning Commission direction. So the public comment period on the draft Zoning Code was in early June to July of last year, and that's when we had the study session with Planning Commission and City Council members to review the draft. And we got feedback from City Council members, Planning Commissioners, and city residents at that meeting. We also, after that

meeting, reviewed the comments and questions from the public and the study session, and that was provided at the Planning Commission meeting on September 20th, 2023, and received some additional direction and comments. And then I guess we're kind of missing this year, but the November meeting, we came back as well. Got some more direction and then we came back to Planning Commission meeting on February 21st. And at that meeting it was recommended the Zoning Code be brought to the City Council for approval with the changes that Marilyn had recommended as well as other changes that we had discussed over the previous like seven or eight months. We had gone to City Council on April 10th, this year, and again it was requested to go back to Planning Commission for some further discussion on some topics in the code that some residents and some Planning Commission members had some comments and some thoughts on that, that they wanted to have reviewed and looked at it in little more detail. So, some of the main objectives of the Zoning Code update is to ensure consistency with the General Plan's vision, goals and policies. The Zoning Code is an implementation tool, so it implements the General Plan. We wanted to modernize the Zoning Code. Again, it was mostly kind of a shell from the 60s, from the Zoning Code from LA County and it's been updated and amended over the years, but really needed a clean comprehensive look and update to it. We wanted to make the code more user friendly for Staff, for residents, and for property owners, and developers to be able to use it and to, you know, create the projects, or do the things that they want to do to their properties or to the buildings. We also updated the codes format and added more illustrations throughout to explain planning concepts and planning, you know, definitions and other items. And also, to comply with several recent State laws that were enacted since 2018, particularly for housing that would affect the City and needed to be codified into the Zoning Code. At the City Council meeting back in April, the Housing Element and the General Plan was brought up a lot. Some specific developments, specific plans, were also discussed. So just wanted to, you know, for people maybe not as familiar with this, I know the Planning Commission members are very in tune with what's happening with the Housing Element Update, but just want to let people know that the City is in the process of updating their Housing Element, which is part of the General Plan that gives policy direction and programs to how the City will address housing issues in the City, new housing units for residents, and other housing programs. That's again in the process of being prepared and is a separate effort from the Zoning Code Update. However, our firm Interwest Consulting Group and I myself, have been kept, you know, up to date on some of those changes that are happening in the Housing Element and to work in concert with some of those changes that will be, you know, adopted later this year. And then the General Plan update is also being updated at the same time. It's a partial update to a few chapters of the Housing Element that's now required by the State when a housing element is prepared. It depends on the community, but sometimes an

Environmental Justice Element does need to be prepared and that is happening for Irwindale. The Safety Element has to be updated as well to address, you know, safety concerns related to, you know, natural events like wildfires and other things that could affect housing and housing development in the City. And then, you know, other things are happening in the City, you know, like the Allen Drive residential project, there's existing specific plans like City of Hope, Reliance II Specific Plan, and the Park at Live Oak, which is separate from the Zoning Code. It has development standards; it has zoning tied specifically to those properties, but those are not part of the Zoning Code Update. Those are separate documents that have been prepared and drive the development in those areas. So, to give a bit of a summary from the last City Council Meeting or the meeting, sorry, in in April. Some people came up to, you know, residents had some concerns or had questions or comments about zone changes for specific parcels. For example, changing some industrial properties to commercial zoned properties that is not part of the Comprehensive Zoning Code Update. The code update is really to update the zone districts overall. There have been some zones that have been consolidated because either there's just not many of those properties that are zoned, like for example C-P, the Commercial Professional, or you know, there's another manufacturing zone that also, you know, has been kind of taken and brought into other zones. However, there has been some specific Zone Changes. I think the City Staff has taken over the last year for various reasons. So some of those Zone Changes have happened, but this is not a comprehensive look at where to change a lot of industrial properties to commercial or whatnot. That would be, you know, a separate effort under, you know, it has to start with the General Plan kind of looking at those properties, and then it would happen either, you know, through a City driven exercise or, you know, perhaps a property owner wants to do rezonings of properties from, you know, M-1 to say C-2 or C-3. There was also concern about the C-3 Zone. C-3 Zone is an existing zoning district today that implements the Town Center General Plan category. That does allow residential and commercial in the zone. However, with this zoning code update, we are recommending that they can be combined onto one property where residential can be on top of retail. We have discussed vertical mixed-use, but there is an option also to do horizontal mixed-use where perhaps residential could be behind a commercial building. So that's something I wanted to bring to your attention tonight. If you would like to update the Zoning Code before it goes to City Council to allow either vertical or horizontal mixed-use. That is something we'd like to bring for your consideration. And then the role of the General Plan policies and programs and how they're implemented. Again, there was some thoughts about… They're concerns about how the Zoning Code addresses certain issues and some of those issues are actually addressed at policy level, at the General Plan level. The Zoning Code is really implementing the policies and programs of the General Plan. In terms of environmental and community concerns. There were some

concerns brought up about new housing along Allen Drive. That that is not being specifically addressed in the Zoning Code Update, however, we are looking at setbacks and heights for various districts. So there are some components that, you know, could affect Allen Drive, but that was brought up a few times during the City Council meeting. There was a request to improve air quality and dust control in the City. There is a new performance standards chapter in the code that's not there today in the existing code which addresses noise, odor, dust, various environmental impacts related to new development. So that is in the code now. Perhaps, you know, some people didn't realize that was in there or maybe they did, but you know, it does address air quality and other environmental impacts in the city, you know, to address those items. There was also, at the mayor's request, to include environmental justice topics and quite a bit of those like hazardous waste, noise issues, glare issues, other things are addressed in that performance standards chapter. However, more at the policy level and like programs and how you can address environmental justice as a city, that's more reflected and addressed in that standalone element that's being prepared as part of the General Plan Update, partial update. And then the next kind of round of comments were related to development standards such as Commercial Industrial zones, particularly for building heights in the C-3 Zone, M-1, and M-2 zones. We have provided examples in Irwindale with some building heights in your packet so, you could see what some example building heights are throughout the city. That's been requested by the Planning Commission, so we provided that. Then, you know, there are some issues I think we had talked about in that City Council meeting as well as before in a previous Planning Commission meeting where if perhaps setbacks are a bit more than they are now, let's say, you know, maybe there's a 10 foot setback now, but we want to make it 30-40 feet sometimes that could create an issue with development and could be considered perhaps create a nonconforming situation or taking. We can talk more about that later. In terms of building setbacks, we've talked about separation of industrial and residential uses. I feel that the Zoning Code for Irwindale does address those issues of when a new industrial building or commercial building is abutting a residential use. And we have specific, you know, larger setbacks when a new building is going to be next to residential zoned property. And we also provided some examples as well that we're going to talk about tonight. This slide shows building heights in in the Commercial Zoning districts and in the Manufacturing or Industrial Zoning districts. It shows the existing maximum height today in the Zoning Code and then what we've proposed. If you notice in the C-2 and C-3 zones we did discuss reducing down the maximum heights from what is in that April draft that you're seeing in front of you. So we did discuss bringing it down and tonight I think we're going to want to talk a little bit more based on the comments we received from residents, perhaps adjusting that down. You know, if you feel like it's, it's important to, but we can talk about that in a moment. And then the Manufacturing Zones as well. Today

there is an existing maximum height of 35 feet in the M-1 zone. It is proposed that the max height be for 50 feet. And then there is no M-2 existing maximum height level in the code today, but we have proposed a maximum height of 65 feet. And I know we I think we talked about bringing that down perhaps to 60 feet in a previous meeting. So, we'll also kind of get your thoughts on that as well. Well, before I move into any… Some of these pictures and some examples from the industrial zones, did any of the planning commissioners have any questions?

VICE-CHAIR CHICO Yes, I do. Excuse me. Going back, I am looking for the wording proposing a higher height limitation. Who's proposing that higher height limitation and why?

NICK PERGAKES Okay, when I am saying propose, it's really… This is a draft Zoning Code Update, so it is proposed for tonight. Proposed in the code update. This might be my opinion, but I think you might be asking, you know, how did it get to that height level perhaps or…

VICE-CHAIR CHICO No, I'm asking why do we want to increase the height level.

NICK PERGAKES Right, so we held stakeholder meetings back at the beginning of the process with some property owners, developers, architects that do development projects in the city, and based not only on projects that have been built in the city or ones that will be built in the future, there is a need to have taller buildings to allow for products being stored in there and to best utilize the space of those buildings. And it's a major investment to build on a property here, and to build a building they would like to be able to maximize, you know, that property and that building space to allow for more space in the buildings to store materials and wholesale goods in there. Perhaps I'll show you a couple of examples where… You know, we have examples like there might be a little bit of a disconnect in height between what some of the existing heights are today and what's being proposed. So that's why I think tonight is a good opportunity for us to look at those heights and say, well, you know, based on comments from residents, perhaps and Planning Commissioners, City Council Members, you know, is there a way forward to look at those sites again and maybe adjust this accordingly?

VICE-CHAIR CHICO You've answered my question.

NICK PERGAKES Okay, good.

CHAIR FRYMARK Nick, I'm not sure if this is a question for you or for Staff, but I'm going to propose it anyway and answer as best needed. You mentioned in your report, thank you by the way it was very thorough appreciate walking us through the process. It was mentioned that there are portions of the General Plan that are currently being revised. And there are other portions that are currently are not, but in looking at the comments that were provided on April the 10th and listening to the audio of the City Council meeting that was held on April the 10th, there was a couple of Council Members and residents that asked about rezoning specific areas, and it was mentioned that the General Plan would need to be reviewed and updated first in order for that to happen. What is preventing us from doing that?

NICK PERGAKES I don't know, I don't want to… I have an answer, but I think Marilyn would better eloquently say that answer so.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you, Chair. The City Council would have to direct Staff, you know, to begin that endeavor to change that.

CHAIR FRYMARK Their comments were to change it, but they would have to directly indicate to City Staff that they would like that section of the General Plan amended.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Yes, there is a process for that.

CHAIR FRYMARK Would you, just for the record, indicate what that process is?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Well you know, depending on… Well, we wouldn't want to do just spot changes, you know, but we'd want to have them specifically identify those areas. It would involve getting funding for that too. We would have a consultant who would be looking at that and preparing those changes. There may or may not you know be… Well there are definitely be an environmental analysis, but whether it required an EIR or a Mitigated Negative Declaration or that. It would have to be determined, you know, at that time. So that would be the start of that process. And then again, it would involve community outreach, for that as well, to residents and businesses and any other interested parties and agencies. So.

CHAIR FRYMARK Other questions?

COMMISSIONER RODRIGUEZ I have a have a comment regarding the height level of an M-2 Zone being 65 feet which is proposed today correct?

NICK PERGAKES Yeah, it's part of the zoning code effort. Yes, it did… We did look at 65 feet.

COMMISSIONER RODRIGUEZ In looking at the maps, both the existing and the proposed maps, it appears that there's a large portion of the city that is zoned M-2. So, the height level at 65 would be concerning.

CHAIR FRYMARK Would it be appropriate at this time to engage in a conversation about possibly reducing it, or is that something that we would do after we continue with the Public Hearing and get further feedback?

ASSISTANT CITY ATTORNEY TRAXLER That would be appropriate after you continue with the Public Hearing.

CHAIR FRYMARK Thank you. But we can absolutely discuss that about reducing the height at M-2, to speak to your comment.

NICK PERGAKES And I will also mention, with one new Planning Commissioner, I think that we've discussed this before, but there is opportunity for a building to go a little bit higher if they have a parapet wall. So that does allow some flexibility because there's the top of the building, but then there's the extra amount if there's like a wall to like to hide or screen like air conditioning equipment or mechanical equipment. So that that does that does allow some flexibility. So, if perhaps those heights are brought down, there is some flexibility with adjustment, if a developer needs to go up a little bit, they could use that parapet wall to, you know, help screen a little bit too.

CHAIR FRYMARK Good to know, thank you.

NICK PERGAKES Okay. Thank you. So, here's a few examples in the M-1 Zone, the existing maximum height is 35 feet. We had proposed maximum height of 50-feet. Here's a couple buildings in the city. They are under 40 feet. So, if you know, Staff and Planning Commission wanted to look at bringing that down a little bit, that proposed maximum height, you know… Just we'll have a discussion later, but you can kind of give it some thought if you'd like to bring that down a little bit. And then for the M-2 Zone, however, there is no maximum height today. But there are some buildings that are at 60 feet, like the Kaiser Permanente building, you know, kind of off the 605 freeway that is at an M-2 Zone. That is a 60-feet. I believe on the left is a Home Depot building. That's an M-2 Zone and that's at 50 feet. So, there are some buildings getting up there in the city today that are, you know, above 50 feet. That's why we were looking at trying to accommodate some of those needs and not have any buildings that would be nonconforming if we did change that height or create a maximum height. And remember this is a maximum height doesn't mean that a developer has to build to that. That's the highest they can go, right. In this presentation we're showing some of

the other heights of buildings, there was some measured buildings heights throughout the city and the zoning. So we provided that to you, in the Staff Report. I believe you have that table as well in your packet. And you know, we can show some more examples too. We have some of those at the end of the presentation we can go to. Then for setbacks for the Commercial Zones, this exhibit shows in the red like what it would be to have a 50-foot setback requirement from residential. So as we had talked about in the previous Planning Commission meeting, that can create, you know, somewhat of an issue if it is a narrow or like a lot that, you know, isn't much more over than 100 feet in length. It could be somewhat of an issue. But we just wanted to show this to you because I think we had talked about it before and having some type of graphic indicating that. But in the C-1 zone, we have a 20-foot requirement abutting residential. C-2 as well, 20 feet abutting residential. Then the C-3 zone where we're showing 50 feet. And then for Industrial Zones, here's an example of M-1 next to residential, and what it looks like having that 30 feet kind of separation from an industrial building in an M-2 Zone from a residentially zoned property. And into that little table is kind of showing you what today the existing front setback is, and then how it kind of works with the abutting Residential Zone. We also show what's proposed front, because today there is no existing front setback in an M-1 Zone. So, we're creating a minimum of 20 feet in the M-1 Zone, and then 30 feet if it's abutting a Residential Zone. And then we have existing rear setback being proposed, and then existing side and proposed side setbacks. Okay to move on to M-2 Zone? And then here's another aerial example. I believe this is right at the corner of Irwindale Avenue and Arrow Highway showing what, you know, with the new requirements of having a special setback when an M-2 Zone is adjacent to a Residential Zone and what that would look like. If there aren't any questions, this was the next slide, but just wanted to have a check in right now and see if there are any comments before we go into discussion later.

COMMISSIONER MIRANDA: Question actually, regarding basically the buffer. The example you had is the what the guess is the Ayutla Market that property, or the Jack in the Box, that buffer would be increased. So what would go there? More property in between that? Currently it’s a parking lot right now.

NICK PERGAKES: It just means that no development could happen within that area, so it'd be landscaping or parking, but a building couldn't be within that that distance.

COMMISSIONER MIRANDA: Got it, thank you.

CHAIR FRYMARK: Any other questions? Okay, we can keep going thank you.

NICK PERGAKES: So Marilyn, I will bring you up here for the next step. Is that okay?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: We went through those slides fast. So, before I go onto the recommendation, I do want to discuss the environmental review on this. Pursuant to the California Environmental Quality Act or CEQA, the City is the lead agency and has analyzed the project and has determined that the proposed Zoning Code Update we're assessed with the… and the Environmental Impact Review, for the City's General Plan and pursuant to CEQA Guidelines, Section 15183 and 15162 is consistent with the previously certified EIR for the City's General Plan. So, the recommendation with this is that, as I mentioned before, there's some options that the Planning Commission can affirm the previous Resolutions; Number 819(23) and 820(23), which included the Planning Commission's previous recommendations, that I read off, to the Irwindale City Council. And then you can direct Staff to report back that to the City Council or you could adopt there are new resolutions; 828(24) and 829(24) with additional revise or alternative recommendations to the City Council and then direct Staff to report that back to the City Council. And with those recommend that the City Council adopted findings of consistency with the City's previously certified General Plan Environment Impact report or you can provide alternative direction to Staff.

CHAIR FRYMARK: Thank you, Marilyn. So, before we really start to unpack these recommendations, we absolutely want to hear from the residents here. But I do have a question regarding the environmental impact. So, it was mentioned that the Comprehensive Zoning Code was assessed in the EIR in the City’s General Fund, but this is a different updated code, so we're just assuming that it meets the CEQA guidelines without having to go through another review?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes.

CHAIR FRYMARK: Why and how did we get to that determination?

NICK PERGAKES: The Zoning Code, based on the changes that are being made, it doesn't require any EIR to be to be prepared. Most of the changes are in concert with recent housing legislation. They're changes that meet the intent and the purpose of the General Plan, so it doesn't need to have a specific EIR done for the Zoning Code based on the changes that are being made.

CHAIR FRYMARK: If it was done in an abundance of caution, what would be the impact to the City and would there be any kind of cost associated with doing such a review?

NICK PERGAKES: Yes. You could do an Initial Study to look at the impacts and do an assessment to see if it's a Neg. Dec. basically, a Negative Declaration

of Environmental Impacts. So yeah, that would be a costly exercise for the City to undertake. I will say that I've done about seven (7) to ten (10) Zoning Code Updates over the last five (5) years, with my company, and similar situation to Irwindale have a General Plan in place. It's meeting the intent of the General Plan, meeting the intent of recent housing legislation. The environmental doesn't need an Environmental Impact Report based on the changes that are similar to what we've been doing in other places… Okay.

CHAIR FRYMARK Just for full transparency, what would the cost be approximately? And I understand it's going to be a give and take figure, but in your experience, what would it be?

NICK PERGAKES Yeah, to do like an Initial Study and kind of like preliminary environmental impact analysis would be probably $75,000. Maybe more it just depends.

CHAIR FRYMARK Plus or minus.

NICK PERGAKES Yeah.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you, Chair and Commission. I'm going to revise that because we have we have sent numerous RFP's out for things, and we've looks at other cities and that. I would double that at this point.

CHAIR FRYMARK Double?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Yes, I would.

CHAIR FRYMARK Okay, thank you. Does any members of the Commission have any further questions before we open it up to the floor? No?

COMMISSIONER MIRANDA I have a few questions. On the project overview I was looking at, is this also included in the new one, proposed zoning updates? It's says consistent with implementation with the City’s visions, goals and policies of Irwindale towards the General plan. It goes down to here; sorry I just missed it. Back on complying with changes in state law, it mentions objective design standards for multifamily housing will allow developers to create projects that can be approved at staff level, if very specific standards for quality design are met. I'm curious about that. Seems a little ambiguous, a little too streamlined for me. I think projects should be able to come to us before… To me, I don’t know how you feel about that?

NICK PERGAKES Yeah, so I don't know if I should say unfortunately, but cities now are needing to, you know, basically abide by SB35, which is a new housing law that helps streamline multifamily housing in the state. Cities that need affordable housing, or if a developer comes in and proposes a development that has an affordable housing component, they have the ability to go through a streamline review process. And if the city doesn't have design standards in place, to reflect the character and the kind of the design and the aspects of new different that you want to see, and what you think high quality development is. If you don't have those standards in place, then the city will not be able to ask the developer to make those changes. They can go through a process bringing that multifamily development in to City Staff. It bypasses Planning Commission, bypasses City Council. Has to meet several criteria though, so it's not like any new multifamily developer that comes would go under SB35 and could take that route, but it's happening all over the State. Properties are, you know, being purchased. Housing is being built and it's going under that SB35 Law. And if a city doesn't have those… And that's what I wrote, I wrote objective design standards that you would have to be able to, you know, address the character of new housing, you know, how it looks, how it appears. So that is a new section in the code that's not in the existing Zoning Code today to address SB35.

CHAIR FRYMARK What if a city…Thank you for asking that. Sorry, go ahead, I have a lot of questions. What if a city doesn't go and do mixed-use, what if they just don't?

NICK PERGAKES Well, it's not necessarily mixed-use, it could be multifamily just alone and if it has an affordable housing component, there's these new State laws like SB330 and SB35 that basically… Like, let's say maybe it doesn't fall in that category of SB35, but it's under SB330, there is a limit on the number of Public Meetings that could be held for that multifamily building to get reviewed. If it does go through Staff and then goes to the Planning Commission, there's now a limit, like I think five (5) meetings that it would have to be reviewed and approved in that amount of time or that amount of meetings. So there's been a lot of laws coming down, you know, in the last five (5) years and cities have to abide by those. And you know, again, there are special things that are in there that… It's not like anything can just kind of go through that hoop there are some things in place. But if they do meet those criteria, those eligibility criteria under SB35. you wouldn't be able to review it as a Planning Commission. It would go straight to Staff, get reviewed with those objective design standards. And then that's where you could say, oh, well, you need to make a change on this aspect of your development, your aspect of your building, architecturally or masking your building, or site design or other aspects.

COMMISSIONER MIRANDA I know we have it in commercial, our building designs, but do we have a residential? Do you have a new plan coming up, a residential plan? So we have that objective standards already set.

NICK PERGAKES Do we have residential standards?

COMMISSIONER MIRANDA Yes, standards set.

NICK PERGAKES Yeah, we wrote those for the new Zoning Code Update. Yeah. And then you have Commercial and Industrial Design Guidelines today that addresses Commercial and Industry Design Guidelines. And we prepare draft update to the Commercial Design Guidelines and Industrial Design Guidelines.

CHAIR FRYMARK It talks about the palm trees.

NICK PERGAKES Yes. Yup. You're welcome.

CHAIR FRYMARK Any other questions from the Commission? Okay thank you.

COMMISSIONER MIRANDA A quick one actually. Regarding, you mentioned the mixed-use, actually, versus vertical and horizontal. I know many residents have spoken to me about this actually already. About in the area, by our park area, we don't really want horizontal...

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Miranda…

COMMISSIONER MIRANDA Sorry. They wouldn't want horizontal perhaps… Vertical, sorry. Maybe horizontally will work, you know, office building in front, housing in the back possibly, but I know they're leaning towards more the Gold Line perhaps or outer outskirts, more of something vertical.

NICK PERGAKES Oh, up towards the Gold Line and not necessarily down here where the Town Center it?

COMMISSIONER MIRANDA Correct. Not closer correct. Yeah that are some of the concerns they have been telling me about that.

CHAIR FRYMARK Did I read somewhere in their report that talks about there was an analysis down in that Metrolink area, that speaks that there's not being any available space to develop mixed-use?

NICK PERGAKES I'm not sure, I haven't seen it.

CHAIR FRYMARK I read that somewhere. I am not making that up.

COMMISSIONER MIRANDA — I think you are right.

NICK PERGAKES — So the one thing to consider, and I think Brandi and Marilyn can help me out with this, is that I know the Housing Element in the update is looking at opportunities to increase housing in the city, housing opportunities. You know, based off your regional housing needs assessment, you're given a proportion of housing that needs to be, you know, built over a certain time period. I believe it's by 2029. So, it does in the policies or program section of the Housing Element talk about the opportunity for mixed-use in the C-3 district, that would allow Residential over Commercial or horizontally so… Marilyn, correct me if I'm wrong, but I think you would have to allow it in one form or another perhaps, but you might want to be able to speak to that.

VICE-CHAIR CHICO — An opinion on that. I would like to know an opinion on that. Do we have to have it?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — Well, now we're getting into the Housing Element Update and the programs with that, which is different from the Zoning Code. What you can put in the Zoning Code is if you don't want the vertical mixed-use, the horizontal is an option with that. In any case, when you're mentioning by the Gold Line, you know, because that was with the sites inventory with the Housing Element in there, and those are overlays they're looking at. The density is a little bit higher in those areas. So, we would still have to meet the numbers in there.

VICE-CHAIR CHICO — Yes, we know.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — But again, you know, with the sites inventory, I just want to say we have to… when we get our RHNA numbers, the Regional Housing Needs Allocation numbers, doesn't mean we have to build those. We just have to identify those sites where it could be, okay. And that's in process. Is that answering it?

VICE-CHAIR CHICO — No, that's not my question. My question is do we have to have mixed-use in our Zoning Code? That's my question.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — That we have to? it is something that in our in our Housing Element, we have been told to allow for that for mixed-use. Yeah, and we already have that with this C-3 Zone, in the City.

VICE-CHAIR CHICO — Housing Element mandates that we must have mixed-use in our Zoning Code.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: I'd have to verify that again with our consultant.

VICE-CHAIR CHICO: I don't think so, I'm just guessing myself.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yeah, not mixed-use but it would be...

VICE-CHAIR CHICO: I think it's out of the Housing Elements realm to dictate the Zoning Code.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yeah, we'd have to have multifamily in there, that it is required with that but not mixed-used in there.

CHAIR FRYMARK: Can we put some clarity on that, whether or not we need to have mixed-use. I understand we need to have multifamily, but it sounds like mixed-use is…

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: No, I don't think that we need the mixed-use. No, yeah. I missed spoke.

CHAIR FRYMARK: Okay. So potentially if there is no mixed-use, then that portion could be eliminated. Which would be the C-3.

VICE-CHAIR CHICO: You can always get it later.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: So you know that that's another thing is that if a developer came in and they wanted to propose that, you know, and again, we can't refuse an application, you know, we would bring that forward, you know, and that would be something if it's a Variance or, you know, something else that would need to allow that. But it would be something that would be discretionary, that would be brought not only in front of the Planning Commission, but the City Council as well.

CHAIR FRYMARK: Okay. So we're going to continue with the Public Hearing. Is there anyone from the audience that would like to come forward and speak on this item?

ADMINISTRATIVE SECRETARY HERNANDEZ: So you want to go ahead and open up the Public Hearing?

CHAIR FRYMARK Of course, sorry about that. So at this time, we'll go ahead and open. One day I'll get it right you guys. I will.

OPEN PUBLIC HEARING At 7:31 p.m., Chair Frymark opened the Public Hearing.

ADMINISTRATIVE SECRETARY HERNANDEZ Okay, so before we do go with the audience, let me just read a e-mail we received. Okay. We did receive an e-mail from Erin Thrash from Rexford Industrial and it is placed on your dais there is an exhibit as well, just to let you know. Just a short summary. They attached an exhibit to help clarify why additional building height is valuable to both owners, operators, and members of the community. The additional building height allows for additional volume in the warehouse, which is valuable in attracting height credit tenants. You can see we're able to double the numbers of racks, and there for goods, stored in the same footprint - making this building more desirable to a sophisticated, professional company that will take pride in this building and neighborhood becoming a type of neighborhood that we all want. The other point of this exhibit is to showcase how additional building height would allow for improved architectural and roof screen of any required equipment. Okay, now we can go ahead whenever you're ready to do.

CHAIR FRYMARK Thank you.

NICK PERGAKES This is the exhibit, by the way, that was included with the email.

CHAIR FRYMARK Perfect.

NICK PERGAKES It just shows the building height that would allow more storage.

CHAIR FRYMARK And then it has also the parapet listed, okay. Thank you. You guys ready. Miss Roman.

CARMEN ROMAN Thank you. Do you want to wait for Commissioner Chico or just go?

ADMINISTRATIVE SECRETARY HERNANDEZ We should note that he did step out.

CHAIR FRYMARK And now he’s back.

CARMEN ROMAN Thank you. Carmen Roman, Irwindale resident. I'm just going to go around and say my notes and stuff and hope it'll come out on record. When we speak at this at a later date because I'm all over the place. First of all, with the Housing Element in Irwindale, we usually build about 25 to 30 homes per need of family growth. When we're talking about C-3, multi-family, we don't have hotel, motels. We don't want… Well I don't and I know people who do not want mixed-use multi. I'm not sure what exactly multi-family is. We don't want the ghetto type

housing with apartments and stoops, where everyone plays outside. We've said that before. Sorry, the C-3, we continue to say we do not want C-3 over and over, yet it continues over the months and this year it gets put back on. We do not want family homes above businesses. We don't want eateries or anything or the side by side, vertical or horizontal. When it comes to EIR's in Irwindale, we are high count, cancer prone. And we've lost many family members, everyone here that's a resident has lost someone. So when you talk about an EIR and the financial impact, life is priceless. We would rather return the grant money, then make rush or rash decisions. We don't want that timeline being held over, unless we can get it done within that time. And we have said numerous times. We want the height to be 35 feet, even if you go a little more. No one ever mentioned 65 feet. Then you're talking about equipment facades. Maybe 75-80 feet. We do not want L.A. high rises, Pasadena, San Diego. No, when you talk about EIR, setbacks, and everything, I see the State regulation and the realm of what those diameters are, but we're a small town. We don't want all that 65-70 feet and no limit is ridiculous. No one wants... Everything should have a limit. May I continue, or no?

CHAIR FRYMARK Can you make it fast, please?

CARMEN ROMAN Yes. So, the no mixed-use… The 50 versus… When we spoke last time, we said the setback residential to the company should be 50. We have the example on Arrow Highway and Allen which is very dangerous at night, you can't tell if those lights are cars coming or if it’s from the setback. So, we do want a further setback, not 20 feet to 30, it is 30 to 50. And we don't wanna waive anything… the EIR's we want. We live with dust, noise, pollution, trucks, traffic. You can't put a price on that because we residents are the ones who live around it. So everyone take a drive by Arrow Highway, and also Allen Street, Fraijo. If you're putting them up on this paperwork or on this, then you have to address it all the way. You can’t say we are making a rule now and then oh later when you want to build over there, you'll say it's already been done. So, they should have public right to speak as well. Thank you.

LYNN KNOX Good evening.

CHAIR FRYMARK Good evening.

LYNN KNOX I'm Lynn Knox and I'm a real estate broker here for CB Richard Ellis. And I've been working in the City of Irwindale for the industrial buildings, some of them you've shown tonight, for the last 26 years. And one thing I can tell you is when I started in Irwindale, it was a lot smaller. And a lot of the users in my market, in the San Gabriel Valley, were never interested in Irwindale because they were going to the City of Industry, they were going to Pomona, El Monte. They wanted to find good buildings that were a decent ceiling height and a great location.

Irwindale has a wonderful location for these types of users. It's access to the 605, the 210, the 10, the 60. This is why they come here. And in the last several years Irwindale has now almost surpassed the City of Industry with industrial development and users coming into the market. Home Depot, I think is a great example. And I think that the reason they came here was because of that beautiful building right along the freeway. When you talk about ceiling heights. The industrial users in the market, Amazon, you could say, Home Depot. These larger users, what they're looking for is cube space in the warehouse. The more cube space they get, the more product they can store. Sometimes just a few more feet gives them a whole another level of cube space. And they're paying rent, a lot of these on the size of the building, not on the cube space. So, it's really important that we try to attract those guys that really want that high ceiling. A lot of these users are going to the Inland Empire because they're building buildings out there that are 50 feet and more inside the building. I really think it's something you guys should think about in terms of offering more opportunity. We are zoned a lot M-2. You pointed that out, and that's true that's this is a city that has a lot of land and opportunity for new development. I would say that you've done a wonderful job in guiding all these developers with the city guidelines and the architecture. It's all very uniform and very attractive and I think to your credit, that has been one of the nice things about watching the City of Irwindale grow. So when you say we're a small city, we're not a small city! Not at all. in fact in the entire San Gabriel Valley, Irwindale is the third largest industrial city. And I think we should want to keep that in mind and attractive more companies here. We have a great new development that's going to be started up at the north end of the 210. We get constant calls on that development. They want to be up here. They love the location. So, I would hope that you will look at that seriously, thank you.

CHAIR FRYMARK Thank you.

ROBERT DIAZ Robert Diaz, 2408 South Mountain Avenue, Irwindale. I sure hope you're not ready to approve these items tonight. Because I think you have to consider more than just what's in the print there. The City Council, for example, at the last meeting on this, referred this matter back to the Commission. Certain Members raised some questions for consideration by the Planning Commission. But I have not heard any discussion about that or inclusion into the code, perhaps because as we've been told, we have policy decisions to make that are not part of this code. But I would tend to disagree with some of that because you're asked to approve a Zoning Map. And that zoning map, doesn't include for example more commercial property. You asked to approve the map. You do that tonight or when you do it, if you have any more commercial property, when you're going to have it. Then you're going to have to have a definition of commercial. In the General Plan you have Regional Commercial. But that calls for a balance. It allows mostly industrial. What we need is get some revenue for the future

when the mining industry is out. And so for that, I think you have to focus on putting commercial, but I don't see anything in the Zoning Map for that. And because of the regional zoning designation, I think you have to change that definition to say it's no longer Mixed-use, it's all Commercial. Or make a new designation, commercial, whatever you call it. But you got to do it. And that's not addressed. Sure, there would be probably individual codes for them. Let me speak a little more. The setbacks. For commercial along Arrow Highway. Fiftyfoot set back from Residential, it's too much when the lots only 100 feet deep and then you have the 20-foot front yard. That's leaving 30 feet for development. Any case the height limit? For M-1, definitely 35 feet. I feel the way the existing code is fine. And if they wanna go higher, you go to the Planning Commission for CUP or Variance. That's kind of returning power back to the City. Because Specific Plans aren't doing it. They're taking away from the City. I don't think you should be, as a policy, be considering Specific Plans and avoid them. Just zone the land properly. That's why I think the zoning aspect is so important and how you define it. Also, about the maximum height that they proclaim. You have to consider the interpretation of the code. In the past 35 feet meant 35 feet from base to the top of the parapet or… Now it's been interpreted as a ceiling level.

CHAIR FRYMARK Thank you, Mr. Diaz.

FRED BARBOSA Good evening, Chairman, Commissioners, residents, audience. My name is Fred Barbosa, 16164 Calle de Paseo. Even though we had a lot of recommendations, we never were able to find which were implemented, and one of the ones that I was talking about was auto dismantling was alternate land use. Now that we come up with a C-3, I think that would be the perfect location. That property is not going to be in play for the next 15 years, because a lot of the people there just renewed their leases. So if you make it Residential or C-3, that gives you 15 years gives you enough time to reach out to the state and to the federal government and ask for Superfund loans, that will help set up the offset of housing that we're trying to develop with the state getting off of our case. Another thing, on the code it says that… I had a motorhome and I sold it, but I'm going to get another one but according to the code once it's gone, I have to set it behind a fence. Well, my lot, the lots that we live in over there on the corner homes are the smallest lots in all of Irwindale. I would like to be grandfathered in when it comes to that, because it would be impossible to put in a gate the way our homes are situated there. Another thing, on amending the General Plan, I would like to see the City look into the fact that they change Commercial and allow Residential in that part, just like they do in L.A. They're getting warehouses, empty buildings, and they're using them for housing because those buildings are sitting there empty. Let's give the people the option of whether they want to keep it Commercial, Residential or whatever. But let's leave that option over, just like a lot of other cities are doing. Another thing. Since you said the housing

thing hasn't been set in stone yet or you're still working on it, well, according to it right now, we're only allowed eight acres per unit right now, and that's going to change, right? And because if not, there's only going to be 64 units on that, what they're telling us is going to be 100 and some homes. So, I would like clarification on that. And then when you're talking about C-3, why not include the Raceway? Or Reliance II. I mean I have no problems out there because they it's not going to impact the residents here. Who cares what's out there as long as it generates income to the city. Why are we trying to break them? Thank you. Have a good… Oh and another thing what I didn't understand is, why is it if you have low low income? You get less parking stalls. To me that's discrimination. I would like an answer on that please.

CHAIR FRYMARK Thank you, Mr. Barbosa.

MIRAN TUMANJIAN Good evening. Madam Chair, fellow planning commissioners, my name is Miran Tumanjian. I work for a nonprofit organization, NAIOP SoCal. And on behalf of our nearly 1300 members of NAIOP SoCal. We serve as the leading nonprofit for developers, owners and investors of industrial, office and retail real estate throughout Southern California, specifically in Los Angeles and Orange Counties. I salute City of Irwindale Staff and its retained consultant for their solid professional work on the comprehensive Zoning Code update and on the modified Zoning Map. Many NAIOP SoCal members are long term institutional investors in the City of Irwindale Industrial and Office zones. Our members are closely engaged in providing substantial community benefits at no cost to taxpayers. Such benefits include upgrading streets, sidewalks and other community infrastructure, funding parks, and significant boosts. These services are significant boost to municipalities and counties property and sales tax revenues. As stewards of sustainable development, our members generously contribute to the socioeconomic advancement of communities throughout Los Angeles County, including to the City of Irwindale. Our members demonstrate their ongoing commitment to decarbonization and renewable energy by installing solar panels on warehouses, investing in zero emission vehicles for onsite operations, deploying cool pavement technologies and using environmentally friendly building materials. NAIOP SoCal believes that Staffs proposed new development standards relative to the City's industrial and office zoning districts are sensible and commensurate with high quality contemporary development and design standards deployed by industrial developers in infill markets across Los Angeles County. For industrial zones, we approve Staffs proposed minimum setbacks of industrial buildings from residential zones, commercial zones and alleyways. We also approve Staff proposed maximum building heights in Industrial and Office Zones and especially the proposed building heights in the M-1 and M-2 zones that that is the new proposed maximum heights. NAIOP SoCal urges the Irwindale Planning Commission to adopt the draft Comprehensive Zoning Code Update

with the proposed maximum building heights for industrial zones included in a final version of the Zoning Code Update. Thank you very much for your time.

CHAIR FRYMARK Thank you for being here tonight.

STEVE MASURA Evening Commissioners, my name is Steve Masura. I'm with Rexford Industrial Realty. I'm here to agree with Staff's recommendation and support the proposed Zoning code primarily for industrial property because we do primarily industrial so primarily for the M-1 M-2 Zones. Rexford is long term holder of properties. We own several properties in Irwindale and have and would like to continue investing in them and be able to rebuild some of them. And as mentioned by Erin Thrash, with who's with our company, and others that the higher height for the M-1 Zone would facilitate better, more modern development and allow for higher quality tenants to come in. And it's an incentive to rebuild those properties because at the current 35-foot limit it doesn't meet more than modern standards as mentioned for new tenants to want to do. Typically, they want to do a 36-foot clear height. So, a 36-foot clear height still needs additional height to actually for the roof structure and the parapets to cover the equipment. So, you need that extra 10 feet essentially or more over to the 36 feet. So, you need at least 46 to 50 feet to get on the on the actual building height. So, the roof itself at the clear height is only 36 feet at the ends because the roof has to have a structure that goes up to get thicker in the middle to support the roof and the distance needed, it goes up. So, you need that extra space on the building height, which allows for better architecture as well to build those parapets and cover the medical mechanic equipment as mentioned. So, we believe that would be beneficial to the city to incentivize better development and better businesses coming into the city, better quality business tenants that are going to stay long term and better quality jobs, versus maybe coming in and out on a lower quality building. And in fact, you might overtime have higher vacancy if you have these lower quality buildings with the lower clear heights. The other thing is, is that just that diagram is showing pallet heights, not stories. So, the more efficient palette inventory and racking is better. That's what the modern tenants want. They want they want that more efficient racking and inventory systems and it's harder to get that with the lower clear heights. And also, just a reminder that industrial things are single story. So we want a 50 foot height on a single story building. This is not a multi-story building. Yeah, you might have a mezzanine with a second story office on some of it, but it's a very small part of the building. So, it's not like an office building or residential building that might be multistory. A 50 feet would be five (5) stories on a, on an office building, for example. So in conclusion. Uh. We think that that that makes more sense as a single-story building for industrial. Thank you.

CHAIR FRYMARK Is there a…?

SUZANNE GOMEZ Suzanne, Suzanne Gomez resident. I too would like to take this time to applaud our Planning Department and our consultant for the work that we've done for the Zoning Code. As you can see, what we've come across is that this complex, the different elements that are still, we still have questions when it comes to the Housing Element. And then we just found out tonight that we do not have to have Mixed-use. What a relief, right? So, there's so many questions that are still coming. And one of the things that I just want to affirm is that the residents have spoken. We have the residents, businesses have… We're pro-business. We're not, not pro-business because we care about our community and because we care about the legacy and the work that you're doing that this work that you're doing tonight, the zoning, the General Plan, the Health Element is going to take precedent the next 25 to 50 years. So, we can't take it lightly. Even if you decide to continue it or pass some things, it's not done yet. And we, we'll take the money. Council will have to come up and give the money for to continue this study because we've only begun to touch the basis of it. So, my main concern though is along with my counterparts and federal residents is that I still want to speak to Chapter 1708, which is Specific Planning Zone and that is… When we look at that one, that speaks to accountability and A, B, and C If you look at that, you're not going to have time tonight because I'm talking really fast because I only have three (3) minutes, which we also have to change with the City Council. But anyway, chapter 1708 speaks to specific planning zones, and one of the things that it says is that if there's any element that needs to be clarified, that it's given to the Director of Planning, which I completely respect. However, I don't think that should be the way that we go. I think that we should change the Zoning Code to reflect that specific plans have to be first come to the Commission and/or the City Council, or both. And that we need to change the directions of how the Specific Plans are moving forward. The second thing that I have major concerns on, along with the other things that my fellows have indicated is... If you look on page one. I'm looking at page 100 and 104 in the and agenda item. And what we consistently see is that over and over again, not just when we're speaking to these findings and this recommendation, but CEQA guidelines. Yes, we can comply with CEQA guidelines, but we have known that Irwindale has congestion and pollution. And I think that we can go, we can do what we want within the ramifications of State law, our Municipal Code and Federal law. So therefore, then we can, you can implement standards that we can meet for our community. And I suggest that in the CEQA guidelines, we don't go for the minimum that we access a higher standard for the benefit of our community and our future. Thank you.

CHAIR FRYMARK Thank you, Miss Gomez. Do we have any further comments?

ADMINISTRATIVE SECRETARY HERNANDEZ On Tier 2 we do.

CHAIR FRYMARK We do?

ADMINISTRATIVE SECRETARY HERNANDEZ Yes.

CHAIR FRYMARK Are we moving to Tier 2? I'm not seeing any more for Tier 1. Okay, move on to here two please tier 2.

ADMINISTRATIVE SECRETARY HERNANDEZ We will move on to Tier 2. I do have a member iPhone.

DENA ZEPEDA Thank you, Chair. It's Dena Zepeda. First of all, I'd like to thank and congratulate Casey. And thank you for all those questions and concerns because us residents, we have many. And my Commissioners, you are our umbrella, you are our voice and we want everything to come to you. We want everything to come to you before anything is planned as in our past, we've always been overlooked. We have always been overruled by our Planning Department and I'm going to say it straight out because it's happening again. Again, they're not listening to what we're asking. Again, no, we're not going higher. And you're going to bring in more people, more people. No, we don't need it. We are a small community, a residential small community, and we're getting choked. And I thank you, Commissioners, for listening to us and letting us continue and continue to get it right. I agree with Mr. Barbosa, if you're going to do anything over there by the racetrack, make it happen over there, right there over there, just one or whatever, you know. But we already saw the plan there and any no 60-70 foot high thing, we don't want that. You're choking us, claustrophobic. It is getting awful. We have so many empty spaces right now, so many empty. You go around, drive around, see how many you need to fill. Let’s fill those first and we'll be okay. We don't want to get choked up anymore. Our ER, I mean EIR. Oh, come on, we're not going to let that go by. And if you notice, they keep bringing the same thing back over and over. Why aren't we being heard? Why aren't the residents being heard? Please stop choking us. Stop putting this over our head. 60 feet, you know, 75 feet more space. You're going to look beautiful. Like, no, we don't want to look like Pasadena. We don't want to look like, you know, all those other places. We don't wanna be competing with City of Industry. We are losing many. For what's already going on. Like Miss Gomez says, let's be a little stricker. Let put our standards up higher. And if you want to be in Irwindale and it's so nice, then you will, you will oblige by what we say or what we want. Come on. Come on down. Come on down, don't, don't sit there and try to make our city pollute us more. But we, we brought a lot of, you know, things to the attention of our Council, of our Commissioners and it just, you know, keeps getting taken away from us or being looked over. And that's not what we're here for. That's not where we want, we want to come to

some kind of decision, especially for the housing. And I want to thank you guys. First of all, my Commissioners, I want to thank you. I haven't been to a couple of meetings, but I thank all of you because you have been on it, you have been on it and your concerns are the residents. But I felt I had to speak tonight because there were outsiders coming in not knowing what we're going through. And I just want to remind you, thank you.

CHAIR FRYMARK Thank you, Mrs. Zepeda. Is there anyone else on Tier 2?

ADMINISTRATIVE SECRETARY HERNANDEZ It does not look like we have anybody else.

CHAIR FRYMARK Is there anybody in Tier 3 that didn't speak before under Tier 1 that would like to speak about this item in the Public Hearing. Seeing none. Anybody again in Tier 3?

ADMINISTRATIVE SECRETARY HERNANDEZ No one in our Zoom audience.

CHAIR FRYMARK Perfect, okay. Well, thank you. So at this time, we'll go ahead and close the public hearing of this item. And we will have a discussion.

CLOSE PUBLIC HEARING There being no speakers, Chair Frymark closed the Public Hearing at 8:02 p.m.

CHAIR FRYMARK Before we start engaging in this very important conversation, I want to just put a couple things out there for us to consider. First, the decisions that we are making here today or are considering making here today, do have a significant impact on not only our residents but also our business community. And so the task at hand is not an easy task. It's one that is complicated and is one that is multi layered. So, there's a lot to think through. It's important for us to address all of the concerns from not only our residents, but also the business community, we have, you know, families here. So I want us to engage in this conversation with having like actionable items to be able to bring forward, whether that be in the form of recommendations that will go back to the City Council or whether that would be recommendations to Staff, so that we don't continue to go into this loop of just back and forth. It would be nice to be able to move forward, whether that be with additional recommendations for consideration or some significant changes. And so with that that is all I have to say before we start this conversation. Is there any members of the Commission that would like to speak?

COMMISSIONER ACOSTA: I would like some clarification. For Staff, on the height. The maximum heights proposed for the M-1, M-2 for example. The heights that are listed there and that are proposed, obviously we are still going to determine what we propose, but does that height include the parapet or can the maximum height be exceeded with the parapet?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: The heights that are proposed are for the building heights. Parapets are architectural features and will be above that.

COMMISSIONER ACOSTA: Okay.

CHAIR FRYMARK: Anyone else?

COMMISSIONER RODRIGUEZ: As I have spoken about earlier, there is a large portion of the map that is proposed that has M-2 Zoning. A lot of that M-2 zoning is close to our Town Center. So, there are concerns regarding the maximum height level being at 65 feet. Is this something that we can decrease to 40 feet and when a business comes forward and request additional, then it comes back to the Commission at a later date? This would be for Staff.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Again, those are the maximum heights that were proposed and it's in the Planning Commissions discretion to make a recommendation to go lower than that. If somebody should come in and ask, you know, for something higher, they would be requesting a Variance. And there's particular findings that we would have to make as Staff, you know, for that. We couldn't make it if it was just self-imposed in there. There would have to be some unusual reason, you know, or something, you know, a geographic reason or something that we could make that finding for that. But part of this is not what is coming to the Planning Commission, and then to the City Council. It's not changing all the M-2 Zoning. That's something that the City Council, you know, should direct Staff to do at a future date. We heard it to remove it near the Town Center area, you know, that's something that if they direct Staff to do that. Then M-2 that is more on the west side, where it's not close to residential, that would make sense. And then again, depending on what's recommend tonight and moves forward. Again, the Zoning Code will be amended from time to time, and that may be something that gets amended in the future.

VICE-CHAIR CHICO: To expand on that, at this time for us to select a maximum height, we don't have to have findings, do we? I just want to make sure.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Not at this time.

VICE-CHAIR CHICO: No, it's our discretion.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes.

VICE-CHAIR CHICO: It's only if there's an appeal or public whatever.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes.

VICE-CHAIR CHICO: Or a request for a CUP whatever. Okay, that is all I wanted to make sure. Oh Marilyn, I have another question. Is it possible to separate the adoption of this Zoning Code and the adoption of the Zoning Map, so that we only do one of the two?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: I am looking to legal for that.

ASSISTANT CITY ATTORNEY TRAXLER: I would say that if you are going to adopt the Zoning Code, you should, and I would recommend adopting the Zoning Map because the Zoning Map, if you leave as is, will be inconsistent with the Zoning Code. And you want to number 1, ensure consistency, but also, number 2, I believe the proposed Zoning Code is eliminating certain zones. And so we would want to reflect that within the updated Zoning Map.

VICE-CHAIR CHICO: Okay. But this is a new code with new specifications, if you will. And these specifications have been imposed on this Zoning Map that we're supposed to adopt. Who or how was it done to superimpose this new Zoning Code on this new Zoning Map? Who selected the areas? The old Zoning Map was obviously very different. Obviously. How was that done?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: I hope I am going to answer your question.

VICE-CHAIR CHICO: I hope I asked it correctly.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: I know, but I want to make sure I understand it. The text is changing in the Zoning Code. And some of that text change would affect the Zoning Map, like A1 to R-1 or combining the zone. So, we don't have CM which is basically M-1, so eliminating that. So, the text will dictate the development standards in that zone. So, whatever the map, you know, if the map has M-1, it would be whatever decisions you make about the development standards for M-1.

VICE-CHAIR CHICO: If we in fact are forced to do that and adopt the Zoning Map, would it not be a good idea to step back and give us time to review a change to the Zoning Map, that would adhere to our preferences rather than just superimpose the new Zoning Code. In other words, If we're going to adopt a new Zoning Map, I would like to step back and study because I would like to make some changes. They would adhere to the new Zoning Code, yes.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Okay, are you talking about changing different zoning designations on that map?

VICE-CHAIR CHICO: Rezoning different areas.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Oh, okay. That would be a different project, to rezone. If you want to bring… For example, are you talking about rezoning M-2 to something else?

VICE-CHAIR CHICO: Correct.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Okay, that that's something that hasn't been studied with this and that would be a different project. That would be something, again, that taking that on… It can be a recommendation that you give to the City Council, but it would be the City Council, who would have to tell us and designate what do they want to rezone it to. Whether it's rezoning, let's say M-2 to Commercial of some sort.

VICE-CHAIR CHICO: We seem to end up, nobody's fault, doing different things at different times. The General Plan was adopted in 2020 I believe, and here we are having to adopt a brand-new Zoning Code to adhere to the General Plan. It would seem to me it should have been done at the same time. Nobody's fault, just the way things happen. But here we go with the with the Zoning Map. Now we're going to do this and then later on, go review this or change the Zoning Map. Why can't we do it all at once? I know we have a deadline, but I agree with whoever said, it's not important. The money is not that important. This is a permanent…This is a permanent situation that we're adopting here, so that the thing about the deadline is not important to me. Should we not be doing it all at one time?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: That's a policy decision that would be for the City Council to make.

CHAIR FRYMARK: Could you remind me just for the sake of clarity, what is the grant amount?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: It was $160,000.

CHAIR FRYMARK: So maybe because it sounds like, and please correct me if I'm wrong fellow commissioners, that there are things that are currently in the Zoning Code update that we're not necessarily comfortable with moving forward. And so I think that, in order for us to move forward, it may be a good idea for us to unpack what those things are and make recommendations so that those updates can potentially be made and then we can go come back out of future meeting, review the changes that were made to the Zoning Code, and then at that point make a recommendation to move to the City Council for approval. Okay. So then let's start off with C-1. C-1 is Neighborhood Commercial. It is currently. Oops that is setbacks give me a second. Okay. So C-1, we start off, if we're looking at the packet of information that we received, page 7 in our packet. Thank you, City Staff for putting it together. I really appreciated the minutes those were fun to read and listen to. C-1, maximum height is currently set in the Zoning Code as presented at 40 feet. Are we comfortable with a 40-foot height maximum for C-1? If we are comfortable then that would mean no changes for C-1, the maximum height would stay at 40 feet. And looking at the corresponding Zoning Map for C-1, we do have… Let me see here. A small section of C-1... Can we pull up C-1, thank you. C-1 is like that very light salmon color. Where did it go? So, we do have some areas under C-1. Currently it is proposed at 40 feet. Did we have a different recommendation?

VICE-CHAIR CHICO: Regarding the height?

CHAIR FRYMARK: Regarding the height, yes.

COMMISSIONER MIRANDA: And there's no residential in that area at all? Right?

CHAIR FRYMARK: In looking at the map, and Staff please let me know is it close to residential? Is see C-2 being close to some residential, but I don’t see it very close to residential, no.

COMMISSIONER MIRANDA: No. Generally, in those areas that it is not, it can go higher in those areas.

CHAIR FRYMARK: I think what we're hearing tonight is the residents don't want heights that are, 1. really, really high and close to their area, 2. developments that are going to bring in additional pollutants.

COMMISSIONER MIRANDA: Correct.

CHAIR FRYMARK: At least that's what I'm hearing. So, if we're looking at C-1 and it's not close to any residential, the proposed height maximum is 40 feet. Are we comfortable with that number?

COMMISSIONER MIRANDA: I've heard 35 from residents, but 40 in that area I think would be okay.

CHAIR FRYMARK: I mean it's not… Between 35 to 40 is not a big difference. I'm trying to also keep in mind our business sector, and the need to continue to look at revenue sources so that we can continue to fund the programs the residents are so… And I don't mean that in a negative way, but that makes the City who we are. So, 40 feet, we're going to leave it as is, is what I'm hearing.

COMMISSIONER MIRANDA: Yes.

CHAIR FRYMARK: Okay. So let's move on to C-2. So, no recommendations for C-1. We're moving on. C-2 is the pinkish color. It is somewhat close to residential. It abuts M-1 or currently what is categorized as M-1. It's on Arrow Highway. If we can bring up that map just for a visual. Thank you, Nick. No, we're looking for more the Zoning Map, that proposed Zoning Map with the different colors, yes. Thank you. So we're looking at C-2, we're looking at the salmon color. It is close to M-1 and it's also close to M-2. It's on the Arrow Highway Street. Right now, the maximum height is also 40 feet. Mind you, it is somewhat close to the Civic Area. And we do have some businesses that are already there. Is that where the bank is at you guys, Staff?

COMMISSIONER MIRANDA: It’s where the bank and also the clinic is in that area, the Wendy’s and all that stuff.

CHAIR FRYMARK: Okay, so currently in the Zoning Code it is proposed at 40 feet.

COMMISSIONER MIRANDA: I would think it'd be too high for the residents where they're at for their viewpoint on that area.

NICK PERGAKES If I may, I think it was proposed at 50, but we discussed bringing it down to 40 at that February meeting, so. But actually, today the C-2 Zone allows for maximum height of 45.

CHAIR FRYMARK Currently it allows for 45 feet. I'm just looking at page 7 of the Staff Report. It shows in blue text that it's 40. So that's a proposed figure? Okay. So currently it's at 45. We're proposing it at 40 and that's where it's currently proposed at. Okay. So, are we comfortable with keeping it as proposed, which is 40 feet in the C-2? That's on Arrow Highway… Staff, can you tell us which businesses are there currently?

SENIOR PLANNER JONES Some of the businesses that are on Arrow Highway, so the bank building is at the southwest corner. There is vacated the Diaz Liquor, the clinic, Wendy's, the former Carl's Junior, the Trammell Crow Development, the gas station, the mini storage, the Fire Department.

CHAIR FRYMARK What is the height of the clinic? I'm assuming it's under 45 feet because it is currently 40.

SENIOR PLANNER JONES It's a single-story building.

CHAIR FRYMARK Okay. So C-2 then. Thank you, Brandi. C-2, it's being proposed at 40. Are we comfortable with leaving it as is? That would bring it down from what's existing at 45, it'll bring it down to 40.

COMMISSIONER MIRANDA We're lowering it, but the only current project could be the Daiz property. It's vacant.

CHAIR FRYMARK Right.

COMMISSIONER MIRANDA So the residents who live behind there, how they feel about going 45, we haven't has that height yet.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Miranda.

COMMISSIONER MIRANDA Sorry, sorry about that. The residents who live there now, have we asked them to speak about that because it blocks their view. If you look down at the other places like on Ayon, before my grandma was still around, that building went up without any… She lost her view over here on Allen Drive and those buildings went up, that project… I'm sure people were not happy about it. So, I think we should ask them about that before we even say yes to a 40. Even though it's 45 already and we're lowering it, and we want to say yes to next project but I'm not sure if we're ready to go forward with that.

CHAIR FRYMARK It is unclear whether or not they provided any feedback. I know that the Planning Department has asked on multiple occasions by way of survey to provide feedback, but…

COMMISSIONER MIRANDA It was a poor, poor return, I saw it.

CHAIR FRYMARK There was some return, but yeah…

COMMISSIONER MIRANDA Nine people.

CHAIR FRYMARK But yeah, we welcome more feedback for sure.

VICE-CHAIR CHICO Brandi, what's the definition of ceiling height? The floor?

SENIOR PLANNER JONES Of the ceiling height? It is typically like to the finish floor to top plate.

VICE-CHAIR CHICO Heights floor. Then there's the parapet wall, whatever, above that.

SENIOR PLANNER JONES Parapet.

VICE-CHAIR CHICO So 40 would yield 45, 46, 47.

SENIOR PLANNER JONES It could.

VICE-CHAIR CHICO Yes.

CHAIR FRYMARK So C-2, I believe, Commissioner Miranda, you were asking for Staff to survey residents in that area.

COMMISSIONER MIRANDA Please, yes. I think they would be happy with that.

VICE-CHAIR CHICO Great example of the Zoning Map problem.

COMMISSIONER MIRANDA Yes.

CHAIR FRYMARK Yeah, yeah. Absolutely. Fellow Commissioners, do you guys have any additional feedback?

VICE-CHAIR CHICO I would like to see that at 35, myself.

CHAIR FRYMARK Guys, 35?

COMMISSIONER ACOSTA: I am concern that is a little low. I'm comfortable with the 40. We still have to get businesses to be interested in that size.

CHAIR FRYMARK: And it could be a marketable property, piece of real estate. I miss Diaz Liquor and the Clearly Canadians right there. Fond memories. But I see your point.

COMMISSIONER MIRANDA: In general, he's correct. I agree with Commissioner Acosta it is too low, but not in that area because it is residential, too close. I think that the designation could work other places. I would like to go even higher, but not to where it's at.

VICE-CHAIR CHICO: Then I go back to the Zoning Map issue.

COMMISSIONER MIRANDA: Correct. Vice-Chair, I totally agree with you.

COMMISSIONER RODRIGUEZ: My concerns would also be regarding C-1. If we are looking at heights of 40 at C-1, is that something where we could lower that height for C-2 to 35?

CHAIR FRYMARK: What would be the staff impact? Would it be possible for the Staff to ask some of those residents if they would have any concerns with the height being at 40 feet?

SENIOR PLANNER JONES: We've had multiple community meetings and we've noticed the public. So they've had the opportunity to come in over the last… Well, we've been working on this for four (4) years, but over the last at least 18 months we've had a lot of public outreach.

CHAIR FRYMARK: We recognize the outreach, and we appreciate the survey, and the resurveying of the residents. But specifically to this location, we're just… Maybe we can do it one more time, but specifically asking them not like a full a full whole city query…

COMMISSIONER MIRANDA: Door knocking.

CHAIR FRYMARK: But maybe a good old fashioned door knock, hey it's your friendly Planning Department.

SENIOR PLANNER JONES: I am not door knocking. I am Sorry.

CHAIR FRYMARK: I don't know if it is a reach. It is just an ask. How many residents are we talking about that live there? I think it's like four (4) houses.

COMMISSIONER MIRANDA: Probably four (4) or five (5), yeah. But, you know, if it is one, it is worth it.

CHAIR FRYMARK Yes, please. Quickly, please.

CARMEN ROMAN Okay. Thank you. There are residents there, and already the view… It's a great location for businesses, but you're taking away the view of the dam, the mountains around us to look at a building and that's the tragedy here.

CHAIR FRYMARK Luckily, even if it's between 35 to 40 feet, it's still not so high that it would obstruct too, too much. You would still see our beautiful San Gabriel Mountains…

COMMISSIONER MIRANDA And that would be, sorry 20 feet? No. Proposed away from the…

CHAIR FRYMARK Setback?

COMMISSIONER MIRANDA Yes, setback.

CHAIR FRYMARK So the setback we haven't talked about. I believe in the C-2 area, which is the current zone we're looking at, existing front setback is 10 feet, we're proposing 20 feet. Existing rear is 20 feet, but it's being proposed at 10 feet or 20 feet if it's next to a residential area, which in this case it would be for that particular parcel that we're talking about. The sides are currently it's 5 feet. And then 20 feet if an abutting a residential zone. We are proposing 10 feet. Or it was proposed 10 feet, but we went back and proposed 20 feet if it's abutting a residential zone. So, I mean there's a buffer.

COMMISSIONER MIRANDA A buffer.

CHAIR FRYMARK We are talking about a difference of five (5) feet really. I'm comfortable with 40 feet, but I hear our fellow Commissioners that there's a difference in thought there. I'm also not opposed to going down to 35 for the sake of the residents in that particular area, and it seems like it would be consistent with the existing buildings that are already there. Do we want to make a formal recommendation to bring it down to 35 or are we going to continue…

COMMISSIONER ACOSTA Which one are we talking about? C-2?

CHAIR FRYMARK The same one, C-2?

COMMISSIONER ACOSTA C-2, okay.

VICE-CHAIR CHICO Do we do it in a motion form?

CHAIR FRYMARK Well, right now we're just making recommendations. I don't know if we're actually proposing a motion at this point.

COMMISSIONER MIRANDA Yeah, recommendations.

ASSISTANT CITY ATTORNEY TRAXLER At this point, you would just need consensus of the Planning Commission.

COMMISSIONER RODRIGUEZ I would be comfortable with recommending the 35 feet.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON For both C-1 and C-2?

CHAIR FRYMARK So for C-1 we said 40.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Okay.

CHAIR FRYMARK For C-2, is where we are having this conversation.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Okay.

CHAIR FRYMARK So we're hearing mostly…. I mean, if we're good, I'll vote…

COMMISSIONER MIRANDA I've heard from residents 35 is the most...

VICE-CHAIR CHICO I recommend 35, because it is going to end 40 plus.

COMMISSIONER ACOSTA We're looking to set the guidelines, right? This is the Zoning Codes. So, any individual project that comes to us, we're still going to be able to approve and set the rules for.

CHAIR FRYMARK If they want to build something in C-2 that is currently zoned with the maximum height of, let's say it's approved at 35, then yeah they would need to come back, and correct me Staff if I'm wrong, if they would like a height that's higher than that.

COMMISSIONER ACOSTA: But even if we were to set it at 40 and when they brought in the project, we could tell them we want to limit a little bit less or we didn't want that specific one in that area to be as high.

COMMISSIONER MIRANDA: Or are we stuck there?

VICE-CHAIR CHICO: It doesn’t work in reverse.

CHAIR FRYMARK: It doesn’t work in reverse?

VICE-CHAIR CHICO: No, It doesn't work. If you say it's 35 and their building complies, they don't have to come to us. They don’t have to come to us.

COMMISSIONER ACOSTA: So if it's if our guidelines are lower, then they have to have apply for the Variance?

CHAIR FRYMARK: If they want something higher.

COMMISSIONER ACOSTA: If they want something higher.

COMMISSIONER MIRANDA: Is that correct Marilyn?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: So 35 feet in C-1 is also reasonable and that's pretty typical..
So if you're looking at keeping C-1 and C-2 the same?

CHAIR FRYMARK: We weren't necessarily, I mean we were looking at C-1 from a different lens because it wasn't close to residential. C-2, it is closer to residential, which is why we are looking to consider bringing it down. But thank you for making that clarification. So C-2. 35 feet, are we comfortable with that? Okay. So, I think we're all in alignment that's C-2 we're recommending 35 feet. Do we need to have a conversation about setbacks? For C-2 General Commercial.

COMMISSIONER MIRANDA: What do you think? That's going to be just so the viewpoints like the back of their house or they can see the mountains still the damn, will that be enough, sufficient 20 feet.

CHAIR FRYMARK: Existing, it's 10 feet right now.

COMMISSIONER MIRANDA: We're improving it.

CHAIR FRYMARK So we're actually creating more of a distance. What I am concerned about is are we setting setbacks that are going to make it unreasonable for somebody to come in and want to build on that lot.

COMMISSIONER MIRANDA That's what I mean it's like it's in a bad situation. It go back to the Zoning, the Vice Chair and said the Zoning situation, it's maybe shouldn't be zoned for that.

CHAIR FRYMARK We already have businesses that are there.

COMMISSIONER MIRANDA They're all lower, they're all existing. And spaced out appropriately.

CHAIR FRYMARK True. So, you're suggesting a recommendation to rezone that to something different?

COMMISSIONER MIRANDA Possibly? What do you suggest?

VICE-CHAIR CHICO It's going to have to happen that way.

CHAIR FRYMARK What zone would you like to see there?

COMMISSIONER MIRANDA It is already C-1. C-1 is the lowest, right? That's lowest but…

VICE-CHAIR CHICO C-1 doesn't see much difference as far as setbacks are concerned.

COMMISSIONER MIRANDA Conundrum we have, I mean if someone comes with a business, we want businesses in, we had some business there already that Wendy's and we have the clinic and it worked out. So, we could have said the way it is and then and then this comes in, we can address it then.

CHAIR FRYMARK It seems though, that if we were to want to make a recommendation to shift a zone from C-2, as proposed to C-1 that would be recommendation that goes back to Council.

COMMISSIONER MIRANDA Yeah, looks like it.

SENIOR PLANNER JONES It would be a totally separate process from this, it would be a Zone Change.

CHAIR FRYMARK And what does that process look like?

SENIOR PLANNER JONES For example, if this is the City-initiated Zone Change, there's an application. We prepare the report do the Public Notice everything. It comes to the Planning Commission first for recommendation to the City Council to adopt the Zone Change for a specific location.

CHAIR FRYMARK Could there then be multiple Zone Changes included in that application? And the reason I'm asking is because the 10 acres on Allen is currently in the proposed map, zone as M-2. We know that there's going to be residential there. So why not clean that up now, if we're going to go through that process and request the Council to rezone it as R-1?

SENIOR PLANNER JONES Yeah, you can do multiple parcels, which is preferred versus just spot zoning of one parcel. Also, for the 10 acres, we are waiting for the City Council to tell us which acres they want to be zoned for residential. So, we're waiting for them.

CHAIR FRYMARK Thank you. Okay, so we're still kind of stuck on C-2.

COMMISSIONER RODRIGUEZ That's something to consider as well. So, we're talking about possibly rezoning that parcel to C-1, but we just recommended a height level 40. So maybe we should reconsider that and have the height levels for C-1 and C-2 be at 35.

COMMISSIONER MIRANDA Then if they need more… A Variance, we can approve that. Could you hear me?

CHAIR FRYMARK I mean, yeah, we can, we can talk about that. So we're saying…

COMMISSIONER RODRIGUEZ On the map…

CHAIR FRYMARK C-1 maximum height be 35, and C-2 maximum height be 35. So that there's consistency.

COMMISSIONER RODRIGUEZ That is correct.

COMMISSIONER MIRANDA Question, as we go through these and we're going through it as we are now, and once we get to a resolution, are we able to approve this and still go back to that general and go to Council, have them suggest these changes we want to see? In the zoning…

CHAIR FRYMARK I believe that would be a Jamie question.

ASSISTANT CITY ATTORNEY TRAXLER So if I understand your question correctly, is approve the Zoning Code as proposed with further recommendations to the City Council, right?

COMMISSIONER MIRANDA Yes.

ASSISTANT CITY ATTORNEY TRAXLER: That is what is currently being proposed under the new Resolutions. Let me pull up the numbers for you. Resolution Nos. 828 and 829. 828 is the recommendation for the Zoning Code itself, 829 is the recommendation for the Zoning Map. So, if you look at the resolution itself which is Exhibit C-1 in the Agenda Packet. And in that resolution, it's Section 4 recommendations. It includes the seven (7) previous Planning Commission's recommendations. And then there is an eighth intentionally blank space for additional recommendations as directed by the Planning Commission. But I will say that the Planning Commission can also amend, revoke, or modify any of the previous recommendations as well.

COMMISSIONER MIRANDA: Thank you.

CHAIR FRYMARK: Would it also, Jamie, be an option to not move forward on adopting or making a recommendation to the Council to approve, even with the amendments, and just continue to ask Staff to make the changes that we're proposing today and then at a later meeting, see those changes in the packet and then take action at that time.

ASSISTANT CITY ATTORNEY TRAXLER: Yes, that is an option as well.

CHAIR FRYMARK: Thank you. So, I believe we're on C… So, Staff I believe we talked about and fellow Commissioners, please correct me if I'm wrong. The last I heard was making a change so that for the sake of consistency, both C-1 and C-2 have maximum height of 35 feet. So that will be our recommendation for change for C-1 and C-2. Let's move on to C-3. Currently C-3 Zone has an existing Max height of 45 feet. It's proposed at 60 feet. We discussed at a previous Planning Commission reducing that down to 50 feet. If we're looking at the Zoning Map, we will see that there are some areas that are currently C-3, that are close to residential. This is also the zone that there was a lot of conversation about because of the Commercial Mixed-use Zone. We did learn today that there is not necessarily a need from a legal perspective to have C-3 in our Zoning Code. So, we it sounds like we have a couple of options.

ASSISTANT CITY ATTORNEY TRAXLER: Chair, if I may… I don't think that that's exactly accurate and Nick probably knows at this point better than I, but I do believe that Mixed-use, which is C-3 in the City's Zoning Code is designated in the City's General Plan, which would make a C-3 Zone or some kind of mixed-use zone necessary.

NICK PERGAKES I can't recall if the General Plan… It does say Mixed-use for C-3. I mean... Well, let me say this. C-3 is an existing zone. It implements the Town Center designation of your General Plan. It's already in place. We're not proposing a new C-3 district. It's already there in your existing code and it has a purpose. Now what's negotiable I think is whether you want to allow vertical or horizontal mixed-use to occur. A commercial building can go in C-3 now. A residential building can go in C-3 now. We're just proposing that you can do them together on the same property. So it's, I think it's up to you, Jamie if that sounds correct, that they can decide on that.

ASSISTANT CITY ATTORNEY TRAXLER That is correct, yeah.

COMMISSIONER MIRANDA I was hearing from residents they don't want that at all, mixed-use.

CHAIR FRYMARK But it sounds like it's in the General Plan and we need to have it.

VICE-CHAIR CHICO You're using the terminology mixed and that's what we're trying to eliminate. If we or someone decides that they want residential on this particular C-3 property, fine, or a business on this one but not together.

NICK PERGAKES Okay, a standalone. Okay. So, I mean that is your decision if you want to do it. Just kind of keep it the same as is we're, you know, it's not vertical mixed-use or horizontal. It can't be done on the same property. You want to just have it commercial on a C-3 or residential on a C-3, it's up to you.

CHAIR FRYMARK If that is the recommendation of the Commission, Nick, would we have to then redefine what Mixed-use is in the Zoning Code?

NICK PERGAKES I think we have a definition there that we would just take out. I believe your Housing Element is going in that direction of… So there are programs and policies and it does talk about Zoning Code changes in the Housing Element to direct changes, future changes, but we're just anticipating those changes now and making that. But if today you say you don't want the Mixed-use then we would just take out any reference to that, yes.

CHAIR FRYMARK On one hand, I mean Mixed-use could be an opportunity to address two needs. One, have a commercial need, which we know that we need for revenue streams and two, create additional residential opportunities for the families that we have currently living in our community. So, in full transparency, this C-3 Zone gives me pause because of the reasons I just outlined.

COMMISSIONER MIRANDA: Currently this whole area is where Ayutla is at, that market area, correct? The whole…

COMMISSIONER RODRIGUEZ: As well as what we spoke about earlier Diaz Liquor. That is also C-3 so if we were to allow this to continue and there was horizontal or vertical in that area, that would also cause problem with height.

CHAIR FRYMARK: C-3 is the salmon. I mean, C-3 is the red color.

COMMISSIONER MIRANDA: That's the red. So actually, that where the Jack…

CHAIR FRYMARK: I don't know if that is where Ayutla is at. It is the Jack in the Box and it's those houses right there. And then it's… Oh is that the car wash, that little red dot.

COMMISSIONER MIRANDA: Oh, yeah, you're correct.

CHAIR FRYMARK: That's the car wash, right?

VICE-CHAIR CHICO: Correct.

COMMISSIONER RODRIGUEZ: And there's a vacant lot next door.

COMMISSIONER MIRANDA: Correct.

CHAIR FRYMARK: And then we have a couple more on the other side of Arrow.

COMMISSIONER MIRANDA: Interesting it's designated next to each other and difference. This goes back to the General Plan.

COMMISSIONER RODRIGUEZ: Then it would be the tire shop as well.

CHAIR FRYMARK: That's what that is right there, the tire shop?

VICE-CHAIR CHICO: It looks like.

CHAIR FRYMARK: Okay, and then we also have on our westside, a small area of C-3.

COMMISSIONER RODRIGUEZ: I believe, and this would be for Staff. On the westside where it's C-3, that was something that we discussed at another meeting, and it was rezoned to R-1. Is that correct?

SENIOR PLANNER JONES: Which parcels?

COMMISSIONER RODRIGUEZ: The C-3 designated C-3 on the west side.

VICE-CHAIR CHICO: It's Mountain and Meridian.

SENIOR PLANNER JONES: Yes, that's already been adopted by the City Council, so that'll be changed to R-1 along with the Ruelas and Citrusview.

VICE-CHAIR CHICO: It seems to me that based on where the red dots are, the location of the C-3 that we would limit the height on that one also. There is no need. I don't see any need to have a 50-foot height. In fact, I don't see any need to have any more than 35 feet there.

COMMISSIONER MIRANDA: Not near our Civic Center. No, you're right. Not right there.

VICE-CHAIR CHICO: Not right there. I mean it is specific areas where it is located.

CHAIR FRYMARK: So if it stays, because it's required as part of our General Plan, then we would consider bringing it down from… It's currently… So, the last time we talked about it, we had made a recommendation to reduce it to 50. So is the recommendation to bring it down more.

COMMISSIONER RODRIGUEZ: 35 feet.

VICE-CHAIR CHICO: Yeah, bring it down to 35, given where it is located.

CHAIR FRYMARK: To make it consistent because of the location.

VICE-CHAIR CHICO: Yes.

COMMISSIONER RODRIGUEZ: As well as the recommendation for it to be either residential or commercial.

CHAIR FRYMARK: Not both.

COMMISSIONER RODRIGUEZ: Not both.

COMMISSIONER MIRANDA: Right.

CHAIR FRYMARK: Commissioner Acosta, are you comfortable with that?

COMMISSIONER ACOSTA: I am comfortable with that yes, I agree with it.

CHAIR FRYMARK Okay. So, I believe Staff that the recommendation for C-3 is to reduce the height from the proposed 60, and then 50, but now to 35. And to not allow for mixed-use, but rather single standalone, either residential or commercial occupancies in those areas. What was that?

VICE-CHAIR CHICO Or is the big word.

CHAIR FRYMARK Or in capital letters. Okay. So, we have C-1, C-2, and C-3. This is exciting. We're making progress, guys. Yes, very good. Okay, let's move on to M-1 and M-2. Does that sound good? Okay, so if we're looking at, let's start off with, if it's okay with everyone to start off with M-1. Currently it's proposed at a… So the existing height maximum is 35 feet. We proposed 50 feet. And if we're looking at the Zoning Code Map, we'll see that M-1 is not... There's one small area that yes, it's close to residential so that is, you know, that area next to kind of the Civic Area. And then we have the other M-1 that is on more of the West side of the city. It's currently a max height that's proposed at 50 feet. Are we comfortable with leaving it as is?

COMMISSIONER MIRANDA We currently have buildings already down that strip right there.

CHAIR FRYMARK Do we know the height of the Spectrum building by any chance?

COMMISSIONER MIRANDA Chair Frymark, the unique thing about this M-1 area is that it's sunken in. Those buildings are very high, but it's deliberately done that way, it's sunken in.

VICE-CHAIR CHICO Be careful.

CHAIR FRYMARK This was a sheet that was provided by Staff, and it has pictures of some of the existing businesses. So, there's one business that's currently on 5027 Irwindale Ave, which is that business center area on Irwindale Avenue. It is zoned as M-1 and the height there is 22 feet. Just for like visuals. It's a single-story business. It's not very high. Do you guys have this? It is only 22 feet. If you want to pass it to Commissioner Miranda. It is at the Business Center, kind of by Peppertree. Do you want to see?

COMMISSIONER MIRANDA Oh yeah.

ADMINISTRATIVE SECRETARY HERNANDEZ Just to note on the record Vice Chair Chico has stepped out.

CHAIR FRYMARK Could we actually take a 5 minute recess?

ADMINISTRATIVE SECRETARY HERNANDEZ — If you would like.

CHAIR FRYMARK — Are you guys comfortable with that?

COMMISSIONER MIRANDA — Yes.

CHAIR FRYMARK — So let's just take a quick five minute recess and we'll come back and continue discussing M-1. Thank you.

RECESS — Chair Frymark recessed the meeting at 8:48 p.m.

RECONVENED — Chair Frymark reconvened the meeting at 8:55 p.m.

CHAIR FRYMARK — The residential area, M-1… I think we are talking currently about… We haven't touched on setback for that particular zone. We are looking at the heights. Can we pull that slide back up, that talks about the existing heights, please? Thank you. That one works. So existing is 35 feet in the M-1 area. I mean, we have some pretty beautiful buildings that are currently zoned in M-1 at 35 feet. This one to the right is 37. But we're proposing it… Or it's currently, not we, it's currently being proposed at 50 feet. From a personal perspective, I am not comfortable with that height next to the residential area, but if it's on the west side of town where there's not a lot of residents, not opposed to it, thoughts?

COMMISSIONER RODRIGUEZ — I would be comfortable with a max height of 40 feet for M-1.

CHAIR FRYMARK — Okay, 40 feet M-1. Any other recommendations?

VICE-CHAIR CHICO — You have 40 feet that would end up in 46-47. Don't forget that. I would rather see again 35 and then end up 40. Or you can make it 36 feet as a chart showed us. It ends up in 42-43. The one we're looking at here is 37 feet, nice looking. I would say like make it 36, let's use their number.

CHAIR FRYMARK — Are these two-story dwellings? Two-story businesses? Is it single story? Single.

COMMISSIONER MIRANDA — They are warehouses it looks like. So currently we have…

VICE-CHAIR CHICO — We talked about single. 36 feet.

COMMISSIONER MIRANDA — Currently we have Spectrum on the street, everything else is down below, correct?

CHAIR FRYMARK We have the Spectrum. We have, I think, Edison there. We have the businesses that shall not be named publicly.

COMMISSIONER MIRANDA Those are ground level. They sunk down a little bit for the parking lot, just a little bit, and that helps for the height, and they are set back pretty good. So, I think we're good there, I mean far as height wise.

CHAIR FRYMARK But as in…

COMMISSIONER MIRANDA In 40 or 35. I think 40 is reasonable.

VICE-CHAIR CHICO Yeah, I will accept 40.

CHAIR FRYMARK Are you comfortable with 40 feet?

COMMISSIONER ACOSTA I am comfortable with 40 feet.

CHAIR FRYMARK So M-1, I believe it sounds like we are comfortable with recommending that that be changed from proposed max height of 50 to 40 feet. Can we talk about setbacks in that area because it is adjacent to residential, I want to make sure we touch on that. So, the setback for M-1 current… Oh. Actually, before I move on to setbacks, what about the west side M-1? Do we want to make a…

COMMISSIONER MIRANDA Can it differ?

CHAIR FRYMARK Can it differ? Or does it have to all be the same?

SENIOR PLANNER JONES It will affect all the M-1 in the whole City.

VICE-CHAIR CHICO They can come for a CUP.

COMMISSIONER MIRANDA Yeah.

CHAIR FRYMARK It’s going to keep us busy.

SENIOR PLANNER JONES A CUP or do you mean a Zoning Variance?

COMMISSIONER MIRANDA Variance.

VICE-CHAIR CHICO They have it available.

CHAIR FRYMARK	Okay, so the setbacks are currently proposed... Existing on the front side is none, but we're proposing 20 feet.
VICE-CHAIR CHICO	Okay, question.
CHAIR FRYMARK	Yeah.
VICE-CHAIR CHICO	We are looking at M-1, correct? Okay. And it says existing front none, 25 feet if abutting residential area. That 25 feet is from where to where? Is it from the street curb to the building or is it from the residential property line to the building?
SENIOR PLANNER JONES	All setbacks are measured from the property line to the building. So, we don't measure from the curb, we don't measure from the center line of the street, it's from the property line.
VICE-CHAIR CHICO	What happens if there's a street in between?
CHAIR FRYMARK	It starts with the property line, right?
NICK PERGAKES	It doesn't matter.
VICE-CHAIR CHICO	Residential property line to the building.
NICK PERGAKES	No, no the property line of the commercial property. It's always the same property.
VICE-CHAIR CHICO	It’s confusing. Thank you very much for clarification.
CHAIR FRYMARK	So we proposed, or it is proposed at 20 feet. And then 30 feet if abutting residential. For M-1 Light Industrial do we want to keep it as…
VICE-CHAIR CHICO	They’re proposing 20 to 30 feet residential, that's good, I think.
COMMISSIONER ACOSTA	On the slide that you just put up, What's the distance of that?
CHAIR FRYMARK	The red?
COMMISSIONER ACOSTA	The red. The slide that's up right now, what's the distance as far as feet in the red? The setback.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	It said 30 feet.

CHAIR FRYMARK So, but I'm seeing that… So currently if it's approved in that way, there's going to be some areas or some businesses that are in that area that are going to be nonconforming at that point.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON That's correct.

VICE-CHAIR CHICO We are going to have a lot of that. We eventually are going to have a lot of that.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON They'd be considered legal nonconforming.

CHAIR FRYMARK No ramifications? Nothing. They can continue to operate as is? It is just legal nonconforming.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON They can do routine repair and maintenance, but they could not intensify the use or expand the building. And then if they demoed it and came in, they'd have to meet these new development standards.

CHAIR FRYMARK So do we want to make any changes to the setbacks, or leave it as proposed?

VICE-CHAIR CHICO Proposed.

COMMISSIONER MIRANDA The rears is none, but it says it can be 15 abutting Commercial. Are we comfortable with none?

VICE-CHAIR CHICO Yeah, that is okay too.

CHAIR FRYMARK It's in the back.

VICE-CHAIR CHICO It's in the back, yeah.

COMMISSIONER MIRANDA Okay, Yeah.

CHAIR FRYMARK Okay. So for M-1, we'll leave… Our recommendation will be to leave the setbacks as proposed in the M-1 zone. M-2 zone, this is our Heavy Industrial, and this is what a lot of our proposed zoning map is made of. There's a lot of M-2 in the City. Currently, M-2, what is the height? Thank you. This is the setbacks could we put... Thank you. Okay, so the existing max height, there's no limit on the existing, but it's being

proposed at 65 feet. The Kaiser, that big, beautiful Kaiser building is 60 feet. Is the Home Depot? The Home Depot is 50 feet. Just for context. We do have some M-2 near some residential on both the Civic Area and then also on the west side, but what we zone one applies to all. So that's something we should consider. Especially because our City does have room for development, room for growth, room to bring in new businesses, we want to keep that in perspective.

COMMISSIONER MIRANDA — That's an interesting thing for our General Plan actually in zoning, because there's areas… We want to bring businesses as they spoke about today. Having these big areas, and we are big business, even though we are residential small the way we are. We want those big business to come in. But when they're next to residential, we don't want them large. They spoke loud and clear, they don't want that. I think we need to designate these areas, some areas differently. You know, where it's away from residential, then yes, let's go high. You know, let's get them some room, invite new businesses in. It's a delicate situation for taking care of our priorities, our residents, but also being inviting to our businesses.

CHAIR FRYMARK — Jamie, is there a way to do that?

ASSISTANT CITY ATTORNEY TRAXLER — Today, no. But you could make a recommendation to the City Council to consider potential Zone Changes.

CHAIR FRYMARK — So we would potentially need to rezone some of the areas that are currently at M-2 to maybe a different designation, so that M-2 can be zoned higher?

ASSISTANT CITY ATTORNEY TRAXLER — Oh it is possible, but it would just be, for the Planning Commission, a recommendation to the City Council for the City Council to consider, and then ultimately the City Council would determine whether or not that was something that they wanted to go forward with.

COMMISSIONER MIRANDA — Tough one because looking at the forefathers right there on our wall, and this totally goes against what they wanted for the residents right here. But outside they wanted big business. They wanted the mining. We wanted to take care of the residents. But right here, we're at a conundrum, I think, because we want to go big. We can't go big here. What would be our options?

CHAIR FRYMARK — It sounded like based on comments that we just received, that we would just make a recommendation for a rezoning of those particular areas. And then it would be up to the City Council's discretion to vote whether or not to allow for such a rezoning to happen.

COMMISSIONER MIRANDA: Okay, so in that case, let's just make a decision based on the ones that are away from residential, from the height. and then we'll make a recommendation, and we'll go from there. Is that a good idea?

CHAIR FRYMARK: I love the idea. I love the concept. Ultimately, it would be up to the Council to approve such a change. It does feel like it's still in the spirit of our of our founding fathers, and speaks to the need that, the residents so clearly articulated, while also taking into consideration the desire to continue to grow and to be good partners with our business community.

COMMISSIONER MIRANDA: Absolutely.

VICE-CHAIR CHICO: However, for the meantime notwithstanding Zone Change process, I am looking at a picture here the Home Depot, at 50 feet. I would suggest that we change the 65 to 50 feet, in the meantime, and keep the specification on the conservative side with the Council. If they want to change it they will change it. That is my thought.

CHAIR FRYMARK: Vice Chair, if I may, just for clarity purposes, are you saying for M-2 change the proposed 65 feet to 50 feet? For now, and then kind of tackle all the rezoning later.

VICE-CHAIR CHICO: Yes, exactly. Or let the Council… Whomever us or them tackle the rezoning. But you see the Home Depot building, very attractive, very spacious. It looks like it serves a purpose.

CHAIR FRYMARK: Are their thoughts on M-2 in terms of the height? We have an option on the table which is to recommend 50 feet for M-2.

COMMISSIONER RODRIGUEZ: I agree with Commissioner Chico regarding the 50 feet, and then recommend to the City Council of possible change in rezoning to the M-2 that is near the Town Center to M-1.

COMMISSIONER MIRANDA: We had some realtors speak earlier about development bringing businesses in, and they were speaking directly to having those higher for them to be more attractive. 50 feet, it's a beautiful building. Can we perhaps… Is she still here, or did she leave already? Is that sufficient? I think Mr. Rexford is still here, is gone too? Hello, I have a question for you. Is 50 feet sufficient?

STEVE MASURA: My comment… Is this on? My comment would be that if you're concerned about the height next to residential, you don't have to change the zone, you can just have the development standards say that the height be lower if it's adjacent to residential, and/or increase the setback if it’s adjacent to residential. Which you're already doing that, you have a different standard for setbacks adjacent to residential in some zones. So you could do that for height as well. I would say that

M-2 is appropriate to be higher than 50 feet, as you can see, if they're not in adjacent to residential.

COMMISSIONER MIRANDA: Thank you; I appreciate it.

VICE-CHAIR CHICO: I would like to respond to that. I understand that. You know 60 or 65 feet is more attractive. My concern is that I would rather have it stated in our code at 50 feet, and if you have a customer, builder, or developer that wants to come in, they can come in for a Variance. That's the way I prefer to do business so that we get to review the plans.

STEVE MASURA: Yeah the problem… It's very difficult to approve Variances because of the findings.

VICE-CHAIR CHICO: We are the board.

STEVE MASURA: So, if there was a different method like a Conditional Use Permit to allow additional height, where you still have the discretion to say yes or no, a Conditional Use Permit would be better than a Variance.

VICE-CHAIR CHICO: And we don't. If we put additional height, no. it doesn't necessarily come before us.

STEVE MASURA: I'm saying, if you want to propose that you could, but the Variance is very difficult. People wouldn't take that uncertainty. Developers wouldn't come to you for a Variance because it's too uncertain.

CHAIR FRYMARK: It's an additional hoop.

STEVE MASURA: Pardon?

CHAIR FRYMARK: It's an additional step.

STEVE MASURA: Right. An additional step and it's very uncertain, because no guarantee of approval. We're not asking for guarantee, because a CUP is still discretionary, but at least you could look at all the factors involved on a case by case basis where the property is, that's what the CUP would be for.

CHAIR FRYMARK: For City Staff, why is it a Variance versus a CUP in making a change? Thank you so much for being here and staying here. Your feedback…

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: The CUP is for the use itself. So a Variance would be… Well, if they were trying to do a Variance in the use, let's call it, that would be a Zone Change. You would change the zoning designation to include a particular use. But Variances have specific findings that we have to make. That there is something that is unique about that property, that if

the decision makers did not grant it, that means that they wouldn't have equity or they wouldn't be equal to someone else who is in their similar situation. So variances are usually, if you get, I don't know, like setbacks and things, you know. If you had a triangular parcel, you know, irregularly shaped that would be something that… They have a legal parcel, they want to build, but you know, because of something you have a pinch point or something, that they wouldn't make your typical setback, you know, that would be something that we would look at and see. Okay, if they want to maximize the use of their property, but they couldn't without a variance. If I can go back to the first thing, and this gentleman actually, had stated that it is within, you know, the Planning Commissions discretion to make a recommendation to put into the Development Standard, if you want to reduce the height in an M-2 Zone, if it's abutting a residential zone property, you can do that. The same way that you're having different standards, you know, for setbacks as well. So the ones, you know, the properties over at Home Depot, Kaiser, and that there isn't residential next to it. So that height could be different than let's say property…. Because we have quite a bit of property that's M-2 that's on the north side of Arrow or on Vincent over there. So that's within your discretion to make that recommendation.

CHAIR FRYMARK Sounds like that could be a possible solution to what we're discussing.

VICE-CHAIR CHICO Let me say this. The City Council referred this matter to us because of many issues. I interpreted their message to mean that they wanted things to be on the conservative side regarding setbacks, regarding height, and so forth. That's the position I'm taking towards this item and other items. And you're welcome to bring it to the City Council and say, well, they did this, but we are trying to talk them out of it. Let the City Council change it. But I interpreted their feelings, that they wanted things on the conservative side. That's why it's back here again. They didn't like the first one.

CHAIR FRYMARK They also didn't give any specific recommendations as to what they would like to see changed, right? So for M-2, It sounds like we're kind of at an interesting point. We either make a recommendation to bring it down to, I believe Vice Chair Chico you said you were comfortable with 50 feet, so that's what I'm hearing on the table as an option. Or another option is to add in the Development Standard, that if it's abutting residential that is not to exceed X height. Is that correct? Any thoughts on either of those two options?

COMMISSIONER MIRANDA I like the second one, below the standard abutting, it's a good way to eliminate going too high. Keep it at 50 where it needs to be and then we're able to attract businesses when it's far away from residential.

COMMISSIONER RODRIGUEZ I am leaning more towards Commissioner Chico with 50 feet and capping that high level at that.

COMMISSIONER ACOSTA	Split it. I'm actually thinking going with the proposed height of 65, unless it's abutting a residential area then capping it at 50.
CHAIR FRYMARK	That's the third option. So you're suggesting if I'm… Just to reiterate, 65 feet maximum height, with the exception if it is a abutting a residential area then in the Development Standard it be reduced to… What feet would you like to see there?
COMMISSIONER ACOSTA	50 feet for the M-2.
CHAIR FRYMARK	My thought on this is to make a recommendation to reduce the height. to 60 or actually to keep it at 60 feet. No, the maximum height is currently 65. So keep it at 60 feet, and in the Development Standard indicate that if it's at residential, bring it down to 50 feet for M-2. So, I'm kind of in the middle.
COMMISSIONER MIRANDA	I am good with that. 60.
VICE-CHAIR CHICO	Yeah, I won’t object to that.
COMMISSIONER RODRIGUEZ	Now we do that, so abutting a residential area, what's the distance?
COMMISSIONER ACOSTA	We haven’t decided that yet.
CHAIR FRYMARK	The way I am interpreting abutting, and please Staff, for clarity purposes so that we are all on the same page, it's any parcel property line that is next to or adjacent to a residential area.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	That is correct.
COMMISSIONER RODRIGUEZ	Could we put in the term 500 feet from residential area?
COMMISSIONER MIRANDA	You mean parking or what do you mean?
CHAIR FRYMARK	What would be in that 500 feet?
COMMISSIONER RODRIGUEZ	Well, I'm more I'm more thinking about the M-2 that's across the street from Arrow Highway.
CHAIR FRYMARK	Okay.

COMMISSIONER RODRIGUEZ: So that's not abutting residential.

CHAIR FRYMARK: Oh, I see what you mean. But it's still near that Civic Area.

COMMISSIONER RODRIGUEZ: Yes.

COMMISSIONER MIRANDA: So Civic Area as well, include?

CHAIR FRYMARK: Well, I believe what Commissioner Rodriguez is looking at in particular is this M-2 Zone. Although it's not right next to residential, it is in that Civic Area. And so, if we were to make the recommendation to make M-2, we said, 60 feet with the exception of if it's abutting a residential, it wouldn't apply there, but it's still close to that Civic Area. Which is where you're putting in that caveat to add a 500-foot buffer.

COMMISSIONER MIRANDA: That's a good caveat.

CHAIR FRYMARK: Staff, any thoughts on that?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Sorry, can you repeat?

CHAIR FRYMARK: Yeah. So, the area in question is the M-2 Zone that is on Arrow Highway, on the north side of Arrow Highway that is near the Civic Area. So if we were to zone that, not zone it's already zoned to M-2, but if we were to make a recommendation that the height in that area not exceed 60 feet, the Developmental Standard for residential wouldn't necessarily apply there because it's not right next to a residential area.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: That's correct.

CHAIR FRYMARK: So what Commissioner Rodriguez is proposing, is that for that particular area that we include a 500-foot condition, so that we are making sure that if that M-2 area is within 500 feet of a residential area that then it would not exceed 50 feet around M-2.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: So a 500-foot buffer from residential?

CHAIR FRYMARK: If it's not abutting, because it's either abutting or… Because in this area… Can we pull up the Zone Map again? So, I believe what Commissioner Rodriguez… What you're referring to is this M-2 area right next to M-1, light grey area, on Arrow Highway.

COMMISSIONER RODRIGUEZ: Correct.

CHAIR FRYMARK: Okay. This is the existing map, but if we look at the proposed map... Thank you. This M-2 area on Arrow Highway, right there. So, it's right next to the Civic Area. It's not next to residential, so that area essentially would go all the way up to potentially 60 feet.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: So the Town Center Area, that's a designation in the General Plan. So what you are asking for is the 500-foot buffer for…

CHAIR FRYMARK: Area next to the civic.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Okay, yeah, I think we can do that.

CHAIR FRYMARK: Because it's close to residential but it's not next to. So if we were to make the condition that in the Development Standard, if it's next to a residential area then it would be reduce to 50 feet, it wouldn't apply there.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: That's correct. Yeah.

CHAIR FRYMARK: So, we are trying to catch that proactively. Does that make sense?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: You're going to put our map maker to work on that to provide that buffer.

COMMISSIONER MIRANDA: It would alleviate the whole viewpoint, you know, that's great. Good catch, Commissioner Rodriguez.

CHAIR FRYMARK Let me try to summarize all that. You guys are making me work today. I already had a full workday. So, for the area in M-2, it sounds like we are recommending as a Commission, to reduce the height from currently 65 to 60. However in the Developmental Standard, we would like to add, that if it is abutting a residential area that the maximum height may not exceed 50 feet in M-2. We would also like to add a 500-foot buffer in the M-2 zone that is near the Civic Area. And in that area maximum height should not exceed 50 feet. So, we covered all of the C's, M-1, and M-2. Do we have any other recommendations, that we would like to propose?

COMMISSIONER ACOSTA Did you want to look at setbacks for M-2?

CHAIR FRYMARK Setbacks for M-2. Sure, let's do that. So, setbacks for M-2?

VICE-CHAIR CHICO Let me ask a question regarding the building heights. The Business Park zoning has 65 feet. Are we leaving that? I don't think there is any problem I am just clarifying that to make sure.

CHAIR FRYMARK In the Business Park area?

VICE-CHAIR CHICO Recommended 65, right? Or the code has 65.

CHAIR FRYMARK Tell me what page you're looking at.

VICE-CHAIR CHICO I'm looking at a code page 43.

CHAIR FRYMARK Oh in the actual Zoning Code

VICE-CHAIR CHICO Yes.

CHAIR FRYMARK Give me a minute. Oh, I see. So long as we're not seeing any issues with it, I don't see any reason to bring it down.

VICE-CHAIR CHICO I just want to make sure the Commissioners are aware of it. Fine.

CHAIR FRYMARK Then let's go to the M-2 setbacks. I don't believe we had any conversation or finalization on that.

VICE-CHAIR CHICO Question on that. It states major arterials. We discussed that briefly. What is the setback on Arrow Highway? Corner of Arrow Highway and Irwindale Avenue? The frontage on Irwindale Avenue, what is that setback? The existing buildings there, all the way across.

COMMISSIONER MIRANDA White buildings all across?

CHAIR FRYMARK Would that be the area, like where Ayutla is at, the Jack-in-the-Box?

VICE-CHAIR CHICO No, it is the other side.

COMMISSIONER MIRANDA The white buildings.

ADMINISTRATIVE SECRETARY HERNANDEZ Right where the picture is, across the street.

CHAIR FRYMARK Oh, oh, oh, didn't we look at that one time?

VICE-CHAIR CHICO Yeah, we did. Briefly. Because I would like to say, I would like to see whatever that is being the specification for major arterial. I know, first thing I'm going to hear is we are going to make a lot of businesses nonconforming. So be it.

CHAIR FRYMARK It's at 5200 Irwindale Avenue. Right?

ADMINISTRATIVE SECRETARY HERNANDEZ It’s the one right there, if you see it on the picture across the street.

VICE-CHAIR CHICO Yeah, across the street.

CHAIR FRYMARK Oh yeah, yeah, yeah.

VICE-CHAIR CHICO I don't know, we never came up with an answer.

CHAIR FRYMARK It is 50?

ADMINISTRATIVE SECRETARY HERNANDEZ Around 50, yes.

VICE-CHAIR CHICO Around 50, I would at least like it around 50.

CHAIR FRYMARK So for the M-2 Zone, the set back and that's for… You're talking about in all major arterial?

VICE-CHAIR CHICO Yeah, major arterial. There's only what, four (4) or five (5) of them? I think we were told Arrow Highway. Irwindale Avenue, I forget what the others are… Live Oak.

CHAIR FRYMARK Front setbacks adjacent to the major arterial.

NICK PERGAKES I will have to double check the Zoning Code, I think today you have none, although that's not probably a good idea. So, we proposed 20 feet. I mean, to have more than that, that's quite a lot to ask for more of a front setback.

VICE-CHAIR CHICO That's what we have now. We don't want to make those businesses nonconformity.

NICK PERGAKES Right, but, but some might want to be up to 20 feet, they might want to be a little closer to the to the street, I'm not sure.

VICE-CHAIR CHICO Why can't we have what we have now, it's consistent all the way across, across Irwindale Avenue and everything.

NICK PERGAKES I would have to look at that corner. I don't, I'm sorry, I don't… Does that really look 50 feet from the from the property line? It might be?

VICE-CHAIR CHICO Easy. Yeah, I think so. I thought at one time 70, but yeah, 50 sounds reasonable.

COMMISSIONER MIRANDA Are you thinking keeping that only in the area of Civic Center that way?

VICE-CHAIR CHICO Well, it says major arteries. So it is only the four (4) or five (5) streets.

COMMISSIONER MIRANDA Yeah, yeah.

CHAIR FRYMARK M-2 for sure. Alright, thanks.

ASSOCIATE ENGINEER PIMENTEL Good evening, Chair, Commissioners, right now we know the major major arterials that we have are Arrow Highway, Irwindale, Foothill, Live Oak. Sorry, I am trying to think of hand. Yeah, Irwindale, Arrow, Live Oak, and Foothill. If I'm not mistaken.

COMMISSIONER MIRANDA On Foothill, do we have any interest of having a business going there now? Do we know if anything is developing there on Foothill, the big parcel?

ASSOCIATE ENGINEER PIMENTEL I'm not too sure.

CHAIR FRYMARK It’s where the Reliance II Specific Plan is, isn’t it?

COMMISSIONER MIRANDA Oh that’s right yeah.

VICE-CHAIR CHICO Anyway, I would like to see 50 feet. If that is in fact what it is know.

CHAIR FRYMARK What is it currently in the plan?

VICE-CHAIR CHICO They are requesting here 35 feet.

CHAIR FRYMARK Do our fellow Commissioners have any thoughts on making that recommendation for that change.

COMMISSIONER MIRANDA I am curious, for Nick. Is there a reason for opposition to that, to have some business who want 20 feet or?

CHAIR FRYMARK I think it just reduces the amount of development space, right?

NICK PERGAKES We don't have a front setback for that part. I mean if you did want to do it along an arterial street I understand, because cars are going faster, there's more traffic, you want more of a setback, but it's an M-2 Zone. I don't know. I mean Marilyn, you would know better probably of how the traffic moves and flows.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON I am happy to defer back to Engineering on this.

ASSOCIATE ENGINEER PIMENTEL Good evening again. So on a lot of our main arterials, I know we do have a 45 mile speed limit, except for in the Civic Center area, I believe that's 35 for Irwindale, but the rest of it is either 40 or 45 miles an hour. So speed is kind of higher on those areas and it is heavy traffic because it is our main arterials through the through the City.

COMMISSIONER RODRIGUEZ Can confirm that that is a 50-foot setback?

ASSOCIATE ENGINEER PIMENTEL On Google Maps right now, I was seeing that down that… You're talking about that northeast corner, correct?

COMMISSIONER RODRIGUEZ Correct.

ASSOCIATE ENGINEER PIMENTEL From Arrow Highway, roughly the property line to the building, it is about 50 feet from when I measured it on Google Maps. Give or take. That's what I'm saying. It's approximate. You would literally have to go out and measure it.

VICE-CHAIR CHICO And I believe it's the same thing on the other side of the street across from Diaz Liquor, or whatever you want to call it.

ASSOCIATE ENGINEER PIMENTEL I would have to look into that…

VICE-CHAIR CHICO That is close, close enough. They have a lot of space.

CHAIR FRYMARK I don't see that being… luckily most of those areas are already built out right?

COMMISSIONER MIRANDA Yeah, correct.

CHAIR FRYMARK That's something to consider. It is pretty congested in those major arterial highways. And it sounds like we already have a precedent with that building having a 50 foot set back. We will have a new development. So if Arrow is one of the major arterial we have, was it Athens coming in right there? I don't know what…

VICE-CHAIR CHICO There are doing the recycling. That is a given already.

CHAIR FRYMARK That's already done. So, are we comfortable with making that recommendation? So, it sounds like we have a proposed recommendation for discussion. It is a 50-foot setback along all of the City's major arterial. Brandi.

SENIOR PLANNER JONES For example, if we're looking at this intersection, we would have the 50 foot along the major arterial, we would have the 500-foot buffer from the Town Center, and then we would have the regular base zone setbacks for M-2. So, which one would take precedent?

COMMISSIONER MIRANDA Hmm, that is interesting.

CHAIR FRYMARK If we already have…

VICE-CHAIR CHICO Good question, you guys wrote it.

SENIOR PLANNER JONES We did not write that.

VICE-CHAIR CHICO Who wrote it?

SENIOR PLANNER JONES We just wrote the simple setback. One number.

VICE-CHAIR CHICO I understand that. But all this… Somebody submitted this to us and you say it is conflicting, it is.

SENIOR PLANNER JONES I am basing it on what you just proposed.

CHAIR FRYMARK We are proposing some of these changes, so it is creating some conflicts in somethings. Okay, so if on Arrow Highway we're proposing a 50-foot setback that will conflict with the 500-foot Development Standard that we added in that Civic Area for M-2. So, it is like we can't have it both ways. At least not on Arrow. But Irwindale Avenue, Foothill and Live Oak, we could.

VICE-CHAIR CHICO And Foothill, don't forget Foothill.

CHAIR FRYMARK Yeah, we can do it on Irwindale Avenue, Foothill, and Live Oak. But we would be conflicting. Maybe we don't apply that arterial to Arrow because of that 500 for buffer.

VICE-CHAIR CHICO (Inaudible)

CHAIR FRYMARK And Arrow Highway is a really long street.

VICE-CHAIR CHICO (Inaudible)

CHAIR FRYMARK I mean they both kind of speak to two different things. One is speaking to the height and then the other one is speaking to…

VICE-CHAIR CHICO Can we just state the greater of the two in that location?

COMMISIONER MIRANDA Yeah, is that possible?

CHAIR FRYMARK The greater of the two?

COMMISIONER MIRANDA Whatever is the need. Is it height because of the viewpoint for the resident or is it just we want it back.

CHAIR FRYMARK I mean it seems like the most feedback that we've been getting is about the height from our residents. So maybe that takes president if we have to choose.

COMMISIONER RODRIGUEZ I agree.

CHAIR FRYMARK So it sounds like we're talking about the arteria setback applying to Irwindale Avenue, Foothill, and Live Oak only. So that we can continue to limit the height next to that Civic Area on Arrow. Is that what we're saying?

COMMISIONER MIRANDA I think so. Will that work Brandi? Will that work?

SENIOR PLANNER JONES: Well, this intersection would still be impacted because Arrow is running through. And also take into consideration when that buffer is done, one parcel can be… Like the buffer could only touch maybe one portion of the parcel. The remaining portion of the parcel could just be the regular based zone set back or it could be the arterial setback. Each layer that's added creates more complications for interpretation.

VICE-CHAIR CHICO: So then the question is, if we leave it at 35 feet, does that solve the problem?

SENIOR PLANNER JONES: Leave it at 35?

VICE-CHAIR CHICO: Yeah, the setback at 35. Does that solve the problem or is it still conflicting?

SENIOR PLANNER JONES: Well if we have one setback for all M-2… That's what we're concerned about, setbacks, yeah. Then I don't know if that would be an issue, but where's the 35? Is that just somewhere in the middle?

VICE-CHAIR CHICO: I don't know because it says the front setback major arterial 35, and it covers all the Industrial Zones.

SENIOR PLANNER JONES: What page is that?

VICE-CHAIR CHICO: 43.

SENIOR PLANNER JONES: Back to 35 from the 20 from last time.

VICE-CHAIR CHICO: I'm sorry, say that again.

SENIOR PLANNER JONES: So it appears that we went from 35 to 20. So, you want to go back to 35?

VICE-CHAIR CHICO: It’s 35 on here. No, just no. It just says 35.

SENIOR PLANNER JONES: So we will leave it at 35. 35 is what you are saying.

VICE-CHAIR CHICO: Leave it at 35?

SENIOR PLANNER JONES: Leave it at 35 is what you are saying?

VICE-CHAIR CHICO: Will that work?

SENIOR PLANNER JONES: It will work, I guess, but if you're going to also have that buffer, you still have to…

CHAIR FRYMARK: The issue is still there.

SENIOR PLANNER JONES: It is the overlap. So you would just need to let us know which one.

CHAIR FRYMARK: So that we can maintain the integrity of that buffer because it's close to the residence in that Civic Area, then maybe the 35 feet that's being proposed as a setback wouldn't apply to Arrow Highway, would only apply to Irwindale Avenue, Foothill, and Live Oak.

VICE-CHAIR CHICO: If that is the case leave it at 50, if it is not going to apply to Arrow Highway.

CHAIR FRYMARK: It would still kind of leave us at same situation. Unless we take away…

COMMISSONER MIRANDA: Will we propose the height closer to residence to be 500 feet, right? It was close enough.

CHAIR FRYMARK: That was the buffer. The 500 feet was the buffer in that M-2 Zone, near the Civic Area by the Residential Area. So essentially if we were to remove that buffer condition, then that M-2 area could be zoned up to I believe we said 50 feet.

COMMISSONER RODRIGUEZ: I believe that buffer needs to be in place because a 60 foot building could potentially be like you were speaking about earlier, 70 feet, 75 feet on Arrow Highway, across the street from, you know, the car wash, the residents, the park. And I feel that's too large of a building in this area.

CHAIR FRYMARK: Maybe that has to take priority over the major arterial desire to move the set back to 50. So, leave the buffer at 500 feet and not make any changes?

COMMISSONER RODRIGUEZ: Is there any proposed development in this area?

SENIOR PLANNER: Yes.

COMMISSONER MIRANDA: There is no solution at all like possibly keeping that buffer at the 500 somehow and keeping our 50 feet on the Arterial on Arrow Highway. Can we think of a solution.

VICE-CHAIR CHICO: The overlap, that makes a difference. I mean does that invalidate the whole…

SENIOR PLANNER I mean, if there's the properties that have both. So, which one do we use? Do we use the one that's morestrict?

CHAIR FRYMARK I would say lean on the one that's most conservative.

COMMISSONER MIRANDA Can we identify that area in particular?

CHAIR FRYMARK There's properties already there right now. It's actually... We just can't see them on the map, but it's these parcels, these structures that are right here on arrow next to the building that we determined is at 50 feet.

COMMISSONER MIRANDA Correct. Can we be specific in the parcels in that sense, so we know what we're dealing with? Is that possible? Staff. Brandi is it possible to be specific by parcels on having that 500 feet?

SENIOR PLANNER It may be possible. But for example, if we do it by parcel and if there's a subdivision done or a parcel number changes then technically, that parcel is no longer the same one that was called out.

CHAIR FRYMARK Maybe we don't make a recommendation for M-2. Sorry, make a recommendation for the arterial now, until we kind of continue to think about it. Because I don't know if you guys are wanting to… I guess the question is for the Commissioners, are we wanting to make the recommendations for all the different recommendations that we made for C-1 through C-3, plus M-1 and M-2 with the height and the setbacks that we proposed, and ask Staff to make those recommended changes to the Zoning Code and then bring it back to the Commission to review and then take action at our next Commissioners meeting.

COMMISSONER MIRANDA I think we have some questions and I think we can maybe take some time to meet with Staff actually and go find some solutions in the meantime as well.

CHAIR FRYMARK Brandi?

SENIOR PLANNER So what we can do for the next meeting or actually maybe even before that, we can provide a visual of the Town Center area that might be more helpful.

CHAIR FRYMARK Yeah.

COMMISSONER MIRANDA Yeah, that would be great. Thank you.

CHAIR FRYMARK So maybe for now, because it is getting late and as great as this discussion is, maybe we move forward with the recommendations that we propose tonight, ask staff to prepare the document with the recommendations that the Commission presented tonight and then come back, either reach out to us, let us know when you have some visuals for us to review, and then we can think through possible solutions so that at our next Planning Commissioner meeting, we could hopefully be at a place where we can take action to make a formal recommendation to the City Council.

ASSISTANT CITY ATTORNEY TRAXLER That sounds like a motion to me.

CHAIR FRYMARK Do we have a second?

COMMISSONER RODRIGUEZ Second.

CHAIR FRYMARK Roll Call, please.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Acosta.

COMMISSIONER ACOSTA Yes

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Miranda.

COMMISSIONER MMIRANDA Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Rodriguez.

COMMISSIONER RODRIGUEZ Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Vice-Chair Chico.

VICE-CHAIR CHICO Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ: Chair Frymark.

CHAIR FRYMARK: Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ: Thank you.

CHAIR FRYMARK: Thank you. Thank you Staff and thank you to the business that came and spoke today. We really appreciate your guys' feedback. There was a lot of great work done today. This meeting is adjourned at 9… What? What did I forget?

ADMINISTRATIVE SECRETARY HERNANDEZ: We still have a couple more items.

CHAIR FRYMARK: No! Just kidding. So excited. Hold up, I need to find my agenda. Give me one second.

ADMINISTRATIVE SECRETARY HERNANDEZ: It should take two minutes.

CHAIR FRYMARK: I got too excited. Wait, wait, wait. Where is my agenda.

ADMINISTRATIVE SECRETARY HERNANDEZ: Next up is Discussion Items/Presentations.

CHAIR FRYMARK: Thank you.

DISCUSSION ITEMS/ PRESENTATIONS

ADMINISTRATIVE SECRETARY HERNANDEZ: We do not have any. Next would be Community Development Director Report.

CHAIR FRYMARK: Thank you.

COMMUNITY DEVELOPMENT DIRECTOR REPORT

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Thank you Chair and Commission, did you actually think I was done speaking?

VICE-CHAIR CHICO: We were trying.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Nice try. But I didn't think you had the majority. The only thing that I have to let you know is that the nomination period opened on Monday for the three (3) City Council positions, and they have until I believe it's August 9th for that. Other than that, that's the only announcement.

VICE-CHAIR CHICO: We will all run for Council, get elected, deal with this and send it back to the Planning Commission.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: And guess who you are going to see again.

CHAIR FRYMARK: Thank you. Do we have any comments from Legal Counsel?

LEGAL COUNSEL COMMENTS

ASSISTANT CITY ATTORNEY TRAXLER: No, thank you Chair.

CHAIR FRYMARK: Commissioner Comments.

COMMISSIONER COMMENTS

VICE-CHAIR CHICO: I have a question. I guess Marilyn, the pile that's over at Live Oak Lane, and we talked about that pile that's behind…. Is 100% of that pile to be used for the rehabbing of the pit that's going on.

CITY MANAGER MIRANDA: Commissioner Chico, we have our Director of Engineer Eddie Chan.

VICE-CHAIR CHICO: I should have asked him in the first place.

DIRECTOR OF ENGINEER/BUILDING OFFICIAL CHAN — Good evening, commissioners. So for that pile of dirt, some of it will be sieved out from the pile.

VICE-CHAIR CHICO — Contaminated?

DIRECTOR OF ENGINEER/BUILDING OFFICIAL CHAN — Yeah, some of them are oversized. They will be crushed to make it usable full back fill. Some of the trash that is being dug out from the pit will be hauled off from the site.

VICE-CHAIR CHICO — My main concern is, there is no importing of any kind of material being reprocessed there and sold and export it out.

DIRECTOR OF ENGINEER/BUILDING OFFICIAL CHAN — No there won't be any…

VICE-CHAIR CHICO — Nothing of that sort?

DIRECTOR OF ENGINEER/BUILDING OFFICIAL CHAN — No.

VICE-CHAIR CHICO — So, when we are all set and done, 100% of that pile will be gone?

DIRECTOR OF ENGINEER/BUILDING OFFICIAL CHAN — Right. As you can see right now the pile is getting lower.

VICE-CHAIR CHICO — But I mean the whole intent is to fill that pit.

DIRECTOR OF ENGINEER/BUILDING OFFICIAL CHAN — Right. Correct.

VICE-CHAIR CHICO — That is all I wanted to know.

CHAIR FRYMARK — Thank you, any other Commissioner comments?

COMMISSIONER MIRANDA — I wanted to say thanks Staff, it is a great report. Fantastic, Thank you for your patience with us and as we go through this. Nick in particular. As well, as all of you, appreciate you, all of you.

VICE-CHAIR CHICO — We do absolutely. You guys are doing great. I know it's trying times, but I was thinking to myself that we're doing something like close to 70 years of updating a Zoning Code, that's very complex. Fortunately, it's a lot simpler than the previous one. I remember the previous one, you had to go page by page. We're trying to catch up 70 years' worth of work here. So, bear with us too, we appreciate.

COMMISSIONER RODRIGUEZ: Also, thank you for being available when we need you. It is greatly appreciated.

CHAIR FRYMARK: If there are no further comments from the Commission. I would like to adjourn this meeting at 9:50.

ADJOURNMENT: There being no further business to conduct, the meeting was adjourned at 9:50 p.m.

Maricela Frymark, Planning Commission Chair

Attest:

Jesus Hernandez, Administrative Secretary

CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

Date: September 18, 2024 **Agenda Item No. 4-A**

To: Honorable Chair and Members of the Planning Commission

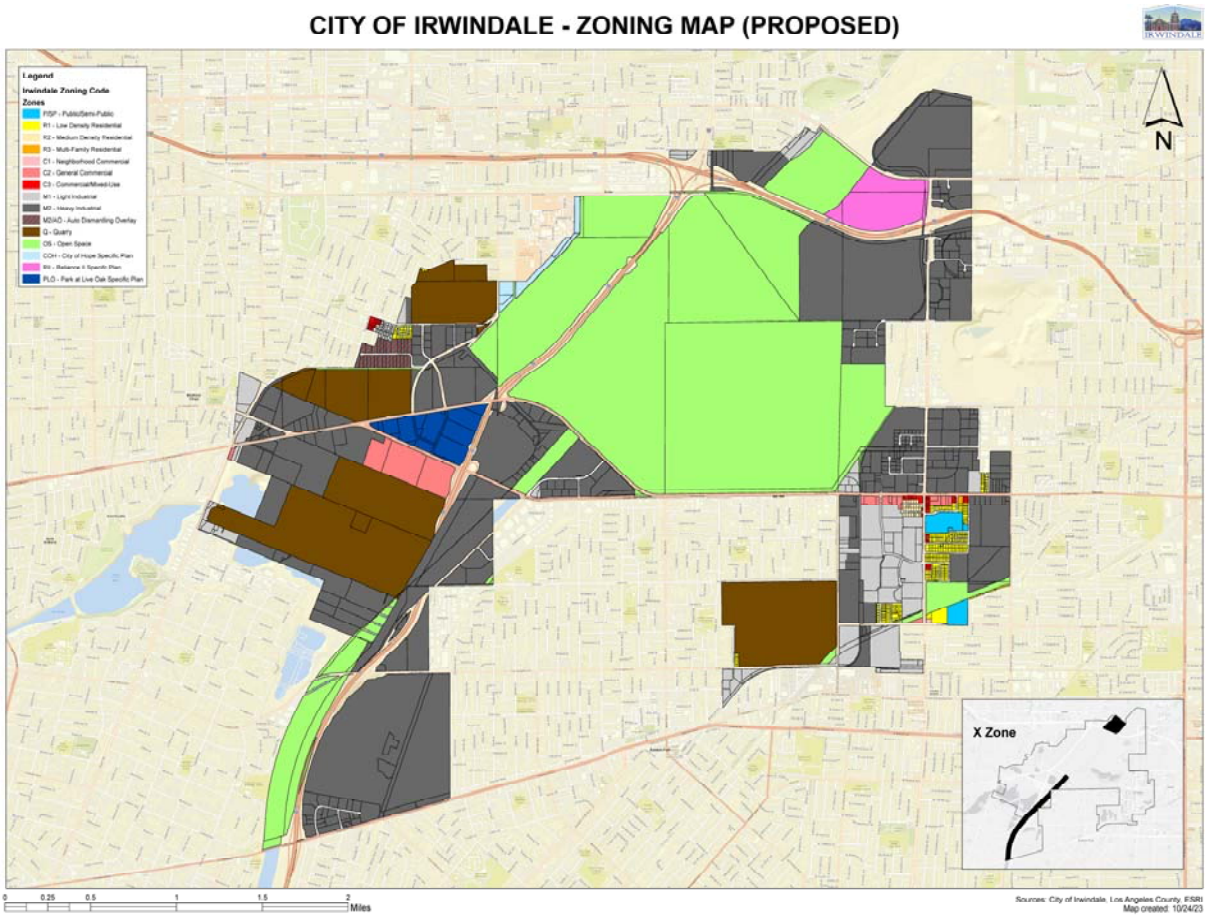
From: Marilyn Simpson, AICP, Community Development Director

Project Planners: Community Development Staff

Project: Comprehensive Title 17 Zoning Code Update

Applicant: City of Irwindale

Project Location: Citywide



Staff Recommendation: That the Planning Commission consider the following:

1) Adopt Resolution Nos. 828(24) and 829(24), with additional, revised, or alternative recommendations to the City Council, and direct staff to report back to the City Council;

AND

2) Recommend that the City Council adopt findings of consistency with the City's previously certified General Plan Environmental Impact Report (SCH# 2005071047), and finding the project exempt from further environmental review, pursuant to CEQA Guidelines section 15183, and 15162;

PROJECT SUMMARY

The project consists of a proposed comprehensive update to Title 17, Zoning, of the Irwindale Municipal Code to eliminate constraints to the maintenance, improvement, and development of housing pursuant to Government Code Section 65583(c)(3); implement the City's General Plan and Housing Element policies and programs, incorporate changes to State law and reflect recent case law; better define land uses, regulations, exceptions, and improve usability of the Zoning Code; address zoning districts in accordance with the General Plan Land Use Element; facilitate development and redevelopment; and remedy imperfect code amendments and map errors. The update includes text and map updates and is attached as Exhibit A.

BACKGROUND/HISTORY/PUBLIC HEARING MEETINGS:

September 20, 2023:

The draft Title 17 Zoning Code was presented to the Planning Commission at the September 23, 2023 meeting. Minor corrections were made to the draft Zoning Code, reflecting the comments received from the Planning Commissioners.

During that meeting, Staff was also instructed by the Planning Commission to conduct a survey to get feedback from community members regarding the rezoning of residential properties from A-1 (Agricultural) to R-1 (Single-Family Residential). This proposed change was originally adopted in the 2013 Housing Element, Program 6, which states: The City will rezone all A-1 (Agricultural) property to R-1 (Single-Family Residential). Staff prepared a survey, which was mailed out to 418 households and also made available to complete online. The survey was active from September 28, 2023 to October 13, 2023. During this time, Staff received a total of sixteen (16) responses; four (4) hard (paper) copies and twelve (12) electronic responses resulting in a 3.8% rate of participation. Of the responses, ten (10) were supportive of a change to R-1 (Single-Family Residential), four (4) were not supportive of a change to R-1 (Single-Family Residential), one (1) did not answer and one wrote in "maybe" with some additional written commentary.

OCTOBER 30, 2023:
The Planning Commission did not conduct the hearing, but instead received further public comment and input on the proposed Zoning Code and Zoning Map Update and continued the item to a date uncertain.
The Planning Commission directed staff to extend the survey until November 8, 2023. Again, the survey was mailed out to 418 households and made available online. During this time, Staff received a total of nine (9) responses; two (2) hard (paper) copies and seven (7) electronic responses resulting in a 2.2% rate of participation. Of the responses, six (6) were supportive of a change to R-1 (Single-Family Residential), two (2) were not supportive of a change to R-1 (Single-Family Residential), and one (1) did not answer. Between the two (2) open survey periods, the survey received twenty-three (23) total responses for an overall resident participation rate of 6%.

NOVEMBER 13, 2023:
On November 13, 2023, the draft Title 17 Zoning Code was to be presented to the Planning Commission during the public hearing portion of the meeting. Before the item was presented by staff, the Planning Commission voted to continue the item to a future date.

FEBRUARY 21, 2024:
The draft Title 17 Zoning Code was presented to the Planning Commission at the February 21, 2024 meeting and the following recommendations were made:

1. The Comprehensive Zoning Code Update was presented to the Planning Commission at the public hearing and the Planning Commission recommended that the City Council adopt findings of consistency with the City's previously certified General Plan Environmental Impact Report (SCH# 2005071047), and finding the project exempt from further environmental review, pursuant to CEQA Guidelines section 15183, and 15162; and
2. The Planning Commission adopted Resolution No. 819(23) recommending that the City Council adopt Ordinance No. 772, approving a City-initiated application for a Zone Ordinance Amendment (ZOA 03-2023) to repeal and replace Title 17 "Zoning" of the Irwindale Municipal Code in its entirety with a Comprehensive Zoning Code Update with the recommendations listed above; and
3. The Planning Commission adopted Resolution No. 820(23) recommending that the City Council consider and adopt Zone Change No. 04-2023 to amend the official Zoning Map of the City of Irwindale to reflect updates to Title 17 (Zoning) consistent with Ordinance No. 772.

Additionally, the Planning Commission made the following recommendations to be included with any additional recommendations to the City Council at the April 10, 2024 City Council meeting:

1. Amend the definition of major arterials in the Zoning Code to be consistent with the definition in the Irwindale General Plan.
2. Add the Billboard Chapter to the Zoning Code as currently written.

3. Keep the SMARA Chapter as is, with direction to bring back the amended Chapter at a later date, for consistency with state law.
4. Minor Variances: add Community Development Director authority to default to 30%, if not listed in the document.
5. For Administrative Approvals by the Community Development Director, document all approvals in the application file.
6. Modify Section 17.09.080a, Planned Development, time extension from 2 years to 1 year.
7. For all commercial and industrial zones, institute a 50-foot setback for new development, measured from the property line for the side facing and abutting any residentially zoned property.

APRIL 10, 2024:
On April 10, 2024, the draft Title 17 Zoning Code Update was presented to the City Council at a public hearing. At that meeting, the City Council heard various comments from the public and directed staff to have the Planning Commission review the Update in light of the public comments

JULY 17, 2024:
The draft Title 17 Zoning Code was again presented to the Planning Commission at the July 17, 2024 meeting, with the directive from the City Council to have the Planning Commission review the update in light of public comments made at the April 10, 2024 City Council meeting.

The Planning Commission heard the staff presentation and received public comments and made the following recommendations:

- Maximum building height is 35 feet in the C-1, C-2, and C-3 zones
- C-3 is to remain Commercial/Residential zone. No mixed use.
- Maximum building height is 40 feet in the M-1 zone
- Maximum building height is 50 feet in the M-2 zone if abutting or adjacent to residential zone
- Maximum building height is 60 feet in the M-2 zone
- Maximum building height is 50 feet in the M-2 zone within a 500-foot buffer measured from the Town Center area identified in the General Plan

The Planning Commission directed staff to provide visual graphics of M-2 zones with the proposed setbacks from residential and the 500-foot buffer for further discussion. Additionally, the tables below reflect the direction provided by the Planning Commission at the August 21, 2024 meeting:

Tables 17.05.030 and 17.06.030:

Revisions to Commercial, Industrial, and Office Development Standards

Table 17.05.030 - Development Standards - Commercial Zones, prescribes the development standards for the Commercial Zones. Additional regulations are denoted in the righthand column. The specific regulations in the referenced section shall apply to the use in addition to other applicable provisions in other sections of this Zoning Code.

Table 17.05.030 Development Standards - Commercial Zones			
Standard	C-1	C-2	C-3
Density and Lot Requirements			
Density (units/acre)			
Maximum Density	-	-	20
Minimum Lot Size (square feet)	5,000	10,000	10,000
Minimum Lot Width (feet)	50	60	80
Building Form and Location			
Floor Area Ratio (FAR)			
Minimum	0.25	0.30	0.30
Maximum	0.5	1.5	2.0
Maximum Height (feet)	35	35	35
Minimum Setbacks (feet)			
Front	20	20	20
Street Side	10/20 abutting a street adjacent to R zoned parcel	10/20 abutting a street adjacent to R zoned parcel	15/50 abutting a street adjacent to R zoned parcel
Interior Side	10/20 abutting a street adjacent to R zoned parcel	10/20 abutting a street adjacent to R zoned parcel	15/50 abutting a street adjacent to R zoned parcel
Rear	10/20 abutting a street adjacent to R zoned parcel	10/20 abutting a street adjacent to R zoned parcel	15 /50 abutting a street adjacent to R zoned parcel
Alley	10	10	10

Table 17.06.030 Development Standards – Industrial and Office Zones, prescribe the development standards for the Industrial and Office Zones. Individual letters in parenthesis refer to subsections that directly follow the table. Additional regulations are also denoted in the right-hand column. Section numbers in this column refer to other sections of this Title.

Table 17.06.030-1 Development Standards					
City of Irwindale Development Standards - Industrial and Office Zones					
Land Use Classification	**M-1 Light Industrial Zone**		**M-2 Heavy Industrial Zone**		**BP Business Park**
Lot and Density Standards					
Minimum Lot Size (square feet unless otherwise indicated)	-		-		3 acres
Minimum Lot Width (feet)	-		-		-
Building Form and Location Standards					
Maximum Floor Area Ratio (FAR)	0.75		1.0		1.0
Maximum Height (see definitions for details)	50 feet	35 feet if within the 500 foot residential buffer	60 feet	35 feet if within the 500 foot residential buffer	65
Minimum Setbacks (feet)					
Front	20 feet M2 Zone: Minimum of 30 feet for a property abutting/adjacent to a Residential zone.				
Street Side	15 feet M2 Zone: minimum of 50 feet for a property abutting/adjacent to a Residential Zone.				
Interior Side	0 feet on each side, except that a minimum of 15 feet is required along each property line abutting a Commercial Zone. M1 and BP Zone: minimum of 30 feet for a property abutting a Residential Zone. M2 Zone: minimum of 50 feet for a property abutting a Residential Zone.				
Rear	0 feet; 15 feet abutting a Commercial Zone. M-2 Zone: Minimum 50 feet for a property abutting/adjacent to a Residential Zone.				
Alley	10 feet		10 feet		10 feet

Transitional Height Standards. When an industrial use is within 50 Feet from the property line of a Residential Zoned lot, the maximum height is 40 feet. After 50 feet, the maximum height of the industrial zoning district applies. See Figure 17.06.030-1 Transitional Height Standards.

AUGUST 21, 2024:
The draft Title 17 Zoning Code was again presented to the Planning Commission at the July 17, 2024 meeting for further discussion and consideration of a 500-foot buffer zone and M-1 and M-2 building heights. The Planning Commission made the following recommendations:

- Create a buffer of 500 ft around all residential zones that would limit height of all buildings to 35 feet in industrial zones
- Outside the 500-foot buffer, a maximum building height of 50 feet in M-1 Zone
- Outside the 500-foot buffer, a maximum building height of 60 feet in M-2 Zone
- The M-2 street side setback shall be 50 feet if abutting residential zone.
- The M-2 rear yard setback shall be 50 feet if abutting residential zone.
- The maximum building height in all Commercial zones shall be 35 feet
- All Site Plan & Design Review applications are to go to the Planning Commission for recommendation to the City Council and remove Administrative approvals.

The Planning Commission directed staff to implement the above listed changes into the final resolution and present the updated draft to the Planning Commission for their consideration. These recommendations are reflected in the revised section 4 of the proposed Resolution No. 828(24).

COMMENT LETTER
Planning staff received a comment letter from NAIOP So Cal, Commercial Real Estate Development Association, Legislative Affairs, regarding the proposed building height restrictions in the industrial zones located within the proposed 500-foot residential buffer (Exhibit M)

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 City, as the Lead Agency, has analyzed the project, and has determined that the proposed Comprehensive Zoning Code Update was assessed in the Environmental Impact Review for the City's General Plan and, pursuant to CEQA Guidelines Sections 15183 and 15162, and is consistent with the previously certified EIR for the City's General Plan, therefore no subsequent EIR, Negative Declaration, or addendum is required for approval of the Comprehensive Zoning Code Update.

CONCLUSION
It is recommended that the Planning Commission take the following action:

1. Adopt Resolution Nos. 828(24) and 829(24), with additional, revised, or alternative recommendations , and direct staff to report back to the City Council;

AND

2. Recommend that the City Council adopt findings of consistency with the City's previously certified General Plan Environmental Impact Report (SCH# 2005071047), and finding the project exempt from further environmental review, pursuant to CEQA Guidelines section 15183, and 15162.

ATTACHMENTS

Exhibit A: August Draft Title 17 Zoning Code Update with proposed revisions (link below) https://www.irwindaleca.gov/DocumentCenter/View/9298/Zoning-Code-Draft-August-2024

Exhibit B: Proposed Resolution No. 828(24) for ZOA No. 03-2023

Exhibit C: Proposed Resolution No. 829(24) for ZC No. 04-2023

Exhibit D: Ordinance No. 772

Exhibit E: August 21, 2024 Planning Commission staff report and attachments (link below) https://irwindaleca.portal.civicclerk.com/event/145/files/agenda/1450

Exhibit F: July 17, 2024 Planning Commission staff report and attachments (link below) https://irwindaleca.portal.civicclerk.com/event/144/files/agenda/1409

Exhibit G: February 21, 2024 Planning Commission staff report and attachments (link below) https://irwindaleca.portal.civicclerk.com/event/957/files/agenda/1305

Exhibit H: November 13, 2023 Planning Commission staff report and attachments (link below) https://irwindaleca.portal.civicclerk.com/event/680/files/agenda/830

Exhibit I: October 30, 2023 Planning Commission staff report and attachments (link below) https://irwindaleca.portal.civicclerk.com/event/681/files/agenda/831

Exhibit J: September 20, 2023 Planning Commission staff report and attachments (link below) https://irwindaleca.portal.civicclerk.com/event/713/files/agenda/894

Exhibit K: April 2024 Draft Title 17 Zoning Code Update (link below) ZONING-CODE-DRAFT-April-2024 (irwindaleca.gov)

Exhibit L: 500-foot residential buffer maps - (Park, Galen, Fraijo, Town Center Peppertree-Breceda, Town Center Arrow-Peppertree, Mountain)

Exhibit M: NAIOP Commercial Real Estate Development Association Letter, received September 12, 2024

Exhibit N: The Orden Company Letter, received September 12, 2024

Exhibit A:

August 2024 Draft Title 17 Zoning Code Update with proposed revisions (link below)
https://www.irwindaleca.gov/DocumentCenter/View/9298/Zoning-Code-Draft-August-2024?bidId=

EXHIBIT "B"
RESOLUTION NO. 828(24)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL (1) ADOPT FINDINGS OF CONSISTENCY WITH THE CITY'S PREVIOUSLY CERTIFIED GENERAL PLAN ENVIRONMENTAL IMPACT REPORT, AND FINDING THE PROJECT EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW, PURSUANT CEQA GUIDELINES SECTIONS 15183, AND 15162; AND (2) ADOPT ORDINANCE NO. 772, A CITY-INITIATED APPLICATION FOR A ZONE ORDINANCE AMENDMENT (ZOA NO. 03-2023) REPEALING AND REPLACING TITLE 17 (ZONING) OF THE IRWINDALE MUNICIPAL CODE IN ITS ENTIRETY WITH A COMPREHENSIVE ZONING CODE UPDATE

A. RECITALS.

(i) The City of Irwindale Municipal Code section 17.84.010 provides that, "The provisions of this title [Zoning], including, but not limited to, the classification of property, shall be amended whenever the public interest and necessity so require."

(ii) There is currently a need to update the City's Zoning Code, contained in Title 17 of the Irwindale Municipal Code ("Zoning"), to incorporate current best practices, industry standards, and recent State planning mandates.

(iii) In accordance with these needs, the City of Irwindale retained Interwest Consulting Group to prepare the proposed Comprehensive Zoning Code Update, attached herein as Exhibit A. The Comprehensive Zoning Code Update would implement, but is not limited to, the following improvements and changes:

(a) Streamline the development process by providing clear development standards that eliminate ambiguity in the City's permit requirements and approval process;

(b) Reorganize the Zoning Code to a modern, streamlined format, making it easier to read and navigate, and eliminating internal inconsistencies and errors;

(c) Comply with recent changes in state law imposing additional requirements on cities and counties statewide, including, for example, amending "objective design standards" for multi-family housing and updating regulations on Accessory Dwelling Units ("ADUs");

(d) Implementing the City's General Plan by making changes to the Zoning Code that are directed by the General Plan's vision and policies.

(iv) The thirty-day public review period for the draft Comprehensive Zoning Code Update began on June 15, 2023. The initial thirty-day public review period was extended until August 15, 2023. During the review period, the Community Development Department and Planning Department solicited and accepted public comments regarding the Comprehensive Zoning Code Update. Additionally, the Community Development Department and Planning Commission conducted a public information session regarding the draft updates to the Zoning Code on July 19, 2023, during which they received questions and comments from the public. The City later published staff responses to comments and questions received during the session.

(v) The Community Development Department and the Planning Commission have conducted additional public outreach efforts, including the following:

(a) Informational tables at Music in the Park, which took place on Thursdays from 7 PM to 9 PM at Irwindale Park, and the Irwindale Public Library Spring Book Festival on March 26, 2023;

(b) Stakeholder interviews with property owners, businesses, development professionals, and City residents on August 31, 2020, September 2, 2020, September 14, 2020, September 21, 2020 and September 30, 2020;

(c) Flyer distributions made to each residential property in the City, through the Irwindale Chamber of Commerce, and to all Irwindale Business License holders. Informational and meeting flyers publicly posted at City Hall, the Irwindale Public Library, the Irwindale Senior Center, and the Community Development Department.

(vi) The draft Comprehensive Zoning Code Update was presented to the Planning Commission on September 20, 2023, for comment and review by the Commission.

(vii) 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 City, as the Lead Agency, has analyzed the project, and has determined that the proposed Comprehensive Zoning Code Update was assessed in the Environmental Impact Review for the City's General Plan (SCH# 2005071047) and, pursuant to CEQA Guidelines Sections 15183 and 15162, and is consistent with the previously certified EIR for the City's General Plan, therefore no subsequent EIR, Negative Declaration, or addendum is required for approval of the Comprehensive Zoning Code Update.

(viii) On October 20, 2023, a notice of public hearing describing the proposed Comprehensive Zoning Code Update was published in the San Gabriel Valley

Tribune, a newspaper of general circulation, in accordance with the California Government Code.

(ix) A notice of public hearing describing the proposed Comprehensive Zoning Code Update and Zoning Map Update was notice was posted at Irwindale City Hall, Irwindale Library, the Community Development Department and the local post office. As a courtesy, a copy of the notice was also mailed to each residential household. The notice was also mailed or delivered at least 10 days prior to the public hearing to all owners of the subject real property proposed to undergo zone changes or amendments, as well as all owners of real property within 500 feet of the real property subject to the Zone Changes or amendments, in accordance with the California Government Code.

(x) A duly noticed public hearing was originally scheduled for October 30, 2023. The Planning Commission received further public comment and input on the proposed Zoning Code and Zoning Map Update, and continued the item to a date uncertain.

(xi) On November 3, 2023, a notice of public hearing describing the proposed Comprehensive Zoning Code Update was published in the San Gabriel Valley Tribune, a newspaper of general circulation, in accordance with the California Government Code.

(xii) On November 13, 2023, the draft Title 17 Zoning Code was to be presented to the Planning Commission during the public hearing portion of the meeting. Before the item was presented by staff, the Planning Commission voted to continue the item to a future date.

(xiii) On February 9, 2024, a notice of public hearing describing the proposed Comprehensive Zoning Code Update was published in the San Gabriel Valley Tribune, a newspaper of general circulation, in accordance with the California Government Code.

(xiv) On February 21, 2024, the Planning Commission conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the Planning Commission by City staff.

(xv) On February 21, 2024, the Planning Commission adopted Resolution Nos. 819(23) and 820(23), recommending that the City Council adopt Ordinance No. 772, repealing Title 17 of the Irwindale Municipal Code (“Zoning”) in its entirety, and adopting the Comprehensive Zoning Code Update in its entirety as Title 17 of the Irwindale Municipal Code with the following additional recommendations: 1) Amend the definition of major arterials to be consistent with the General Plan, 2) Add the existing billboard chapter to the Zoning Code

as currently written, 3) Keep the SMARA chapter as is and direct Staff to amend the chapter to be consistent with State law and present the draft to the Planning Commission for review, 4) Authorize the Community Development Director to grant approvals up to a 30% deviation from the measurable standard, if not explicitly listed in the Minor Variances section, 5) All administrative approvals granted by the Community Development Director shall be documented in writing and on file, 6)Planned Development permits, per Subsection 17.09.070.A(1), shall expire in one (1) year instead of two (2) years, 7) All commercial and industrial zones shall institute a 50 foot setback measured from the property line on the side of any new development that abuts or faces any residentially zoned property.

(xvi) On April 10, 2024, the City Council conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the City Council by City staff.

(xvii) On April 10, 2024, the City Council directed staff to bring the Comprehensive Zoning Code Update back to the Planning Commission for reconsideration.

(xviii) On July 17, 2024, the Planning Commission conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the Planning Commission by City staff and continued the item to the regularly scheduled Planning Commission meeting on August 21, 2024, and directed staff to prepare visual graphics of M-2 zones with proposed setbacks from residential and the proposed 500-foot buffer from the Town Center area.

(xix) On August 21, 2024, the Planning Commission conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the Planning Commission by City staff and continued the item to the regularly scheduled Planning Commission meeting on September 18, 2024, and directed staff to incorporate the recommendations into written form for Planning Commission review at the next regularly scheduled meeting.

(xx) On September 18, 2024, the Planning Commission concluded the public hearing. The Planning Commission now wishes to recommend that the City Council of the City of Irwindale approve proposed Ordinance No. 772, adopting the Comprehensive Zoning Code Update to Title 17 of the Irwindale Municipal Code.

(xxi) 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. **Recitals.** 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. **Findings.** 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 staff report, and all attachments thereto, all of which shall constitute the entire record of the matter, the Planning Commission hereby finds that the proposed Comprehensive Zoning Code Update, attached herein as Exhibit A, is necessary and consistent with and will implement the City's vision, goals, and policies of the Irwindale 2020 General Plan. The Planning Commission further finds that the Comprehensive Zoning Code Update is consistent with state law, and the proposed revisions to the Zoning Code are in the interest of the public and are necessary to comply with state law. In particular:

a. The General Plan contains six land use categories that do not have zoning districts that implement these land use categories within the current Zoning Code. The Zoning Code Update would modify or create new zoning districts to be consistent with the General Plan, consistent with California Government Code section 65300 *et seq.* and the Infrastructure and Resource Management Elements of the City's General Plan; and

b. The Zoning Code Update would modify Zoning Code districts/regulations to allow for infill and redevelopment in the City, allowing for land use plans and development patterns that allow succession of use and economic development, consistent with General Plan Community Development Element Policy 7, Community Development Element Policy 9, and Community Development Element Policy 10; and

c. The Zoning Code Update would create a new landscaping chapter, as to consolidate all landscaping regulations in the Zoning Code and provide adequate buffers, screening, and landscaping, and require and retain trees and plantings, consistent with General Plan Resource Management Element Policy 29; and

d. The Zoning Code Update would create new performance standards and additional site design regulations to minimize conflicts of industrial uses with residential neighbors, consistent with General Plan Resource

Management Element Policy 19, Resource Management Element Policy 20, Resource Management Element Policy 21; and

e. The Zoning Code Update would update development standards, nonconforming regulations, and sign code regulations to address regulatory impediments of new businesses and business expansions, consistent with General Plan Community Development Element Policy 16; and

f. The Zoning Code Update would update residential lot requirements and development standards, allow new housing types and update Accessory Dwelling Unit regulations to encourage varied housing types, sizes, and tenure opportunities, and encourage creative and efficient residential site developments consistent with General Plan Housing Element Policies 16, 17, and 20, Resource Management Element Policy 11, Program No. 9, and Promotion of Energy and Water Conservation to Existing Residents and in City Sponsored Housing Projects; and

g. The Zoning Code Update would update residential development standards and allow new housing types in order to codify inclusionary housing requirements and associated policies under state and local law, consistent with General Plan Housing element Policy 4; and

h. The Zoning Code Update would update the Zoning Code to comply with State mandates, including SB 35, SB 330, the Housing Accountability Act, SB 9, and other Accessory Dwelling Unit Requirements, consistent with Housing Element Policy 14 and Housing Element Policy 19.

3. **CEQA Findings.** The Planning Commission hereby recommends that the City Council find that 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 City, as the Lead Agency, has analyzed the project, and has determined that the proposed Comprehensive Zoning Code Update was assessed in the Environmental Impact Review ("EIR") for the City's General Plan (SCH# 2005071047) and, pursuant to CEQA Guidelines Sections 15183 and 15162, is consistent with the previously certified EIR for the City's General Plan, therefore no subsequent EIR, Negative Declaration, or addendum is required for approval of the Comprehensive Zoning Code Update.

4. **Recommendation.** On the basis of these findings, the Planning Commission hereby recommends that the City Council adopt Ordinance No. 772, repealing Title 17 of the Irwindale Municipal Code ("Zoning") in its entirety, and adopting the Comprehensive Zoning Code Update (Exhibit A) in its entirety as Title 17 of the Irwindale Municipal Code with the following recommendations:

1) Amend the definition of major arterials to be consistent with the General Plan

2) Add the existing billboard chapter to the Zoning Code as currently written

3) Keep the SMARA chapter as is and direct Staff to amend the chapter to be consistent with State law and present the draft to the Planning Commission for review

4) Authorize the Community Development Director to grant approvals up to a 30% deviation from the measurable standard, if not explicitly listed in the Minor Variances section

5) All administrative approvals granted by the Community Development Director shall be documented in writing and on file

6) Planned Development permits, per Subsection 17.09.070.A(1), shall expire in one (1) year instead of two (2) years

7) All commercial and industrial zones shall institute a 50-foot setback measured from the property line on the side of any new development that abuts or faces any residentially zoned property

8) All Site Plans & Design Review applications shall require review and recommendation by the Planning Commission to the City Council and City Council final approval. Remove Administrative approvals

9) M-2 zone street side setback shall be 50 feet if abutting a residential zone. M-2 zone rear yard setback shall be 50 feet if abutting a residential zone.

10) A 500-foot buffer shall be required around all residential zones for any industrial development in the M-1 and/or M-2 zones.

11) The maximum building height in the M-1 zone shall be 50 feet.

12) The maximum building height in the M-1 zone within the 500-foot buffer around a residential zone shall be 35 feet.

13) The maximum building height in the M-2 zone shall be 60 feet.

14) The maximum building height in the M-2 zone within the 500-foot buffer around a residential zone shall be 35 feet.

15) The maximum building height in all Commercial zones shall be 35 feet.

[INTENTIONALLY BLANK- recommendations to be added as directed by Planning Commission]

5. **Severability.** If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the application of any other section, subsection, sentence, clause, phrase, or portion of this Resolution, and to this end the invalid or unconstitutional section, subsection, sentence, clause, phrase of this Resolution are declared to be severable. The City Council hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

6. **Certification.** The Secretary of the Planning Commission shall certify the adoption of this Resolution, and a copy shall be transmitted to the City Council.

ADOPTED AND APPROVED this 18th day of September 2024.

Maricela Frymark, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

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 18th day of September 2024, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, AICP, Secretary

Exhibit A to PC Resolution No. 828(24):

August 2024 Draft Title 17 Zoning Code Update with proposed revisions (link below)
https://www.irwindaleca.gov/DocumentCenter/View/9298/Zoning-Code-Draft-August-2024?bidId=

EXHIBIT "C"
RESOLUTION NO. 829(24)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT A RESOLUTION APPROVING THE CITY-INITIATED APPLICATION FOR ZONE CHANGE NO. 04-2023 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF IRWINDALE TO REFLECT UPDATES TO TITLE 17 (ZONING) CONSISTENT WITH ORDINANCE NO. 772

A. RECITALS.

(i) The is currently a need to update the City's Zoning Code, contained in Title 17 of the Irwindale Municipal Code ("Zoning"), to incorporate current best practices, industry standards, and recent State planning mandates.

(ii) In accordance with these needs, the City of Irwindale retained Interwest Consulting Group to prepare the proposed Comprehensive Zoning Code Update. The Comprehensive Zoning Code Update would implement, but is not limited to, the following improvements and changes:

(a) Streamline the development process by providing clear development standards that eliminate ambiguity in the City's permit requirements and approval process;

(b) Reorganize the Zoning Code to a modern, streamlined format, making it easier to read and navigate, and eliminating internal inconsistencies and errors;

(c) Comply with recent changes in state law imposing additional requirements on cities and counties statewide, including, for example, amending "objective design standards" for multi-family housing and updating regulations on Accessory Dwelling Units ("ADUs");

(d) Implementing the City's General Plan by making changes to the Zoning Code that are directed by the General Plan's vision and policies.

(iii) In tandem with the proposed Comprehensive Zoning Code Update, the City has also prepared a proposed Zoning Map Update, attached herein as Exhibit A, which would incorporate any and all changes caused by the proposed Comprehensive Zoning Code Update to the current Zoning Map. The Zoning Map Update would implement, but is not limited to, the following improvements and changes:

(a) Reflect updated zones in the Comprehensive Zoning Code Update, including:

1. Eliminating Zone A1 – Agricultural Zone;

2. Creating Zone P/SP – Public/Semi-Public;

3. Re-naming Zone R1 from Single Family Residential to Low Density Residential;

4. Re-naming Zone R2 from Light-Multiple Residential to Medium Density Residential;

5. Re-naming Zone R3 from Heavy-Multiple Residential to Multi-Family Residential;

6. Re-Naming Zone C2 Heavy Commercial to General Commercial;

7. The C3 Heavy Commercial-Residential zone will remain unchanged

8. Eliminating Zone CM – Commercial Manufacturing.

(b) Reflect updates to the zoning of particular parcels, consistent with the Comprehensive Zoning Code Update.

(iv) The thirty-day public review period for the draft Comprehensive Zoning Code Update and Zoning Map Update began on June 15, 2023. The initial thirty-day public review period was extended until August 15, 2023. During the review period, the Community Development Department and Planning Department solicited and accepted public comments regarding the Comprehensive Zoning Code Update. Additionally, the Community Development Department and Planning Commission conducted a public information session regarding the draft updates to the Zoning Code on July 19, 2023, during which they received questions and comments from the public. The City later published staff responses to comments and questions received during the session.

(v) The Community Development Department and the Planning Commission have conducted additional public outreach efforts, including the following:

(a) Informational tables at Music in the Park, which took place on Thursdays from 7 PM to 9 PM at Irwindale Park, and the Irwindale Public Library Spring Book Festival on March 26, 2023;

(b) Stakeholder interviews with property owners, businesses, development professionals, and City residents on August 31, 2020, September 2, 2020, September 14, 2020, September 21, 2020 and September 30, 2020;

(c) Flyer distributions made to each residential property in the City, through the Irwindale Chamber of Commerce, and to all Irwindale Business License holders. Informational and meeting flyers publicly posted at City Hall, the Irwindale Public Library, the Irwindale Senior Center, and the Community Development Department.

(vi) The draft Comprehensive Zoning Code Update was presented to the Planning Commission on September 20, 2023, for comment and review by the Commission.

(vii) 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 City, as the Lead Agency, has analyzed the project, and has determined that the proposed Comprehensive Zoning Code Update was assessed in the Environmental Impact Review for the City's General Plan (SCH# 2005071047) and, pursuant to CEQA Guidelines Sections 15183 and 15162, and is consistent with the previously certified EIR for the City's General Plan, therefore no subsequent EIR, Negative Declaration, or addendum is required for approval of the Zoning Map Update.

(viii) On October 20, 2023, a notice of public hearing describing the proposed Comprehensive Zoning Code Update and Zoning Map Update was published in the San Gabriel Valley Tribune, a newspaper of general circulation, in accordance with the California Government Code.

(ix) A notice of public hearing describing the proposed Comprehensive Zoning Code Update and Zoning Map Update was notice was posted at Irwindale City Hall, Irwindale Library, the Community Development Department and the local post office. As a courtesy, a copy of the notice was also mailed to each household. The notice was also mailed or delivered at least 10 days prior to the public hearing to all owners of the subject real property proposed to undergo zone changes or amendments, as well as all owners of real property within 500 feet of the real property subject to the Zone Changes or amendments, in accordance with the California Government Code.

(x) A duly noticed public hearing was originally scheduled for October 30, 2023. The Planning Commission received further public comment and input on the proposed Zoning Code and Zoning Map Update and continued the item to a date uncertain.

(xi) On November 3, 2023, a notice of public hearing describing the proposed Comprehensive Zoning Code Update was published in the San Gabriel Valley Tribune, a newspaper of general circulation, in accordance with the California Government Code.

(xii) On November 13, 2023, the draft Title 17 Zoning Code was to be presented to the Planning Commission during the public hearing portion of the meeting. Before the item was presented by staff, the Planning Commission voted to continue the item to a future date.

(xiii) On February 9, 2024, a notice of public hearing describing the proposed Comprehensive Zoning Code Update was published in the San Gabriel Valley Tribune, a newspaper of general circulation, in accordance with the California Government Code.

(xiv) On February 21, 2024, the Planning Commission conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the Planning Commission by City staff.

(xv) On April 10, 2024, the City Council conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the City Council by City staff; and

(xvi) On April 10, 2024, the City Council directed staff to bring the Comprehensive Zoning Code Update back to the Planning Commission for reconsideration; and

(xvii) On July 17, 2024, the Planning Commission conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the Planning Commission by City staff and continued the item to the regularly scheduled Planning Commission meeting on August 21, 2024, and directed staff to prepare visual graphics of M-2 zones with proposed setbacks from residential and the proposed 500-foot buffer from the Town Center area; and

(xviii) Irwindale Municipal Code section 17.12.020 provides, “The official zoning map for the city may be amended by reference thereto, and by reference to this section.”

(xix) On August 21, 2024 the Planning Commission conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the Planning Commission by City staff and continued the item to the regularly scheduled Planning Commission meeting on September 18,

2024, and directed staff to incorporate the recommendations into written form for Planning Commission review at the next regularly scheduled meeting.

(xx) On September 18, 2024, the Planning Commission concluded the public hearing. The Planning Commission now wishes to recommend that the City Council of the City of Irwindale adopt Zone Change No. 04-2023, approving the proposed Zoning Map Update and adopting the Zoning Map Update as the Official Zoning Map of the City of Irwindale, to reflect updates and changes to the Zoning Map consistent with the Comprehensive Zoning Code Update.

(xxi) 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. **Recitals.** 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. **Findings.** 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 staff report, and all attachments thereto, all of which shall constitute the entire record of the matter, the Planning Commission hereby finds that the proposed Zoning Map Update, attached herein as Exhibit A, is necessary and is consistent with the Comprehensive Zoning Code Update, and will implement the City's vision, goals, and policies of the Irwindale 2020 General Plan, is consistent with state law, and the proposed revisions to the Official Zoning Map are in the interest of the public and are necessary to comply with state law.

3. **CEQA Findings.** The Planning Commission hereby recommends that the City Council find that 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 City, as the Lead Agency, has analyzed the project, and has determined that the proposed Zoning Map Update was assessed in the Environmental Impact Review ("EIR") for the City's General Plan (SCH# 2005071047) and, pursuant to CEQA Guidelines Sections 15183 and 15162, is consistent with the previously certified EIR for the City's General Plan, therefore no subsequent EIR, Negative Declaration, or addendum is required for approval of the Zoning Map Update.

4. **Recommendation.** On the basis of these findings, the Planning Commission hereby recommends that the City Council adopt and approve Zone Change No. 04-2023, approving the proposed Zoning Map Update and adopting the Zoning Map Update as the Official Zoning Map of the City of Irwindale (Exhibit A), in accordance with Irwindale Municipal Code section 17.12.020.

ADOPTED AND APPROVED this 18th day of September 2024.

Maricela Frymark, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

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 18th day of September 2024, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, AICP, Secretary

CITY OF IRWINDALE - ZONING MAP (PROPOSED)

Exhibit A

Legend

Irwindale Zoning Code

Zones

- P/SP - Public/Semi-Public
- R1 - Low Density Residential
- R2 - Medium Density Residential
- R3 - Multi-Family Residential
- C1 - Neighborhood Commercial
- C2 - General Commercial
- C3 - Commercial/Mixed-Use
- M1 - Light Industrial
- M2 - Heavy Industrial
- M2/AO - Auto Dismantling Overlay
- Q - Quarry
- OS - Open Space
- COH - City of Hope Specific Plan
- RII - Reliance II Specifc Plan
- PLO - Park at Live Oak Specific Plan

N

X Zone

0 0.25 0.5 1 1.5 2 Miles

Sources: City of Irwindale, Los Angeles County, ESRI
Map created: 10/24/23

EXHIBIT "D"

ORDINANCE NO. 772

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE REPEALING TITLE 17 OF THE IRWINDALE MUNICIPAL CODE ("ZONING") IN ITS ENTIRETY AND ADOPTING THE COMPREHENSIVE ZONING CODE UPDATE AS TITLE 17 OF THE IRWINDALE MUNICIPAL CODE, MAKING FINDINGS IN SUPPORT THEREOF AND MAKING CEQA FINDINGS

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 public health, safety, and welfare of its residents; and

WHEREAS, the City Council of the City of Irwindale ("Council") finds that there is a need to update the City's Zoning Code, contained in Title 17 of the Irwindale Municipal Code, to incorporate current best practices, industry standards, and recent State mandates, and to further protect public health, safety, and welfare of its residents; and

WHEREAS, the Irwindale Community Development Department, Irwindale Planning Department, and other City of Irwindale staff have prepared, since April 2020, the proposed Comprehensive Zoning Code Update, attached herein as Exhibit A. The Comprehensive Zoning Code Update would implement, but is not limited to, the following improvements and changes:

(a) Streamline the development process by providing clear development standards that eliminate ambiguity to the City's permit requirements and approval process;

(b) Reorganize the Zoning Code to a modern, streamlined format, making it easier to read and navigate, and eliminating internal inconsistencies and errors;

(c) Comply with recent changes in state law imposing additional requirements on cities and counties statewide, including, for example, amending "objective design standards" for multi-family housing and updating regulations on Accessory Dwelling Units ("ADUs");

(d) Implementing the City's General Plan by making changes to the Zoning Code that are directed by the General Plan's vision and policies; and

WHEREAS, the Community Development Department and Planning Commission conducted a public information session regarding the draft updates to the Zoning Code on July 19, 2023, during which they received questions and comments from the public. The City later published staff responses to comments and questions received during the session. The Community Development Department and Planning Department additionally solicited and accepted public comments regarding the Comprehensive Zoning Code Update until August 15, 2023; and

WHEREAS, on November 13, 2023, the Planning Commission conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the Planning Commission by City staff; and

WHEREAS, on November 13, 2023, the Planning Commission voted to continue the item to a future date; and

WHEREAS, on February 21, 2024, the Planning Commission conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the Planning Commission by City staff; and

WHEREAS, on February 21, 2024, the Planning Commission recommended that the City Council of the City of Irwindale approve proposed Ordinance No. 772, adopting the Comprehensive Zoning Code Update to Title 17 of the Irwindale Municipal Code, with additional recommendations; and

WHEREAS, on April 10, 2024, the City Council conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the City Council by City staff; and

WHEREAS, on April 10, 2024, the City Council directed staff to bring the Comprehensive Zoning Code Update back to the Planning Commission for reconsideration; and

WHEREAS, on July 17, 2024, the Planning Commission conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the Planning Commission by City staff and continued the item to the regularly scheduled Planning Commission meeting on August 21, 2024, and directed staff to prepare visual graphics of M-2 zones with proposed setbacks from residential and the proposed 500-foot buffer from the Town Center area; and

WHEREAS, on August 21, 2024, the Planning Commission conducted a duly noticed public hearing, as required by law, on the proposed Comprehensive Zoning Code Update to receive testimony and other evidence regarding the proposed Comprehensive Zoning Code Update, including without limitation, information provided to the Planning Commission by City staff and continued the item to the regularly scheduled Planning Commission meeting on September 18, 2024, and directed staff to incorporate the recommendations into written form for Planning Commission review at the next regularly scheduled meeting; and

WHEREAS, on September 18, 2024, the Planning Commission concluded the public hearing and recommended that the City Council of the City of Irwindale approve proposed Ordinance No. 772, adopting the Comprehensive Zoning Code Update to Title 17 of the Irwindale Municipal Code; and

WHEREAS, the City Council now desires to approve the Comprehensive Zoning Code Update in its entirety in order to update the City's Zoning Code to incorporate current best practices, industry standards, and recent State mandates, and to further protect public health, safety, and welfare of its residents; and

WHEREAS, the proposed Comprehensive Zoning Code Update is consistent with and will implement the City's vision, goals, and policies of the Irwindale 2020 General Plan; and

WHEREAS, the City has prepared a Notice of Determination ("NOD") using the City's General Plan Environmental Impact Report ("EIR"), after determining that the Comprehensive Zoning Code Update was assessed during the City's General Plan EIR, and no subsequent EIR, negative declaration, or addendum is required for approval of the Comprehensive Zoning Code Update; 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. The facts set forth in the recitals in this Ordinance are true and correct and incorporated herein by reference.

SECTION 2. The City Council hereby repeals Title 17 of the Irwindale Municipal Code ("Zoning") in its entirety.

SECTION 3. The City Council hereby adopts the Comprehensive Zoning Code Update in its entirety, attached herein as Exhibit A, as Title 17 of the Irwindale Municipal Code ("Zoning").

SECTION 4. The City Council hereby finds and determines based upon the independent judgment of the City Council, after consideration of the whole of the

administrative record, that the Comprehensive Zoning Code Update was assessed in the Environmental Impact Review for the City's General Plan (SCH# 2005071047), adopted on June 25, 2008 and, pursuant to CEQA Guidelines Section 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the Comprehensive Zoning Code Update. City staff is directed to file a Notice of Determination incorporating these findings and determination regarding the Comprehensive Zoning Code Update.

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. The City Council hereby declares that it would have passed 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 its taking effect.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Irwindale this 9th day of October, 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. 772 was introduced for first reading at a special meeting

of the City Council of the City of Irwindale held on October 9, 2024, and adopted on second reading at a regular meeting of the City Council of the City of Irwindale held on October 23, 2024, and was carried by the following roll-call vote of the Council:

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. 772 adopted by the City Council of the City of Irwindale at its regular meeting held October 9, 2024 to be posted at the City Hall, Library, and Post Office on September 26, 2024.

_____ Dated:_____
Laura M. Nieto, MMC
Chief Deputy City Clerk

Exhibit E

August 21, 2024 Planning Commission staff report and attachments (link below)

https://irwindaleca.portal.civicclerk.com/event/145/files/agenda/1450

Exhibit F

July 17, 2024 Planning Commission staff report and attachments (link below)

https://irwindaleca.portal.civicclerk.com/event/144/files/agenda/1409

Exhibit G

February 21, 2024 Planning Commission staff report and attachments (link below)
https://irwindaleca.portal.civicclerk.com/event/957/files/agenda/1305

Exhibit H

November 13, 2023 Planning Commission staff report and attachments (link below)
https://irwindaleca.portal.civicclerk.com/event/680/files/agenda/830

Exhibit I

October 30, 2023 Planning Commission staff report and attachments (link below)

https://irwindaleca.portal.civicclerk.com/event/681/files/agenda/831

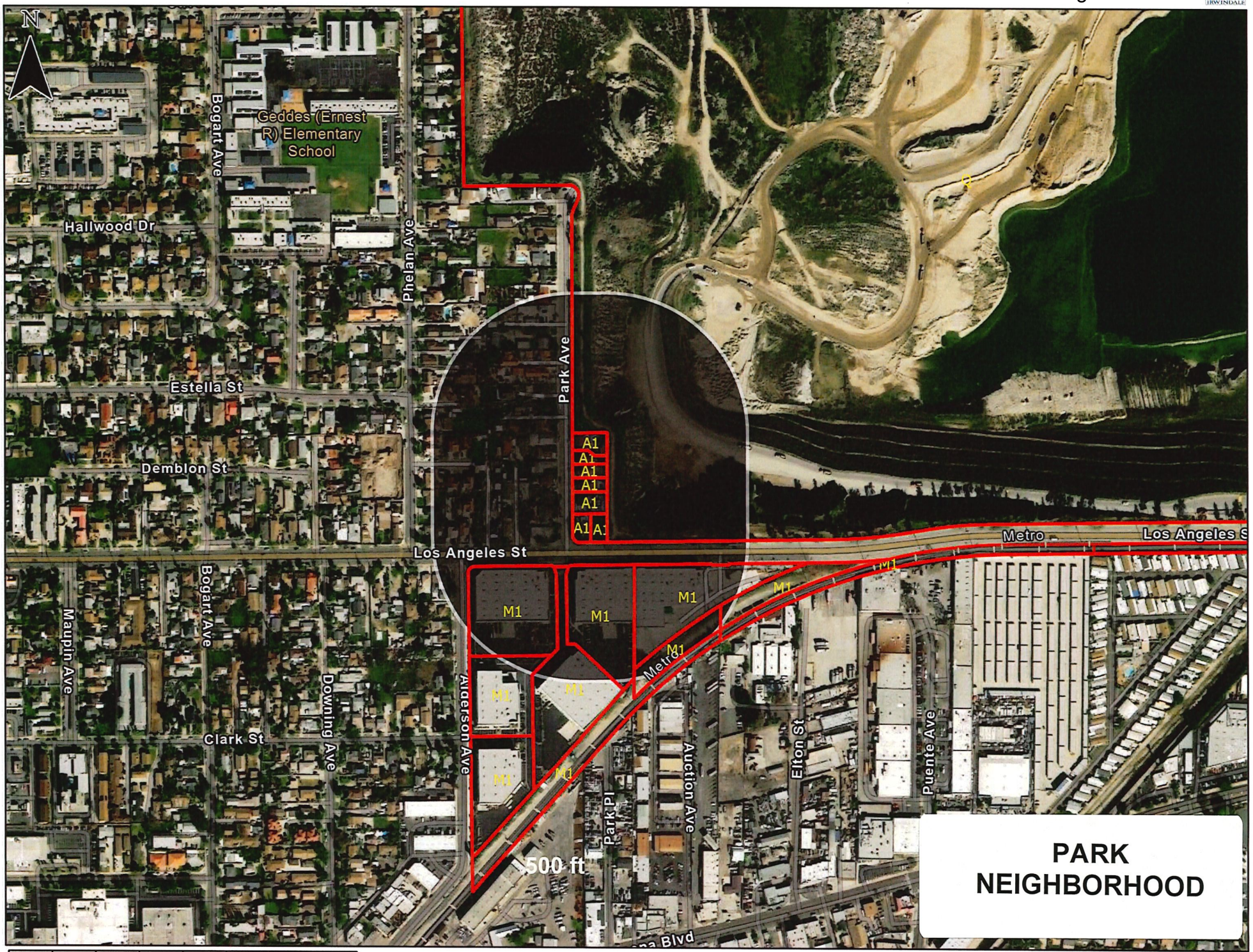
Exhibit J

September 20, 2023 Planning Commission staff report and attachments (link below)
https://irwindaleca.portal.civicclerk.com/event/713/files/agenda/894

Exhibit K:

April 2024 Draft Title 17 Zoning Code Update (link below)

ZONING-CODE-DRAFT-April-2024 (irwindaleca.gov)



Sources: City of Irwindale, Los Angeles County, SCAG, ESRI

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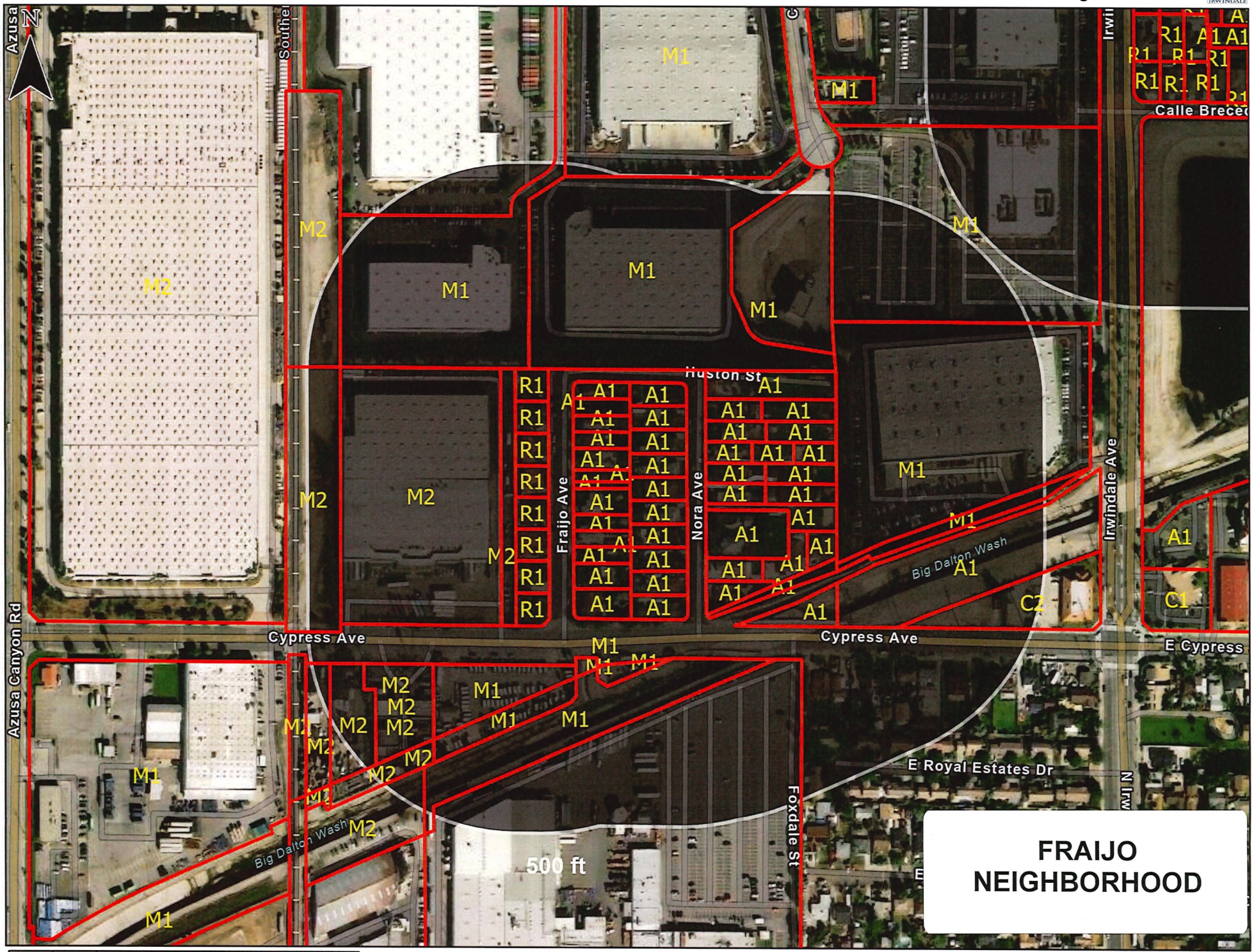
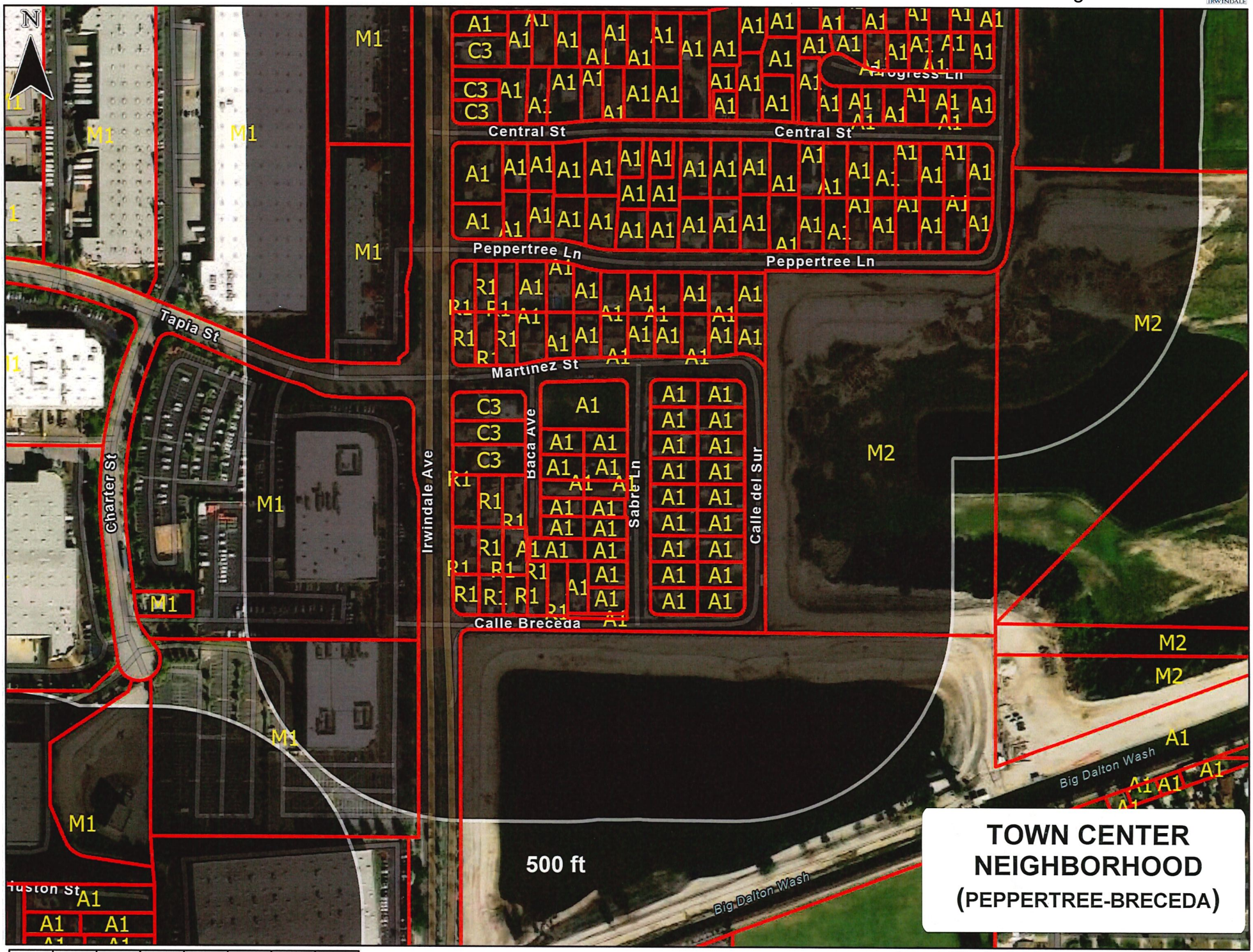
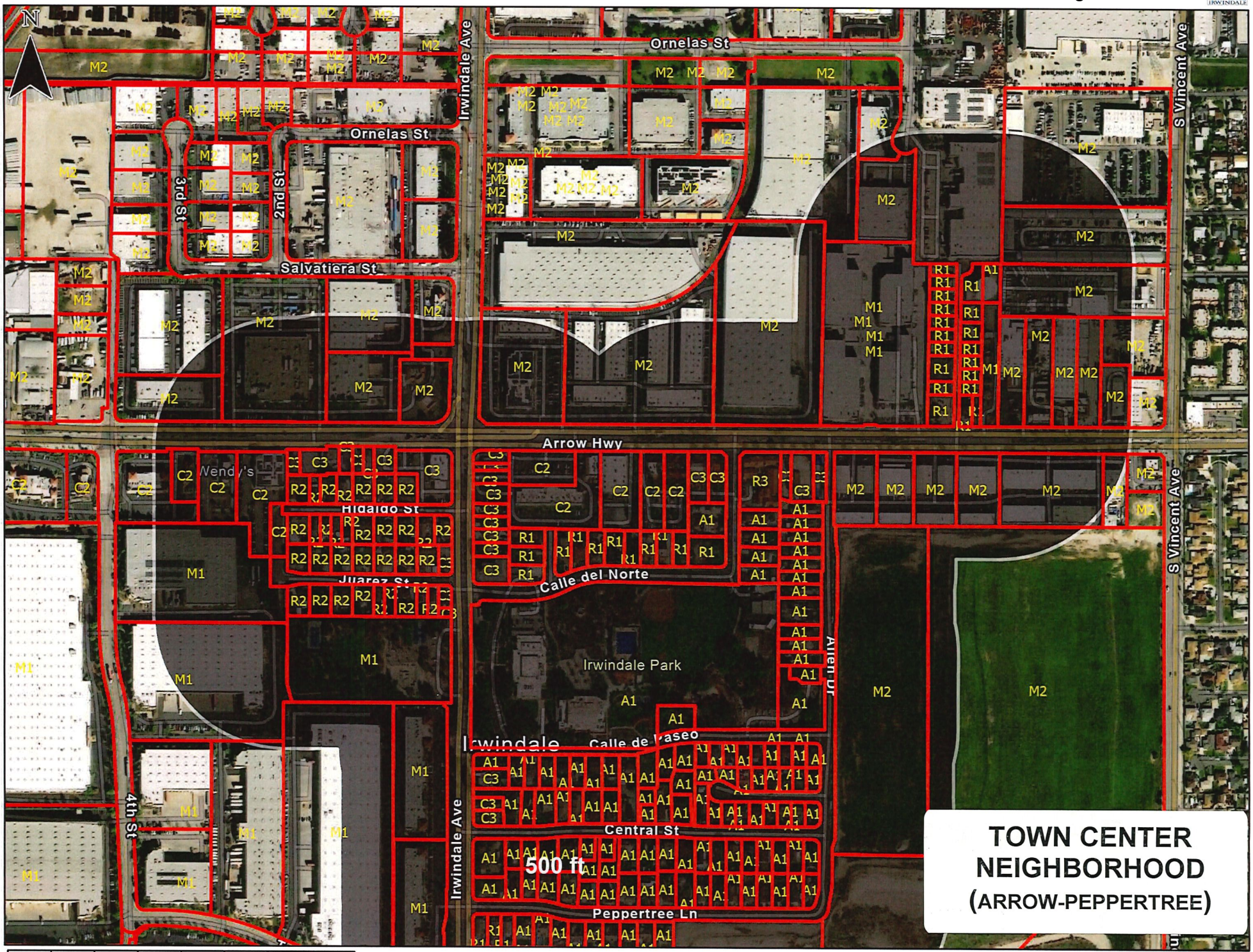


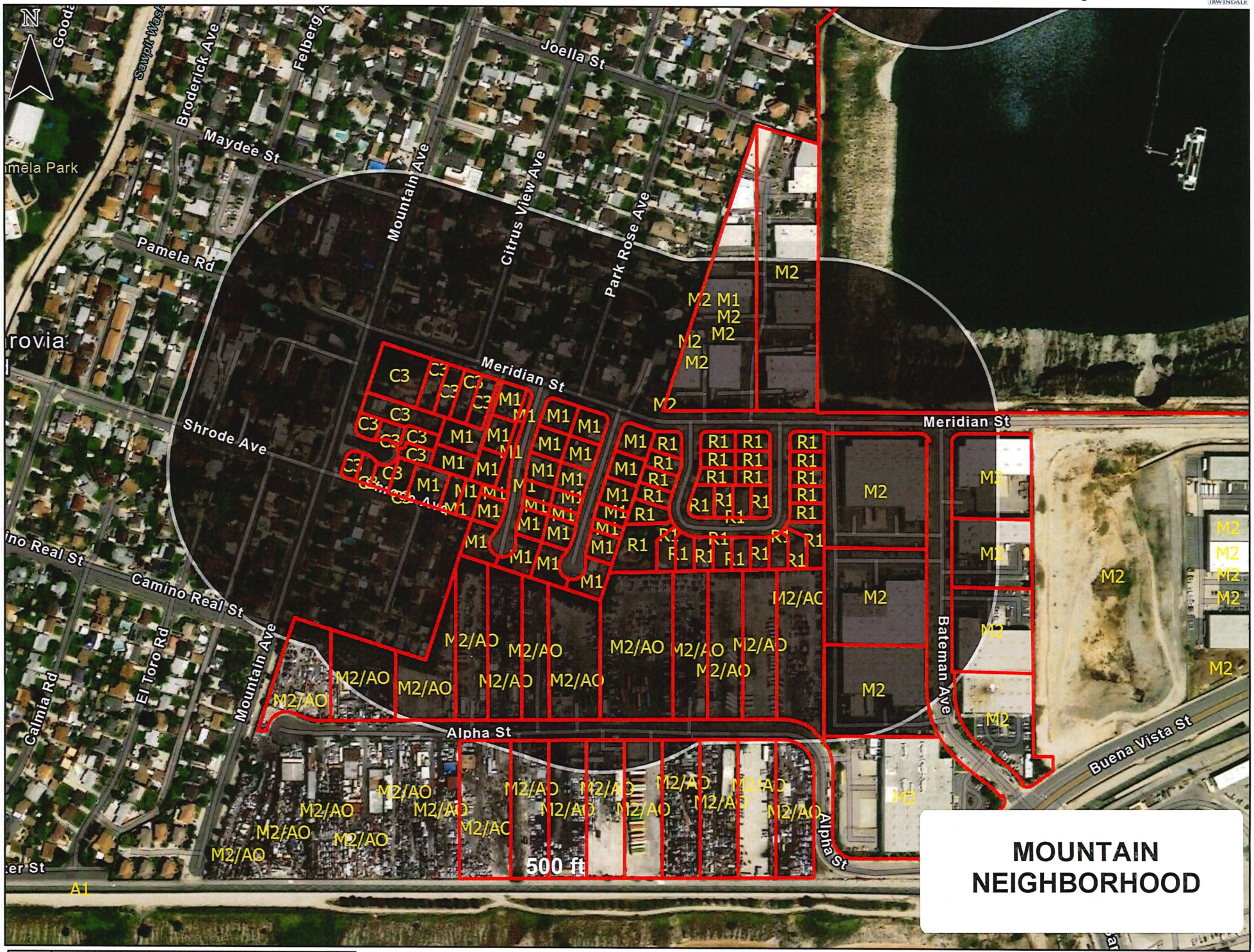
Sources: City of Irwindale, Los Angeles County, SCAG, ESRI



Sources: City of Irwindale, Los Angeles County, SCAG, ESRI



Sources: City of Irwindale, Los Angeles County, SCAG, ESRI



Sources: City of Irwindale, Los Angeles County, SCAG, ESRI

EXHIBIT "M"

September 12, 2024

Maricela Frymark, Chair
Planning Commission, City of Irwindale
5050 N. Irwindale Avenue
Irwindale, CA 91706

Re: Request to Modify Proposed Building Height Restrictions in Industrial Zones Within 500 Feet of Residential

Dear Chair Frymark, Vice Chair Chico and Planning Commissioners:

With over 1,250 dues-paying Members, my nonprofit organization – NAIOP SoCal – represents the commercial real estate industry across Los Angeles and Orange counties. NAIOP SoCal members are professionals in industrial, office, retail and mixed-use real estate, and include developers, owners, brokers, general contractors, architects, engineers, finance professionals, and other services providers involved in commercial real estate.

Across the Los Angeles Basin, the commercial real estate sector significantly contributes to the growth of local economies. NAIOP SoCal Members, who are mainly long-term property owners and institutionalized investors in the City of Irwindale, are closely engaged in providing substantial community benefits at no cost to taxpayers. Benefits include upgrading streets and sidewalks, funding local parks, and boosting the City's property and sales tax revenues.

NAIOP SoCal and its Members that are long-term stakeholders in the City strongly oppose the Planning Commission's August 21, 2024 proposal to limit a building's roof height in M1 (Light Industrial Zone) and M2 (Heavy Industrial Zone) to 35 feet if an existing building or a potential future development is located within 500 feet of residential-developed parcels in the City's R1 (Single Family Residential Zone) or A1 (Agricultural Zone) zoning districts. We believe that such roof height limitations are prescriptive and punitive. In addition, such limitations would render many existing commercial and industrial structures, with various permitted uses, as legal nonconforming. Legal nonconformity, in turn, would make it difficult for property owners to attract quality tenants or to secure bank loans and other types of financing.

We urge the Planning Commission to show greater flexibility and adopt alternative solutions on roof heights in the City's industrial zones, which commercial and industrial stakeholders would find acceptable. Such options include:

1) Allowing a 45-foot maximum roof height in the M1 industrial zone if within 500 feet of R1 or A1 zoning districts.
2) Allowing a 50-foot maximum roof height in the M2 industrial zone if within 500 feet of R1 or A1 zoning districts.
3) Allowing for a graduated or scalable maximum roof height in the M1 and M2 zones pursuant to its distance from the property line of a residence in an R1 or A1 zone, with required landscaping and screening setbacks factored.

There are sound alternatives to meet the City's goals in protecting residential properties while also allowing for the modernization and needed redevelopment of older and obsolete industrial properties, with sensitivity given to sensible design elements that have been used in other local jurisdictions with similar concerns.

We aim for win-win solutions for the City, its residents and commercial property owners. Thank you for your consideration.

Respectfully,

Mihran Toumajan

Mihran Toumajan
NAIOP SoCal, Government Relations Manager

EXHIBIT "N"

THE ORDEN COMPANY

City of Irwindale
Planning Commission
5050 N. Irwindale Avenue
Irwindale, CA 91706

September 12, 2024

RE: Zone Code Amendments at September 18, 2024 Planning Commission

Dear Chair Frymark, Vice Chair Chico and Commissioners Acosta, Miranda and Rodriguez,

On behalf of our family company we urge you to act carefully and deliberately when seeking to modify the City's industrial zoning code at this week's Planning Commission as it could have disastrous, presumably unintended, effects on our properties as well as the City's existing business community. As discussed below, **we strongly oppose the proposed modifications** as our concerns center around height restrictions, non conforming structures and uses, as well as Damage/casualty & reconstruction.

Our company owns two office buildings and one industrial property located at 5200, 5240 and 5300 Irwindale Avenue, respectively. Both properties are zoned Industrial (M-2) and would be impacted by any plan you may have to modify height restrictions in the industrial zones to 35 feet, with increased setbacks from current regulations.

Height Restrictions

Our 2-story office building located at 5200 Irwindale would be the hardest impacted, as the structure is located approximately 400 feet from the edge of a residential zoned parcel and 150 feet from a C-3 zoned parcel, which allows residential uses. The 40 foot office building is fairly new (built in 1990), is a legally permitted use that has been well maintained and its economic life is expected to continue for decades to come. However, as a result of the proposed height restriction it could become a legal non-conforming structure subject to termination and demolition even though it is surrounded by commercial and industrial uses and does not impact any residential property. As such, our company is strongly opposed to any height restrictions in the vicinity of 35-40 feet.

Non Conforming Uses & Structures

The Code's current non conforming use provisions allow a non conforming office building to continue for a total of 55 years from the initial construction and then the use would have to be discontinued and the building removed from the site. Under the current code our building would have to be demolished in 21 years, long before the end of its useful life. However, the proposed new non-conforming language is extremely vague and contemplates as little as 3 years before it would have to be removed from the site.

Neither the current code nor the proposed change to the non-conforming use section give any meaningful amount of time for our company to recoup the investment it made in this office building. We have lease obligations in the building which extend well beyond 5 years, and the proposed 3 years contemplated above would cause us to default under existing legal agreements. We are therefore opposed to any reduction to the existing time periods for termination of non conforming buildings and respectfully request that you extend them to more appropriately reflect the significant investment that we have made.

Damage/Casualty & Reconstruction

Additionally, if the property were to face any unforeseen damage or casualty, the Code requires that the repairs be complete within 1 year from the date of the event, or else the building would have to be torn down, well before the end of its useful life. Given the significant amount of time it takes to go through insurance and get building permits approved through the City, it is impossible to complete repairs within 1 year and, as such, virtually any damage to the building would require it to be removed from the property. We therefore request that a more realistic amount of time be provided to make repairs that adequately accounts for today's reality.

Closing Considerations

Furthermore, it is our understanding that the proposed zoning code height restriction was initially intended to only apply to industrial structures and uses, not office buildings and commercial uses. However, as proposed, the height restriction would apply to commercial uses such as office buildings. The intent of the code is reportedly to protect existing residential homes, yet as drafted, the proposed height limitation would prohibit new and existing buildings near commercially zoned lots because the C-3 zone allows for residential uses. As such, we respectfully request that any language be revised to only apply to future industrial uses (i.e. not industrial parcels) proximity to existing residential structures.

The proposed zoning code changes are punitive and penalize any company who has invested in the city and has the misfortune to be located within the 500 foot perimeter you are now contemplating. One should have an opportunity to earn a reasonable return on one's investment. Like our family, innocent property owners who invested millions of dollars and followed existing codes in effect at the time of their development and received permits may be left unprotected and face severe economic harm.

We have long enjoyed being active members of the City's business community and look forward to working together to continue help the city grow and prosper for many years to come.

There has to be better solutions than those proposed to date. We are happy to work with the city to come to an amicable resolution that addresses the concerns of all parties.

On behalf of our family, thank you for your attention, and hopefully favorable consideration.

Stephane Wandel
Executive Director

CC:

Ms. Marilyn Simpson, City Community Development Director
Mr. Julian Miranda, City Manager
Ms. Theresa Olivares, Assistant City Manager
Mr. Andy Sands, CEO, The Orden Company
Mr. Jeff Farano, Esq., Buchalter
City Clerk