



CITY OF IRWINDALE

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

MARICELA
FRYMARK
CHAIR

ALBERT
ACOSTA
VICE-CHAIR

RICHARD
CHICO
COMMISSIONER

CASEY J.
MIRANDA
COMMISSIONER

JOSEPH V.
RODRIGUEZ II
COMMISSIONER

AGENDA FOR THE REGULAR MEETING OF THE

PLANNING COMMISSION

June 18, 2025

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: Richard Chico, Casey J. Miranda, Joseph V. Rodriguez II; Vice-Chair Albert Acosta; 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 September 18, 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. CONDITIONAL USE PERMIT NO. 02-2025; FREIGHT/TRUCKING FACILITY) AT 301 LONGDEN AVENUE (EIKHSAIKHAN BATTULGA, GREAT WEST AUTO INC.)

The applicant is requesting a Conditional Use Permit to operate a freight/trucking facility in the M-2 (Heavy Manufacturing) zone at 301 Longden Avenue. Pursuant to IMC Subsection Table 17.06.020-1, the proposed use requires approval of a Conditional Use Permit.

ENVIRONMENTAL REVIEW: In accordance with 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 Project is exempt from the provisions of CEQA pursuant to Section 15332 of Title 14 of the California Code of Regulations (Class 32; Infill Development Projects) because the proposed project 1) will not require any Zone Change or General Plan Amendment; 2) is located within the City limits on a site less than five acres in area that is surrounded by urban uses; 3) is located on a site that has no value as a habitat for endangered, rare, or threatened species; 4) will not result in any significant effects relating to traffic, noise, air quality, or water quality; and 5) is located on a site that can be adequately served by all required utilities and public services. Further, the City has determined this project will not have, either individually or cumulatively, an adverse impact on fish and wildlife resources. Subject to approval of the project by the City Council based on a recommendation by the Planning Commission, a Notice of Exemption will be filed with the office of the Los Angeles County Clerk Recorder.

Adopt Resolution No. 853(25)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 02-2025 FOR THE ESTABLISHMENT OF A FREIGHT/TRUCKING FACILITY LOCATED AT 301 LONGDEN AVENUE, IRWINDALE, CA 91706 (APN: 8534-017-024) IN THE M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF, AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15332 (CLASS 32; INFILL DEVELOPMENT PROJECTS)

B. ZONE CHANGE NO. 02-2025; REZONING OF JARDIN DE ROCA PARK AT 5051 N. IRWINDALE AVENUE, FROM M-1 (LIGHT MANUFACTURING) ZONE TO RP (RECREATION & PARKS).

The City-initiated proposal will revise the Zoning Map to reconcile inconsistencies and make appropriate changes to support the highest and best uses. The property listed is currently developed as the Jardin de Roca Park, and the General Plan designates this property as a Park. However, the City's Zoning Map was not updated. The proposed Zone Change from M-1 (Light Manufacturing) to RP (Recreation & Parks) would be consistent with current use and the existing Parks General Plan designation.

ENVIRONMENTAL REVIEW: In accordance with 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 Project is exempt from the provisions of CEQA pursuant to Section 15061 (b)(3), which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is NOT subject to CEQA. As such, no further review is required. Further, the City has determined this project will not have, either individually or cumulatively, an adverse impact on fish and wildlife resources. Subject to approval of the project by the City Council based on a recommendation by the Planning Commission, a Notice of Exemption will be filed with the office of the Los Angeles County Clerk Recorder.

Adopt Resolution No. 848(25)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT ZONE CHANGE NO. 02-2025 AND MODIFY THE CITY OF IRWINDALE ZONING MAP TO REZONE A PARCEL FROM M-1 (LIGHT MANUFACTURING) ZONE TO RP (RECREATION & PARKS) ZONE LOCATED AT JARDIN DE ROCA PARK, 5051 N. IRWINDALE AVENUE (APN 8417-035-901); AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3)

C. ZONE CHANGE NO. 03-2025; REZONING OF EL NIDO PARK AT APN 8417-002-921, FROM A-1 (AGRICULTURAL) ZONE TO RP (RECREATION & PARKS).

The City-initiated proposal will revise the Zoning Map to reconcile inconsistencies and make appropriate changes to support the highest and best uses. The property listed is currently developed as the El Nido Park, and the General Plan designates this property as a Park. However, the City's Zoning Map was not updated. The proposed Zone Change from A-1 (Agricultural) to RP (Recreation & Parks) would be consistent with current use and the existing Parks General Plan designation.

ENVIRONMENTAL REVIEW: In accordance with 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 Project is exempt from the provisions of CEQA pursuant to Section 15061 (b)(3), which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is NOT subject to CEQA. As such, no further review is required. Further, the City has determined this project will not have, either individually or cumulatively, an adverse impact on fish and wildlife resources. Subject to approval of the project by the City Council based on a recommendation by the Planning Commission, a Notice of Exemption will be filed with the office of the Los Angeles County Clerk Recorder.

Adopt Resolution No. 849(25)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT ZONE CHANGE NO. 03-2025 AND MODIFY THE CITY OF IRWINDALE ZONING MAP TO REZONE A PARCEL FROM A-1 (AGRICULTURAL) ZONE TO RP (RECREATION & PARKS) ZONE LOCATED AT EL NIDO PARK, (APN 8417-002-921); AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3)

D. GENERAL PLAN AMENDMENT NO. 02-2025 AND ZONE CHANGE NO. 04-2025; REVISION OF THE GENERAL PLAN MAP TO CHANGE THE EXISTING GENERAL PLAN DESIGNATION OF THE LITTLE PARK AT APN 8533-016-905 FROM RESIDENTIAL TO PARKS. REZONING OF THE LITTLE PARK AT APN 8533-016-905 FROM R-1 (SINGLE FAMILY RESIDENTIAL) ZONE TO RP (RECREATION & PARKS).

The City-initiated proposal will revise the General Plan and Zoning Map to reconcile inconsistencies and make appropriate changes to support the highest and best uses. The property listed is currently developed as The Little Park. However the General Plan designates this property as Residential. The City's Zoning and General Plan Maps were not updated. The proposed General Plan Amendment from Residential to Parks and Zone Change from R-1 (Single Family Residential) to RP (Recreation & Parks) would be consistent with the current use.

ENVIRONMENTAL REVIEW: In accordance with 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 Project is exempt from the provisions of CEQA pursuant to Section 15061 (b)(3), which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is NOT subject to CEQA. As such, no further review is required. Further, the City has determined this project will not have, either individually or cumulatively, an adverse impact on fish and wildlife resources. Subject to approval of the project by the City Council based on a recommendation by the Planning Commission, a Notice of Exemption will be filed with the office of the Los Angeles County Clerk Recorder.

Adopt Resolution No. 850(25)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF IRWINDALE AMEND THE COMMUNITY DEVELOPMENT ELEMENT AND LAND USE PLAN MAP OF THE CITY'S GENERAL PLAN (GPA NO. 02-2025) FROM RESIDENTIAL TO PARKS FOR A PARCEL LOCATED AT: THE LITTLE PARK (APN 8533-016-905); AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3)

Adopt Resolution No. 851(25)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT ZONE CHANGE NO. 04-2025 AND MODIFY THE CITY OF IRWINDALE ZONING MAP TO REZONE A PARCEL FROM R-1 (SINGLE FAMILY RESIDENTIAL) ZONE TO RP (RECREATION & PARKS) ZONE LOCATED AT THE LITTLE PARK, (APN 8533-016-905); AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3)

E. ZONE ORDINANCE AMENDMENT NO. 01-2025 - ORDINANCE NO. 799 TO AMEND CHAPTER 17.20 BILLBOARDS OF TITLE 17 – REQUEST FOR CONTINUANCE

This project is proposing to amend Chapter 17.20, Billboards of Title 17 to include new and revised State regulations for billboards and update the application review requirements. Additional research is needed regarding certain regulations and development standards, as they relate to the City of Irwindale.

Recommendation: Staff recommends that the Planning Commission continue Zone Ordinance Amendment No. 01-2025, Ordinance No. 799 to the next Planning Commission meeting.

F. ZONE ORDINANCE AMENDMENT NO. 02-2025 - ORDINANCE NO. 800 TO ESTABLISH AN ORDINANCE REGULATING BATTERY ENERGY STORAGE SYSTEMS (BESS)

The City-Initiated Code Amendment (Ordinance No. 800), will amend Table 17.06.020-1 ("Land Use Regulations – Industrial & Office Zones") within Section 17.060.020 ("Land Use Regulations") of Chapter 17.06 ("Industrial and Office Zone Districts") and adopt Chapter 17.40 "Battery Energy Storage Systems (BESS)" of Title 17 ("Zoning") of the Irwindale Municipal Code regulating battery energy storage systems in M-2 zones.

ENVIRONMENTAL REVIEW: The proposed project is exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15061 (b)(3) of the CEQA Guidelines and no further review is required of the CEQA guidelines on the grounds that it can be seen with certainty that the amendment to the Municipal Code provided for in this Ordinance will not have a significant effect on the environment. There is no possibility that the proposed ordinance, as a textual change to the Municipal Code, may have a significant impact on the physical environment. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the office of the Registrar-Recorder/County Clerk, County of Los Angeles. The NOE is on file in the Community Development Department and available for review by the public.

Adopt Resolution No. 855(25)

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT ORDINANCE NO. 800 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, AMENDING TABLE 17.06.020-1 ("LAND USE REGULATIONS – INDUSTRIAL & OFFICE ZONES") WITHIN SECTION 17.060.020 ("LAND USE REGULATIONS") OF CHAPTER 17.06 ("INDUSTRIAL AND OFFICE ZONE DISTRICTS") AND ADOPTING CHAPTER 17.40 "BATTERY ENERGY STORAGE SYSTEMS (BESS)" OF TITLE 17 ("ZONING") OF THE IRWINDALE MUNICIPAL CODE REGULATING BATTERY ENERGY STORAGE SYSTEMS IN M-2 ZONES AND FIND THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

5. DISCUSSION ITEMS/PRESENTATIONS

A. Overview of Active Mining Pits

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 June 18, 2025 to be posted at the City Hall, Library, and Post Office on June 12, 2025.

Jesus Hernandez

Jesus Hernandez,
Administrative Secretary

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

**September 18, 2024
Wednesday
6:30 P.M.**

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

CHAIR FRYMARK Good evening everyone, I will now call the planning commission meeting of September 18, 2024 to order at 6:30pm. Let's please stand for Pledge of Allegiance.

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

INVOCATION Let's stay standing for invocation. Dear Father God, we come before
CHAIR FRYMARK you grateful and blessed for all of the many blessings you have
provided to us Lord, as a community and as a whole. We ask that you
continue to take care of those families that have been affected by the
fires Lord, and that you continue to protect and take care of first
responders and their families, that are keeping us safe. Lord, we ask
that you continue to bless this community as a whole and that you
guide our Commission tonight as we prepare to dig into the very
important work of our City's future. All this we pray, Amen.

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

Also present: Julian Miranda, City Manager; Jamie Traxler, Assistant
City Attorney; Marilyn Simpson, Community Development Director;
Brandi Jones, Senior Planner; Laura Nieto, Chief Deputy City Clerk;
Luis Pimentel, Associate Engineer; Martin Romero, Assistant Planner;
Jarrod Palmer, Community Development Intern

**AB 2449
DISCLOSURES**

CHAIR FRYMARK Thank you. We'll move onto Item E. Seeing that we are all here, I'm
assuming that no 2449 Disclosures?

COMMUNITY That's correct.
DEVELOPMENT
INTERN PALMER

ANNOUNCEMENTS

CHAIR FRYMARK Thank you. Do we have any Announcements?

COMMUNITY Staff has no announcements.
DEVELOPMENT
INTERN PALMER

CHAIR FRYMARK Thank you. Do any of our fellow Commissioners have any announcements or thoughts they'd like to share tonight? Okay, so we will go ahead and move onto Number 1, Consent Calendar.

CONSENT CALENDAR

COMMUNITY So we have the minutes, from the July 17th meeting?
DEVELOPMENT
INTERN PALMER

CHAIR FRYMARK Thank you, I'm assuming everyone has had the opportunity to review the minutes from July 17, 2024? Does the Commission have any questions? If there are no questions, then may we have a motion to approve the regular minutes, held on July 17, 2024.

COMMISSIONER
CHICO So moved.

CHAIR FRYMARK Thank you. Do we have a second?

COMMISSIONER
ACOSTA Second.

CHAIR FRYMARK Roll Call please.

COMMUNITY Commissioner Acosta.
DEVELOPMENT
INTERN PALMER

COMMISSIONER
ACOSTA Yes.

COMMUNITY Commissioner Rodriguez.
DEVELOPMENT
INTERN PALMER

COMMISSIONER
RODRIGUEZ Yes.

COMMUNITY Commissioner Miranda.
DEVELOPMENT
INTERN PALMER

COMMISSIONER
MIRANDA Yes.

COMMUNITY Vice Chair Chico.
DEVELOPMENT
INTERN PALMER

VICE-CHAIR CHICO Yes.

COMMUNITY Chair Frymark.
DEVELOPMENT
INTERN PALMER

CHAIR FRYMARK Yes. We will go ahead and move on to Spontaneous Communication,
Number 2.

SPONTANEOUS COMMUNICATION

COMMUNITY Spontaneous Communications. This is the time set aside for
DEVELOPMENT members of the audience to speak on any item not on this agenda that
INTERN PALMER 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 this 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 that 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 matters being discussed by the legislative
body.

- CHAIR FRYMARK Thank you. Do we have any members under Tier 1 that would like to come forward to speak under Spontaneous Communications? Yeah, welcome.
- ROBERT DIAZ Robert Diaz, 2508 South Mountain Avenue, Irwindale. At the last meeting it was mentioned that, there would be a narrow setback along secondary highways. I think they said 10-foot setback, and I was thinking of places like Buena Vista, where you have Buena Vista and Arrow Highway together. Buena Vista, for some sections of it, is narrow. And I'm thinking, that if you have an opportunity to have a greater setback, then you have an opportunity to maybe widen the road, or if you have to add a bicycle lane, or even if you have to allow a wider slow lane for trucks to make the turning out of the approach way. I think that's an approach to consider, having a wider, I mean, a deeper setback. And perhaps even consider if possible recommending to the Council, having a dedication of a right of way or a road easement purposes or sidewalk purposes. The other question I had, if I may, is that it was mentioned that you maybe have a recommendation to the Council by October, and I thought, well that's kind of fast given the amount of the material Section Title 17 is.
- CHAIR FRYMARK Thank you.
- FRED BARBOSA Good evening, Chairperson, Commissioners, residents, Staff. I just want to complain to you about giving this 3 minute of spontaneous. The point that they are trying to make is that the person has to be here so they can give you their 3 minutes sounds kind of absurd. If they were here, then they can give you, their ideas. The basic points, behind this is supposed to be transparency. For somebody, that can't make it here, that can't give you their 3 minutes, that's not transparency. Especially if you're not being redundant or being insulative, or any of those points that they bring up, which is negative but trying to get their message out. A lot of times, you can't do it in 3 minutes. As you can see, nobody's going to give you 3 minutes here, because there are not residents here. So, that's kind of defeated the purpose of transparency when you can't be transparent.
- CHAIR FRYMARK Thank you for your comment. Do we have any other members of the public that wish to come forward and speak under Spontaneous Communication? Okay, seeing none, do we have any Tier 2, teleconference attendees that wish to speak?
- COMMUNITY DEVELOPMENT INTERN PALMER We do have one.
- MEMBER OF THE PUBLIC Hi good evening. Hi, can everyone hear me?

CHAIR FRYMARK Yes, we can hear you.

MEMBER OF
THE PUBLIC

Hi, Good Evening members of the Planning Commission. Thank you for the opportunity to speak today. I'm here to address the ongoing application for a new 42,000 square feet warehouse, located at 1600 Arrow Highway. This project has been in the pipeline since May 2023, and we have patiently waited the City's action to correct the General Plan inconsistency with the Zoning Map, which is necessary for this project to proceed. Without the City's action to resolve the General Plan inconsistencies, this project will be in pause indefinitely. This development represents not only the investors and owners of the business, but also a significant investment in the community for the potential of new jobs and economic growth. It is crucial that we work together to ensure that this project can move forward without unnecessary delays. We understand that this process requires careful consideration, but we hope the City can expedite the necessary actions to make this happen. We appreciate your attention to this important issue and look forward to seeing it progress soon. Thank you.

CHAIR FRYMARK Thank you for your comment. Are there any other teleconference attendees wishing to speak?

COMMUNITY
DEVELOPMENT
INTERN PALMER

No, there are not.

CHAIR FRYMARK

Seeing that there are none, we will move on to Tier 3, that is for any person... in-person teleconference attendees who have not previously provided comments on the matters being discussed today. Do we have anybody that has not spoken that wishes to, that is in person? How about teleconference?

COMMUNITY
DEVELOPMENT
INTERN PALMER

Nobody else on Zoom.

CHAIR FRYMARK

So then we will go ahead and move on from Spontaneous Communication and move on to Agenda Item Number 3, New Business.

NEW BUSINESS

CHAIR FRYMARK Do we have any New Business to report?

COMMUNITY
DEVELOPMENT
INTERN PALMER

There is no New Business.

CHAIR FRYMARK So then we will go ahead and move on to the Public Hearing.

PUBLIC HEARINGS

CHAIR FRYMARK We will go ahead and open up the Public Hearing. One item on the agenda that is currently listed is the continued Zoning Ordinance Amendment Number 03-2023 and Zone Change Number 04-2023, Citywide Title 17 Zoning Code Update. Does Staff have a report for us?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON Yes. Thank you, Chair, and Commissioners, and members of the public. This project is the Comprehensive Zoning Code Update, that was continued from the August 21st Planning Commission Meeting. This presentation will be a multi-person presentation in here. Some of the details are consultant from Interwest, Nick Pergakes, will go through in detail, but we'll also have planning staff that will present it. So at the August 21st meeting, the Planning Commission heard the Staff's presentation, received public comments, and made the following recommendations: To create a buffer of 500 feet around all Residential Zones that would limit the height of buildings within that buffer to 35 feet for Industrial Zones, which in Irwindale is M-1 and M-2. Outside the 500-foot buffer, the maximum building height for M-1 would be 50 feet. Outside the 500-foot buffer, maximum building height for the M-2 Zone would be 60 feet. Also, what was recommended was the M-2 street side setback. Shall be 50 feet if abutting a Residential Zone. The M-2 rear yard setback shall be 50 feet if abutting a Residential Zone. Then the maximum building height in all Commercial Zones shall be 35 feet. And then finally, all Site Plan and Design Review applications are to go to the Planning Commission for recommendation to the City Council, and to remove administrative approvals. The Planning Commission directed Staff to implement these changes into the final resolution and presented back to this body. So that's in Resolution number 828(24), Section 4, and reflects those revisions. So just before we go into the PowerPoint presentation, we have provided a residential buffer analysis as well as we've done a Site Plan and Design Review analysis concerning the removal of Administrative Approvals. And also, Staff did a survey of surrounding cities with information on setbacks and building heights for the Planning Commission's information. And so, you'll be seeing those in the PowerPoint presentation, and we did receive 2 comment letters. You know, both of which were attached to the Staff Report. So, one of them, you know, was mentioned in the Staff Report and it was just a matter of timing. It was included as an attachment, but there wasn't a reference in the body of the Staff Report itself. So, with that, I'm going to turn this over to Nick Pergakes. Thank you.

CHAIR FRYMARK Thank you. Hi Nick.

NICK PERGAKES

Hi, good evening, Planning Commission Chair Frymark, Planning Commission, members of the public, or excuse me, the residents of Irwindale. I'm going to go through a few slides here, to give a kind of a recap of what happened at the last meeting at some of the items moving forward. So, here's the agenda for this evening: give an overview of status of the Zoning Code Update, in case there's anybody new in the audience or online seeing this presentation, direction received at the July Planning Commission meeting, direction received at the August Planning Commission meeting, and then we'll go into the residential buffer analysis done by Staff, and then talk about the administrative review process, and then finally Staff's recommendation. So, the Planning Commission meeting back in February recommended the Zoning Code for approval. City Council meeting in April, requested the code to go back to Planning Commission for some further discussion on Development Standards, including building heights and setbacks. We came to the July Planning Commission meeting to discuss those items and then, it was given direction for some of those setbacks and heights to be incorporated into the August 20, 2024 draft, which you had seen last month. The Planning Commission also reviewed last month some of the Development Standards and we had a discussion on items related to the research, and the kind of Development Standards we were proposing, and additional comments and direction was provided at that meeting. So tonight, we will be looking at that again and then for next steps just trying to finalize the Draft Zoning Code document so it can be recommended for approval to City Council later this year. Here's a slide showing the building height standards in the Commercial Zones. C-1, we had direction received for 35 height maximum and that was reflected in the August Zoning Code document, on page 12, Chapter 17.05. And again, for the C-2 and C-3 Zones the direction was provided for the maximum height levels to be at 35 feet in Chapter 17.05 for C-2 zone on page 12. And then for the C-3 District, 35 feet maximum in Chapter 17.05, page 12. Again, we discussed the C-3 Zone, the Mixed-use district, Commercial and Residential uses being combined, but it was given direction to remove the mixed uses and allowable use in the C-3 Zone, keeping the Heavy Commercial Residential Zone and allow for Commercial Residential uses but not on the same parcel. So eliminated the ability to have Mixed-use in that district, the C-3 Zone District in Chapter 17.05, Commercial Zone Districts. In terms of the Industrial Zones, the building heights for the M-1 Zone and M-2 Zone we went over the existing maximum height level today. We had a proposed maximum height level of 50 feet for the M-1 Zones. Then we had direction received to make it a maximum of 40 feet in Chapter 17.05, is what we had put in there. And then for the M-2 Zone we looked at that there is no existing maximum height today in the existing zoning code, however, we had proposed at one time a maximum height of 65 feet and then the direction was given to make it a 65, sorry, a 60 foot maximum in the M-2 Zone, but I think 50 feet within 500 feet of the Town Center or adjacent Residential Zone District. So that was at the July meeting and

then we had some further discussions at the August meeting. I'm just going to read this over again, Marilyn had mentioned, I think all these items were just for a recap to create a buffer of 500 feet around all Residential Zones that would limit the height of all buildings to 35 feet in the Industrial Zones. Outside that 50-foot buffer, a maximum building height of 50 feet would be enacted in the M-1 Zone. And then outside the 50 feet buffer a maximum building height could be... would be 60 feet in the M-2 Zone district. And then we looked at site yard setbacks and rear yard setbacks for the M-2 Zones. Side yard setback was changed to 50 feet if abutting a Residential Zone or adjacent to Residential Zone. And then the M-2 rear yard setback was changed to 50 feet as well if abutting a Residential Zone. And then again as we had said in the previous slides, Commercial Zone building heights would be a maximum of 35 feet. So in your packet we have a table in there showing some of those changes to that table 17.06030. So that shows what it could look like if enacting these changes for the building heights in the M-1 and M-2 Zones. If it's within that residential buffer, 500 feet or if it's outside of that buffer. So, you see that in the row that says maximum height, kind of in the middle of the table. And then also the changes to the street side set back, as well as the rear yard setback for the M-1 and M-2, sorry the M-2 Zones when it's adjacent to residential. So, with that, I'm going to turn it over to Martin to talk about the residential buffer analysis done just recently.

ASSISTANT PLANNER
ROMERO

Good evening. So, per Planning Commission direction, we did a residential buffer analysis. So out of all the properties that fall within that buffer. Eleven were in the C-2, Heavy Commercial Zone. Fifteen were in the C-3, Heavy Commercial Residential Zone. 37 were in the M-1, Light Manufacturing Zone. And 60 were in the M-2, Heavy Manufacturing Zone. We divided the buffer to make it easier for you to view. We dubbed this portion of the Town Center from Arrow to Peppertree, as you can see, it incorporates the residential on Morada, Hidalgo, and Juarez and it goes from Arrow Highway down to Peppertree. This is a continuation of the Town Center neighborhood. This is from Peppertree to Breceda, as you can see. This is the Park Avenue neighborhood, and the red is all the parcels that are affected by this buffer. This is... We dubbed it the Mountain neighborhood. This is from Mountain all the way to Alice Rodriguez Circle. This is the Fraijo/Nora neighborhood and that incorporates the buffer of all surrounding neighborhoods, I mean, parcels. And then there is Galen. There's only 3 houses, but the buffer does incorporate at least 3 parcels. Now Brandi is gonna present this.

SENIOR PLANNER
JONES

Good evening. So at the last meeting, there was a recommendation to remove all Administrative Approval from the Community Development Director. So, what we did is we created just a breakdown of what it currently looks like, what it would look like based on the original version of the code, and the third is based on your recommendation. So currently the code allows up to 1,000 square feet for Administrative

Approval. So, if somebody came in and wanted to do an addition on a commercial or industrial building, we would do a Site Plan and Design Review (AA), which is Administrative Approval. Process administratively usually takes about 2 to 4 weeks. All internal. Depending on the project or complexity, it might be recommended to the Planning Commission, and the base price is about \$1,600. The proposed is what we had in the draft code, which would allow the CD Director up to 25,000 square feet. Also, requiring a Site Plan Design Review AA process administratively. It would take a little bit longer just because of the increased size. Also, it could be referred to the Planning Commission, if need be, and the base price of this is \$2,188. The revised is based on the last meetings recommendation, which would eliminate all Administrative Approval. So that means any amount of square footage that a commercial or industrial user proposed, like 10 square feet would need to come to the Planning Commission. So it would require a Site Plan and Design Review (DA), which is Discretionary Approval, would require Planning Commission and City Council action. May take 3 to 5 months to process, and typically for Site Plan and Design Review, it usually takes longer than that, but this would be a project that would be exempt from CEQA. The base price for this is around \$24,000 and that's because when it has to go to the Planning Commission and City Council, we have to take legal deposits of \$10,000 for each meeting. So that's why that increases the price exponentially.

ASSISTANT PLANNER
ROMERO

Please excuse me, I'm a skip over some slides. Okay so, this is the neighboring city study that Marilyn had mentioned. We looked at neighboring cities such as Arcadia, Azusa, Baldwin Park, Duarte, El Monte, and Monrovia for their set back requirements and also maximum height. For the City of Arcadia, it was roughly 10 feet front side and for rear it would be 25 feet if it was abutting residential. Max height for the Industrial Zones was 35 feet, but they also have a Regional Commercial Zone, and that allowed buildings up to 85 feet. Azusa had a front and side street set back of 10 feet, side yards and rears of 0, and 20 if it's abutting residential. And the Max height of 55. Baldwin Park had set back of 10 feet for Light Industrial, 15 feet for Heavy Industrial, 20 feet if its abutting residential, and then side yards and rear of 0 or 10 feet of its abutting residential. Max height of 6 stories if it's abutting freeways, max height of 35 if it's in the Industrial/ Commercial Zone, and 25 it in the Industrial. Duarte had a front set back of 10 feet. If it wasn't abutting a residential parcel it was 0. If it was abutting residential it was 25, and if it was abutting a street that was 15 feet. For rear, if it was abutting an alley, it was 5 feet. If it was abutting nonresidential, it was 0. And if it was abutting residential it was 25 and there was a max feet of 50 feet, but they also allow for anything higher than 50 feet as long as there's a Minor Use Permit or a Conditional Use Permit application. The City of El Monte had a front minimum set back of 50 feet, but this is measured from the center line of the street and it requires a 10-foot landscape set back. For heights they had a max height of 4 stories or 75 feet. Monrovia, front set back of 10 feet. Side

bounded by street was 10 feet. Side bounded by alley, 0 feet. Rear bounded by alley 0, and then if it was bounded by street 5 feet. Max height of 3 or 4 stories. West Covina front and side streets 0 for Light Industrial, 25 for Heavy Industrial. Front and side street abutting residential was 25 for Light and 34 for Heavy Industrial. Side yards and rear it was 15, or 25 if it was abutting residential. Max height of 45 or 4 stories. Just for your reference, these are the setbacks and height requirements for all the City's neighboring Irwindale.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you Martin. Thank you Chair and Commission. So, with that, that concludes Staff's presentation. The recommendation is that the Planning Commission adopt Resolutions Number 828(24) and 829(24) with any additional revised or alternative recommendations to the City Council, and then direct Staff back to report to the City Council. Also, recommendation for the environmental, which would be for the City Council to adopt findings of consistency with the City's previously certified General Plan EIR and finding the project exempt from further environmental review, or you could provide alternative direction to Staff. So, thank you.

CHAIR FRYMARK

Thank you, Staff. We see a lot of the work that went into this, so we want to just recognize and appreciate for doing the analysis and the research for the neighboring cities. That's very much appreciated. And just a quick comment on the number of parcels being affected by some of these proposed shifts that we are requesting. It's interesting to see that 60 parcels may be affected by the zoning change in M-2 and additional 37 in M-1. I think that helps put things into perspective and context. So, I just want to thank staff for taking the time to present that tonight. Are there any questions for Marilyn, we are going to still continue the public hearing and hear from any members of the public that wish to come forward, but before that, any questions for now? Okay, thank you Marilyn. So, are there any members from the public that wish to speak on this item?

OPEN PUBLIC
HEARING

At 7:03 p.m., Chair Frymark opened the Public Hearing.

ROBERT DIAZ

Two questions. One is those buffer areas, do they include Morada Street in that buffer study for residential buffer? And the other one was, when giving a comparison of other cities, and they're talking about setbacks and height, are they interpreting it the top of the parapet from base or floor to the top of the parapet or are they interpreting it differently than we are?

CHAIR FRYMARK

Thank you, Mr. Diaz. We will ask Staff to have that answer for us.

FRED BARBOSA

Good evening I'm Fred Barbosa, 16164 Calle de Paseo. A question again is that we talked about it, or the developers talked about being 70 foot height off the freeways, off the 210 and the 605. And there was

nothing mentioned about that. They said that's where the money is at, 75 feet. And we mentioned before, what do we care if it's over the 605 or the 210. Right now, Baldwin Park allows up to 6 stories. How high is 6 stories, if 4 stories is 75 feet, according to the study that we saw? And then on another part of it, I saw where you do not mix residential and commercial on the same partial. My understanding is a lot of cities are combining commercial with residential, like in LA, those warehouses are commercial, but they're putting homes. You know, they're making residential lofts out of there. So, I think we're defeating a lot of the potential that we might have for a lot of this construction by limiting ourselves on that. So thank you. And like I say, how high is 6 stories?

CHAIR FRYMARK

Thank you Mr. Barbosa. Are there any other members of the public that wish to speak on this item? Brandi, did you want to address those questions? Thank you we'll get right back to you.

SENIOR PLANNER
JONES

To address Mr. Diaz's question. So yes, Morada was included in the study. And as far as how the height is measured that would just be how those individual cities measured height. Which wouldn't necessarily be the same as us, they could measure for example, from the finished floor to the top plate, the finished floor to the top of the parapet. So, it would just be up to those individual cities.

CHAIR FRYAMRK

Essentially, it's unknown. Thank you. I believe we had someone else wishing to speak. Welcome. Thank you for being here.

MIHRAN TOUMAJAN

Thank you Chair Frymark. I'm Mihran Toumajan with NAIOP SoCal Chapter. Our letter to the Planning Commission is part of the packet and I'm not sure if you had a chance to review it. Just to summarize, we represent, many institutionalized investors long term property owners here in the City of Irwindale. And we're concerned about the long-term assets that they own and that they maintain here, the tenants that they have here in the City, that you know, and the certainly the property tax revenue that comes to the City from our Members and their properties. We're concerned about not just the max roof height and the 35-foot limitation, if within 500 feet of Residential Zones. That's a concern we've offered some potential resolutions, including upping it to 45 feet in the M-1 Zone, 50 feet in the M-2 Zone. We think that a previous iteration of what you... of what the Staff had offered back in the July Planning Commission meeting, which you had, you had a situation of a 50-foot height limitation if adjacent to residential or the Town Center. That was for the M-2 Zone specifically. We think that that that would be ideal for the M-2 Zone. That kind of language would be ideal, and I think many stakeholders could come to the table with respect to the M-2 Zone, if that was ultimately the language. If we went back to what was on the agenda two months ago. We also think that, you know, having a 1 year limitation, should there be an act of God for example on a property... on an impacted property, you mentioned 37 in the M-1 Zone and a bit more... about 50 I think you mentioned in the

M-2 Zone. Should there be an act of God on any of those parcels; to give 1 year to be able to do necessary repairs it's just not enough time, given how hard it is to access materials. And also, to be able to get all the permitting, and the plan checking, and everything in check all the entitlement processes it's just... One year is just not enough. It is a long process to be able to be able to renovate a facility these days. So, thank you very much.

CHAIR FRYAMRK

Thank you for your comments. We appreciate you being here tonight and bringing these items forward to us. Does our fellow Commissioners have any questions or thoughts before we continue with Spontaneous Communication? Are there any other members of the public that wish to speak?

STEFAN WANDEL

Good evening, members of Planning Commission, thank you for hearing us this evening. Also, thank you to Staff for hearing us out. And I found out about the process about two weeks ago, so I'll admit them a little slow or late in coming to this. Our company owns several buildings in the City. We are a family company. We are based in Santa Fe Springs, about 15 miles from here. We're not a large company, but we do own several buildings in the City. Most... By the way, there's a letter that I wrote. It's the last letter in your package, page 123. So, we own 3 buildings in the City, one of them is the subject of my letter, it is at 5200 Irwindale, it's the two-story office building in the corner of Arrow and Irwindale Avenue. Looks pretty nice. It's a fairly new buildings, been well maintained, it houses your fire department and we're all excited to have them there. So that building would be severely impacted if you approve as stated in the agenda that we've been in the plan... That is being proposed this evening. This building is slightly over 40 feet, which means it would immediately become nonconforming use. So that's a obviously concern to us. And then you ask is a nonconforming use bad, well the new revision of the code says a nonconforming use basically, can stay at the discretion of Staff not less than 3 years. So, I guess the question that becomes is if you passed a 35-foot limitation in an M-2 parcel... By the way, this building, this office building, is in the M-2 parcel. If you pass it this evening with a 35-foot limitation, this building becomes nonconforming use. After that, this building may have to be torn down 3 years from now, unless we go back to Staff and maybe based on the variety of criteria that are not clear, they would actually, in their sole discretion, be able to extend the life of the building. So we're obviously concerned. We clearly don't want to be tearing down this building 3 years from now. You know, we have a number of leases that run well beyond the 3 years we'd be defaulting under our leases. I appreciate this is unintended consequence. I'm certain of that. I have no issues with it. I am not questioning the intent, but the execution is a serious problem. And then, as one of the gentlemen spoke, you know the whole, damage and casualty issue that code... That the package in front of you is really problematic, if any building has a major damage, earthquake,

fire, etc. Again, because of the nonconforming nature and if we cannot repair it within a year, complete the repair within a year, not start the repair, complete the repair in a year then again, this building would have to be torn down. So, I hope you'll reconsider these 3 provisions, specifically, the building height at 35 feet, this nonconforming use of 3 years, which is it's by the way dramatically shorter than current code, dramatically shorter than current code, and this whole casualty discussion, I think needs to be revisited. So, thank you for your time and thank you to everyone for hearing me out. Thank you.

COMMUNITY
DEVELOPMENT
INTERN PALMER

Will the speaker please state their name for the record?

STEFAN WANDEL

Oh, thank you. I sincerely apologize. My name is Stefan Wandel with the Orden company, and the address is 5200 Irwindale Avenue. Thank you.

CHAIR FRYMARK

Thank you for being here and thank you for your comments. We appreciate it. Good evening.

STEVE MASURA

Good evening, Planning Commissioners. My name is Steve Masura with Rexford Industrial Realty. I spoke at your last two meetings basically on the same topic. We do have major concerns about the new 35-foot height limit within the 500-foot buffer up from residential... But just as a reminder, we own several properties in the City and including were the new property owners of the brewery yard property. So... And this will impact some of our properties. And we were on the call with Staff last week or a couple weeks ago and we did look through these maps. We did express our concern that that 35 height is too low, and we agree with the NAIOP letter that was submitted because we're members of NAIOP. That there should be some kind of middle ground height limits, above the 35 feet within the 500-foot buffer. Thirty-five feet will create basically some major negative impacts to the long-term value of our investments, and it'll make redevelopment or upgrading these older any older properties unfeasible. The 35 feet would essentially allow approximately about a twenty-eight-foot interior clear height, which as we talked about last the last meeting with you guys, how important is for new modern businesses to have a higher clear height than, typically, they want 36 now minimum, but the 35 feet would really get you to like a 25-foot clear height, which just would make it unfeasible to redevelop those properties. And you know, would limit new modern businesses coming into the City essentially. In the last Planning Commission, we talked about, yeah, that as well and we appreciate you guys did understand that the importance of that and you raised the height in the M-1. In the code it already allows for larger setbacks when you're adjacent to residential, so we think that with something like a 45-foot limit in the in the M-1 near residential with the larger setbacks and then the going

down from 60 to 50 in your residential with the larger setbacks we think is adequate. As you basically, had proposed before this new 35-foot limit. So, in having that 500-foot buffer touching the industrial has a major impact to a lot of properties and much larger properties. So, if it touches any part of that property, a very large property is impacted within that 35 feet. So your whole property has to be 35 feet even though it could be a 10- or 20-acre property. We also agree with NAIOP and Orden and other stakeholders on the nonconforming code is very limiting. And that 1 to 2-year time limit on rebuilding is not going to be feasible. So, we would recommend...we would request that that be longer time. Thank you for your time.

CHAIR FRYMARK Thank you for being here tonight and thank you for your comments.

FRED BARBOSA Fred Barbosa, 16164 Calle de Paseo. As far as the building on Arrow Highway and Irwindale Avenue over forty feet, why can't it be grandfathered in? I mean, we change the rules on them. Why should they pay for it? If they can fix it, let them do it. And like I say, that's why we make CUPs. And the fact is we got to be more business friendly. I've heard nothing but a bad rap saying that's taking people forever to get some of their things run through. So, let's be business friendly, work with them, they were here first, we changed the rules. Let's adjust and help them out. Thank you.

CHAIR FRYMARK Thank you Mr. Barbosa. Are there any other members of the public that wish to speak on this item before we open the floor to questions from the Commissioners?

COMMUNITY DEVELOPMENT
INTERN PALMER You do have one virtual attendee.

SUZANNE GOMEZ Good evening, Commissioners, residents, Staff, this is Suzanne Gomez. First of all, I wanted to take the opportunity to thank the Commission for holding to the vision of what the City wants for the future. And I think that when one of the gentlemen spoke to the 1 year and 3-year rule, that's a matter of interpretation, of course the Commission can extend that and be pro-business and pro-friendly and still hold the vision for the City, the City residents, and the City Council. Also, we've had many, many discussions on mixed-use and that's like a no discussion. It's not what the City Council voted in the last meeting and nor what the residents desire. And as to not conforming, we can extend that. Nonconforming means that it's not conforming. I don't think that it necessarily means that you have to tear down a building in three years, but the Commission can address that as well. And as to modifying the administrative review to be pro-business, the Commission can also change what the Staff can approve as to application review. But in particular Site Review has, should and necessarily must remain to the privy of the Commission and the

Council when it comes to Site Plans specifically. And when they're speaking to, they gave the example of what the cost would be to increase because there's no, there's no review by Staff, then you can modify that. There's no reason that you can't change it to a certain footage that can accommodate and be pro- business. However, I would like to say to the Commission we appreciate, the residents, appreciate the work that you've done and working within the perimeters to safeguard our City. Thank you.

CHAIR FRYMARK

Thank you for your comment. Are there any other members on virtual that wish to speak?

COMMUNITY
DEVELOPMENT
INTERN PALMER

No.

NICK PERGAKES

I have a clarification or not this time.

CHAIR FRYMARK

Sure, sure.

NICK PERGAKES

Okay. So we have a Chapter in the new code proposed zoning code, 17.18, Nonconforming Uses Sites and Buildings. So, it's my understanding, I could be wrong, but I believe the nonconforming use Section in the code today is from 1966. It's quite outdated from other, you know, cities jurisdictions throughout Southern California and the State on addressing nonconforming uses and sites and buildings. So, we do give a little bit more language, more modern language on how to address nonconformities of buildings and sites in the City. So, I do want to make a clarification that in the code in Chapter 17.18.080, Establishment of Amortization Periods, we do set a time frame for discontinuing and removing a nonconforming use or structure from a location, however, that is when the public health or safety is in concern or an issue. And there's a set of criteria that the City Council would go through to determine if, if that is the case and to set that that period. It doesn't mean that every building in the City that's nonconforming would be, you know, in a few years would need to, you know, be removed, torn down or anything like that. It's just giving guidance, if the Planning Commission/City Council see a building that's, you know, really dilapidated or has an issue, nonconformities are happening that you have the ability to make some change happen. So, whether you want to keep this section, revise it, or consult your City Attorney, you know, I'd recommend that. And also just in terms of restoring a damaged or destroyed nonconforming structure, when the damage is 50 percent or less of the value of the structure, you know, it can abide by the existing Zoning Code in place at the time the building was put in. You know, they can make changes they would abide by the existing code. If the damages exceed 50 percent of the value of the structure, then they would have to abide by the new Zoning Ordinance, new Zoning Code. In there we have, building permits must be obtained within two years of

the date of the damage or destruction and construction. And let's see, so I'm reading this and seeing this a two-year period, it's not that the building permits have to be obtained in one year. I know it takes time to go through that process, hiring an architect, getting you know your permits from the City, but that is what's written in here today. So if there's any clarifications. Please, please let us know.

CHAIR FRYMARK Thank you Nick, can you cite what page that we could find that on?

NICK PERGAKES So I have a...

CHAIR FRYMARK It just sounds like there's perhaps, maybe some misinterpretations, I want to make sure we're able to decide where it can be found.

NICK PERGAKES Article 3, page 91.

CHAIR FRYMARK Article 3, page 91. Thank you.

NICK PERGAKES And it's the section, well is, it's actually Chapter 17.18, Nonconforming Uses, Sites, and Buildings. Again, it addresses nonconformities with building sites, with setbacks, uses. and then you can see, you know the amortization period in there as well.

CHAIR FRYMARK Well, so it sounds like that section would speak to what some of our, fellow business owners came and addressed to the Commission this evening.

NICK PERGAKES Correct and this is my interpretation, if you also wanna ask legal, your City Attorney, that'd be a good idea too.

CHAIR FRYMARK Yeah, we would love to, thank you Nick. Jamie, could you expand on that for us please?

ASSISTANT
CITY ATTORNEY
TRAXLER Sure. He addressed a couple different points. So, I want to make sure I'm addressing.

CHAIR FRYMARK So the nonconforming and then also... That's one point and the second point was the restoring of the structure if there's any damages.

ASSISTANT
CITY ATTORNEY
TRAXLER Yeah. So, the Nonconforming Section. So, assuming that the City Council approved the Planning Commission's recommendations as is as they've been presented here today, it would create a legal nonconforming use on the parcels. So that part is true. What the City does with those legal nonconforming parcels after that, would be determined by Staff, and the Planning Commission, and ultimately the City Council. When we're talking about discontinuing a use and amortization periods, what we want to achieve by creating a legal nonconforming use, and that's the purpose of legal nonconforming use

is to eventually get to the point where that use stops. And this is something that we've talked about at previous meetings as well, is if you're creating a legal nonconforming use, the policy of the City would be to end that kind of use on that specific piece of property. So, when we do that, we have amortization periods which cover and require the City to consider things like what is the property owners' initial investment in the property, and how can they recoup that. And so that's what these amortization requirements would be, that's what the Planning Commission and the City Council would be required to consider. So, the factors would be things such as, and this is in the proposed Section 17.18.080, the maximum time for which the nonconforming use shall continue and then they look at the amount of investment of the original cost of the structure, the present or actual value, the remaining useful life, excuse me, the remaining term of the lease, the dates of construction, the amortization of the actual business for tax purposes, the salvage value. So, we're basically making a financial calculation into how long the business can operate and the use can continue for the property owner to recoup its investment. So, it's not something that you want to discontinue in, for example, 3 years if the remaining life of the building is still in good condition. And that's just an example because that's what we're talking about. In terms of the discretion, it is not a determination that is made at the Staff level, it's a recommendation by the Planning Director. And if and when the Planning Director made that determination, they would be looking at things like code violations, building code violations, code enforcement issues, whether the use is a nuisance or something like that and recommending discontinuing the legal nonconforming use based on those considerations, really, public health, and safety issues. And they would present that recommendation to the Planning Commission and the City Council.

CHAIR FRYMARK

Thank you. So, so long as these businesses and these parcels continue to operate in a way that is safe for the Community and all, there would be no reason to close it down or demolish it in any kind of way.

ASSISTANT
CITY ATTORNEY
TRAXLER

None that I can see or that I would recommend.

CHAIR FRYMARK

Do you mind coming to the...? Thank you.

STEPHAN WANDEL

So good evening. Stephan Wandel again, 5200 Irwindale. First, I really appreciate the conversation, because I think conversations are really helpful. The reason I want to come back is I think the gentleman tried hard to answer the concern. Unfortunately, I think he sort of misstated what the current code or the proposed code suggests that the 3-year limitation is not based on health and safety and as the Assistant City Attorney 's pointing out correctly, it would be at the

discretion of someone at the City staff. Now these criteria clearly are stated, but they're subjective. They're not stated as the Assistant City Attorney said that you know the examples of code violation are just examples. If someone at the City were to determine for whatever reason, rightly or wrongly, that the use cannot continue beyond the 3 years, we would essentially have very little recourse, other than to do litigation. So, this isn't something we want to do, leaving it vague, open, arbitrary. I think it's not in the interest of anyone, including the City. I don't think the City wants to invite litigation, and if I can make it, maybe a little more personal, imagine for those of you who own a home, what if your house, were nonconforming use and then all of a sudden you have to go, you have, unclear direction on how long you can continue to own your home. What improvements you can make your home if you want to replace a roof. Are you gonna replace a roof on your house, if you're not sure if you can keep it longer than 3 years? So, I appreciate the intent. I realized that I do a lot of this. Development entitlements is my career. I totally understand it. I appreciate code as hard, but this nonconforming section is frankly unfair its well-meant, but it's unreasonable as is currently drafted. It's arbitrary. Don't think that's the interest of anyone. And I do appreciate over time, we do need to transition to uses, but not this way. And other cities don't do it this way, by the way. Thank you.

CHAIR FRYMARK

Thank you for your comment. If there are no other members of the public that are here tonight or that are in virtual means, I will go ahead and close the Public Hearing.

ASSISTANT
CITY ATTORNEY
TRAXLER

Chair if I may. Yes, I'll make one comment. I believe that there's still one more question that I have to answer regarding the one-year period. So I would just like to address that for the Commission quickly. And so that is in the proposed Section 17.18.090, "Nonconforming Structures" and its Subsection C. Oh, okay, it looks like there's a labeling error, but it's under, Subsection C to D and E. And so just for clarification purposes. If, for whatever reason, a building were to be damaged, the code as proposed requires, the property owner or tenant to obtain the building permits within two years of the damage and then once they obtain the building permit, they would have one year from the date of the permit to complete construction. And so, whether or not that's feasible, I can't speak to, but the timeline gives them two years to obtain the permits, and then one year to complete the construction.

CHAIR FRYMARK

Thank you. So, we will go ahead and close the Public Hearing and welcome any questions from the Commission.

CLOSE PUBLIC
HEARING

There being no speakers, Chair Frymark closed the Public Hearing at 7:31 p.m.

- COMMISSIONER RODRIGUEZ I had a question regarding the business, if it was damaged and they have the two years to get the permit and then one year to complete the project. Are they able to request an extension past that one year? And that would be for Staff.
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you, Chair and Commission. When somebody applies for a building permit, and I'm speaking in generalities because I'm not a Building Official with that, but they can apply for the permit. They can apply for extensions to that and, yeah, I mean, I'm looking at an engineer, you know, just because he is in that department, you know that has building. But I do know that, you know, even now we have building permits that, when they apply for them, there's various things. I mean, sometimes it's a supply issue. You know, getting it or, you know, and that's something that the Building Official would make a ruling on that. And I know we do have, you know in there, you know that it's the completion within one year. If the Commission, you know, wants to change the language instead of completion maybe, commence within a year, after obtaining that building permit, you know, should they desire.
- CHAIR FRYMARK I do just have a general comment. I don't wanna speak for the entire Commission. I speak for myself, but I do want to comment on the fact that it is a very fine needle to thread when we're looking to balance the needs of the residents and the needs of our business community. We welcome the partnership that we have with the businesses that want to have and conduct business in the City of Irwindale, but we also have a very strong sense of responsibility to the residents that live here twenty-four hours a day, and their families. And so we are trying to navigate this ordinance change with delicacy and sensitivity for both parties. So, I want to just put on the record that we are pro-business, but we're also very much pro-residents, and so, we're trying to balance that here tonight. Does the Commission have any other questions? Or thoughts? Yeah.
- COMMISSIONER MIRANDA Questions, two. One in regard to, having perhaps grandfathered was talked about certain properties, that are adjacent to housing that already exist and/or in good standing with the community, no health issues, no workings, buildings are in good standing. Is that something we are considering just allowing or just there'll be nonconforming, but the question I guess I have for Jamie also is that once they do have the amortization and have their money recouped and there... How long was that? Do they exhaust their use? Is there a certain point where, okay, you recoup your money, how long can we keep business going? I am sure that's what they're worried about. How long can we continue our business operation?
- ASSISTANT CITY ATTORNEY TRAXLER Well, it's hard to say without looking at a specific business, but to answer your first question. When we talk about grandfathering in existing properties, there's no difference between grandfathering something in and creation of a legal nonconforming use. It would

essentially be the same thing. So, once the legal nonconforming use is there, if something were to happen to the property and they needed to redevelop it, let's say or they sold it, the use would only remain as long as they are currently operating as is. They wouldn't be able to expand or redevelop the property unless and until they come into compliance with the current code. And so, they would be grandfathered in, in the sense that they can continue operating as is, but anything outside of that would essentially be a no go. And I'm summarizing when I say a no go. As far as amortization periods, that really depends on the financials of the property and the business. And so, it could be anywhere from 20 years to 55 years, which is in the current code, I think. It could be more than that. It could be less than that. We would have to do the calculations and evaluate the property and the use. And eventually what you don't want to happen, is you end up cutting the use short, cutting the business short, and then the business takes a loss, which is substantial enough to constitute a taking of their property. And then we would have to compensate them for the value of their property, or else we would be violating the Fifth Amendment. So, we definitely don't want that to happen. It would be something that you would analyze and study and essentially create a decommissioning plan for the use. So, once it's amortized and once we have a set date, we would expect the business to wrap up by that date, assuming they, you know, assuming we've gone through that process. And then after that, the City could go in, and if they don't stop the business voluntarily, we could force them essentially to stop the business, stop the use.

COMMISSIONER
MIRANDA

Okay, so for example, say a business running currently now and they get to the amortization, they get their money, let's say it's 25 years from now, at that point hits we can say now it must stop now and then it must just sell or do whatever and move on? Okay. Thank you, I appreciate it.

ASSISTANT
CITY ATTORNEY
TRAXLER

A little long winded but I hope I answered your question.

COMMISSIONER
MIRANDA

Thank you. Sorry, Chair, I think I had another question.

CHAIR FRYMARK

Sorry, these are great questions. Thank you for asking.

COMMISSIONER
MIRANDA

I had another question written down, I look forward to...

VICE-CHAIR CHICO

I guess it's a question, but since Staff was so kind of to provide us with all these comparisons. After giving it a lot of thought, I very much agree with Mr. Barbosa about building heights next to the freeway. I don't see that. I see it as advantageous to have higher building heights next to the freeway, and I don't see any having any detriment to the City. Is it

possible to word it in such a way? Am I upsetting at all the Zoning Code? What can we do... I mean, well, first of all, let me ask my colleagues. How do you feel about that?

COMMISSIONER
ACOSTA

I agree with you. I think that's a good idea, and it's just a matter of figuring out how we can word it, because we're gonna have different use parcels out there. So we just gotta figure out what's gonna be the best way to kind of, I guess label it.

COMMISSIONER
MIRANDA

I mean, I'm conflicted because I know quite a few residents do not want that kind of height going anywhere in our City, anywhere in the freeways, and we got to consider an environmental impact. You know that is huge. Consider the kind of heights we have as far as pollution noise, and extra materials, that kind of work. Larger buildings cost more. You know, as far as more dust, more chemicals. Whatever might be in the building is just more so we had to consider that. I mean we're a big business, but we're also a small community as far as the residents and we know quite a few of them that do not want anything higher than what we proposed.

CHAIR FRYMARK

I echo and affirm what Commissioner Miranda is saying. I'm sorry I'm not speaking. As much as I am in favor of supporting businesses coming into our beautiful community. I, it does give me pause to allow for larger buildings to come in because of the environmental impact, because of the possible pollutions that may come with operating such businesses. Emissions, we already smell chilies, dog foods, you name it, we smell it. And so, while we welcome and love those sense, I think we have a lot of them, so those are my thoughts.

COMMISSIONER
MIRANDA

Chair Frymark also, in considering that as far as environmental, as far as even the trucks that come in here, I mean there's some kind of requirement that has some that are a green friendly.

CHAIR FRYMARK

I mean maybe we can put some kind of conditions. Maybe we say that buildings can have a height... I mean to speak to our colleague here, maybe we can have a recommendation to allow certain zones that are, not in direct access to residents or closer to the freeways to be of higher heights so long as they meet standards X, Y, and Z. And those standards can be environmental impact standards. That's just a thought. I know that we, at the last meeting, we talked about eliminating the Mixed-use idea. I do hear Mr. Barbosa and you saying that you are proponent for that. And well I welcomed the aesthetic and the idea of Mixed-use and maybe having residential on top of a business, it gives pause because I don't know that that speaks directly to the way that this City runs and operates and wants to hold true. I think it could possibly do away with the vision of the City.

- COMMISSONER MIRANDA Absolutely, I echo that the vision or forefathers there, it's not their vision to have that and I see the value in other cities, but we're not other cities. We're a City, very unique and that's something they do not want. The residents have expressed loudly to me.
- CHAIR FRYMARK There's also the nonconforming language that may require us to just dig deeper into so that we can be more specific.
- COMMISSIONER MIRANDA I think so. I think there's a lot there to unpack. We can get a little deeper.
- CHAIR FRYMARK We've done a lot of work as a Commission in addressing heights, in addressing setbacks, in the last I would say 3 months that we've been doing this work. So, I am proud of the work that we have done, but there is some concerns and some hesitancy regarding the nonconforming language, maybe requiring some more specificity. And then also to speak to your point here, that we may want to look at some of the heights in the areas that are close to some of the freeways. Which if I'm looking at the map correctly, we would be looking at, well, that's some of M-2. That's beyond the 500 foot buffer. That's M-2 their off of the 605. So really it looks like we're looking at M-2 parcels. If we're looking at the major freeway, the 605 and the 210.
- COMMISSIONER RODRIGUEZ And I believe the Kaiser building. Do you know the height that was?
- COMMISSIONER MIRANDA That was a lot. It is pretty big.
- CHAIR FRYMARK It is 60 feet. Staff gave us this little handy dandy chart. Thank you, Staff.
- COMMISSIONER RODRIGUEZ Yeah, I would like to see if there's some language that we could use to increase the heights of buildings near the freeways because that, that would be the area we would like to see that as a community coming in.
- CHAIR FRYMARK Well, M-2, we currently have. Let me go back...
- COMMISSIONER RODRIGUEZ But I would also ask if there was a way to ensure that those companies were also going green as well.
- COMMISSIONER MIRANDA I concur, yeah.
- CHAIR FRYMARK So M-2, we have height at, I believe it is, based on the July meeting at the direction was that it was 60 feet max, 50 feet within the 500 feet of the town center adjacent to Residential Zone property. Is that correct? For M-2.

- ASSISTANT PLANNER ROMERO Yes, as of the July meeting, that was our direction. But if you remember during the August meeting, you gave us direction to change that for the M-2, I believe it's 60 outside the buffer and 35 within.
- CHAIR FRYMARK I see it here now. Thank you. 60 feet and M-2. I actually thought 60 feet was fine. The Kaiser Building is 60 feet.
- COMMISSIONER MIRANDA Yeah.
- CHAIR FRYMARK Any questions or any motions or any recommendations? I am wondering if there is a need to continue this item until the October meeting so that we can go back and work with Staff on the possibility of adding some specificity to the nonconforming language. If we're not looking to take action on increasing M-2.
- COMMISSIONER MIRANDA I'd like to address that, and we have these very thoughtful letters and a gentlemen presented today; I'd like to go a little deeper into this as well and see what we can do to help accommodate that as well, if it's possible within our structure, where we already set out. Go ahead. Sorry.
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you, Chair and Commission. Another possibility.. I pulled up the table in here. That if you were considering, a higher height next to freeways or abutting freeways, so, where it, where we have maximum height you know, how we have put it in 35 feet within the buffer zone. You can add a line item you know of a different height, if it's abutting a freeway. If the Planning Commission should want to make that recommendation.
- CHAIR FRYMARK And it's okay if we don't know. But are there any buildings in the City that are currently higher than 60 feet?
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON I don't believe so. Yeah.
- CHAIR FRYMARK Just seems so high.
- ASSISTANT PLANNER ROMERO I do believe Kaiser is the tallest building.
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON I'm sorry, I am going to correct that. The City of Hope Specific Plan that does have a higher height limit, I think it's maybe even 75 feet, you know, but that's for particular buildings, It may not be, one of the existing buildings that's in the Irwindale section but might be in Duarte but they do have a higher limit, height limit so.

COMMISSIONER RODRIGUEZ	How about the brewery?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	The existing brewery that, yeah, I'm, I'm not sure what that is. Yeah.
VICE-CHAIR CHICO	The silos are pretty high.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	They are pretty big.
CHAIR FRYMARK	The what?
VICE-CHAIR CHICO	The silos.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yeah.
CHAIR FRYMARK	Maybe that one is the highest.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yeah, that might ne..
CHAIR FRYMARK	So that's an idea. Thank you, Marilyn, for bringing that up. I mean, there is the possibility in M-2 that we add a line item that says buildings shall not exceed X number of feet, if we wanna go higher than 60, which is what's currently written, in areas abutting a freeway.
COMMISSIONER MIRANDA	Question Chair Frymark.
CHAIR FRYMARK	With an environmental impact review before.
COMMISSIONER MIRANDA	Absolutely. Chair Frymark, I have a question regarding the brewery actually. It's for Rexford, correct? He still here? Do you have an idea how high you're building at this point? Okay. And I know you're concerned about other properties, but in that particular property, is any plans for expansion that beyond what the already height is or sure please. Thank you.

- STEVE MASURA Steve Masura, Rexford. Staff is aware that they're actually processing a specific plan for the vacant areas of that property adjacent to the brewery. The brewery plans to stay indefinitely the way it is, though. And that so that would I believe we're only proposing I think a maximum height of 50 feet even with those large industrial buildings. It's an M-2, so that's what we're saying, we might go to 60 feet, but I'm not sure you know, as the market changes between now and then. I think the specific plan, if I recall was 50 or 60 feet.
- COMMISSIONER
MIRANDA In estimation, something 60 feet is actually 50 feet, as far as storage goes. As far as storage, when you said that 35 foot is actually 25 foot technically.
- STEVE MASURA So that's why we... the 50 feet, allowed you to get to a 36-foot clear height. So that's like the minimum now new standard, modern standards. So that's why, the bigger buildings, the bigger you go, they want higher heights. But the smaller buildings, still, the minimum is like 50 feet.
- COMMISSIONER
MIRANDA Alright. Thank you. I appreciate it.
- CHAIR FRYMARK And it does feel that if we are going to maintain the 500-foot buffer that we address some of the nonconforming issues, because it does look like based on the Staff analysis that was provided tonight, that we do have a large number of parcels that would be impacted by that 500 - foot buffer. We're looking at approximately 60. And we're hearing from... 60 in M-2 and 37 in M-1. We're hearing from 3 of our businesses that came forward today and again we thank you for your comments and your feedback and your time. But there's a lot of other businesses that may be impacted that we should also consider, with the 500-foot buffer. Does the Commission have any other questions, recommendations or we comfortable with proposing a motion to continue this item to allow the Commission some time to work with Staff to address some of the nonconforming language, and legal, to address some of the nonconforming language and provide some more specificity for those businesses that fall within the nonconforming threshold?
- COMMISSIONER
MIRANDA I'd like that.
- CHAIR FRYMARK So, I'm going to propose a motion. Before I do that, Marilyn.
- COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON If I may, Chair and Commission, if you are continuing, if we could have it continued to November meeting. So, we have something dedicated to the October meeting.

VICE-CHIAR CHICO I don't know if that's good.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON It's always good.

CHAIR FRYMARK Sound so ominous.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON Oh, does it? It's just because I said it. If it came from our Assistant Planner. Yeah.

CHAIR FRYMARK Thank you.

ASSISTANT
CITY ATTORNEY
TRAXLER Chair, if I may.

CHAIR FRYMARK Yes, please.

ASSISTANT
CITY ATTORNEY
TRAXLER So, I think Staff, myself, and the consultant may need a little bit more direction exactly on what part of the nonconforming uses the Planning Commission would like us to evaluate.

CHAIR FRYMARK Sure, for me, I'm mostly concerned, let me pull up my note, give me one second. So when we talk about in the nonconforming section in the zone, where it talks about the restoring and the structure piece, it sounds like there needs to be clearer language that outlines, and I don't know if we want to do this, but there are some... I understand that there is a two-year period in which the parcel could submit, I think its plans, the application. Right? And then a 1 year.

ASSISTANT
CITY ATTORNEY
TRAXLER Yeah, they have 2 years to obtain the building permits.

CHAIR FRYMARK Okay. So, if it's 2 years to do the permit, and then is it 1 year to have those changes be made?

ASSISTANT
CITY ATTORNEY
TRAXLER Yes, one. 1 year to complete construction.

- CHAIR FRYMARK Okay. Are, Is there any language in the existing language that... Is there any language in the existing zone that speaks to the parcels ability to request an extension? Should there be... I know that there are some delays currently with construction and acquiring materials, that could be a condition.
- ASSISTANT
CITY ATTORNEY
TRAXLER The current language states that another time period may be specified through the Community Development Director consideration. Which we can take a look at and maybe clarify a more direct extension period for any applicants.
- CHAIR FRYAMRK That just speaks to one of the issues that were brought up tonight. And then there was another issue that had to do with just generally the nonconforming language and how it lacks specificity. It was pretty subjective. Does the Commission have any recommendations there on what language to include? Does it outline the conditions in which a business that is nonconforming would be... I know they were talking about being shut down or being knocked down and that's just not the reality. Are the conditions outlined in the zone? You mentioned there would be; there's like financial calculations that happen.
- ASSISTANT
CITY ATTORNEY
TRAXLER Right. So I, I apologize, I'm just reading the current code, so regarding the Elimination of Nonconforming Uses and Structures, that, that appears to point to Section 17.18.080, which is the Establishment of Amortization Periods and would require the Planning Commission to hold a Public Hearing and evaluate all of those different factors that are listed in Subdivision C, and make a recommendation to the City Council. And then the City Council would also hold the Public Hearing and evaluate those same factors and then ultimately make a decision on how long that period would be. The minimum requirement is no less than 3 years. So, it could be whatever time period the City Council determines based on the findings and assuming that's supported. And so yeah, it would just be at the discretion of the City Council at the end of the day.
- COMMISSIONER
RODRIGUEZ Is this language that all cities use, or is this specific?
- ASSISTANT
CITY ATTORNEY
TRAXLER I would defer to Nick on that one.
- NICK PERGAKES So my experiences in California, as well as nationally, I have seen and written nonconforming use regulations, some are similar to this. The amortization periods though that is sometimes used, sometimes you know it isn't incorporated in the Zoning Code. So, that's my experience, particularly with the 50 percent of the value or less, and then when it exceeds the 50 percent of the value, and those vary the specifications, the standards there, that can vary in different cities. So,

- if you would like us to explore, you know this in more detail and perhaps write it a little differently and we, you know, Staff and I and perhaps there could be some meetings with Planning Commission members as well.
- CHAIR FRYMARK Thank you Nick. I think that we would absolutely welcome to be a part of the process, but we are looking for cleaner and clearer language on that area.
- ASSISTANT
CITY ATTORNEY
TRAXLER Oh Chair, if I may make a recommendation. I think it would be beneficial to look at the reasons for elimination of the nonconforming use and make that maybe a little bit more specific in terms of, maybe public health and safety issues, nuisance issues, code enforcement violations, violations of a Conditional Use Permit, building code violations, buildings that have been red tagged or something like that, which would support discontinuation of the use rather than leaving it to the discretion of the Planning Commission and City Council.
- CHAIR FRYMARK Yeah, we would like to see those conditions written in the Zone, so that it clearly outlines and our business community understands, what are the specific reasons why the City would take such action.
- COMMISSIONER
MIRANDA Give more assurance for the business.
- CHAIR FRYMARK Yeah, one hundred percent. Thank you for making that recommendation. Brandi.
- SENIOR PLANNER
JONES Yeah. I just wanted to go back to the timing, like the two years to get building permits and just to reiterate with Marilyn said about it. Can it be commenced like to start construction versus completion? And the commencement would also be consistent with how we write it in the Conditions of Approval. So, there's that. And also to address some of Commissioner Rodriguez's questions about the green building. So, as part of like the building code requirements, they have green building requirements. So that's handled on that side. Also, a lot of the developers are coming in with LEED certified buildings. And each building will have its own environmental review. So I know you brought up some concerns about possibly the increased height in the freeway and the environmental impact. Each one will have its own environmental review.
- CHAIR FRYMARK So now that it sounds like we have some more direction as to some of the changes that we would like to see in the nonconforming area of the Zoning Code. I don't want to disregard or overlook, the comment or the recommendation or suggestion that was made by our colleague here Commissioner Chico. Do we want, since we are asking for revisions to be made to the zone, the zoning plan and then come back for review once again at a future meeting in November. Do we want to include any

language that speaks to the heights near the freeways? Or are we comfortable with leaving it at 60 feet?

VICE-CHAIR CHICO Just insert it in there?

CHAIR FRYMARK I mean, we would have to make that recommendation to Staff. That we would recommend that if a parcel is adjacent to a freeway that the height maximum including the parapet, would be X. 70?

VICE-CHAIR CHICO 70. 70 is a good as number as any,

CHAIR FRYMARK So long as there is an environmental review and analysis done with that particular development. 70 or are we staying at 60?

COMMISSIONER RODRIGUEZ I would say let's bring that down to 65. I think 65 feet.

CHAIR FRYMARK In parcels that are, close to the freeway.

COMMISSIONER RODRIGUEZ Abutting the freeway. Yes.

CHAIR FRYMARK So 65 feet and that's including the parapet?

COMMISSIONER RODRIGUEZ A recommendation.

CHAIR FRYMARK If you wanna make that recommendation? You're welcome to.

COMMISSIONER RODRIGUEZ I'd like to make that recommendation that if a parcel is abutting the freeway the maximum height level would be increased to 65 feet.

CHAIR FRYMARK That need to be, is that a motion? Does that need to be placed in form of a motion in order for that to happen. Does there need to be consensus or is that just a recommendation?

ASSISTANT CITY ATTORNEY TRAXLER So at this point, since we're receiving multiple recommendations on different issues, I would just recommend consensus at this point and then the motion, as long as we have consensus Staff can implement that direction. And then the motion would address continuance of the meeting and then direction of staff to bring back those recommendations at a future date.

CHAIR FRYMARK So we have a recommendation of 65 feet. Anyone else on board?

COMMISSIONER MIRANDA I just didn't get, a little higher. I know there's only 5 feet more, but I think we hit the maximum with the people I've been talking to were we're at now, even if by the freeway it's still quite large, quite high rather.

COMMISSIONER ACOSTA	So we got to remember when we include the parapet, we're basically back to about 60, because this height I believe, does not include the parapet.
CHAIR FRYMARK	Roughly how many feet is 60 feet? Like how many stories? Did I just say, how many... Sorry, I've worked all day and now I'm here. How many stories is 60 feet... 65 feet roughly?
NICK PERGAKES	Roughly 5 to 6 stories.
COMMISSIONER MIRANDA	What do we currently have? Do we know currently at the business park off of Arrow Highway and Barbosa right there? Do we know, Staff? Martin Romero do we know how high the current business park is? The buildings there.
ASSISTANT PLANER ROMERO	40 feet.
COMMISSIONER MIRANDA	Wow, they look big. The Business Park off of Arrow Highway and Barbosa, right there.
ASSISTANT PLANER ROMERO	The Park at Live Oak Specific Plan.
COMMISSIONER MIRANDA	Park at Live Oak, correct.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yeah, thank you. They the height that they built it, it's roughly 40 feet, but their Specific Plan allotted for a little bit higher, but they just chose to build it at that.
COMMISSIONER MIRANDA	Thank you. Have you seen the buildings Commissioners? They're quite large,
CHAIR FRYMARK	They are beautiful.
COMMISSIONER MIRANDA	Quite nice buildings, but 40 feet is pretty high.
CHAIR FRYMARK	I mean I will, this is just comment, support our colleagues here, with hesitancy and pause in my voice as you guys can see. And if we are going to include that, there would be a stipulation that an environmental review be analysis be done, prior to the development of that building.

COMMISSIONER MIRANDA	In addition, I know they're gonna be green already as far as construction, but the trucks that go there are going to be as green as well? There is quite a bit of pollution we're bringing back to our City with that. Usually a larger building like that, I think we need to consider that and be a mandate of that, at least 50 percent of the truck or more.
SENIOR PLANNER JONES	Umm, those type of issues are typically analyzed in an EIR. And they've come up before, but that kind of technology doesn't exist for like large fleets and like large trucks like that.
COMMISSIONER MIRANDA	It's something we can adopt in the future that may have they progress to that.
SENIOR PLANNER JONES	Perhaps in the future, but right now the technology just doesn't exist.
CHAIR FRYMARK	From a logistics perspective, we have that nice new gas station right there. Gas right up.
COMMISSIONER MIRANDA	Thanks Brandi. Let's see here. Okay.
CHAIR FRYMARK	I don't know that we have consensus.
COMMISSIONER RODRIGUEZ	If we're hesitating at 65 feet. Would a 60-foot height level be something that we would agree upon.
CHAIR FRYMARK	Its at 60 feet right now.
COMMISSIONER MIRANDA	We're at 60 right now. Like the last minute, we upped it up to say for this reason, you know, keep pushing it.
CHAIR FRYMARK	So maybe for now, while we let that marinate in our minds, we continue to just make the motion to continue this item for the November Planning Commission meeting, and ask Staff to make those changes to the nonconforming sections as previously discussed. Do we have a second? I just presented a motion.
VICE-CHAIR CHICO	Second.
CHAIR FRYMARK	Thank you. Roll call please.
COMMUNITY DEVELOPMENT INTERN PALMER	Commissioner Acosta.
COMMISSIONER ACOSTA	Yes.

COMMUNITY DEVELOPMENT
INTERN PALMER Commissioner Rodriguez.

COMMISSIONER RODRIGUEZ Yes.

COMMUNITY DEVELOPMENT
INTERN PALMER Commissioner Miranda.

COMMISSIONER MIRANDA Yes.

COMMUNITY DEVELOPMENT
INTERN PALMER Vice-Chair Chico.

VICE CHAIR CHICO Yes.

COMMUNITY DEVELOPMENT
INTERN PALMER Chair Frymark.

CHAIR FRYMARK Yes. Thank you, Commission, and thank you Staff for that rich discussion and thank you businesses for being here tonight. We're going to move on from the Public Hearing and move on to item Number 5, Discussion Items or Presentations.

**DISCUSSION ITEMS/
PRESENTATIONS**

CHAIR FRYMARK Is there any tonight? Okay. Then we'll move on to item 6, Community Development Director's report.

**COMMUNITY
DEVELOPMENT
DIRECTOR REPORT**

COMMUNITY DEVELOPMENT
DIRECTOR SIMPSON Thank you Chair and Commission. I just want to remind you the October Planning Commission Meeting will be a Special Meeting to be held on October 28th. So, that's the only thing I have to report.

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

**LEGAL COUNSEL
COMMENTS**

ASSISTANT
CITY ATTORNEY
TRAXLER

Yes Chair, a brief one, I would just like to update the Commission that for the November Planning Commission meeting, I will be unavailable and so you will have the pleasure of the City Attorney at that meeting.

CHAIR FRYMARK

Great, that'll be fun. Any Commissioner Comments?

**COMMISSIONER
COMMENTS**

CHAIR FRYMARK

We have, it's the lovely month of September, and we have our Parks and Rec. Department gearing up to have a lot of events coming up, so I urge you guys to attend. We still have, I believe, the Mariachi fest going on. Yeah. So, I hear it's a doozy. I haven't had the pleasure of going out to see it yet. My daughter plays volleyball and of course she plays on Thursdays, so, there goes that.

COMMISSIONER
MIRANDA

Fridays, I think it was.

CHAIR FRYMARK

What was that?

COMMISSIONER
MIRANDA

Used to be on Friday, wasn't it before?

CHAIR FRYMARK

Its Thursday.

COMMISSIONER
MIRANDA

It was previously, yeah.

CHAIR FRYMARK

Oh was it? We should move it back to Fridays. I'm just joking. Anyway, I look forward to seeing all of you guys at some of the Community events that the Parks and Rec. Team put together. I also want to thank Staff for their work and for being patient with us and answering all of our questions, and of course our residents that come forward and provide their comment and their feedback. That's it for me. If there are no further comments from the Commission, we will go ahead and adjourn this meeting at 8:10.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:10 p.m.

Attest:

Maricela Frymark, Planning Commission Chair

Jesus Hernandez, Administrative Secretary



**CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT**

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION



Date: June 18, 2025 **Agenda Item No. 4-A**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP, Community Development Director

Project Planner: Jarrod Palmer, Assistant Planner

Project: Conditional Use Permit No. 02-2025; (Freight/Trucking Facility)

Applicant: Eikhsaikhan Battulga, Great West Auto Inc.

Property Owner: Lisa Bohn, Trustee

Project Location: 301 Longden Avenue (APN 8534-017-024)



Source: LA County Assessor 2025

Staff Recommendation: That the Planning Commission take the following action:

1. Adopt Resolution No. 853(25) approving CUP No. 02-2025 subject to the attached Conditions of Approval.

Alternative Actions:

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

REQUEST

The applicant is requesting a Conditional Use Permit to operate a freight/trucking facility in the M-2 (Heavy Manufacturing) zone. Pursuant to IMC Subsection Table 17.06.020-1, the proposed use requires approval of a Conditional Use Permit.

LOCATION AND SITE HISTORY

Over the years the site was the home to various businesses; all outdoor uses ranging from vehicle storage yards to quarries. These businesses had been in operation since the late 1930s. The most recent use was “American Riggers”, a crane services operator that discontinued the business in 2024. The site has remained relatively unchanged since 1990.

Applications for a Site Plan & Design Review and a Zone Variance were submitted in 2007 on behalf of American Riggers for a new warehouse. The Planning Commission recommended approval to the City Council and the City Council approved the project in 2008. However, the project never broke ground and the approvals expired in 2009.

ENVIRONMENTAL REVIEW

The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332 (Class 32; Infill Development Projects) of the CEQA Guidelines. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the County Clerk. The NOE is on file at the Community Development Department and available for review by the public.

GENERAL PLAN AND ZONING

The site is designated in the General Plan as Industrial/Business Park. The site is currently zoned M-2 (Heavy Manufacturing) and is consistent with neighboring uses.

The site is surrounded by the following zones and uses:

Direction	Existing Land Use	Zoning District
North	Radio Towers	M-2 (Heavy Manufacturing)
South	Landscaping Company, Storage Yard	M-2 (Heavy Manufacturing)
East	Radio Towers	M-2 (Heavy Manufacturing)
West	Truck Yard	M-2 (Heavy Manufacturing)

PROJECT DESCRIPTION

The Applicant is proposing to establish a freight/trucking facility for automobile transport semi-trucks and trailers on the ±70,243 square foot parcel. The proposed days and hours of operation are Monday through Sunday: 8:00 A.M. – 7:00 P.M., with one (1) supervisor on site during the day to oversee terminal operations. Two (2) mechanics will be on site when needed to perform incidental maintenance and repairs to the semi-trucks and trailers, including oil changes, tire repair, tire replacement, and other minor repairs and/or services. These incidental uses are permitted by right per IMC 17.06.020-1.

The site has four (4) existing trailers. One (1), 960 square foot trailer for office use will remain and the other trailers will be demolished. An existing maintenance canopy will remain in place, while a carport will be demolished. The applicant is proposing the construction of a trash enclosure; there are no other plans for construction currently.

PARKING

Table 17.16.040 “Required Number of Parking Spaces” requires one (1) parking space per every 400 square feet of office floor area. The 960 square foot office trailer requires three (3) spaces. Thirty-four (34) parking stalls will be provided, ten (10) for standard passenger vehicles and twenty-four (24) for trucks and trailers. Parking requirements and parking provided for the proposed project are summarized below.

Use	Square Footage	Required Parking Ratio	Total Required	Total Standard Provided	Total Truck Provided	Total Provided
Office	960	1/400 sf	3	10	24	34
Total	960		3	10	24	34

ANALYSIS

Before any Conditional Use Permit is granted, the applicant must show, to the satisfaction of the Commission or the Council, the existence of the following findings of fact. Staff has determined that the findings can be made based on the analysis shown:

1. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Title and all other titles of the Irwindale Municipal Code;

The proposed use of a freight/trucking facility is allowed in the M-2 (Heavy Manufacturing) zone, subject to a Conditional Use Permit. The proposed use is in compliance with the Irwindale Municipal Code.

2. The proposed use is consistent with the General Plan and any applicable Specific Plan;

The proposed use is consistent with the General Plan designation of Industrial/Business Park and is not subject to any Specific Plan as there is no specific plan in place at the subject property.

3. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;

The proposed use will not be measurably averse to the community, nor will it be detrimental to surrounding properties or future improvements. The property has been used for outdoor uses since the late 1930s, first as a quarry, then as a vehicle storage yard, and most recently as a crane operator's business and storage yard.

4. The proposed use complies with any design or development standards applicable to the zone or the use in question, unless waived or modified pursuant to the provisions of this Title;

The site has remained unchanged since American Riggers first began business operations at the subject property. There are four (4) office trailers on site, three (3) will be demolished and one (1) will be the office operations for Great West Auto Inc.; an existing maintenance canopy will remain for incidental maintenance of company vehicles pursuant to IMC section 17.12.070.C.3. The remaining trailer is in good condition and was last used by American Riggers. There is also a carport on site that will be demolished. The applicant will construct a trash enclosure that complies with any design and development standards applicable. There are no other plans for construction currently.

5. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses and circulation in the vicinity; and

The proposed use is compatible with the existing land uses and circulation in the vicinity. Surrounding uses consist of similar businesses and uses, mainly industrial or manufacturing type uses such as trucking, landscaping, storage yards, radio communications, and warehousing.

6. The site is physically suitable for the type, density, and intensity of the use being proposed, including access, utilities, and the absence of physical constraints.

The proposed use will be located on a site that is physically suitable for the use being proposed; the previous use of the site was for a crane operator. Access to the site is provided by two (2) driveways on Longden Avenue. Utilities, including water, electric, sewer, and telecommunications are available on-site. There are also no physical constraints to the site.

RECOMMENDATION

That the Planning Commission adopt Resolution No. 853(25) approving Conditional Use Permit No. 02-2025 for the proposed operation of a freight/trucking facility subject to Conditions of Approval.

ATTACHMENTS

Exhibit A: Resolution No. 853(25) with Conditions of Approval
Exhibit B: Site Plan

EXHIBIT “A”**RESOLUTION NO. 853(25)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 02-2025 FOR THE ESTABLISHMENT OF A FREIGHT/TRUCKING FACILITY LOCATED AT 301 LONGDEN AVENUE, IRWINDALE, CA 91706 (APN: 8534-017-024) IN THE M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF, AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15332 (CLASS 32; INFILL DEVELOPMENT PROJECTS)

A. RECITALS.

- (i) Eikhsaikhhan Battulga, for Great West Auto Inc., 871 Coronado Center Drive, Suite 200, Henderson, NV 89052, the Applicant, has made a request for a Conditional Use Permit [CUP] pursuant to Chapter 17.28 of the IMC, to allow for the operation of a freight/trucking facility on property located at 301 Longden Avenue.
- (ii) The Subject Property is located at 301 Longden Avenue, Irwindale, CA (APN: 8534-017-024) and is zoned M-2 (Heavy Manufacturing). Hereinafter in this Resolution, the subject application shall be referred to as the “Application.”
- (iii) On June 18, 2025, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application, took testimony on the Application and conditionally approved the Application at the same meeting, subject to the approval of a Resolution, which would detail the specific Conditions under which the Application was approved.
- (iv) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

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

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct.

2. The applicant submitted its application on March 17, 2025, which was deemed complete by Staff on May 29, 2025. Subsequently, the City Council adopted Ordinance No. 772, a comprehensive zoning code update, repealing and replacing the entirety of Title 17 of the Irwindale Municipal Code, effective May 12, 2025. In accordance with Irwindale Municipal Code section 17.01.050 of the Zoning Code Update, applications

processed by City Staff under all prior ordinances codified in Title 17, but which come before the legislative body after the most recent Zoning Code has been approved, will be deemed to be in compliance with the latest version of Zoning Code. This project was submitted under the previous Zoning Code prior to May 12, 2025, when the City began using the new Zoning Code. Therefore, the Planning Commission finds that the application is deemed in compliance with the provisions of the updated Zoning Code.

3. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, site plans and Conditions of Approval attached hereto as Exhibit "A," this Planning Commission hereby specifically finds as follows:

- A. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Title and all other titles of the Irwindale Municipal Code;

The proposed use of a freight/trucking facility is allowed in the M-2 (Heavy Manufacturing) zone, subject to a Conditional Use Permit. The proposed use is in compliance with the Irwindale Municipal Code.

- B. The proposed use is consistent with the General Plan and any applicable Specific Plan;

The proposed use is consistent with the General Plan designation of Industrial/Business Park and is not subject to any Specific Plan as there is no specific plan in place at the subject property.

- C. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;

The proposed use will not be measurably adverse to the community, nor will it be detrimental to surrounding properties or future improvements. The property has been used for outdoor uses since the late 1930s, first as a quarry, then as a vehicle storage yard, and most recently as a crane operator's business and storage yard.

- D. The proposed use complies with any design or development standards applicable to the zone or the use in question, unless waived or modified pursuant to the provisions of this Title;

The site has remained unchanged since American Riggers first began business operations at the subject property. There are four (4) office trailers on site, three (3) will be demolished and one (1) will be the office operations for Great West Auto Inc.; an existing maintenance canopy will remain for incidental maintenance of company vehicles pursuant to IMC section 17.12.070.C.3. The remaining

trailer is in good condition and was last used by American Riggers. There is also a carport on site that will be demolished. The applicant will construct a trash enclosure that complies with any design and development standards applicable. There are no other plans for construction currently.

- E. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses and circulation in the vicinity; and

The proposed use is compatible with the existing land uses and circulation in the vicinity. Surrounding uses consist of similar businesses and uses, mainly industrial or manufacturing type uses such as trucking, landscaping, storage yards, radio communications, and warehousing.

- F. The site is physically suitable for the type, density, and intensity of the use being proposed, including access, utilities, and the absence of physical constraints.

The proposed use will be located on a site that is physically suitable for the use being proposed; the previous use of the site was for a crane operator. Access to the site is provided by two (2) driveways on Longden Avenue. Utilities, including water, electric, sewer, and telecommunications are available on-site. There are also no physical constraints to the site.

4. The City, as the Lead Agency, determined that the project as proposed is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32; Infill Development Projects), which exempts infill development within urbanized areas that are consistent with the General Plan and Zoning, would not result in any significant traffic, noise, air quality, or water quality impacts, and can be adequately served by all utilities and public services.

5. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby approves the Application subject to the conditions set forth in Exhibit "A" attached hereto and by this reference incorporated herein, which conditions are deemed necessary to protect the public health, safety and general welfare and are reasonable and proper in accordance with the intent and purposes of Title 17 of the Irwindale Municipal Code.

6. The Secretary shall:

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

ADOPTED AND APPROVED this 18th day of June 2025.

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 the meeting of the Planning Commission of the City of Irwindale held on the 18th day of June 2025, by the following vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Marilyn Simpson, AICP, Secretary

PLANNING COMMISSION RESOLUTION NO. 853(25)**Conditional Use Permit No. 02-2025****301 Longden Ave. (Great West Auto Inc.)****FINAL CONDITIONS OF APPROVAL****A. GENERAL CONDITIONS**

1. The activities authorized by this Conditional Use Permit are for the operation of a freight/trucking facility, which shall commence within twelve (12) months from the date of approval. Thereafter, if the activities have been abandoned for ninety (90) or more days, the Conditional Use Permit approval shall expire and become null and void, unless a written request for extension is received by the Community Development Director at least thirty (30) days prior to such expiration or abandonment. The granting body, upon good cause shown by the Applicant, may extend the time limitations imposed by this section for a period not to exceed one (1) year.
2. The Applicant shall agree and consent, in writing, to each and every condition of permit approval set forth herein within twenty (20) days from the adoption of this Resolution by the Planning Commission approving the Conditional Use Permit.
3. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the plans.
4. Plans for any proposed site improvements shall be submitted to the City of Irwindale Building Department and Los Angeles County Fire Department for review and approval prior to the issuance of Building Permits.
5. All graffiti shall be adequately and completely removed or painted over within 48 hours of notification to Eikhsaikhhan Battulga, the operator of Great West Auto Inc. and/or property owner of such graffiti being affixed on any structure or fence at the site.
6. This Conditional Use Permit may be revoked for any violation of or noncompliance with any of these conditions or other codes, regulations or standards enforced by or beneficial to the City of Irwindale in accordance with IMC Section 17.25.120.
7. The Applicant shall defend, indemnify and hold harmless the City of Irwindale, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 02-2025. The City will promptly notify the permittee of any such claim, action or proceeding against the City and will cooperate fully in the defense.

8. City inspectors shall have access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes with a 48-hour notification to Eikhsaikhhan Battulga, the operator of Great West Auto Inc, or current business owner or operator, to ensure complete accessibility.
9. The facility and use thereof shall be maintained in full compliance with all codes, standards, policies and regulations imposed by the City, County, State or Federal agencies with jurisdiction over the facility.
10. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permit for this project.
11. Each operator shall obtain all applicable permits and licenses required by the following agencies: City of Irwindale, State of California, Department of Motor Vehicles, County of Los Angeles Fire Department, Franchise Tax Board, State of California Water Resources Control Board, South Coast Air Quality Management District and any other applicable agency governing the approved project.
12. The business operator shall obtain a City of Irwindale business license within thirty (30) days of approval of this Conditional Use Permit.
13. All industry standard practices shall be adopted to control dust and odor.
14. Upon receipt of a complaint related to any condition of approval imposed by this Conditional Use Permit, the City shall notify the Applicant of the alleged violation, and the Applicant shall commence to cure within ten (10) days after the receipt of the notice.
15. The Subject Site shall be maintained free and clear of any accumulations of trash, debris, waste, and combustible and/or flammable materials, other than the related materials specifically authorized under this Conditional Use Permit.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. The project shall substantially conform to submitted plans date-stamped June 2, 2025, except as modified herein. Future modifications that are not in substantial conformance, as determined by the Community Development Director, shall require revision of this approval subject to the provisions of IMC Section 17.28.080 "Appeals, Expiration, Extensions, and Revisions."
2. This Conditional Use Permit is for the authorization to operate a freight/trucking facility only.

3. The hours of business office operation shall be limited to Monday through Sunday, 8:00 A.M. to 7:00 P.M. 24-hour access shall be permitted for emergency service.
4. The property owner(s) and/or applicant(s) shall obtain any required Building Permits within 180 days from the effective date of this Conditional Use Permit.
5. A minimum of three (3) parking stalls shall remain available for employee and customer parking. Code requirements for path of travel shall apply.
6. A trash receptacle shall be provided and stored on the subject property and shall not be located within any required employee/customer parking areas or on the public right-of-way.
7. All signs proposed for the project site shall conform to the requirements of IMC Chapter 17.19, "Signs."
8. The only vehicles that shall be allowed on site shall be employee vehicles and automobile transport semi-trucks and trailers. There shall be no storage of inoperable, damaged, dismantled, etc. vehicles on site.
9. No vehicles shall be loaded/unloaded on site. Transfer of vehicles between automobile transport semi-trucks and trailers shall be allowed.
10. No passenger vehicles shall be stored/allowed on site overnight, there shall be exceptions for employee vehicles, security personnel vehicles, and the automobile transport semi-trucks and trailers.
11. Minor vehicle maintenance and repair shall be permitted as an incidental use, only for the automobile transport semi-trucks and trailers.
12. The applicant shall demolish three (3) office trailers and a carport, per the plans date stamped June 2, 2025.
13. The applicant shall restripe the site for parking stalls per the plans date stamped June 2, 2025.
14. The applicant shall plant vines along the walls facing Longden and Live Oak Avenues. A detailed landscape and irrigation plan shall be submitted to the Community Development Department for approval.

C. PUBLIC SERVICES

1. All walls that face the public right-of-way shall implement anti-graffiti management practices (such as planting vines on the walls). Applicant shall be responsible for graffiti removal to all walls that face the public right-of-way in a timely manner.

2. Onsite trash enclosure areas shall have sufficient space for solid waste, recycling, and organic waste receptacles and shall be covered from the elements with a solid roof structure per Title 14, Division 7, Section 17313 of the California Code of Regulations and Building Code Manual County of Los Angeles Department of Public Works Building and Safety Division 312 Article 2.
3. Owner and any Tenants shall adhere to the SB 1383 regulations set forth by CalRecycle under California Code of Regulations Title 14, Division 7, Chapter 3 and outlined in the Irwindale Municipal Code Section 08.22 Specific Regulations for Organic Waste Disposal Reduction, Recycling, and Solid Waste, which includes the diversion of edible food to food recovery organizations and services.
4. The owner and/or applicant shall remove and reconstruct all damaged, deficient, or substandard sidewalk, driveways, curb, and gutter as directed by the Director of Engineering and the Public Services Director.
5. The owner and/or applicant shall be responsible for obtaining encroachment permit(s) prior to any type of work in the public right-of-way.
6. Any work within easements on the project site shall require proper permits from the easement holder (City of Irwindale, County of Los Angeles, Southern California Edison, etc.).
7. Vehicles shall not block the sidewalk or be parked on the public right-of-way along property frontage as it is a no parking area per. IMC 10.28.030 and IMC 10.28.040
8. The tenant and owner of the property shall be responsible for the removal of any accidental or illegal dumping of debris on private property. It is not the responsibility of the City of Irwindale to remove these items from private property.
9. All utilities and signs within the public right-of-way shall meet horizontal and vertical ADA clearance requirements.
10. Any landscaping, including an irrigation system, in the public right-of-way or any property that is dedicated to the City of Irwindale shall be approved by the Public Services Director, or designee, as part of the permitting process. Property owner is required to maintain at its sole expense all landscaping in the public right-of-way, including the parkway.
11. All pedestrian and approach ramps in the public right-of-way shall meet ADA requirements. Pedestrian ramps shall have brick red truncated domes in the public right-of-way.

D. PUBLIC WORKS/BUILDING AND SAFETY

STREETS

1. All off-site improvements within the Public Right-of-Way shall be performed in accordance with City Standards to the satisfaction of the Director of Engineering. Construction plans shall be reviewed and approved by the Director of Engineering.
2. Adequate “on-site” parking shall be provided per City requirements.
3. The owner/applicant shall remove and reconstruct all damaged, cracked or lifted sidewalks, curbs and gutters as directed by the Director of Engineering. All reconstructed sidewalks shall meet ADA requirements.
4. The owner/applicant shall remove all existing driveways and design and construct new ADA accessible driveway approaches on Longden Ave. All improvements shall be constructed in accordance with the current City standards to the satisfaction of the Director of Engineering. Construction plans shall be reviewed and approved by the Director of Engineering.
5. Landscaping and tree planting plans shall be reviewed and approved by the Public Services Director.
6. The owner/applicant shall be responsible for the repair of all damage to public improvements in the public right-of-way resulting from construction-related activities, including, but not limited to, the movement and/or delivery of equipment, materials and soil to and/or from the site.
7. The owner/applicant shall bear the full cost of installing streetlights and/or upgrading the existing street lights along the property frontage of Longden Ave to more energy-efficient fixtures (LED). Street lighting upgrade shall meet the City of Irwindale and County of Los Angeles Street Lighting Design Standards and be to the satisfaction of the Director of Engineering.
8. The owner and/or applicant shall reimburse the City for the actual cost for the installation, replacement or modification of street name signs, traffic control signs, striping and pavement markings required in conjunction with the development.
9. Common driveways shall not be allowed, unless approved by the Director of Engineering. Proposed driveways shall be located clear of existing fire hydrants, streetlights, water meters, etc.

UTILITIES

10. Storm drains, catch basins, connector pipes, and appurtenances for the site-specific storm drain system shall be designed and constructed in accordance with Los Angeles County standards and the Director of Engineering’s requirements. The owner/applicant shall submit grading and drainage plans to the Director of Engineering for review and approval. The grading and drainage plans shall be

prepared by a licensed civil engineer and comply with Los Angeles County grading permit requirements. A hydrology study shall be included with the drainage plan.

11. The owner/applicant shall pay for the entire cost for the design, engineering construction and inspection of any upgrade to the water main and connections as required by the serving water company for the proposed development.
12. The owner/applicant shall obtain a Storm Drain Connection Permit from the City of Irwindale and/or Los Angeles County Flood Control District for connection(s) to the existing storm drain system.
13. Fire hydrants shall be installed as required by the Fire Department. Existing public fire hydrants adjacent to the site, if any, shall be upgraded as required by the Fire Department and/or the Director of Engineering.
14. Sanitary sewers shall be constructed in accordance with the current City specifications to serve the subject development. The plans for the sanitary sewers shall be approved by the Director of Engineering. A sewer study shall be submitted along with the sanitary sewer plans.
15. Prior to the issuance of building permits, the owner/applicant shall provide a will-serve letter from the water utility provider to the City.

TRAFFIC

16. All ingress and egress on the eastern driveway on Longden Avenue is Right In/Right Out ONLY. Proper signage shall be installed on the project site.

MISCELLANEOUS

17. The owner/applicant shall comply with all requirements of the County Sanitation District, make application for and pay the sewer maintenance fee.
18. That the owner/applicant shall pay the connection fee upon application for storm water connection to the County of Los Angeles system.
19. The owner/applicant shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMPs) on all construction sites in accordance with the City Code. The owner/developer will also be required to submit a Certification for the project and may be required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Projects over five acres in size will be required to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB). The owner/developer can obtain the current application packet by contacting the SWRCB, Construction Storm Water Unit, at (866) 563-3107 or by downloading the forms from their

website at:
www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml.

The project shall also conform to the City's Ordinance regarding the requirements for the submittal of a Standard Urban Storm Water Mitigation Plan ("SUSMP"), and the requirements of Low Impact Development ("LID"). The SUSMP includes a requirement to implement Post Construction BMPs to infiltrate the first 3/4" of runoff from all storm events and to control peak-flow discharges.

20. Unless exempted by the Los Angeles Regional Water Quality Control Board, a Covenant and Restriction ensuring the provisions of the approved SWPPP shall also be required.
21. Any changes to the site plan shall be reviewed and approved by the Director of Engineering.

BUILDING & SAFETY

22. Building plans for the proposed construction of a trash enclosure must contain the following items to be submitted for plan check:
 - Site Plan: Lot size, locations and dimensions of property lines, adjacent streets, setbacks from property lines, locations of other structures, easements, north arrow, scale, contours/drainage pattern
 - General Notes: Applicable codes, occupancy classification, type of construction, allowable area analysis, and occupant load analysis, plumbing fixture analysis, description of work, lot area, existing/proposed building area, material specifications.
 - Accessibility Requirements: Complete path of travel, parking spaces/loading areas, restroom facilities, ramps, curbs, counters, etc. All details must be cross referenced on the plan.
 - Foundation Plan: Locations of all new footings, anchor bolt and hold-down schedules, complete foundation details.
 - Structural Analysis: Calculations shall be provided to substantiate the structural plans where new structural elements are proposed or existing structural elements are altered. The structural calculations shall address both vertical and lateral forces, and shall be wet stamped and signed by a licensed engineer or architect registered in the state of California.
 - Details: Complete framing and foundation details for all new structural elements, complete accessible path of travel details, required fire rated assembly details.
 - A Geotechnical Soils Report if any structures are to be proposed on site.
 - Green Building: Requirements, details, and notations shall be included in the plans.
 - Additional items may be requested at plan check.

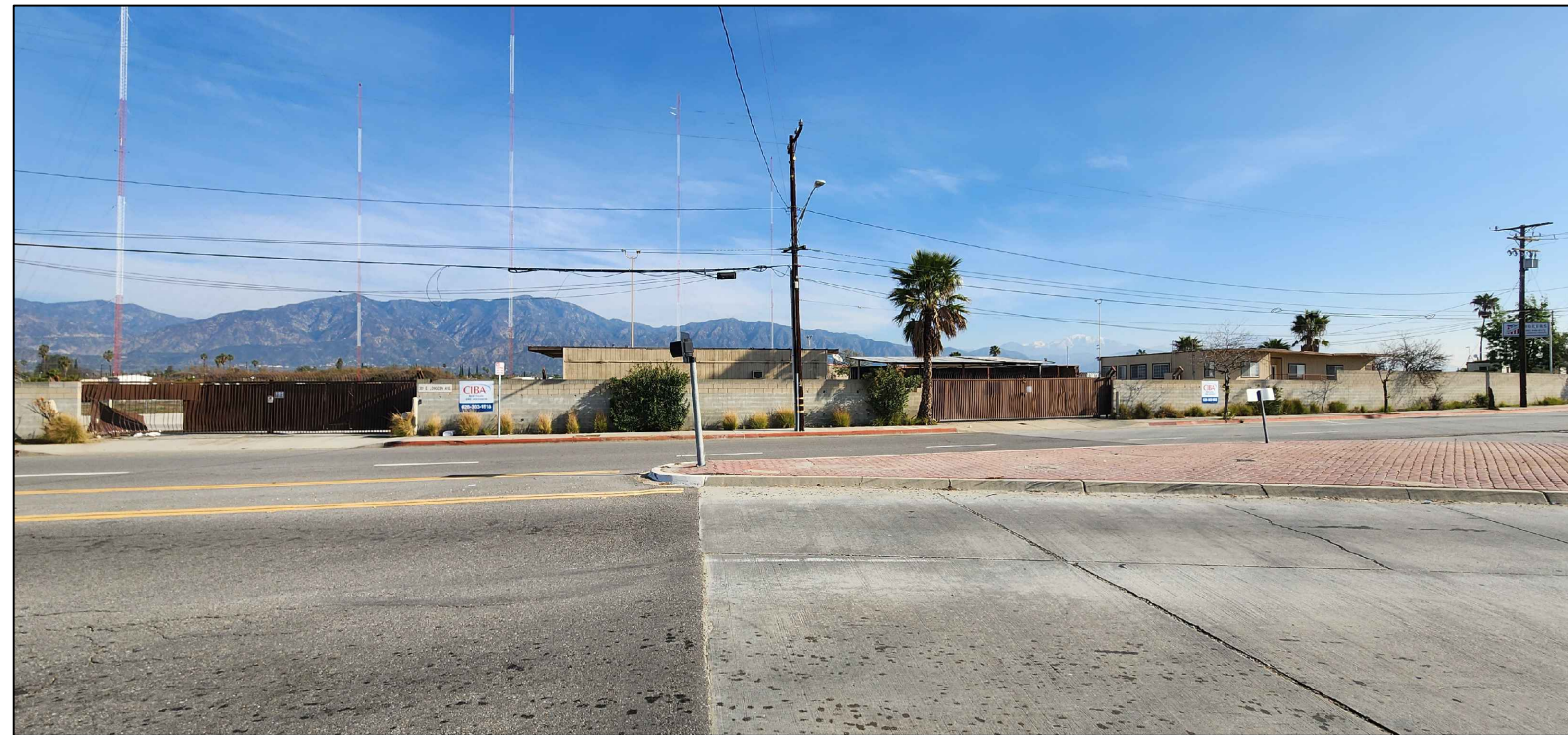
E. FIRE DEPARTMENT

1. The project shall comply with all applicable requirements of the County of Los Angeles Fire Department.
2. Review and approval by the County of Los Angeles Fire Department, Fire Prevention Engineering Section Building Plan Check Unit may be required for this project prior to building permit issuance. Please contact the Fire Prevention Engineering Section at 626.963.5564 for information on EPICLA submittals.

EXHIBIT B

CONDITIONAL USE PERMIT FOR GREAT WEST AUTO TRANSPORTATION

LOCATED AT: 301 LONGDEN AVE, IRWINDALE, CA.



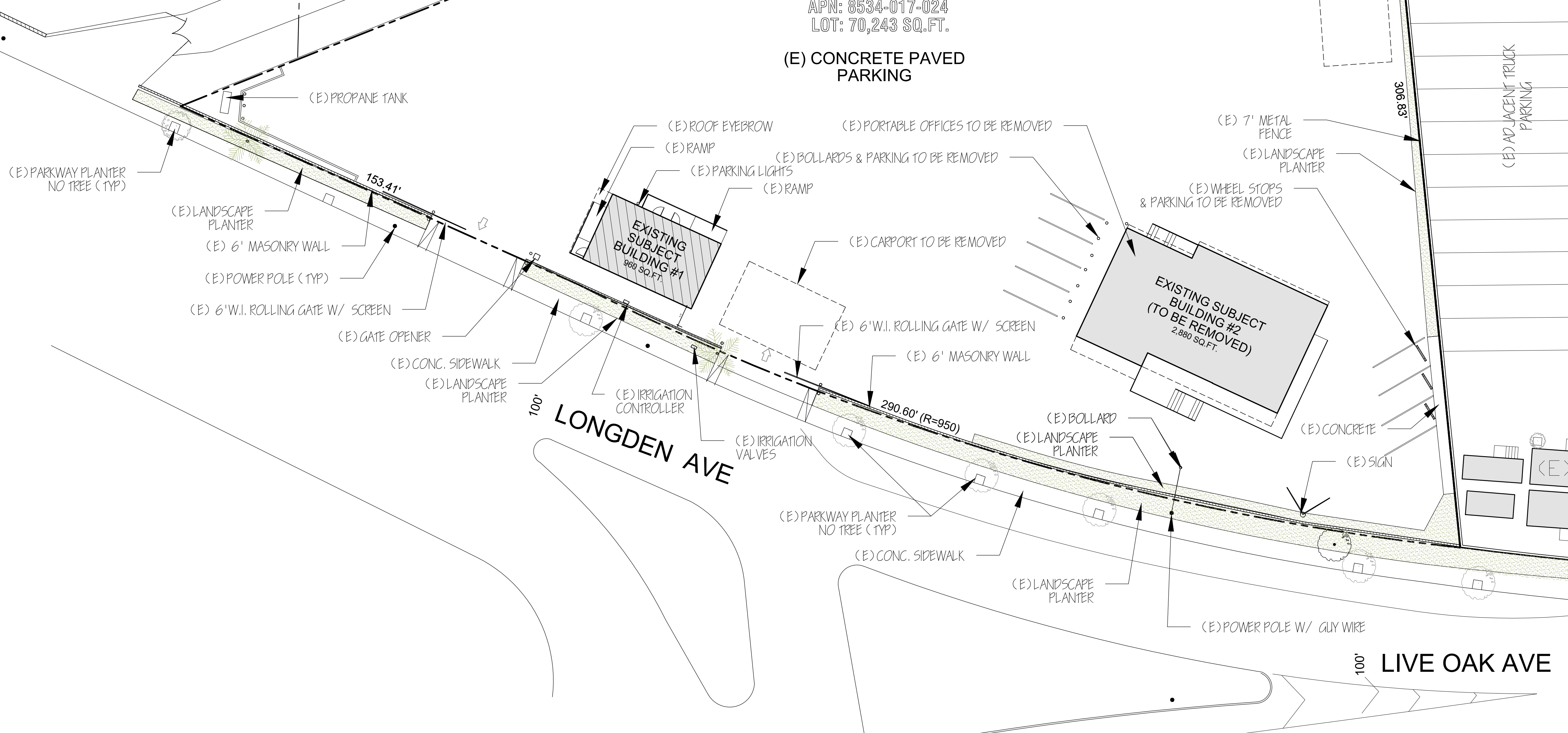
EXISTING LONGDEN AVE STREET VIEW

277 LONGDEN AVE
APN: 8534-017-016
ADJACENT UTILITY
- NOT A PART -

277 LONGDEN AVE
APN: 8534-017-014
ADJACENT UTILITY
- NOT A PART -

301 LONGDEN AVE
APN: 8534-017-024
LOT: 70,243 SQ.FT.

313 LIVE OAK AVE
APN: 8534-017-025
ADJACENT TRUCKING
YARD
- NOT A PART -



EXISTING SITE & DEMO PLAN SCALE: 1" = 20'-0"

GREAT-WEST AUTO TRANSPORTAION

SITE ADDRESS: 301 LONGDEN AVE.
IRWINDALE, CA. 91010

OWNER: GEORGE P LARRAZOLO
OWNER ADDRESS: 50025 EL DORADO DR
LA QUINTA, CA 92253

APPLICANT: GREATWEST AUOTO, INC.
ENKHAISHAN BATTULGA
871 CORONADO CENTER DR STE 200
HENDERSON, NV. 89052

ZONE: M2

APN: 8534-017-024

LEGAL DESCRIPTION: PM 210-60-61 LOT 1

LOT SIZE : IRREGULAR

LOT AREA: 70,243 SQ.FT.

PORTABLE OFFICE AREA:

PORTABLE #1= 1,080 SQ.FT.

PORTABLE #2= 3,360 SQ.FT. (TO BE REMOVED)

MAINTENANCE CANOPY = ± 3,020 SQ.FT.

CARPORT = ± 835 SQ.FT. (TO BE REMOVED)

LANDSCAPE AREA: ±1,034 SQ.FT.

PARKING AREA: ±61,964 SQ.FT.

PARKING PROVIDED:

- 5- STANDARD 9' X 20' STALLS (1 ACCESSIBLE)
- 16 - SEMI STALLS 12' X 80'
- 10- SEMI MAINTENANCE / PARKING STALLS (12' X 80')

PROJECT INFORMATION

CONDITIONAL USE PERMIT FOR GREAT WEST AUTO TRANSPORTATION TO PARK SEMI TRUCKS AND AUTO TRANSPORT TRAILERS ON AN EXISTING 70,243 PARCEL FORMALLY USED AS AMERICAN RIGGERS TRUCKING YARD. LIGHT MAINTENANCE AND YARD OFFICE WITHIN EXISTING STRUCTURES. REMOVE EXISTING MOBILE OFFICE BUILDING #2, ITS FOUNDATION & BOLLARDS. REMOVE OVERHEAD CANOPY AT EAST DRIVEWAY.

- NEW TRASH ENCLOSURE**- NEW PAINTED PARKING STALLS:**

- 21 - 11' X 80' TRUCK STALLS
- 3 - 10' X 80' TRUCK STALLS
- 10 - 9' X 20' STANDARD STALLS (1 ACCESSIBLE)

- RECONSTRUCT DAMAGED SIDEWALK**- NEW PARKWAY LANDSCAPING**

SCOPE OF WORK



SCALE: NTS

VICINITY MAP

THIS PLAN IS NOT A SURVEY OF LAND AND IS A DIAGRAM FOR INFORMATION ONLY AND IS DEEMED TO BE ACCURATE FOR THE PURPOSES INTENDED. ALL INFORMATION AND PHYSICAL MONUMENTS SHOWN ON THE SITE & FLOOR PLANS ARE BY CLIENT PROVIDED PLANS AND SHALL NOT BE USED FOR CONSTRUCTION PURPOSES.

DISCLAIMER

Revisions	By

JOE MORENO
(626) 350-5844
morenojoe@sbglobal.net
OWNERSHIP / OCCUPANTS LIST - LAND USE
PLANS - MUNICIPAL COMPLIANCE CONSULTING
12106 LAMBERT AVE ELMONTE, CA 91732 - FAX (626) 350-1532

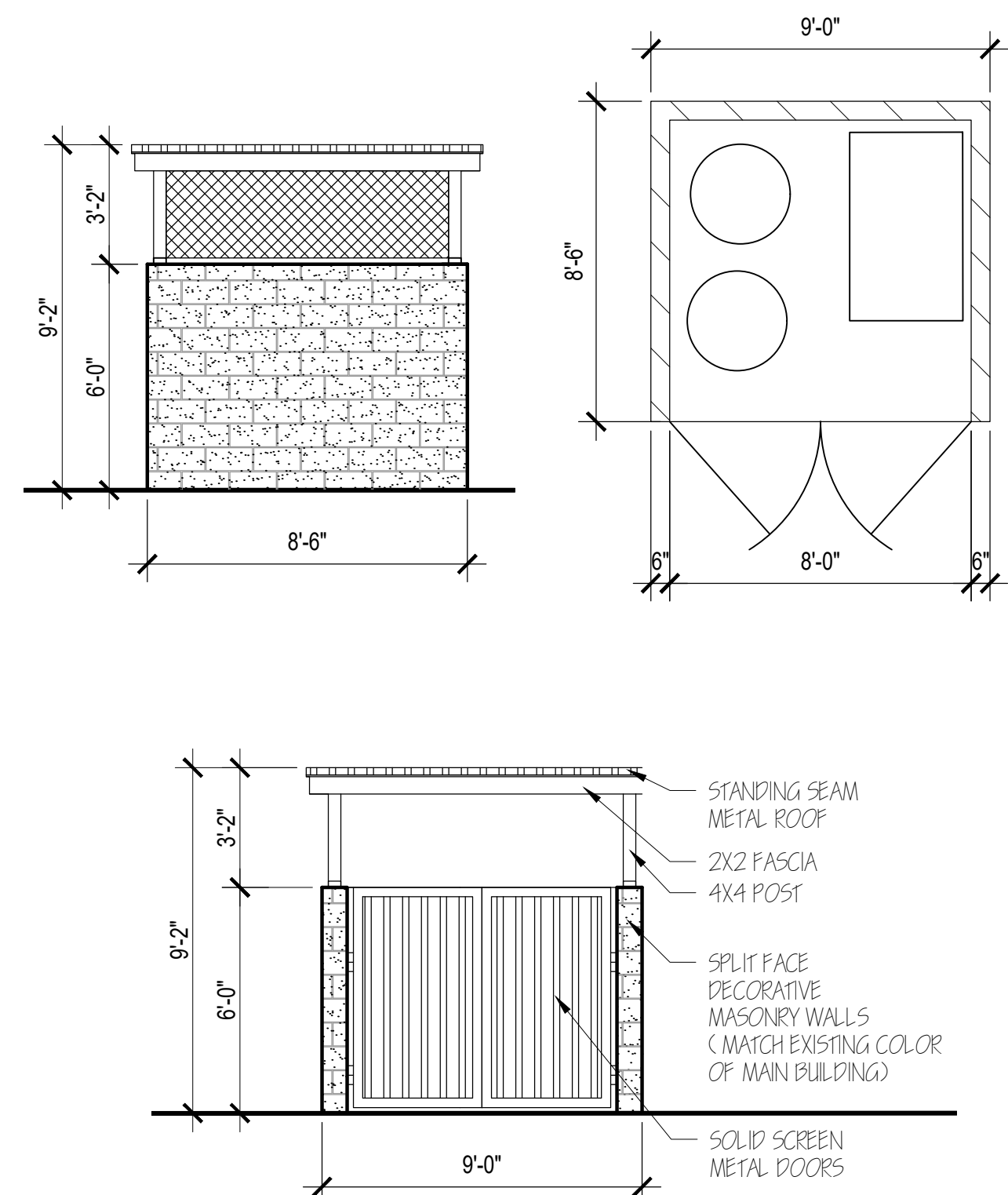
EXISTING SITE PLAN
& SITE DEMO PLAN

GREAT WEST AUTO, INC
310 LONGDEN AVE
IRWINDALE, CA.
ENKHAISHAN BATTULGA

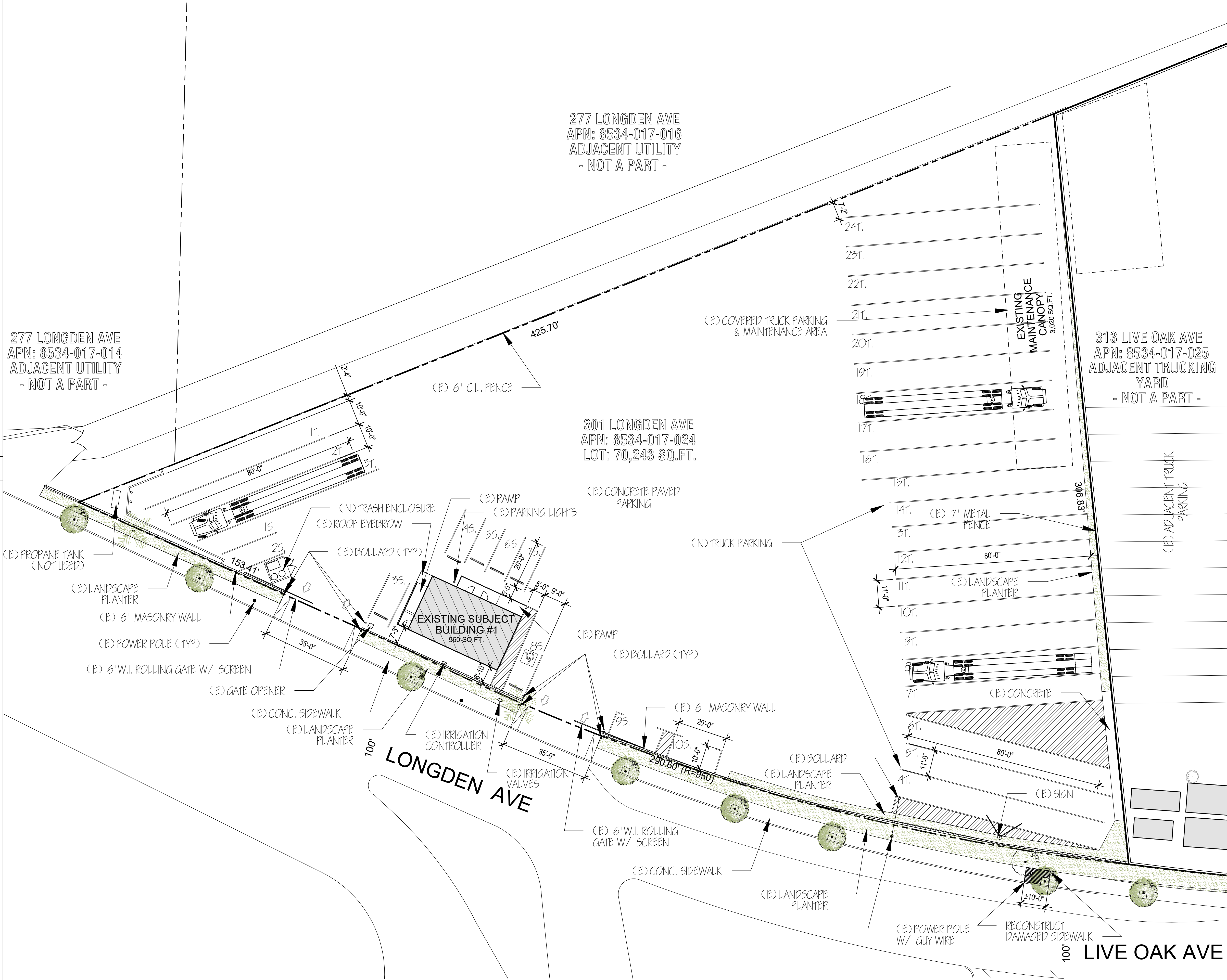
Date 3 / 03 / 2025
Scale AS NOTED
Drawn MORENO
Job 25-038
Sheet **A1**

1. All walls that face the public right-of-way shall implement anti-graffiti management practices (such as planting vines on the walls). Applicant shall be responsible for graffiti removal to all walls that face the public right-of-way in a timely manner.
2. Onsite trash enclosure areas shall have sufficient space for solid waste, recycling, and organic waste receptacles and shall be covered from the elements with a solid roof structure per Title 14, Division 7, Section 17313 of the California Code of Regulations and Building Code Manual County of Los Angeles Department of Public Works Building and Safety Division 312 Article 2.
3. Tenants shall adhere to the SB 1383 regulations set forth by CalRecycle under California Code of Regulations Title 14, Division 7, Chapter 3 and outlined in the Irwindale Municipal Code Section 08.22 Specific Regulations for Organic Waste Disposal Reduction, Recycling, and Solid Waste, which includes the diversion of edible food to food recovery organizations and services.
4. The owner and/or applicant shall remove and reconstruct all damaged, deficient, or substandard sidewalk, driveways, curb, and gutter as directed by the Director of Engineering and the Public Services Director.
5. The owner and/or applicant is responsible for obtaining encroachment permit(s) prior to any type of work in the public right-of-way.
6. Any work within easements on the project site shall require proper permits from the easement holder (City of Irwindale, County of Los Angeles, Southern California Edison, etc.).
7. Vehicles shall not block the sidewalk or be parked on the public right-of-way along property frontage as it is a no parking area per. IMC 10.28.030 and IMC 10.28.040
8. The tenant and owner of the property are responsible for the removal of any accidental or illegal dumping of debris on private property. It is not the responsibility of the City of Irwindale to remove these items from private property.
9. All utilities and signs within the public right-of-way shall meet horizontal and vertical ADA clearance requirements.
10. Any landscaping, including an irrigation system, in the public right-of-way or any property that is dedicated to the City of Irwindale shall be approved by the Public Services Director, or designee, as part of the permitting process. Property owner is required to maintain at its sole expense all landscaping in the public right-of-way, including the parkway.
11. All pedestrian and approach ramps in the public right-of-way shall meet ADA requirements. Pedestrian ramps shall have brick red truncated domes in the public right-of-way.

PUBLIC WORKS COMMENTS



PROPOSED TRASH ENCLOSURE SCALE: 1/4" = 1'-0"



PROPOSED SITE PLAN SCALE: 1" = 20'-0"

Revisions	By

JOE MORENO
(626) 350-5844
morenojoe@sbglobal.net
OWNERSHIP / OCCUPANTS LIST - RADIUS MAPS - LAND USE
PLANS - MUNICIPAL COMPLIANCE CONSULTING
12106 LAMBERT AVE ELMONTE, CA 91732 - FAX (626) 350-1532

SITE PLAN

GREAT WEST AUTO, INC
310 LONGDEN AVE
IRVINDALE, CA.
ENKHAISAKHAN BATTULGA

Date	3 / 03 / 2025
Scale	AS NOTED
Drawn	MORENO
Job	25-038
Sheet	A2



NORTH ELEVATION - EXISTING BUILDING #2 TO BE REMOVED



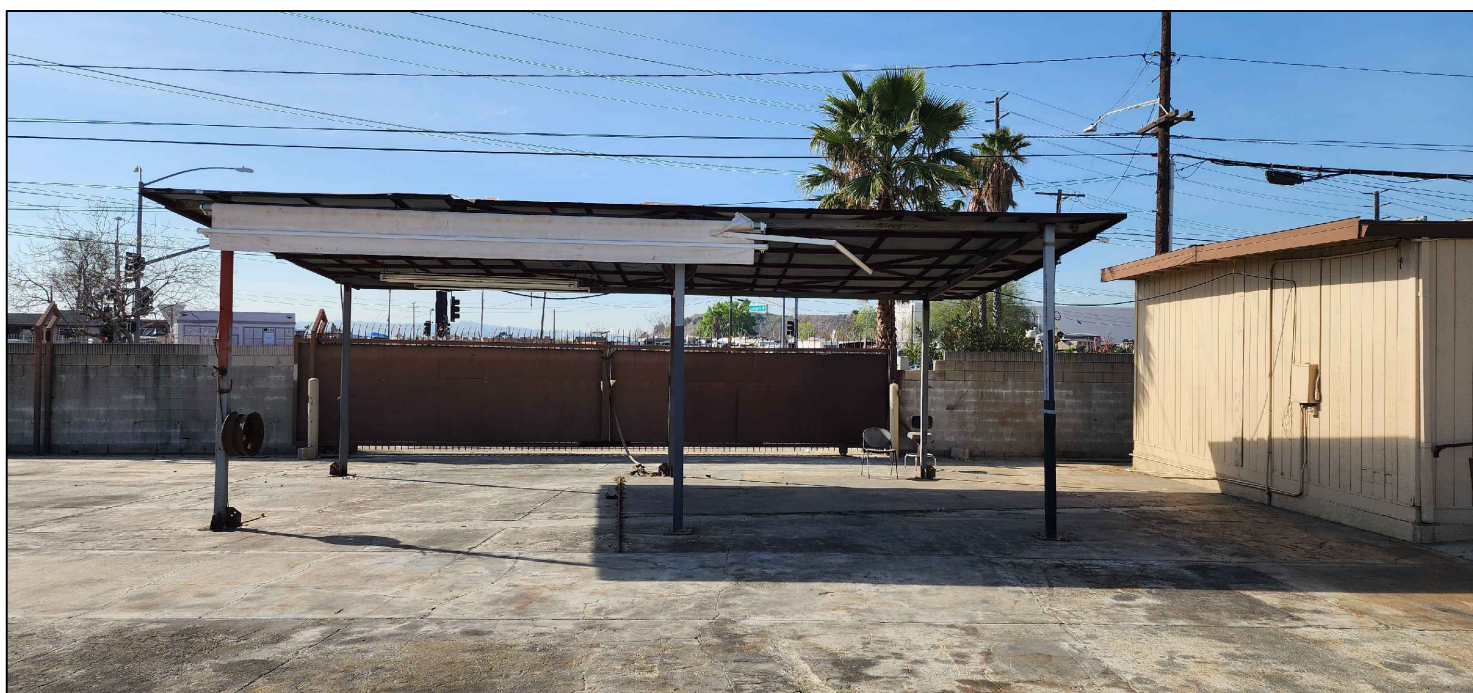
WEST ELEVATION - EXISTING BUILDING #2 TO BE REMOVED



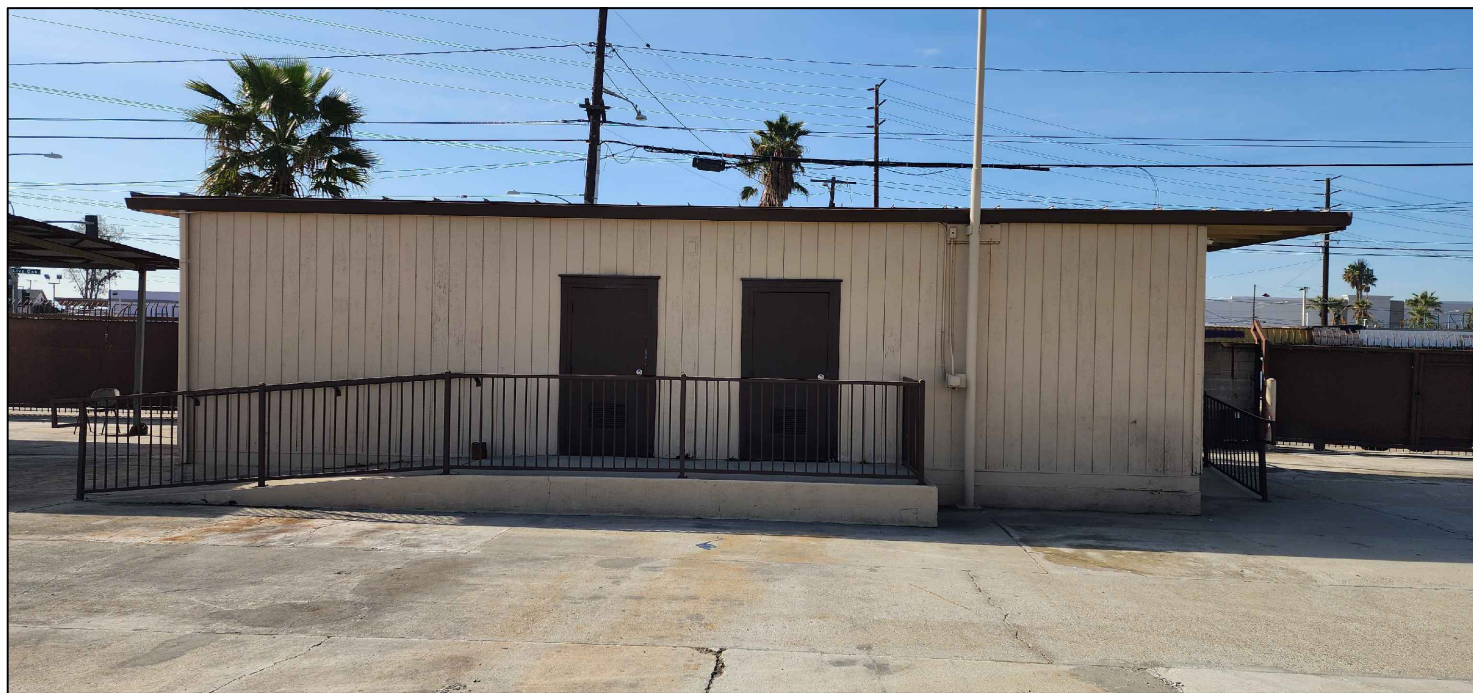
SOUTH ELEVATION - EXISTING BUILDING #2 TO BE REMOVED



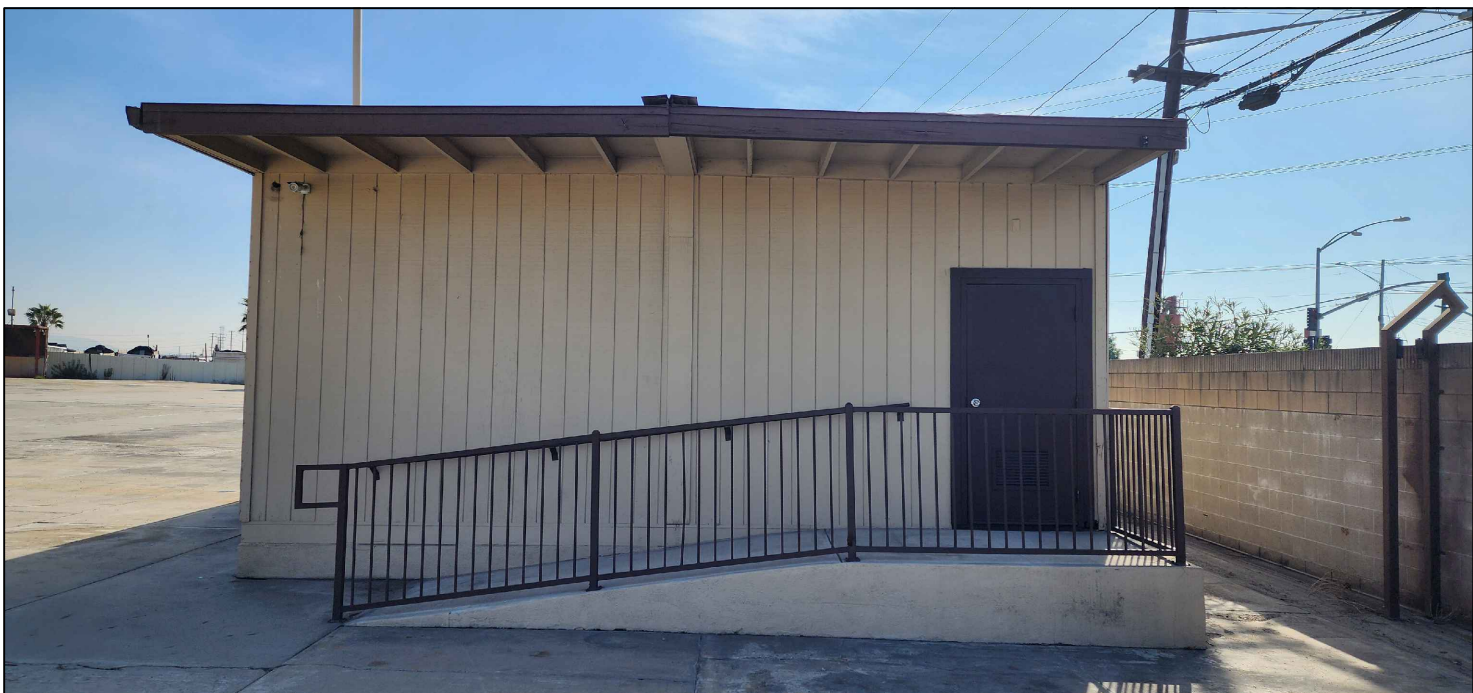
SOUTH-EAST ELEVATION - EXISTING BUILDING #2 TO BE REMOVED



NORTH ELEVATION - EXISTING CANOPY TO BE REMOVED



NORTH ELEVATION - EXISTING BUILDING #1



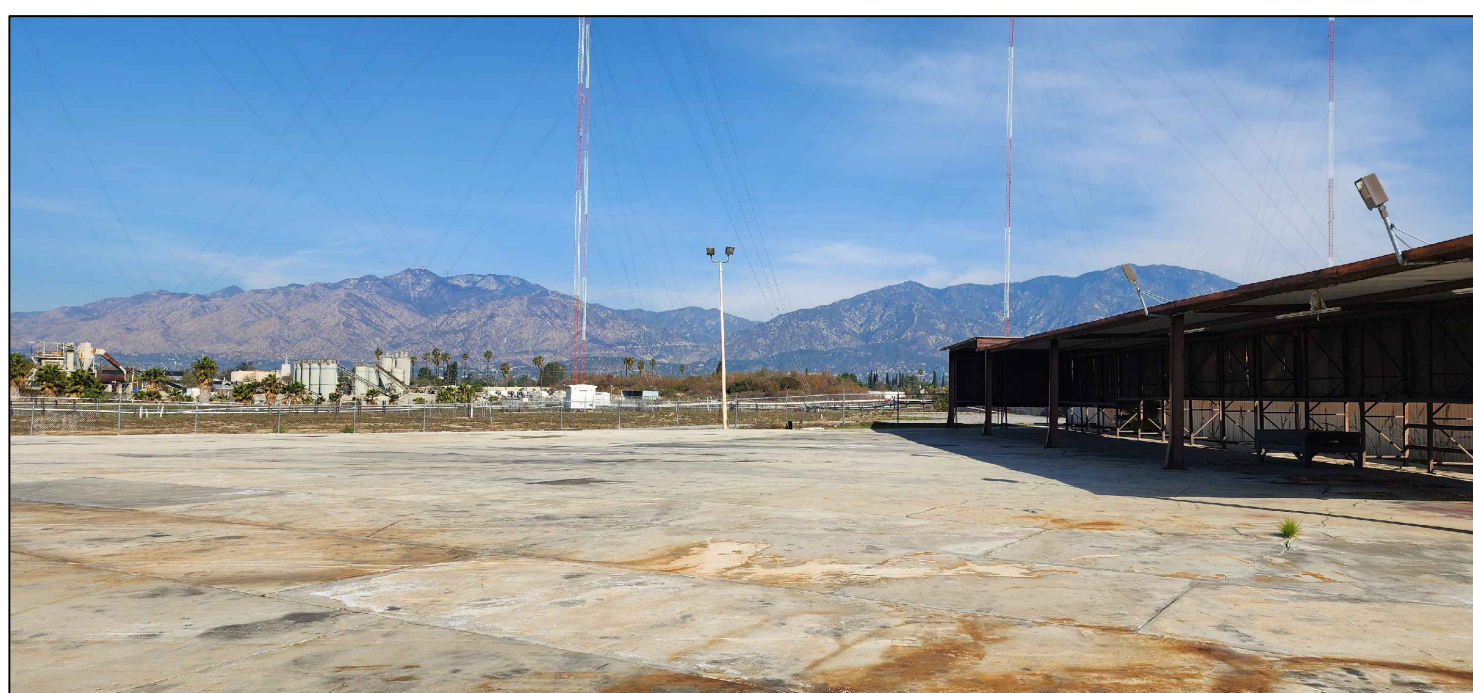
WEST ELEVATION - EXISTING BUILDING #1



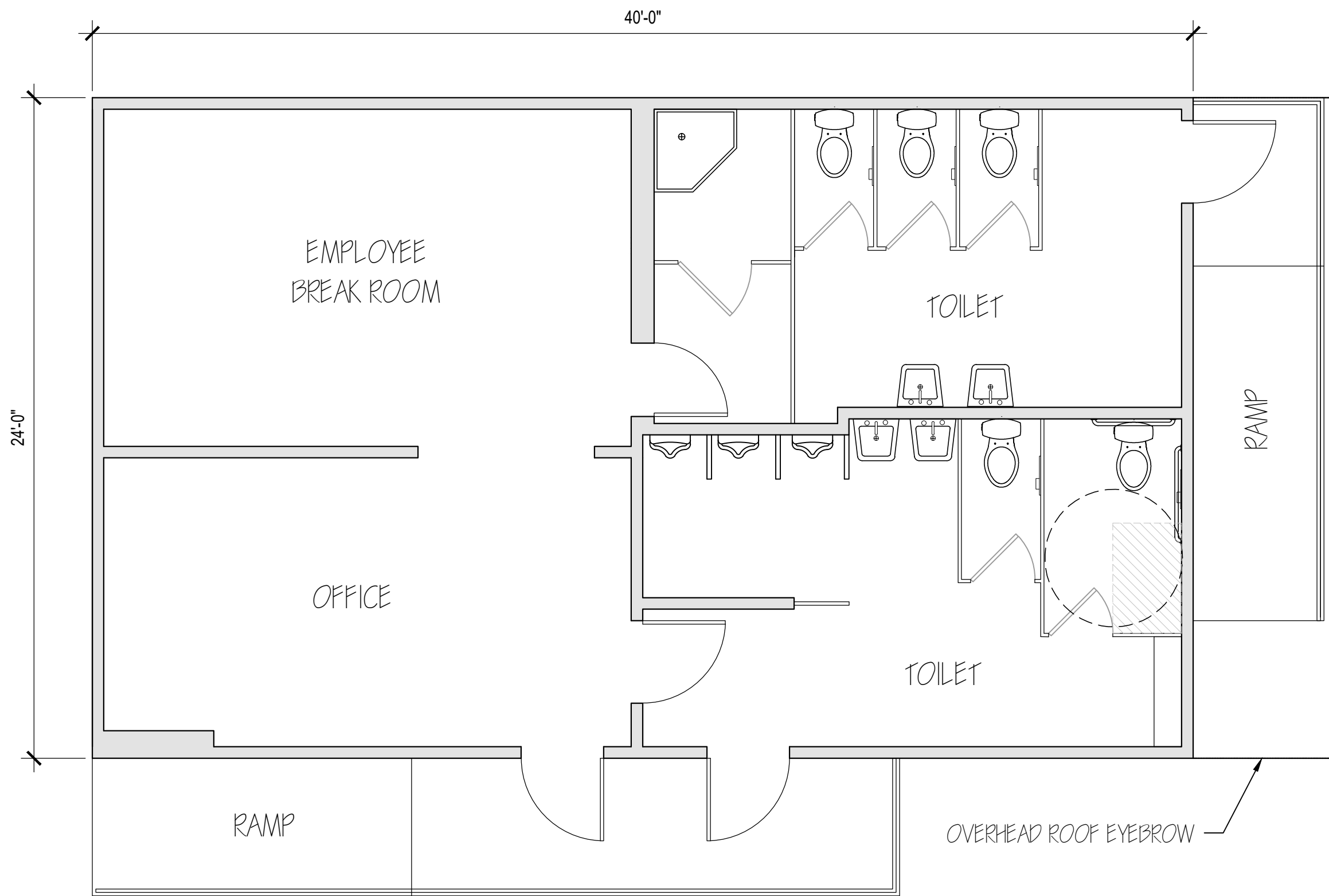
EAST ELEVATION - EXISTING CANOPY TO BE REMOVED



SOUTH ELEVATION - EXISTING CANOPY TO REMAIN

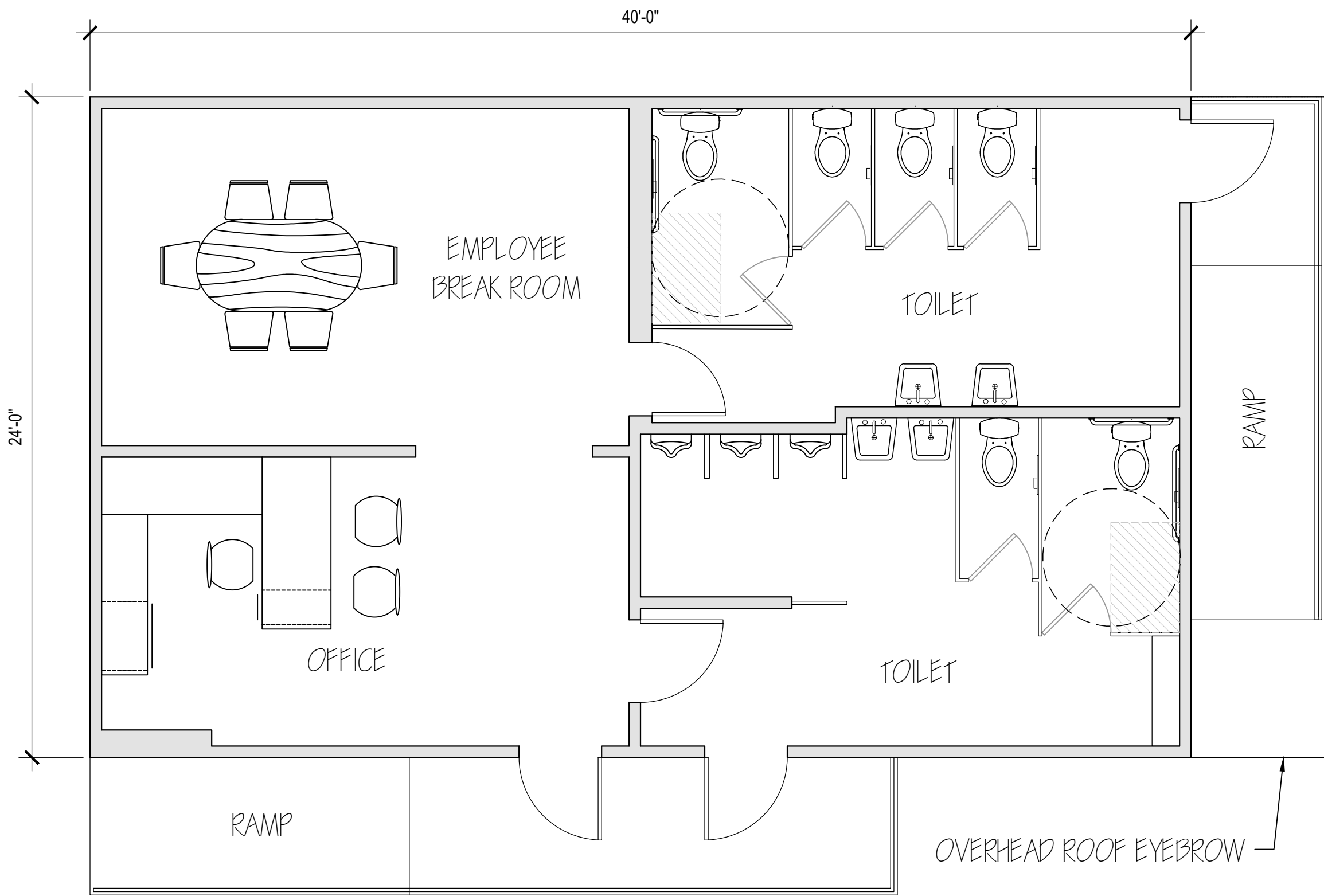
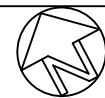


EXISTING YARD & CANOPY- CANOPY TO REMAIN



EXISTING FLOOR PLAN

SCALE: 1/4" = 1'-0"



PROPOSED FLOOR PLAN

SCALE: 1/4" = 1'-0"



Revisions	By

JOE MORENO
(626) 350-5844
morenojoe@bigglobal.net
OWNERSHIP / OCCUPANTS LIST - RADIUS MAPS - LAND USE
PLANS - MUNICIPAL COMPLIANCE CONSULTING
12106 LAMBERT AVE EL MONTE, CA 91732 - FAX (626) 350-1532

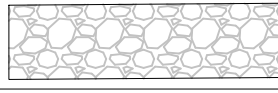
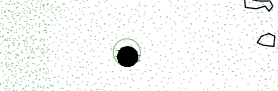
PROPOSED FLOOR PLAN
&
PHOTO ELEVATIONS

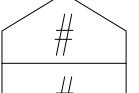
GREAT WEST AUTO, INC
310 LONGDEN AVE
IRVINDALE, CA,
ENKHAISAHAN BATTULGA

Date	3 / 03 / 2025
Scale	AS NOTED
Drawn	MORENO
Job	25-038
Sheet	

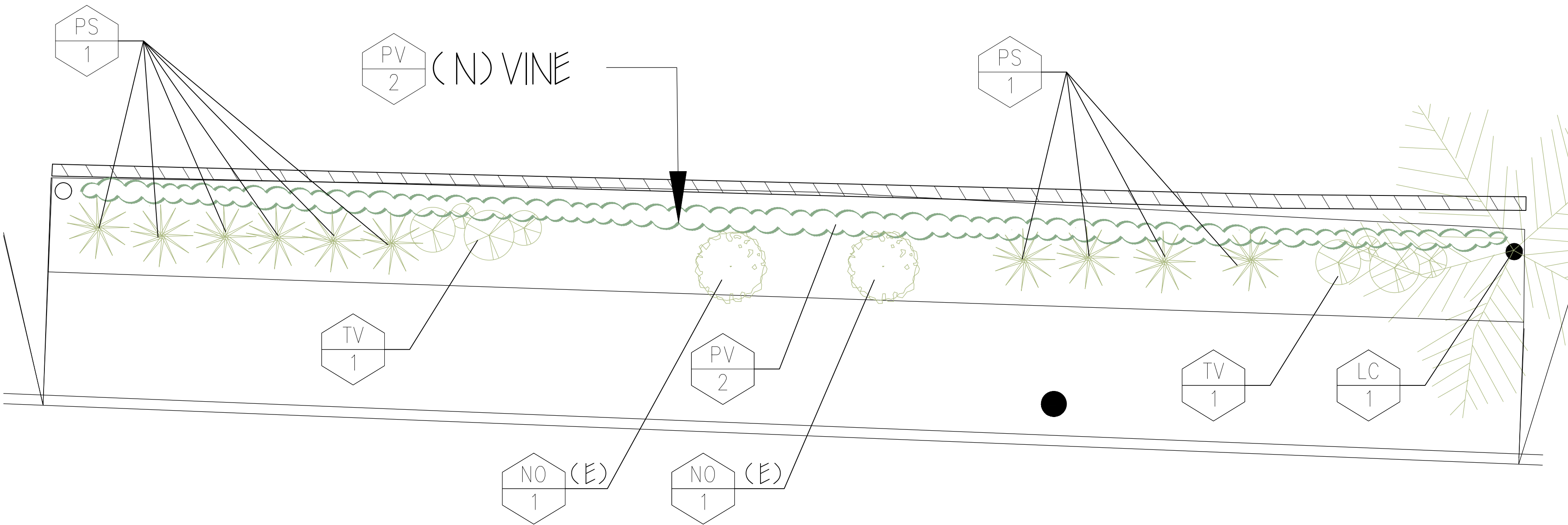
A3

LANDSCAPE LEGEND

CALL OUT	SYMBOL	ABV.	BOTANICAL NAME	COMMON NAME	TYPE	SIZE	IRRIGATION REQUIREMENT
		RR	SMALL RIVER ROCK BOULDERS	N/A	GROUND COVER	N/A	N/A
		PS	PENNISETUM SETACEUM	PURPLE FOUNTAIN GRASS	SHRUB	1 GAL / (E)	1 - LOW
		PV	PARTHENOCISSUS QUINQUEFOLIA	VIRGINIA CREEPER	VINE	1 GAL @ 6'	2 - MODERATE
		TV	TULBAGHIA VIOLACCA	SOCIETY GARLIC	SHRUB	1 GAL	1 - LOW
		NO	NERIUM OLEANDER	OLEANDER	SHRUB	5 GAL / (E)	1 - LOW
		TP	THEVETIA PERUVIANA	YELLOW OLEANDER	TREE	(E)	1 - LOW
		PD	POPULUS DELTOIDES	COTTON WOOD	TREE	(E)	2 - MODERATE
		PG	PODOCARPUS GRACILIOR	FERN PINE	TREE	24 GAL	1 - LOW
		LC	LIVISTONA CHINENSIS	CHINESE FAN PALM	TREE	(E)	1 - LOW

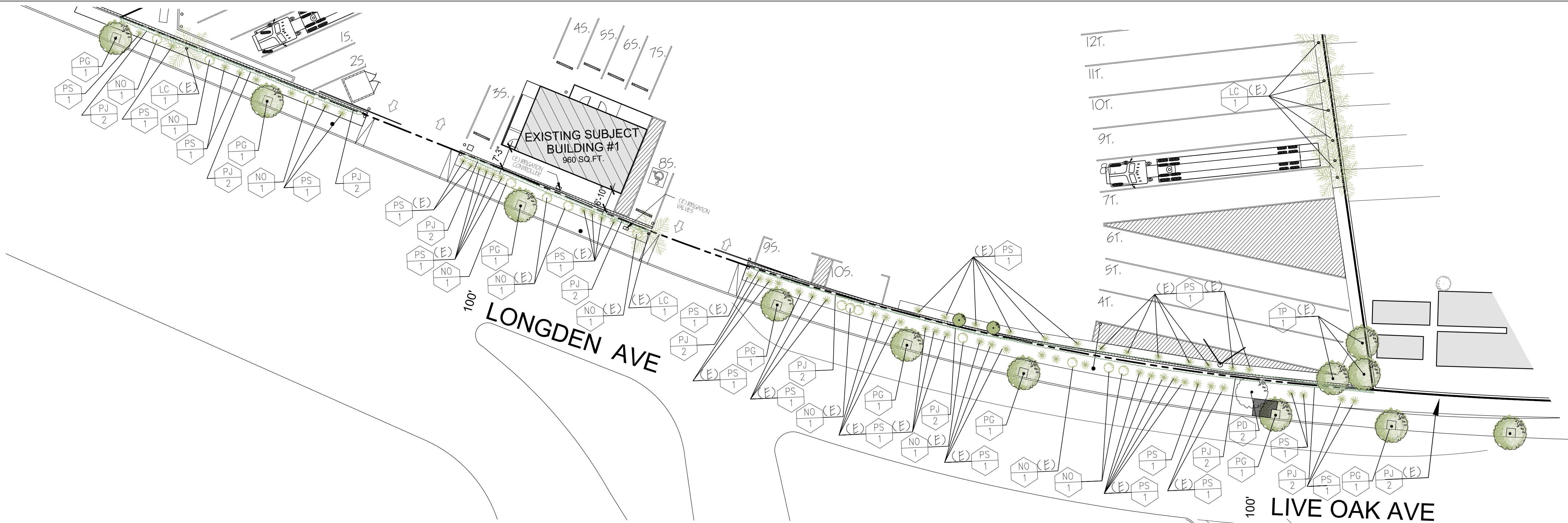
CALL OUT SYMBOL :  — PLANT ABV.
 — IRRIGATION TYPE

USDA HARDINESS ZONE 10A



LANDSCAPE LEGEND

ENLARGED TYPICAL EXISTING & NEW LANDSCAPE AREA



EXISTING & PROPOSED LANDSCAPE PLAN SCALE: 1" = 20'-0"

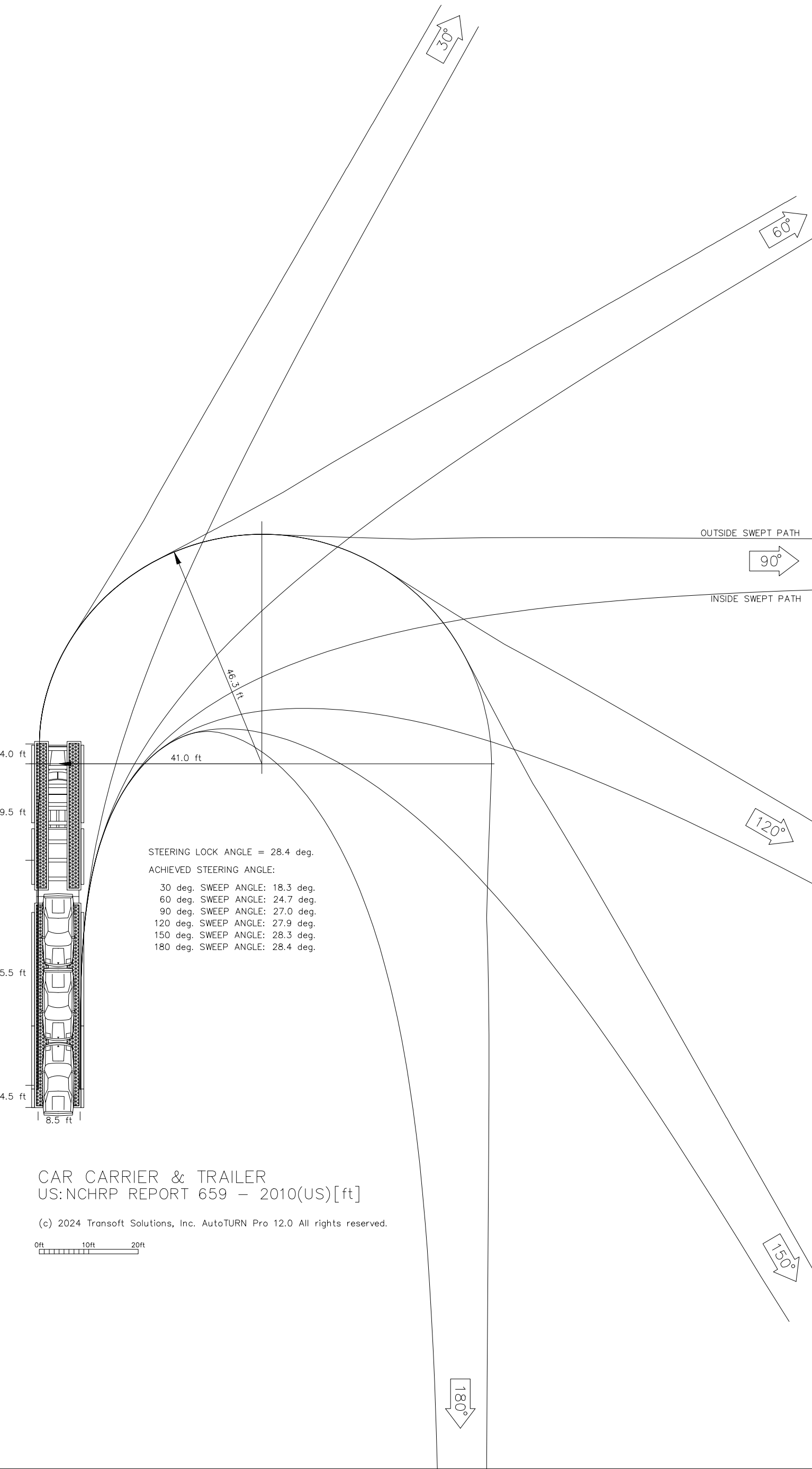
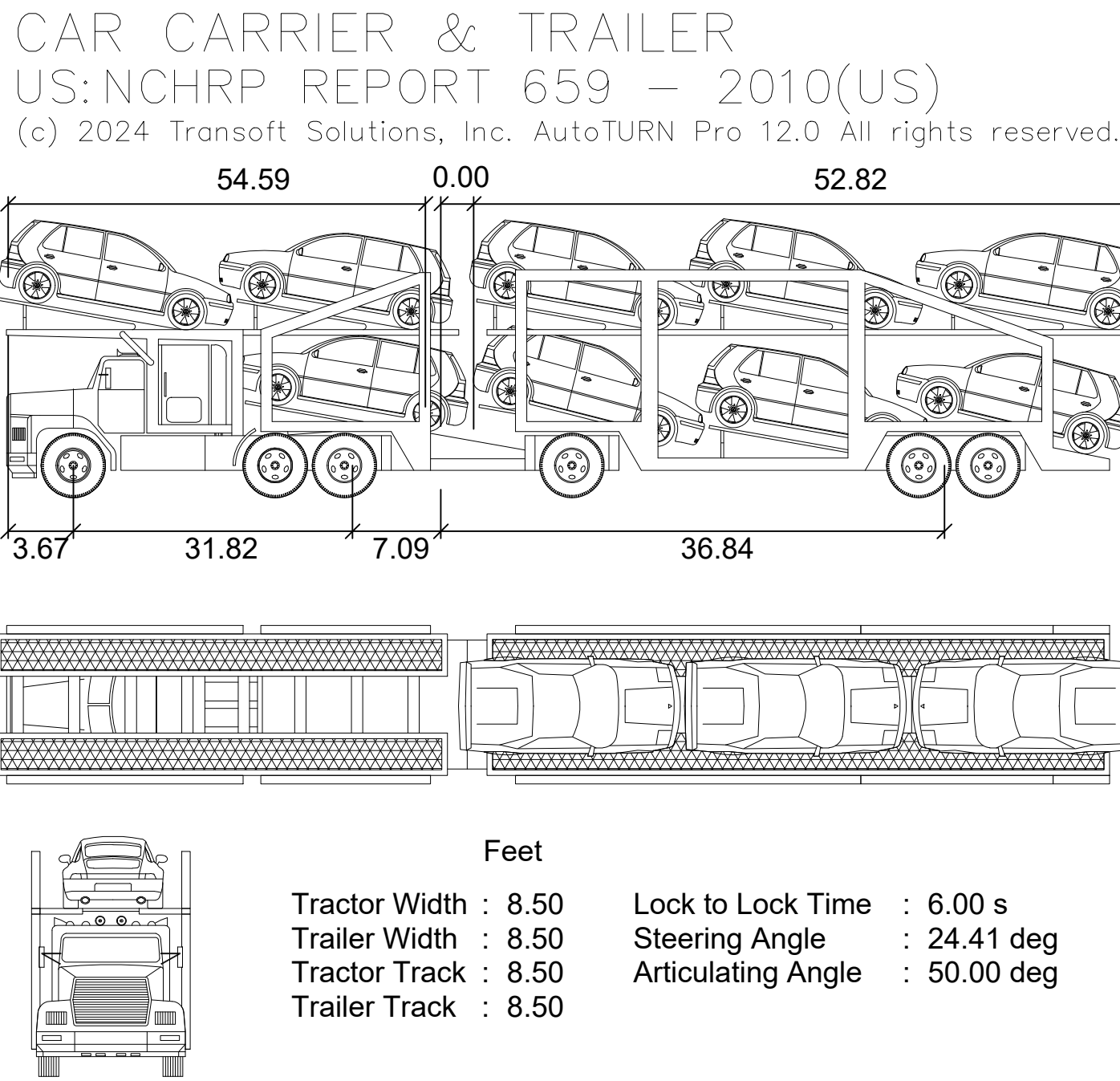
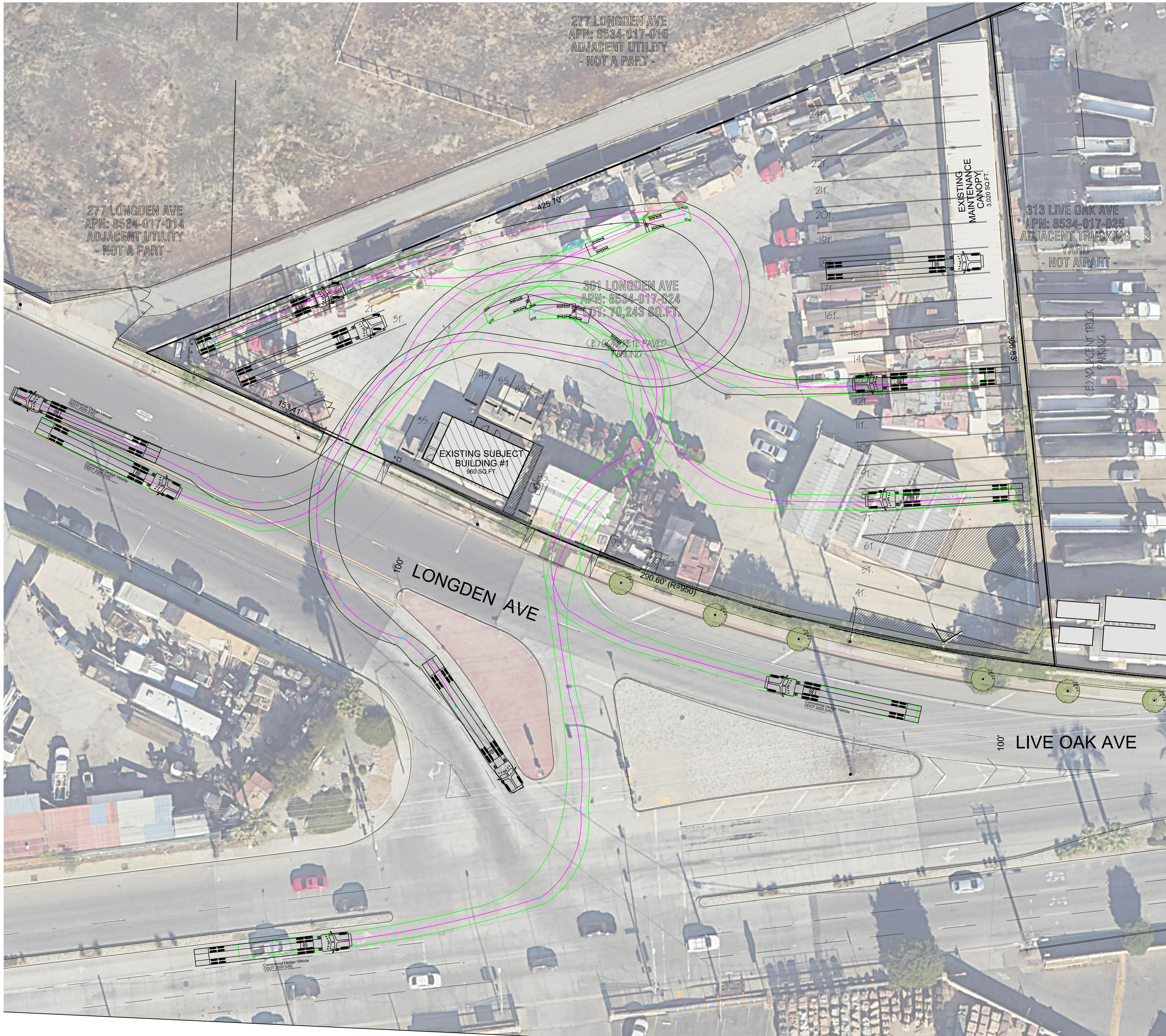
Revisions	By

JOE MORENO
(626) 350-5944
morenojoe@scglobal.net
OWNERSHIP / OCCUPANTS LIST - RADIUS MAPS - LAND USE
PLANS - MUNICIPAL COMPLIANCE CONSULTING
12106 LAMBERT AVE ELMONTE, CA 91732 - FAX (626) 350-1632

EXISTING
&
PROPOSED LANDSCAPE PLAN

GREAT WEST AUTO, INC
310 LONGDEN AVE
IRVINDALE, CA.
ENKHAISAKHAN BATTULGA

Date 4/11/2025
Scale AS NOTED
Drawn MORENO
Job 25-038 / 25-089
Sheet **A4**



Revisions	By

JOE MORENO
(626) 350-5944
morenoj@sbglobal.net
OWNERSHIP / OCCUPANTS LIST - RADIUS MAPS - LAND USE
PLANS - MUNICIPAL COMPLIANCE CONSULTING
12106 LAMBERT AVE ELM MONTE, CA 91732 - FAX (626) 350-1532

TRUCK TUNING EXHIBIT

GREAT WEST AUTO, INC
310 LONGDEN AVE
IRVINDALE, CA.
ENKHAISAKHAN BATTULGA

Date: 5 / 09 / 2025
Scale: AS NOTED
Drawn: MORENO
Job: 25-038 / 25-089
Sheet: **A5**



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



Date: June 18, 2025 **Agenda Item No. 4-B**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP, Community Development Director

Project Planner: Jarrod Palmer, Assistant Planner

Project: Zone Change No. 02-2025
Rezoning of a select property from M-1 (Light Manufacturing) zone to RP (Recreation & Parks).

Applicant: City of Irwindale

Property Owner: City of Irwindale

Project Location: **JARDIN DE ROCA PARK**, 5051 N. Irwindale Avenue (APN 8417-035-901).

Staff Recommendation: That the Planning Commission adopt Resolution No. 848(25) recommending that the City Council adopt Zone Change No. 02-2025, to rezone a select parcel on Irwindale Avenue, from M-1 (Light Manufacturing) zone to RP (Recreation & Parks).

REQUEST

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

BACKGROUND/HISTORY

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

to update the Zoning and General Plan Maps for consistency between the appropriate classifications.

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

TIMELINE

On April 24, 2025, Staff opened an application to rezone Jardin de Roca Park.

On May 28, 2025, the property owners and property owners within 500 feet of the subject property were notified by mail. The public notice was also published in the newspaper the day prior. This timing met the minimum public notification requirement of 20 days prior to the meeting.

LOCATIONS AND SITE HISTORY



PROPOSED ZONE CHANGE NO. 02-2025 TO REZONE A SELECT PARCEL FROM M-1 (LIGHT MANUFACTURING) ZONE TO RP (RECREATION & PARKS) ZONE LOCATED AT:

JARDIN DE ROCA PARK, 5051 N. Irwindale Avenue (APN 8417-035-901).

The property listed is currently developed as the Jardin de Roca Park, and the General Plan designates this property as a Park. However, the City’s Zoning Map was not updated. The proposed Zone Change from M-1 (Light Manufacturing) to RP (Recreation & Parks) would be consistent with current use and the existing Parks General Plan designation.

ZONING

Chapter 17.35 (Amendments to the General Plan, General Plan Map, Zoning Code and Zoning Map) of the Irwindale Municipal Code allows for changes to the classification of property whenever the public necessity, convenience, general welfare, or good practice justify such amendment, consistent with the General Plan. The proposed change to the Zoning Map will remedy the existing inconsistency. The map will be updated to reflect the proposed changes.

ENVIRONMENTAL REVIEW

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

CONCLUSION/RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

1. Adopt Resolution No. 848(25) recommending that the City Council approve Zone Change No. 02-2025

Alternative Actions:

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

ATTACHMENTS:

- Exhibit A: Resolution No. 848(25)
Exhibit B: Existing and Proposed Zoning Map

EXHIBIT “A”**RESOLUTION NO. 848(25)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT ZONE CHANGE NO. 02-2025 AND MODIFY THE CITY OF IRWINDALE ZONING MAP TO REZONE A PARCEL FROM M-1 (LIGHT MANUFACTURING) ZONE TO RP (RECREATION & PARKS) ZONE LOCATED AT JARDIN DE ROCA PARK, 5051 N. IRWINDALE AVENUE (APN 8417-035-901); AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3)

A. RECITALS.

- (i) The City of Irwindale, 5050 Irwindale Avenue, Irwindale, CA 91706, acting as the Applicant, has initiated the request for a Zone Change (Zone Change No. 02-2025) to reconcile inconsistencies on the City’s Zoning Map and make appropriate changes to support the highest and best use and modify the Zoning Map to reflect the updated zoning designations at the above referenced property; and
- (ii) Chapter 17.35 (Amendments to the General Plan, General Plan Map, Zoning Code and Zoning Map) of the Irwindale Municipal Code allows for changes to the classification of property whenever the public necessity, convenience, general welfare, or good practice justify such amendment, consistent with the General Plan; and
- (iii) The Planning Commission has considered proposed Zone Change No. 02-2025, an amendment to the Zoning Map designation for one (1) parcel of land located at the above referenced location; and
- (iv) Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Project has been determined to qualify for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the Zone Change, by itself, will have a significant effect on the environment. ; and
- (v) On June 18, 2025, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application and recommended that the City Council approve the Zone Change, subject to the approval of a Resolution, which details the specific conditions under which the application is approved; and

- (vi) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

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

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct and incorporated herein by this reference.
2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, and evidence in the City's record for the project, this Planning Commission hereby specifically finds as follows:
 - a. The proposed Zone Change from M-1 (Light Manufacturing) to RP (Recreation & Parks) is intended to encourage the highest and best use for the subject property and is determined to be in the best interests and welfare of the City and its residents.
 - b. The property listed is currently developed as the Jardin de Roca Park, and the General Plan designates this property as a Park. The proposed Zone Change from M-1 (Light Manufacturing) to RP (Recreation & Parks) would be consistent with current use and the existing Parks General Plan designation.
 - c. The proposed Zone Change will not be detrimental to the public interest, health safety, convenience, or welfare of the City. The purpose of the proposed Zone Change is to properly rezone existing parcels to appropriate zoning designations and remedying inconsistencies with previously adopted ordinances and inconsistencies with the General Plan. If adopted, the proposed change to the Zoning Map will remedy the existing inconsistency and non-conformity that was specifically caused by such. The map will be updated to reflect the proposed change.
 - d. The affected property is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) will not endanger, jeopardize, or otherwise constitute a hazard

to the property or improvements in the vicinity in which the property is located.

3. Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Planning Commission recommends that the City Council determine that the Project qualifies for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the Zone Change, by itself, will have a significant effect on the environment.
4. Based upon substantial evidence and testimony received at public hearing and the findings and conclusions set forth hereinabove, the Planning Commission hereby recommends the City Council adopt and approve proposed Zone Change No. 02-2025 to change the Zoning Map as shown in attached "Exhibit B".

The Secretary shall:

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

ADOPTED AND APPROVED this 18th day of June 2025.

Maricela Frymark, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

CITY OF IRWINDALE
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

} ss.

I, Marilyn Simpson, AICP, Community Development Director of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Irwindale held on the 18th day of June 2025, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, AICP, Secretary

EXHIBIT "B"



ZC No. 02-2025

Jardin De Roca
Park

Legend	
Irwindale Zoning Code	
Zones	
BP - Business Park	
C1 - Neighborhood Commercial	
C2 - General Commercial	
C3 - Commercial/Mixed-Use	
COH - City of Hope Specific Plan	
GSP - Gateway Specific Plan	
M1 - Light Industrial	
M2 - Heavy Industrial	
M2/AO - Auto Dismantling Overlay	
OS - Open Space	
P/SP - Public/Semi-Public	
PLO - Park at Live Oak Specific Plan	
Q - Quarry	
R1 - Low Density Residential	
R2 - Medium Density Residential	
R3 - Multi-Family Residential	
RII - Reliance II Specific Plan	
RP - Recreation & Parks	



Existing



Proposed

Source: City of Irwindale



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



Date: June 18, 2025 **Agenda Item No. 4-C**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP, Community Development Director

Project Planner: Jarrod Palmer, Assistant Planner

Project: Zone Change No. 03-2025
Rezoning of a select property from A-1 (Agricultural) zone to RP (Recreation & Parks).

Applicant: City of Irwindale

Property Owner: City of Irwindale

Project Location: **EL NIDO PARK**, (APN 8417-002-921).

Staff Recommendation: That the Planning Commission adopt Resolution No. 849(25) recommending that the City Council adopt Zone Change No. 03-2025, to rezone a select parcel on Nora Avenue, from A-1 (Agricultural) zone to RP (Recreation & Parks).

REQUEST

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

BACKGROUND/HISTORY

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

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

TIMELINE

On April 28, 2025, Staff opened an application to rezone El Nido Park.

On May 28, 2025, the property owners and property owners within 500 feet of the subject property were notified by mail. The public notice was also published in the newspaper the day prior. This timing met the minimum public notification requirement of 20 days prior to the meeting.

LOCATIONS AND SITE HISTORY



PROPOSED ZONE CHANGE NO. 03-2025 TO REZONE A SELECT PARCEL FROM A-1 (AGRICULTURAL) ZONE TO RP (RECREATION & PARKS) ZONE LOCATED AT:

EL NIDO PARK, (APN 8417-002-921).

The property listed is currently developed as the El Nido Park, and the General Plan designates this property as a Park. However, the City's Zoning Map was not updated. The proposed Zone Change from A-1 (Agricultural) to RP (Recreation & Parks) would be consistent with current use and the existing Parks General Plan designation.

ZONING

Chapter 17.35 (Amendments to the General Plan, General Plan Map, Zoning Code and Zoning Map) of the Irwindale Municipal Code allows for changes to the classification of property whenever the public necessity, convenience, general welfare, or good practice justify such amendment, consistent with the General Plan. The proposed change to the

Zoning Map will remedy the existing inconsistency. The map will be updated to reflect the proposed changes.

ENVIRONMENTAL REVIEW

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

CONCLUSION/RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

1. Adopt Resolution No. 849(25) recommending that the City Council approve Zone Change No. 03-2025

Alternative Actions:

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

ATTACHMENTS:

Exhibit A: Resolution No. 849(25)
Exhibit B: Existing and Proposed Zoning Map

EXHIBIT “A”**RESOLUTION NO. 849(25)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT ZONE CHANGE NO. 03-2025 AND MODIFY THE CITY OF IRWINDALE ZONING MAP TO REZONE A PARCEL FROM A-1 (AGRICULTURAL) ZONE TO RP (RECREATION & PARKS) ZONE LOCATED AT EL NIDO PARK, (APN 8417-002-921); AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3)

A. RECITALS.

- (i) The City of Irwindale, 5050 Irwindale Avenue, Irwindale, CA 91706, acting as the Applicant, has initiated the request for a Zone Change (Zone Change No. 03-2025) to reconcile inconsistencies on the City’s Zoning Map and make appropriate changes to support the highest and best use and modify the Zoning Map to reflect the updated zoning designations at the above referenced properties; and
- (ii) Chapter 17.35 (Amendments to the General Plan, General Plan Map, Zoning Code and Zoning Map) of the Irwindale Municipal Code allows for changes to the classification of property whenever the public necessity, convenience, general welfare, or good practice justify such amendment, consistent with the General Plan; and
- (iii) The Planning Commission has considered proposed Zone Change No. 03-2025, an amendment to the Zoning Map designation for one (1) parcel of land located at the above referenced location; and
- (iv) Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Project has been determined to qualify for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the Zone Change, by itself, will have a significant effect on the environment. ; and
- (v) On June 18, 2025, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application and recommended that the City Council approve the Zone Change, subject to the approval of a Resolution, which details the specific conditions under which the application is approved; and
- (vi) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

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

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct and incorporated herein by this reference.
2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, and evidence in the City's record for the project, this Planning Commission hereby specifically finds as follows:
 - a. The proposed Zone Change from A-1 (Agricultural) to RP (Recreation & Parks) is intended to encourage the highest and best use for the subject property and is determined to be in the best interests and welfare of the City and its residents.
 - b. The property listed is currently developed as the El Nido Park, and the General Plan designates this property as a Park. The proposed Zone Change from A-1 (Agricultural) to RP (Recreation & Parks) would be consistent with current use and the existing Parks General Plan designation.
 - c. The proposed Zone Change will not be detrimental to the public interest, health safety, convenience, or welfare of the City. The purpose of the proposed Zone Change is to properly rezone existing parcels to appropriate zoning designations and remedying inconsistencies with previously adopted ordinances and inconsistencies with the General Plan. If adopted, the proposed change to the Zoning Map will remedy the existing inconsistency and non-conformity that was specifically caused by such. The map will be updated to reflect the proposed change.
 - d. The affected property is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

3. Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Planning Commission recommends that the City Council determine that the Project qualifies for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the Zone Change, by itself, will have a significant effect on the environment.
4. Based upon substantial evidence and testimony received at public hearing and the findings and conclusions set forth hereinabove, the Planning Commission hereby recommends the City Council adopt and approve proposed Zone Change No. 03-2025 to change the Zoning Map as shown in attached "Exhibit B".

The Secretary shall:

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

ADOPTED AND APPROVED this 18th day of June 2025.

Maricela Frymark, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

CITY OF IRWINDALE
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

} ss.

I, Marilyn Simpson, AICP, Community Development Director of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Irwindale held on the 18th day of June 2025, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

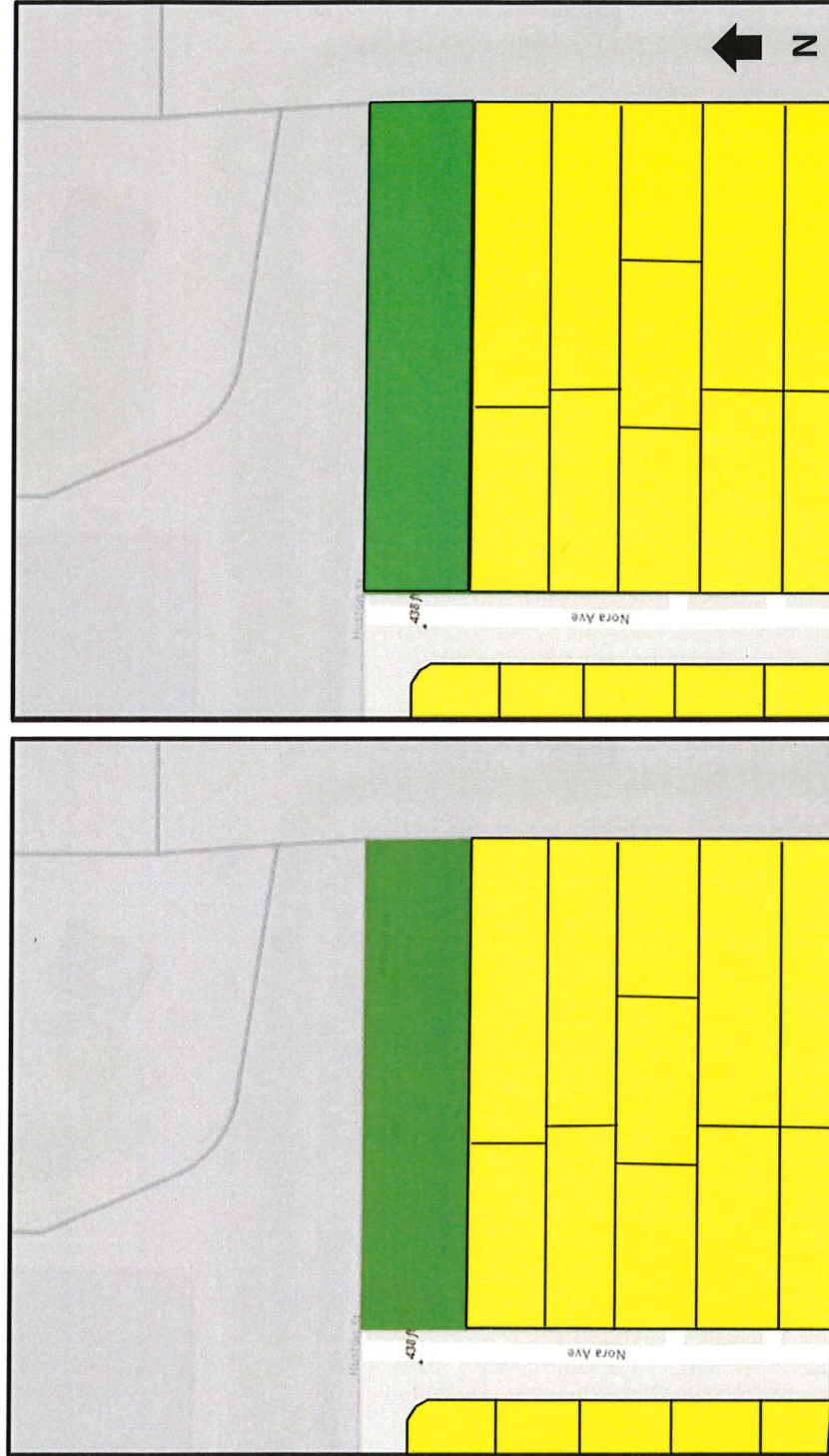
Marilyn Simpson, AICP, Secretary

EXHIBIT "B"



ZC No. 03-2025

El Nido Park



● = A-1 (Agricultural), not an existing zone post May 12, 2025

Existing

Proposed

Source: City of Irwindale

Legend	
Irwindale Zoning Code	
Zones	
BP - Business Park	
C1 - Neighborhood Commercial	
C2 - General Commercial	
C3 - Commercial/Mixed-Use	
COH - City of Hope Specific Plan	
GSP - Gateway Specific Plan	
M1 - Light Industrial	
M2 - Heavy Industrial	
M2/AO - Auto Dismantling Overlay	
OS - Open Space	
P/SP - Public/Semi-Public	
PLO - Park at Live Oak Specific Plan	
Q - Quarry	
R1 - Low Density Residential	
R2 - Medium Density Residential	
R3 - Multi-Family Residential	
R11 - Reliance II Specific Plan	
RP - Recreation & Parks	



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



Date: June 18, 2025 **Agenda Item No. 4-D**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP, Community Development Director

Project Planner: Jarrod Palmer, Assistant Planner

Project: General Plan Amendment No. 02-2025
Zone Change No. 04-2025
Revision of the General Plan Map to change the existing General Plan designation of select properties from Residential to Parks. Rezoning of a select property from R-1 (Single Family Residential) zone to RP (Recreation & Parks).

Applicant: City of Irwindale

Property Owner: City of Irwindale

Project Location: **THE LITTLE PARK**, (APN 8533-016-905).

Staff Recommendation: That the Planning Commission adopt Resolution No. 850(25) recommending that the City Council approve General Plan Amendment No. 02-2025 to revise the General Plan Map to change the existing General Plan designation of a select property on Alice Rodriguez Circle from Residential to Parks; and Resolution No. 851(25) recommending that the City Council approve Zone Change No. 04-2025, to rezone a select parcel on Alice Rodriguez Circle, from R-1 (Single Family Residential) zone to RP (Recreation & Parks) .

REQUEST

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

BACKGROUND/HISTORY

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

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

TIMELINE

On April 28, 2025, Staff opened an application to amend the General Plan designation for, and rezone, The Little Park.

On May 28, 2025, the property owners and property owners within 500 feet of the subject property were notified by mail. The public notice was also published in the newspaper the day prior. This timing met the minimum public notification requirement of 20 days prior to the meeting.

LOCATIONS AND SITE HISTORY



PROPOSED) GENERAL PLAN AMENDMENT NO. 02-2025 TO CHANGE THE EXISTING GENERAL PLAN DESIGNATION FROM RESIDENTIAL TO PARKS FOR A

SELECT PARCEL; AND 2) ZONE CHANGE NO. 04-2025 TO REZONE A SELECT PARCEL FROM R-1 (SINGLE FAMILY RESIDENTIAL) ZONE TO RP (RECREATION & PARKS) ZONE LOCATED AT:

THE LITTLE PARK, (APN 8533-016-905).

The property listed is currently developed as The Little Park. However the General Plan designates this property as Residential. The City's Zoning and General Plan Maps were not updated. The proposed General Plan Amendment from Residential to Parks and Zone Change from R-1 (Single Family Residential) to RP (Recreation & Parks) would be consistent with the current use.

GENERAL PLAN AND ZONING

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

ENVIRONMENTAL REVIEW

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Project has been determined to qualify for a general rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the Zone Change, by itself, will have a significant effect on the environment.

CONCLUSION/RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

1. Adopt Resolution No. 850(25) recommending that the City Council approve General Plan Amendment No. 02-2025
2. Adopt Resolution No. 851(25) recommending that the City Council approve Zone Change No. 04-2025

Alternative Actions:

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

ATTACHMENTS:

Exhibit A: Resolution No. 850(25)
Exhibit B: Resolution No. 851(25)

Exhibit C: Existing and Proposed General Plan Map
Exhibit D: Existing and Proposed Zoning Map

EXHIBIT “A”**RESOLUTION NO. 850(25)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF IRWINDALE AMEND THE COMMUNITY DEVELOPMENT ELEMENT AND LAND USE PLAN MAP OF THE CITY’S GENERAL PLAN (GPA NO. 02-2025) FROM RESIDENTIAL TO PARKS FOR A PARCEL LOCATED AT: THE LITTLE PARK (APN 8533-016-905); AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3)

A. RECITALS.

- (i) The City of Irwindale, 5050 Irwindale Avenue, Irwindale, CA 91706, acting as the Applicant, has initiated the request for a General Plan Amendment (GPA No. 02-2025) to modify the General Plan Map to remedy inconsistencies between the General Plan and Zoning Map at the above referenced property. (This GPA is being processed concurrently with Zone Change No. 04-2025); and
- (ii) Chapter 17.35 (Amendments to the General Plan, General Plan Map, Zoning Code and Zoning Map) of the Irwindale Municipal Code allows for amendments to the General Plan to address changes in State or Federal law and problems and opportunities that were unanticipated at the time of adoption or the last amendment; and
- (iii) The Planning Commission has considered proposed General Plan Amendment No. 02-2025, an amendment to the General Plan Map designation for one (1) parcel of land located at the above referenced locations; and
- (iv) Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Project has been determined to qualify for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the General Plan Amendment, by itself, will have a significant effect on the environment. However, the proposed physical development will undergo its own CEQA review when the entitlement is considered; and
- (v) On June 18, 2025, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application and recommended that the City Council approve the General Plan Amendment, subject to the

approval of a Resolution, which details the specific conditions under which the application is approve; and

- (vi) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

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

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct and are incorporated herein by this reference.
2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, and evidence in the City's record for the project, this Planning Commission hereby specifically finds as follows:
 - a. The proposed General Plan Amendment from Residential to Parks is intended to encourage the highest and best use for the subject properties and is determined to be in the best interests and welfare of the City and its residents.
 - b. The proposed General Plan Amendment is internally consistent with all other provisions of the General Plan. The proposed General Plan Amendment from Residential to Parks and Zone Change from R-1 (Single Family Residential) to RP (Recreation & Parks) would be consistent with the property's current and long-term intended use.
 - c. The proposed General Plan Amendment will not be detrimental to the public interest, health safety, convenience, or welfare of the City. The purpose of the proposed General Plan Amendment is to properly remedy inconsistencies with previously adopted ordinances and inconsistencies with the General Plan. If adopted, the proposed changes to the General Plan Map will remedy the existing inconsistency that was specifically caused by such. The map will be updated to reflect the proposed change.
 - d. The affected property is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use

will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

3. Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Planning Commission recommends that the City Council determine that the Project qualifies for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the General Plan Amendment, by itself, will have a significant effect on the environment.
4. Based upon substantial evidence and testimony received at public hearing and the findings and conclusions set forth hereinabove, the Planning Commission hereby recommends the City Council adopt and approve proposed General Plan Amendment No. 02-2025 to change the General Plan Map as shown in attached "Exhibit C".

The Secretary shall:

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

ADOPTED AND APPROVED this 18th day of June 2025.

Maricela Frymark, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

CITY OF IRWINDALE
COUNTY OF LOS ANGELES

} ss.

STATE OF CALIFORNIA

I, Marilyn Simpson, AICP, Community Development Director of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Irwindale held on the 18th day of June 2025, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, AICP, Secretary

EXHIBIT “B”**RESOLUTION NO. 851(25)**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT ZONE CHANGE NO. 04-2025 AND MODIFY THE CITY OF IRWINDALE ZONING MAP TO REZONE A PARCEL FROM R-1 (SINGLE FAMILY RESIDENTIAL) ZONE TO RP (RECREATION & PARKS) ZONE LOCATED AT THE LITTLE PARK, (APN 8533-016-905); AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3)

A. RECITALS.

- (i) The City of Irwindale, 5050 Irwindale Avenue, Irwindale, CA 91706, acting as the Applicant, has initiated the request for a Zone Change (Zone Change No. 04-2025) to reconcile inconsistencies on the City’s Zoning Map and make appropriate changes to support the highest and best use and modify the Zoning Map to reflect the updated zoning designations at the above referenced properties; and
- (ii) Chapter 17.35 (Amendments to the General Plan, General Plan Map, Zoning Code and Zoning Map) of the Irwindale Municipal Code allows for changes to the classification of property whenever the public necessity, convenience, general welfare or good practice justify such amendment, consistent with the General Plan; and
- (iii) The Planning Commission has considered proposed Zone Change No. 04-2025, an amendment to the Zoning Map designation for one (1) parcel of land located at the above referenced location; and
- (iv) Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Project has been determined to qualify for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the Zone Change, by itself, will have a significant effect on the environment.; and
- (v) On June 18, 2025, the Planning Commission conducted a duly noticed public hearing, as required by law, on the Application and recommended that the City Council approve the Zone Change, subject to the approval of a Resolution, which details the specific conditions under which the application is approved; and

- (vi) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

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

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct and incorporated herein by this reference.
2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, and evidence in the City's record for the project, this Planning Commission hereby specifically finds as follows:
 - a. The proposed Zone Change from R-1 (Single Family Residential) to RP (Recreation & Parks) is intended to encourage the highest and best use for the subject property and is determined to be in the best interests and welfare of the City and its residents.
 - b. The proposed Zone Change is internally consistent with all other provisions of the General Plan, and GPA 02-2025. The proposed Zone Change from R-1 (Single Family Residential) to RP (Recreation & Parks) would be consistent with the property's current and long-term intended use.
 - c. The proposed Zone Change will not be detrimental to the public interest, health safety, convenience, or welfare of the City. The purpose of the proposed Zone Change is to properly rezone existing parcels to appropriate zoning designations and remedying inconsistencies with previously adopted ordinances and inconsistencies with the General Plan. If adopted, the proposed change to the Zoning Map will remedy the existing inconsistency and non-conformity that was specifically caused by such. The map will be updated to reflect the proposed change.
 - d. The affected property is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use will not endanger, jeopardize, or otherwise constitute a hazard to the

property or improvements in the vicinity in which the property is located.

3. Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Planning Commission recommends that the City Council determine that the Project qualifies for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the Zone Change, by itself, will have a significant effect on the environment.
4. Based upon substantial evidence and testimony received at public hearing and the findings and conclusions set forth hereinabove, the Planning Commission hereby recommends the City Council adopt and approve proposed Zone Change No. 04-2025 to change the Zoning Map as shown in attached "Exhibit D".

The Secretary shall:

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

ADOPTED AND APPROVED this 18th day of June 2025.

Maricela Frymark, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

CITY OF IRWINDALE
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

} ss.

I, Marilyn Simpson, AICP, Community Development Director of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Irwindale held on the 18th day of June 2025, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, AICP, Secretary

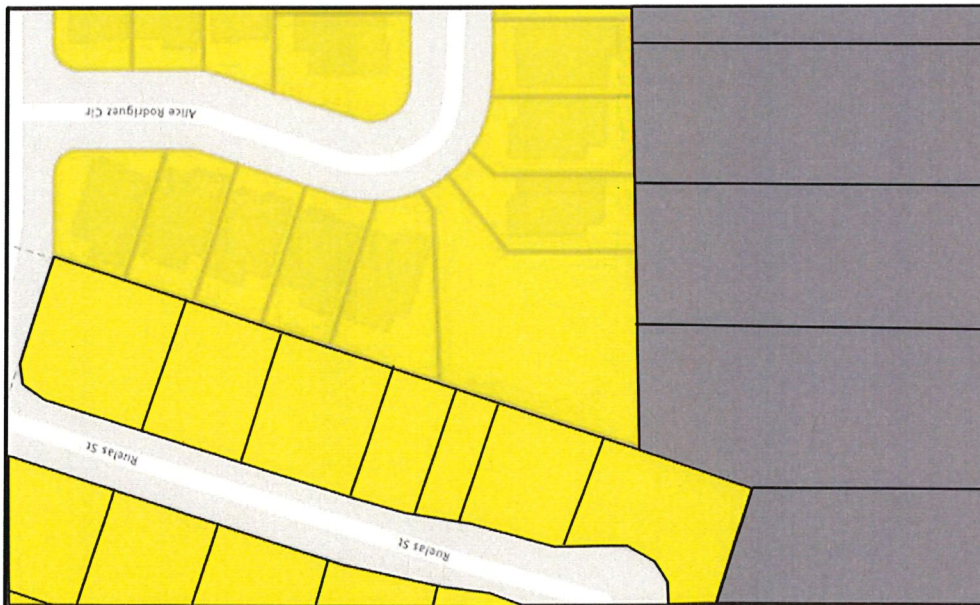
EXHIBIT "C"



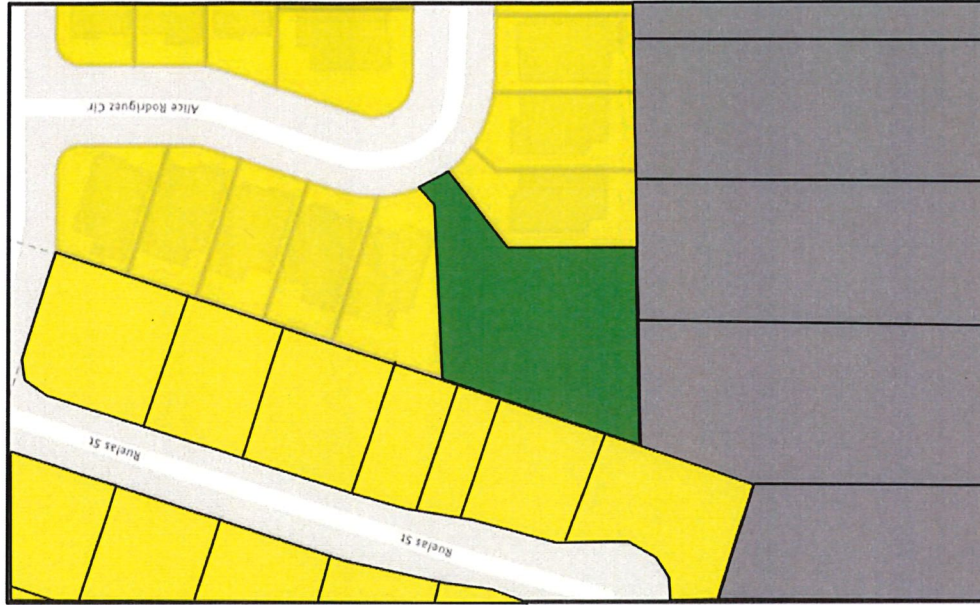
GPA No. 02-2025

The Little Park

Legend	
Irwindale General Plan	
Designations	
	Residential
	Commercial
	Regional Commercial
	Commercial/Recreation
	Industrial/Business Park
	Public/Institutional
	Parks
	Open Space/Easements
	Quarry Overlay
	Commercial/Industrial



Existing



Proposed

Source: City of Irwindale



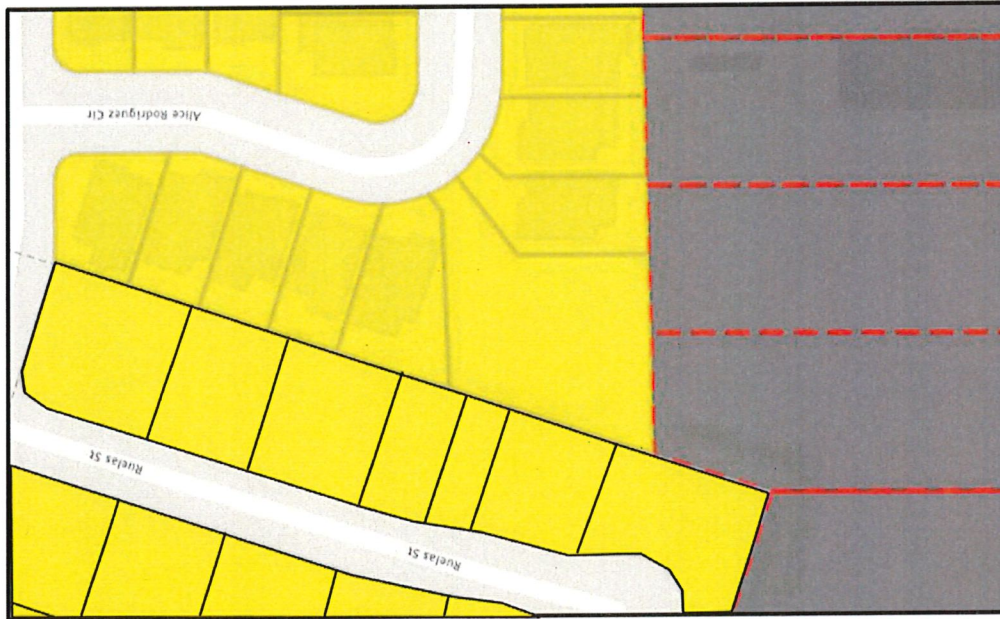
EXHIBIT "D"



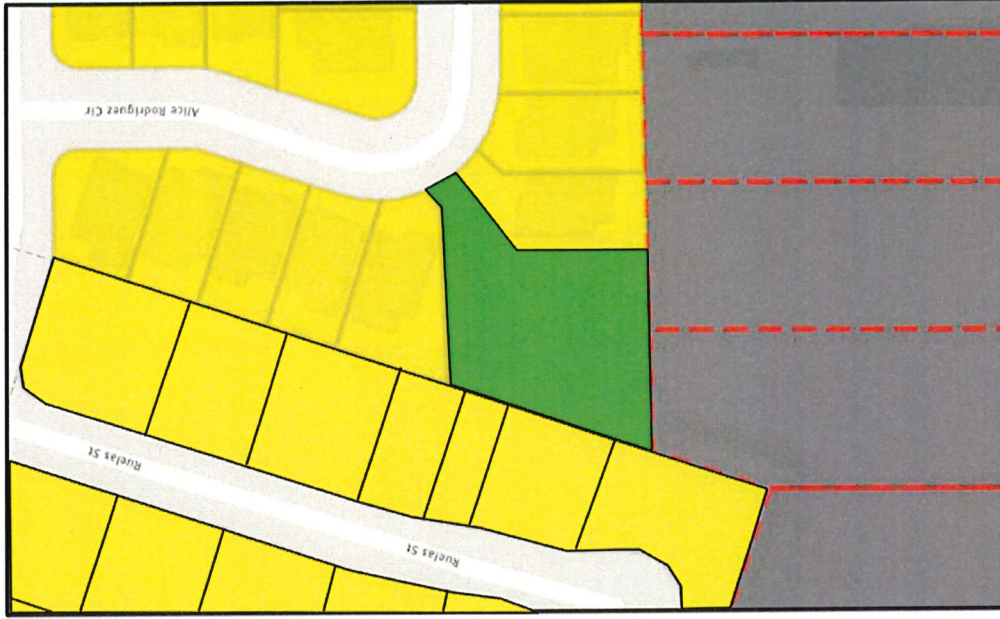
ZC No. 04-2025

The Little Park

Legend	
Irwindale Zoning Code	
Zones	
BP - Business Park	
C1 - Neighborhood Commercial	
C2 - General Commercial	
C3 - Commercial/Mixed-Use	
COH - City of Hope Specific Plan	
GSP - Gateway Specific Plan	
M1 - Light Industrial	
M2 - Heavy Industrial	
M2/AO - Auto Dismantling Overlay	
OS - Open Space	
P/SP - Public/Semi-Public	
PLO - Park at Live Oak Specific Plan	
Q - Quarry	
R1 - Low Density Residential	
R2 - Medium Density Residential	
R3 - Multi-Family Residential	
R11 - Reliance II Specific Plan	
RP - Recreation & Parks	



Existing



Proposed

Source: City of Irwindale





**CITY OF IRWINDALE
PLANNING COMMISSION MEMORANDUM**
**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**



Agenda Item No. 4-E

DATE: June 18, 2025

TO: Honorable Chair and Members of the Planning Commission

FROM: Marilyn Simpson, AICP, Community Development Director

PROJECT PLANNER: Marilyn Simpson, AICP, Community Development Director

SUBJECT: Request for Continuance
Zone Ordinance Amendment No. 01-2025
Ordinance No. 799 to Amend Chapter 17.20 Billboards of Title 17

SUMMARY:

This project is proposing to amend Chapter 17.20, Billboards of Title 17 to include new and revised State regulations for billboards and update the application review requirements. Additional research is needed regarding certain regulations and development standards, as they relate to the City of Irwindale.

RECOMMENDATION:

Staff recommends that the Planning Commission continue Zone Ordinance Amendment No. 01-2025, Ordinance No. 799 to the next Planning Commission meeting.



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



Date: June 18, 2025 **Agenda Item No. 4-F**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP, Community Development Director

Project: Zone Ordinance Amendment No. 02-2025 - Ordinance No. 800 to Establish an Ordinance Regulating Battery Energy Storage Systems (BESS)

Applicant: City of Irwindale

Property Owner: Not Applicable

Project Location: City-wide

Staff Recommendation: That the Planning Commission take the following action: Waive reading of and adopt Resolution No. 855(25) recommending that the City Council adopt the following Ordinance: **AN ORDINANCE (ORDINANCE NO. 800) OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, AMENDING TABLE 17.06.020-1 ("LAND USE REGULATIONS – INDUSTRIAL & OFFICE ZONES") WITHIN SECTION 17.060.020 ("LAND USE REGULATIONS") OF CHAPTER 17.06 ("INDUSTRIAL AND OFFICE ZONE DISTRICTS") AND ADOPTING CHAPTER 17.40 "BATTERY ENERGY STORAGE SYSTEMS (BESS)" OF TITLE 17 ("ZONING") OF THE IRWINDALE MUNICIPAL CODE REGULATING BATTERY ENERGY STORAGE SYSTEMS IN M-2 ZONES AND FINDING THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT."**

Alternative Action:

1. Direct staff to prepare a resolution with a recommendation to the City Council that it not adopt the proposed ordinance; OR
2. Direct staff to revise the ordinance and continue the hearing to a date certain.

Background and Analysis:

On November 13, 2024, a Joint Study Session was held with the City Council and the Planning Commission regarding Battery Energy Storage Systems (BESS). Information was

presented by the Executive Director of Clean Coalition, a nonprofit organization specializing in renewable energy options.

On December 11, 2024, the City Council held a public workshop on BESS. Information was presented by Los Angeles County Fire Department staff members Firefighter Specialist Joshua Costello and Central Region Battalion Chief Frank Garrido, and Craig Lewis from Clean Coalition.

On February 12, 2025, the City Council held a discussion on regulating Battery Energy Storage Systems (BESS). The Council directed staff to research and report back on jurisdictions that have adopted an ordinance on BESS.

On February 26, 2025, the City Council reviewed several adopted ordinances from public agencies in California and outside California. After discussion, the City Council directed staff to prepare a BESS Ordinance for Irwindale.

On March 26, 2025, the BESS Ordinance item was pulled from the City Council agenda and moved to the April 9, 2025 City Council meeting.

On April 23, 2025, the City Council adopted Urgency Ordinance No. 793 to adopt and impose regulations for the development of BESS facilities because the existing provisions of the City of Irwindale Municipal Code did not address battery energy storage facilities.

The City Council also adopted Ordinance No. 772, a comprehensive zoning code update, repealing and replacing the entirety of Title 17 of the Irwindale Municipal Code, effective May 9, 2025, which would result in the repeal of Urgency Ordinance No. 793.

On May 8, 2025, the City Council adopted Urgency Ordinance No. 797 to account for the repeal of Urgency Ordinance No. 793.

BESS Facility Description:

A BESS facility enables power system operators/utilities to store energy for later use. A BESS facility collects and stores excess energy from a powerplant and/or from a power grid. Energy storage would take place during periods when the demand for electricity is low. During periods of high demand, BESS facilities discharge or distribute the stored energy back into the power grid. A BESS facility may be constructed and operated by an entity that is separate from the energy/utility provider. Siting for a BESS facility can be adjacent, or in proximity, to a specific powerplant or substation.

The configuration of BESS facilities can vary, but the preferred configuration is to have the battery modules within individual containers versus battery modules within an enclosed building. The containers have the appearance and dimensions similar to a standard shipping container (approximately 40 feet long x 8 feet wide x 9.5 feet high). The number of containers can vary. They can be lined up in a row or clustered together. On-site non-public roads and/or drive aisles would be limited to service and general access

to the containers and provide separation between the containers. Separate accessory buildings for operations and maintenance would be located on the site.

Ordinance No. 800

The Ordinance outlines certain development standards and regulations for a BESS facility. Regulations include application procedures, definitions, land use and siting standards, permitting, environmental compliance, safety and certifications, and decommissioning. A requirement for BESS requires the applicant to enter into a Public or Community Benefit Agreement, which may include funding for specific community improvements and amenities. Processing an application for a BESS facility would be via a Development Agreement, a Conditional Use Permit, unless otherwise designated in a specific plan, and a Site Plan and Design Review Permit.

The Ordinance complies with Senate Bill SB38 that requires that each Battery Energy Storage Facility located in the State have an emergency response and emergency action plan that covers the premises of the battery energy storage facility. The owner or operator of the facility, in developing the plan, is required to coordinate with local emergency management agencies, uniform program agencies, and local first response agencies and submit the plan to the City for review.

Environmental Review:

In accordance with 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 Project is exempt from the provisions of CEQA pursuant to Section 15061 (b)(3), which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is NOT subject to CEQA. In this case, the ordinance has no potential resulting in physical change in the environment, directly or indirectly. The Ordinance does not authorize any specific development or installation on any specific piece of property within the City's boundaries.

Conclusion/Recommendation:

Staff recommends that the Planning Commission adopt the attached Resolution No. 855(25) recommending that the Irwindale City Council adopt Ordinance No. 800

EXHIBITS:

- A. Resolution No. 855(25) with proposed Ordinance No. 800

EXHIBIT “A”**RESOLUTION NO. 855(25)**

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPT ORDINANCE NO. 800 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, AMENDING TABLE 17.06.020-1 (“LAND USE REGULATIONS – INDUSTRIAL & OFFICE ZONES”) WITHIN SECTION 17.060.020 (“LAND USE REGULATIONS”) OF CHAPTER 17.06 (“INDUSTRIAL AND OFFICE ZONE DISTRICTS”) AND ADOPTING CHAPTER 17.40 “BATTERY ENERGY STORAGE SYSTEMS (BESS)” OF TITLE 17 (“ZONING”) OF THE IRWINDALE MUNICIPAL CODE REGULATING BATTERY ENERGY STORAGE SYSTEMS IN M-2 ZONES AND FINDING THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

A. RECITALS.

- (i) The City of Irwindale, a Charter City, 5050 N. Irwindale Avenue, Irwindale, CA 91706, acting as the Applicant, has initiated the request for a Zone Ordinance Amendment (ZOA No. 02-2025) to amend the Irwindale Zoning Code to regulate and provide development standards for Battery Energy Storage Systems (BESS) facilities.
- (ii) The City of Irwindale recognizes that the City of Irwindale has seen a rise in inquiries and applications for development of BESS facilities.
- (iii) The City of Irwindale has the authority to establish adequate policies and standards in place for the development of BESS facilities in order to protect the health, welfare, safety, and quality of life for the general public, to ensure compatible land uses in the areas affected by energy storage facilities and to mitigate the impacts of energy storage facilities on the environment.
- (iv) On April 23, 2025, the Irwindale City Council adopted Urgency Ordinance No. 793 to adopt and improve regulations for the development of BESS facilities because the existing provisions of the City of Irwindale Municipal Code did not address battery energy storage facilities. The City Council also adopted Ordinance No. 772, a comprehensive zoning code update, repealing and replacing the entirety of Title 17 of the Irwindale Municipal Code, effective May 9, 2025, which would result in the repeal of Urgency Ordinance No. 793.
- (v) On May 8, 2025, the Irwindale City Council adopted Urgency Ordinance No. 797, to ensure that the City’s BESS regulations remained in place immediately, were consistent with the City’s comprehensive Title 17 Zoning

Code Update within Ordinance No. 772, and to protect the public safety, health, and welfare of the community.

- (vi) Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Project has been determined to qualify for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the ordinance, by itself, will have a significant effect on the environment.
- (vii) On June 18, 2025, the Planning Commission conducted a duly noticed public hearing on Zone Ordinance Amendment No. 02-2025, at which time, the Planning Commission opened the public hearing, took testimony on the Application, at which time they received input from staff, heard public testimony, discussed the Proposed Project; and closed the public hearing; and
- (viii) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION.

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

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct.
2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports and verbal testimony, this Planning Commission hereby specifically finds as follows:
 - a. The proposed Zone Ordinance Amendment is intended to establish adequate policies and standards in place for the development of BESS facilities.
 - b. The proposed Zone Ordinance Amendment is internally consistent with the City's General Plan Land Use Designations and the Comprehensive Zoning Code Update as set forth in Ordinance No. 772.
 - c. The proposed Zone Ordinance Amendment will not be detrimental to the public interest, health safety, convenience, or welfare of the City. The purpose of the proposed Zone Ordinance Amendment is to establish adequate policies and standards in place for the development of BESS facilities in order to protect the health, welfare, safety, and quality of life for the general public, to ensure compatible land uses in the areas affected by energy storage facilities and to mitigate the impacts of energy storage facilities on the environment.

3. Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the Planning Commission recommends that the City Council determine that the Project qualifies for a General Rule exemption pursuant to CEQA Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the General Plan Amendment, by itself, will have a significant effect on the environment.
4. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby recommends that the City Council adopt Ordinance No. 800 (attached as Exhibit A), which is deemed necessary to protect the public health, safety and general welfare and are reasonable and proper in accordance with the intent and purposes Title 17 of the Irwindale Municipal Code.

BE IT FURTHER RESOLVED THAT a copy of this resolution be transmitted to the City Council and to the Applicant.

The Secretary shall:

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

ADOPTED AND APPROVED this 18th day of June 2025.

Maricela Frymark, Chair
City of Irwindale Planning Commission

ATTEST:

Marilyn Simpson, AICP, Secretary

CITY OF IRWINDALE
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

} ss.

I, Marilyn Simpson, AICP, Community Development Director of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Irwindale held on the 18th day of June 2025, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Marilyn Simpson, AICP, Secretary

Exhibit to Resolution No. 855(25):

A: Ordinance No. 800

ORDINANCE NO. 800

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, AMENDING TABLE 17.06.020-1 (“LAND USE REGULATIONS – INDUSTRIAL & OFFICE ZONES”) WITHIN SECTION 17.060.020 (“LAND USE REGULATIONS”) OF CHAPTER 17.06 (“INDUSTRIAL AND OFFICE ZONE DISTRICTS”) AND ADOPTING CHAPTER 17.40 “BATTERY ENERGY STORAGE SYSTEMS (BESS”) OF TITLE 17 (“ZONING”) OF THE IRWINDALE MUNICIPAL CODE REGULATING BATTERY ENERGY STORAGE SYSTEMS IN M-2 ZONES AND FINDING THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, there is a growing demand for Battery Energy Storage Systems (BESS) in the State of California because of the need for more renewable electricity to meet the state’s clean energy objectives and to ensure the reliability of its electric grid, among other factors; and

WHEREAS, a BESS facility captures energy from the grid, stores it, and later releases it to supply electricity or other grid services when needed, usually during periods of high demand. This process can enhance the reliability and efficiency of the electric grid while also potentially stabilizing power rates; and

WHEREAS, the City of Irwindale (“City Council”) recognizes that the City of Irwindale (“City”) has seen a rise in inquiries and applications for development of BESS facilities; and

WHEREAS, the City recognizes a need to establish adequate policies and standards in place for the development of BESS facilities in order to protect the health, welfare, safety, and quality of life for the general public, to ensure compatible land uses in the areas affected by energy storage facilities and to mitigate the impacts of energy storage facilities on the environment; and

WHEREAS, on April 23, 2025, the City Council adopted Urgency Ordinance No. 793 to adopt and impose regulations for the development of BESS facilities because the existing provisions of the City of Irwindale Municipal Code did not address battery energy storage facilities. The City Council also adopted Ordinance No. 772, a comprehensive zoning code update, repealing and replacing the entirety of Title 17 of the Irwindale Municipal Code, effective May 9, 2025, which would result in the repeal of Urgency Ordinance No. 793; and

WHEREAS, on May 8, 2025 the City adopted Urgency Ordinance No. 797, to ensure that the City’s BESS regulations remained in place immediately, were consistent with the City’s comprehensive Title 17 Zoning Code Update within Ordinance No. 772, and to protect the public safety, health, and welfare of the community; and

WHEREAS, on June 18, 2025, the Planning Commission held a duly noticed public hearing and adopted Resolution No. 855(25) recommending that the City Council adopt this Ordinance [with/without] recommended changes; and

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

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

SECTION 1. The facts set forth in the recitals in this Ordinance are true and correct and incorporated herein by this reference.

SECTION 2. Amendment of Comprehensive Zoning Code Update. The following amendments to Title 17 of the Irwindale Municipal Code shall apply to the Comprehensive Zoning Code Update as set forth in Ordinance No. 772, and shall be effective upon the effective date of Ordinance No. 772.

SECTION 3. Amendment of Code. The City Council hereby approves and amends Table 17.06.020-1 ("Land Use Regulations – Industrial & Office Zones") within Section 17.060.020 ("Land Use Regulations") of Chapter 17.06 ("Industrial and Office Zone Districts") of Title 17 ("Zoning") of the Irwindale Municipal Code which shall now read in its entirety as follows:

"

Table 17.06.020 Land Use Regulations-Industrial and Office Zones				
<i>"P" = Permitted Use</i>	<i>"M" = Minor Use Permit Required</i>	<i>"C" = Conditional Use Permit Required</i>	<i>"-" = Not Allowed</i>	
Land Use Classifications	M-1	M-2	BP	Notes and Additional Regulations
Public/Semi-Public Uses				
Colleges and Trade Schools	P	P	C	
Emergency Shelter	C	C	C	Shall be consistent with AB 2339
Hospitals and Clinics	-	-	C	
Instructional Classes/Studios	P	-	P	
Park and Recreation Facilities	P	P	P	
Parking Lots and Structures	M	M	M	
Public Safety Facilities	P	P	P	
Commercial Uses				

Table 17.06.020 Land Use Regulations-Industrial and Office Zones				
<i>"P" = Permitted Use</i>	<i>"M" = Minor Use Permit Required</i>	<i>"C" = Conditional Use Permit Required</i>	<i>"-" = Not Allowed</i>	
Land Use Classifications	M-1	M-2	BP	Notes and Additional Regulations
Adult Entertainment	-	C	C	
Animal Care, Sales, and Services	<i>See subclassifications below</i>			
<i>Animal Sales and Grooming</i>	-	-	P	
<i>Boarding/Kennels</i>	P	P	C	
<i>Veterinary Services</i>	P	P	P	
Automobile/Vehicle Sales and Services	<i>See subclassifications below</i>			
Automobile Rentals	P	P	-	
Automobile/Vehicle Repair, Major	C	P	-	See Section 17.12.070.
Automobile/Vehicle Service and Repair, Minor	P	P	-	
Automobile/Vehicle Sales and Leasing (new and used)	P	P	-	
Fueling/Charging Stations (including alternative fuels)	C	C	-	
Large Vehicle and Equipment Sales, Service, and Rental	P	P	-	
Automobile /Vehicle Washing	P	P	-	Includes mobile car washing. See Section 17.12.070D.
Towing and Impound	C	C	-	
Auto Dismantling and Salvage	-	-	-	Permitted on Alpha Street only. See Chapter 17.10 Auto Dismantling Overlay Zoning
Banks and Financial Institutions	<i>See subclassifications below</i>			
Banks and Credit Unions	-	-	P	
Check-Cashing Businesses	-	-	P	

Table 17.06.020 Land Use Regulations-Industrial and Office Zones				
<i>"P" = Permitted Use</i>	<i>"M" = Minor Use Permit Required</i>	<i>"C" = Conditional Use Permit Required</i>	<i>"-" = Not Allowed</i>	
Land Use Classifications	M-1	M-2	BP	Notes and Additional Regulations
Business Support Services	P	P	P	
Commercial Entertainment and Recreation	<i>See subclassifications below</i>			
Cinema/Theaters	C	-	C	
Indoor Sports and Recreation	C	C	M	
Outdoor Sports and Recreation	C	C	C	
Instructional Classes/Studios	P	-	P	
Eating and Drinking Establishments	<i>See subclassifications below</i>			
Bars/Night Clubs/Lounges	C	-	C	
Restaurant	P	P	P	
Farmer's Markets	M	M	M	
Catering	P	P	P	
Funeral Parlors and Interment Services	C	C	-	
Hotels	C	C	C	
Appliance Maintenance and Repair Services	P	P	P	
Mobile Food Vendor	<i>See Section 17.12.160, Mobile Food Vending</i>			
Nurseries and Garden Centers	P	P	P	
Offices	<i>See subclassifications below</i>			
Business, Professional, and Technology	P	P	P	
Medical and Dental	P	P	P	
Personal Services	<i>See subclassifications below</i>			
General Personal Services	P	P	P	
Massage Establishments	-	-	C	
Tattoo or Body Modification Parlor	M	M	M	
Retail and Services	<i>See subclassifications below</i>			
Building Materials Stores and Yards	P	P	-	

Table 17.06.020 Land Use Regulations-Industrial and Office Zones				
<i>"P" = Permitted Use</i>	<i>"M" = Minor Use Permit Required</i>	<i>"C" = Conditional Use Permit Required</i>	<i>"-" = Not Allowed</i>	
Land Use Classifications	M-1	M-2	BP	Notes and Additional Regulations
Home Improvement Sales	P	P	-	
Convenience Stores	C	C	P	
Food and Beverage – Retail Sales	C	-	P	
General Retail	C	C	C	
Industrial Uses				
Battery Energy Storage Systems	-	C	-	Subject to Development Agreement approved by the City See Chapter 17.40 Battery Energy Storage Systems (BESS)
Cannabis-Related Industrial	<i>See subclassifications below</i>			
Cannabis Indoor Commercial Cultivation Facility	-	-	-	
Cannabis Laboratory Materials Testing Facility	-	-	-	
Cannabis Manufacturing Facility	-	-	-	
Wholesale Cannabis Logistics, Distribution, and Transportation Facility	-	-	-	
Construction and Material Yards	P	P	-	
Custom and Artisan Manufacturing	P	P	-	
Donation Center/Station	C	C	-	
Food and Beverage Manufacturing	P	P	C	See Chapter 17.20, Performance Standards

Table 17.06.020 Land Use Regulations-Industrial and Office Zones				
<i>"P" = Permitted Use</i>	<i>"M" = Minor Use Permit Required</i>	<i>"C" = Conditional Use Permit Required</i>	<i>"-" = Not Allowed</i>	
Land Use Classifications	M-1	M-2	BP	Notes and Additional Regulations
Light Manufacturing	P	P	P	
Heavy Manufacturing	-	P	C	
Research and Development	P	P	P	
Materials Recovery Facility	-	C	-	Subject to Development Agreement approved by the City
Indoor Warehousing, Storage and Wholesaling and Distribution	P	P	P	
Outdoor Storage	-	M	-	Incidental use outside building.
Personal Storage	C	C	-	
Transportation, Communication, and Utility Uses				
Airports and Heliports	-	C	-	
Communication Facilities Within Buildings	P	P	P	
Wireless Telecommunications	<i>See Section 17.12.260, Wireless Telecommunications Facilities</i>			
Freight/Trucking Facilities	-	C	-	
Light Fleet-Based Services	M	M	-	
Professional Fleet-Based Services	-	P	-	
Public Works and Utilities	C	C	-	
Recycling Facility	<i>See subclassifications below</i>			
Reverse Vending Machine (incidental to other retail use)	C	C	-	
Recycling Collection Facility	-	C	-	
Recycling Processing Facility	-	C	-	
Agricultural and Extractive Uses				
Commercial Nursery	M	M	-	

Table 17.06.020 Land Use Regulations-Industrial and Office Zones				
<i>"P" = Permitted Use</i>	<i>"M" = Minor Use Permit Required</i>	<i>"C" = Conditional Use Permit Required</i>	<i>"-" = Not Allowed</i>	
Land Use Classifications	M-1	M-2	BP	Notes and Additional Regulations
Surface Mining Operations	-	C	-	See Surface Mining, Chapter 17.21
Additional Uses				
Accessory Uses and Structures	See Section 17.12.040, Accessory Uses and Structures			
Electric Vehicle Parking	See Section 17.16.070.D, Electric Vehicle Charging Stations			
Nonconforming Uses and Structures	See Chapter 17.18, Nonconforming Uses, Sites, and Buildings			
Outdoor Dining and Seating	See Section 17.12.190, Outdoor Dining and Seating			
Solar Energy Systems	See Section 17.12.220, Solar Energy Systems.			
Temporary Uses	See Section 17.12.230, Temporary Uses.			

SECTION 4. Adoption of Code. The City Council hereby adopts and adds a new Chapter 17.40, entitled "Battery Energy Storage Systems (BESS)" to Title 17, entitled "Zoning," of the Irwindale Municipal Code to read in its entirety as follows:

"CHAPTER 17.40 - Battery Energy Storage Systems (BESS)"

Contents:

- 17.40.010 Purpose**
- 17.40.020 Applicability**
- 17.40.030 Definitions**
- 17.40.040 Development Standards**
- 17.40.050 Required Findings**
- 17.40.060 Conditions of Approval**
- 17.40.070 Emergency Response and Action Plan**
- 17.40.080 Financial Assurance**
- 17.40.090 Decommissioning**
- 17.40.100 Change of Ownership**
- 17.40.110 Abandonment**

17.40.010 – Purpose– The purpose of this chapter is to provide the means to regulate the development of utility-scale Battery Energy Storage Systems (BESS) in certain areas of the City. The regulations herein are intended to protect the health, welfare and safety of the general public, to ensure compatible uses of land in the areas affected by energy storage facilities and to mitigate the impacts of energy storage facilities on the environment.

17.40.020 – Applicability – The provisions of this chapter shall apply to all utility-scale Battery Energy Storage Systems (BESS) permitted, installed, or modified within the City of Irwindale, after the effective date of this ordinance. Modifications to, retrofits, or replacements, excluding general maintenance and repair, of any part of a BESS facility shall also be subject to this Chapter.

BESS facilities shall only be developed within M-2 zones. In addition to this Chapter, all applications for BESS facilities shall be subject to a conditional use permit pursuant to Chapter 17.28 or incorporated into a specific plan, a development agreement pursuant to Chapter 17.34, and Site Plan and Design Review pursuant to Chapter 17.27.

17.40.030 – Definitions

- A. “Battery Energy Storage System” or “BESS”: A battery energy storage system that is a utility-scale engineered system of electrical devices and equipment that enable electric energy, such as energy generated from renewable energy sources, like solar and wind, to be stored and then released when the power is needed. Utility-scale BESS facilities are intended primarily to interact with the electric grid and are not intended to serve a specific end user.

17.40.040 – Development Standards

All applications for BESS facilities shall be subject to Site Plan and Design Review, pursuant to Chapter 17.27. In addition to those requirements set forth in this chapter, and which the Planning Commission or City Council may otherwise impose, all BESS developments shall comply with the site design requirements set forth below:

A. Location Requirements.

- 1. BESS facilities shall not be constructed within 1,000 feet of any residentially zoned property, measured from the closest property line of each use.
- 2. BESS facilities shall not be constructed further than 1 mile from the connecting utility measured from the nearest point of each parcel boundary.

B. Development Requirements.

- 1. BESS facilities shall be subject to Site Plan and Design Review pursuant to Chapter 17.70 of the IMC and comply with all applicable standards of the Building Code, the adopted Fire

Code, and any Los Angeles County Fire Department requirements, as amended from time to time. Battery module enclosures and associated electrical equipment are not subject to the City's Commercial and Industrial Design Guidelines.

2. All BESS components and mechanical equipment must be enclosed by a minimum 10-foot-high non-scalable perimeter solid wall. Perimeter walls shall be a minimum of 10-feet high and consist of either decorative concrete masonry block or decorative concrete tilt-up walls consistent with the City's Commercial/Industrial Design Guidelines.
3. Height requirements for BESS units shall adhere to a maximum of 12-feet for the equipment itself and 15-feet for the overall building height. These limits shall not apply to the project substation. Vertical stacking of BESS units shall not be permitted.
4. BESS facility utilities and transmission lines shall be installed underground, except when written approval is otherwise granted by the City. Any required above-ground interconnectivity shall be subject to a zone variance.
5. The ground surface of a BESS facility shall be covered with gravel, asphalt, concrete, and other compatible materials. All driveways and pathways between battery energy storage system structures, and any other associated pad-mounted structures, shall contain pervious pavement or similar material.
6. A BESS facility may include, but is not required to include, a single-story warehouse-type Operations and Maintenance (O&M) building for storage of parts used for maintenance. Any such single-story warehouse-type building shall be consistent with the City's Commercial/Industrial design guidelines.
7. BESS facilities must be set back at least 50-feet from all side, rear, and front lot lines. Access drives and parking may be situated within these setback areas. Additionally, all buildings must have a minimum clearance of 12-feet between BESS components and all buildings, and other exposure hazards unrelated to electrical grid infrastructure.
8. Onsite lighting shall be required for safety and operational purposes. Light fixtures shall not exceed a height of 35-feet.

9. The maximum height of BESS Substation Dead-end Structure shall be 65-feet. The dead-end structure is the onsite substation termination of the transmission line and highest structure for the onsite substation.
10. Prior to the issuance of a building permit, a Comprehensive Sign Program shall be approved by the City. Adequate safety and informational signage shall be posted in clearly visible areas in and around the BESS area and all access points in compliance with City requirements.

C. Parking & Access.

1. Parking and access shall be provided for vehicles consistent with the requirements of Chapter 17.64.
2. Vehicle barriers such as bollards shall be installed to minimize the potential of collision with the BESS facility, as may be required by the City Engineer.
3. Proper emergency access to each BESS facility shall be maintained according to LA County Fire requirements, and an emergency plan for the facility must be submitted to the City's Engineering Department for approval.

D. Noise. BESS facilities may operate 24/7, provided that the operation complies with the City's noise standards as set forth in Chapter 9.28 (Noise). Applicants shall submit equipment and component manufacturer's noise ratings to demonstrate compliance. At the discretion of the Community Development director, a separate noise study may be required along with compliance by the owner/operator with any mitigation measures recommended to ensure compliance with the noise standards.

E. Landscaping. The listed requirements shall apply to all site improvements regarding the landscape around the BESS facility:

1. A minimum of 10% of the site shall be landscaped.
2. Landscaping or vegetation is not permitted within the screen walls surrounding the BESS units.
3. Required Areas: All setbacks, parkways, open areas, plazas, paseos, and non-work areas outside of the screen walls that are visible from a public street/alley or from a parking lot available to the general public shall be landscaped.

4. Landscape Coverage Requirement: Shrubs, groundcover and other plant material shall cover all areas outside of the screen walls that are visible from a public street/alley or from a parking lot available to the general public and that are not occupied by structures, parking areas, storage, trash enclosures, driveways, and sidewalks at the time of issuance of a Certificate of Occupancy. Embellished pavement, fountains, and similar hardscape materials may, in part, be substituted for the required landscaping through the site plan and design review process.
5. Parkway-Adjacent Planting and Maintenance: Parkways located between the sidewalk and the edge of development shall meet the following requirements:
 - (i) The ground surface shall contain shrubs, mulch, or ground cover designed to provide coverage within two years of planting.
 - (ii) If a wall or fence separates the development from the street, planning vines or espalier shrubs shall be incorporated into the planning design.
6. Required Landscaping for Loading Aeras: Loading areas shall incorporate landscaping to provide screening if visible from the public right-of-way, adjacent non-industrial uses, or pedestrians.
7. Trees: Perimeter landscaping shall include one street tree for each 30 lineal feet of street frontage.
8. Trees: All trees planted along a street frontage shall be of a minimum 15-gallon size. All other trees planted shall be of a minimum 5-fallon size or have a brown trunk height of 3-feet.

17.40.050 – Required Findings – In addition to the findings required by Chapter 17.70, the Planning Commission and City Council shall make the following findings for a BESS development project:

- A. The proposed use will not adversely affect nearby residents and facilities primarily devoted to use by children, families, and the general public, after giving consideration to the distance or proximity of the proposed BESS to residential districts, educational institutions, nursery schools, day camps, day care centers, public parks, playgrounds, places of worship or hospitals.

- B. The construction and operation of the facility will have an overall net positive economic benefit to the City. For purposes of this subsection, economic benefits may include, but are not limited to, any of the following:
1. Employment growth;
 2. Housing development;
 3. Infrastructure and environmental improvements;
 4. Assistance to public schools and education;
 5. Assistance to City's public safety departments and/or other City departments;
 6. Property taxes and sales and use tax revenues;
 7. Any other economic benefit that the City, in its sole discretion, determines meets the intent of this provision.

17.40.060 – Conditions of Approval – The following conditions of approval shall be included in any conditional use permit and shall be applicable to any other battery energy storage system governed by a specific plan.

- A. BESS facilities shall not store any products, goods, materials, containers, combustible materials, hazardous materials, or high-piled storage on site at any time, unless otherwise subject to a conditional use permit.
- B. The construction of a BESS facility, installation, or modification is allowed only upon approval by the City of a development agreement with appropriate standards and public benefits to be negotiated with the City and complying with all other standards imposed by this Chapter.
- C. With respect to a conditional use permit, any other conditions as may be reasonably imposed by the Planning Commission or City Council.

17.40.070 - Emergency Response and Action Plan

- A. All BESS facilities located in California are required to develop an emergency response and emergency action pursuant to Section 761.3 of the Public Utilities Code as amended from time to time, in collaboration with local emergency response agencies. A copy of the approved emergency operations plan shall be given to the system owner and/or operator, and the fire marshal. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, fire officials, and emergency

responders. The emergency operations plan shall include the following information:

1. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
2. Procedures for inspection and testing of associated alarms, interlocks, and controls.
3. Procedures to be followed in response to notifications from the battery management system, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to emergency personnel for potentially hazardous conditions in the event of a system failure.
4. Emergency procedures to be followed in case of fire, explosions, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures may include sounding the alarm, notifying the fire district, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
5. Procedures for dealing with battery energy storage facility equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged battery energy storage system equipment from the facility.
6. Other procedures as determined necessary by city officials to provide for the safety of neighboring properties and emergency responders.
7. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.

17.40.080 – Financial Assurance

- A. To ensure the safe decommissioning of a BESS facility, upon the issuance of a temporary occupancy permit or occupancy permit, the owner and/or operator of the battery energy storage facility shall

continuously maintain a financial assurance or security, payable to the city, in a form and amount approved by the city, and in an amount reasonably determined adequate to perform the removal of the battery energy storage facility. The financial assurance shall be maintained for the duration of the use of the facility. All costs shall be borne solely by the owner and/or operator.

- B. The amount of financial assurances shall be adjusted every three (3) years to account for any increase or decrease in costs. The operator shall submit written revisions to financial assurances to the public works director each year, thirty days prior to the anniversary date of the initial financial assurances approved by the city. If written revisions to the financial assurances are not provided, the operator shall explain, in writing, thirty days prior to such anniversary date, why revisions were not necessary. The public works director may require further revisions and/or explanation from the operator if the submission is found to be inadequate.

17.40.090 – Decommissioning

- A. Decommissioning Plan – Prior to issuance of any permits related to decommissioning activities, the applicant shall submit a decommissioning plan containing a narrative description of the activities to be accomplished for removing the energy storage system from service, and from the facility in which it is located. The decommissioning plan should also include, but not be limited to, the following:
 1. Narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, and transmission lines from the site;
 2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
 3. The anticipated life of the battery energy storage system;
 4. The estimated decommissioning costs and how the estimate was determined.
 5. The method of ensuring that funds will be available for decommissioning and restoration.

6. The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage facility, such as structural elements, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the facility is removed.
7. A listing of any contingencies for removing an intact operational battery energy storage system unit(s) from service, and for removing a battery energy storage system(s) unit from service that has been damaged by a fire or other event.
8. The owner and/or operator of the battery energy storage facility shall implement the decommissioning plan upon abandonment and/or in conjunction with removal of the facility.
9. The manner in which the battery energy storage system will be decommissioned, and the site restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and
10. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.
11. The applicant is in compliance with section 17.140.070.

17.40.100 - Change of Ownership – If the owner of a battery energy storage system facility is proposed to change, the owner shall notify the City Manager of the proposed change in ownership at least ninety (90) calendar days prior to the proposed ownership change. Approval by the City Manager shall be required, but shall not be unreasonably withheld. In providing that approval, the City Manager may, in his/her reasonable discretion, request information about the new owner to ensure that the new owner has the financial capability and expertise to assume all obligations established and applicable to the battery energy storage system facility, as set forth in any applicable development agreement, conditional use permit, site plan and design review approval, decommissioning plan, and all related financial responsibilities. The owner and/or new

owner shall provide, within ten (10) calendar days, any and all information from the date of the City Manager's request. If the change in ownership is approved by the City Manager, the owner, new owner, and City Manager shall execute and record an Assignment and Assumption Agreement, or other form approved by the City Attorney, to formally approve and consent to the change in ownership. No change in ownership shall be effective until such Assignment and Assumption Agreement, or other form approved by the City Attorney, is executed by all parties (with the City Manager on behalf of the City) and recorded.

17.40.110 - Abandonment. – The battery energy storage facility shall be considered abandoned when it ceases to operate for more than one year with no active maintenance, return to operation or repowering activity at the facility, subject to reasonable extension by the City Council. If the owner and/or operator fails to comply with the decommissioning plan under section 17.140.090 upon abandonment, the city may, at its discretion, enter the property and utilize the available financial assurances for the removal of a battery energy storage facility and restoration of the site in accordance with the decommissioning plan

SECTION 5. CEQA. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15061(b)(3) on the grounds that it can be seen with certainty that the amendment to the Municipal Code provided for in this Ordinance will not have a significant effect on the environment. There is no possibility that the proposed ordinance, as a textual change to the Municipal Code, may have a significant impact on the physical environment (Section 15061) and because, per Section 15061(b)(3), it can be seen with certainty to have no possibility of a significant effect upon the environment.

SECTION 6. Severability. 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, sentences, 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 7. Publication and Effective Date. The City Clerk shall certify this Ordinance on behalf of the City of Irwindale forthwith upon its adoption and shall cause it to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Irwindale this 9th day of July, 2025.

Larry G. Burrola, 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. 800 was adopted at a regular meeting of the City Council of the City of Irwindale held on [DATE], 2025, 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