

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

**September 20, 2023
Wednesday
6:30 P.M.**

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

**PLEDGE OF
ALLEGIANCE**

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

**INVOCATION
CHAIR GOMEZ**

Dear Lord, thank you for this time together. Please guide us and keep us on check and collaboration. Pray for our City and our nation and thank you for all your blessings. Amen.

ROLL CALL:

Present: Commissioners; Maricela Frymark; Richard Chico; Vice Chair Enoch Burrola; Chair Suzanne Gomez

Absent: Commissioner David Fuentes

Also present: Julian Miranda, City Manager; Jamie Traxler, Assistant City Attorney, via Zoom; Marilyn Simpson, Community Development Director; Brandi Jones, Senior Planner; Luis Pimentel, Associate Engineer; Lisa Chou, Associate Planner; Martin Romero, Planning Technician; Jesus Hernandez, Administrative Secretary

**AB 2449
DISCLOSURES**

CHAIR GOMEZ

Do we have any AB 2449 disclosures?

**ADMINISTRATIVE
SECRETARY
HERNANDEZ**

We do not, but our Assistant City Attorney, Jamie Traxler, is participating via Zoom.

CHAIR GOMEZ

Thank you.

ANNOUNCEMENTS

CHAIR GOMEZ

Any announcements?

**ADMINISTRATIVE
SECRETARY
HERNANDEZ**

We do not.

CHAIR GOMEZ

Thank you. We will move to the Consent Calendar.

CONSENT CALENDAR

CHAIR GOMEZ	Consent Calendar contains matters of routine businesses to be approved with one motion. Unless a member of the Commission requests separate action on a specific item. Recommended approving the following minutes for the regular meeting held, June 21, 2023. Do I have a motion or any changes?
COMMISSIONER CHICO	Motion.
CHAIR GOMEZ	Second?
COMMISSIONER FRYMARK	Second.
COMMISSIONER GOMEZ	Roll Call.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Chico.
COMMISSIONER CHICO	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Frymark.
COMMISSIONER FRYMARK	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Fuentes is absent. Vice-Chair Burrola.
VICE-CHAIR BURROLA	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Chair Gomez.
CHAIR GOMEZ	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you.

**SPONTANEOUS
COMMUNICATIONS**

CHAIR GOMEZ

Moving on to Spontaneous Communication, and Mr. Hernandez will review the guidelines for Spontaneous Communication.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Commission discussion or action on such communications unless 1) the Commission by majority votes finds that a catastrophe or emergency exists; or 2) the Commission by at least four votes finds that the matter (and need for action thereon) arose within the last five days. Since the Commission cannot (except as stated) participate it is requested that communications be made in writing as to be included on the next agenda for full discussion and action. Any public member addressing the Commission shall limit his or her address to three (3) minutes regarding the subject under discussion. 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. In no event shall any donations of time exceed six (6) minutes of total speaking time per person on any one item. The Presiding Officer may, in his or her discretion, extend the 3-minute time limitation for the particular subject under discussion for all speakers. In no event shall the total amount of speaking time exceed six (6) minutes per person for the subject under discussion. Organized group of persons wishing to address the Board on the same subject matter, 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, being unduly repetitious, or extending discussion of irrelevancies. 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, and Tier 3: In-person and teleconference attendees who have not previously provide comments on the matter(s) being discussed.

CHAIR GOMEZ

Do we have anybody for Spontaneous Communication, Mr. Hernandez? In the audience or on Zoom?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

We do. Yes.

CHAIR GOMEZ

If you could come forward and state your first and last name for the record?

ROBERT DIAZ

Robert Diaz, 2408 S Mountain Avenue, Irwindale. I have a couple questions involving the northwest part of the City where Alpha Drive is and residents on Alice Rodriguez Circle. I talked to about a dozen residents last Saturday, notifying them of what I learned. That there is a vacant lot for sale on the northern and eastern side of Alpha Drive. I noticed that they don't have a berm. One question that I have is whether there is a requirement that a berm be maintained, when there was one there or when could they, you know, remove it. I do remember years ago, an operator asked the City for permission and got permission to remove half the berm, and then put a retaining wall to maintain the height. They got a little bit of space out of that. So, in one case they come to the City and get permission, and now there is a berm that has been removed. So, I don't know if that is in keeping with how it should be done, and that raises a question if there is going to be a development whether they are going to require restoration of the berm or not. That is one question, but another question I have is regarding the setback requirements for a building on M-2 Zone property as that property is zoned M-2 and residents, The Alice Rodriguez Circle Residents. I thought there was a 10ft setback requirement, but I learned yesterday I am wrong. I was informed it was a 50ft setback requirement. Well, I looked at the code today, and hopefully I got the right section, but I read there is a 20ft setback requirement whether its M-2 zone and residents' property abuts M-2 zone. That is what I was reading part of the code, 17.56.060, so again it comes back to the same question. What is a setback requirement? And of course, the question would be, if you are going to have residents near a M-2 zone and they want to put a building, how far should the building be? Another question I raise, is how high since I understand there is no limit on the height near round? What the height limitation might be? That's it.

CHAIR GOMEZ

Thank you. Mr. Hernandez is there anybody in our Zoom audience?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

There is no one in our Zoom audience.

CHAIR GOMEZ

Thank you. We are going to move forward onto New Business.

NEW BUSINESS

CHAIR GOMEZ

There is no New Business tonight. We will go forward on Public Hearing.

PUBLIC HEARINGS

CHAIR GOMEZ

No Public Hearing. We're going to move forward to Discussion Items and Presentations.

**DISCUSSION ITEMS/
PRESENTATIONS**

ADMINISTRATIVE SECRETARY HERNANDEZ	Looks like we are having some technical difficulties, just give us a second.
CHAIR GOMEZ	Do we need to take a break?
ADMINISTRATIVE SECRETARY HERNANDEZ	Give me one second...we will be taking a five-minute break.
CHAIR GOMEZ	Five-minute break.
RECESS	Chair Gomez recessed the meeting at 6:38 p.m.
RECONVENED	Chair Gomez reconvened the meeting at 6:50 p.m.
CHAIR GOMEZ	Go back to order of the meeting, Planning Commission Meeting. Do we have anybody in Spontaneous Communication that wish to comment on Zoom?
ADMINISTRATIVE SECRETARY HERNANDEZ	We do not.
CHAIR GOMEZ	Thank you. So, we move forward to Discussion Items and Presentation.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	There is no New Business and no Public Hearings tonight.
CHAIR GOMEZ	That is correct.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Thank you Chair, Commissioners, and members of the Public. The Comprehensive Zoning Code Update has been a long work in progress. There have been several starts and stops over the years, even before I started here back in 2016. It seems like 2006, but here we are tonight with a presentation of the draft code. We are getting closer to the finish line with this, so in the past couple of years the State has passed several new laws that have affected Zoning and Development. Mainly those are for housing, but it affects other areas of our Zoning Code. So, it became clear that we needed an experienced consultant to help with this update, and Interwest Consulting Group was hired and has been working with us beginning in 2020, March of 2020. Then we had a pandemic, but the update it did need to go on. Things had changed, there had to be some modifications. There were

some delays, some of the things were affecting the public outreach. Things rapidly changed; we had virtual meetings that had never been before. Things for public outreach, we had written surveys, we had phone interviews, stakeholder virtual meetings, and we have lots and lots of emails with that. So, the most recent outreach that we had was in July with the Joint Study Session with the City Council. This is a follow up to it, this presentation. There is no action to be taken, but we do want your comments and questions tonight. So, with that the presentation will include a brief overview of the update process and the changes to the code. I would like to turn it over to Nick Pergakes from Interwest Consulting.

NICK PERGAKES

Hi, Good Evening, Chair Gomez and Planning Commission members. I will be giving a presentation on the Zoning Code Update, where we stand today, and there are some slides and information that are similar to the study session we held back in July because I think one or two Planning Commission members may not have been there. So, just wanted to reiterate some thoughts and some items from that meeting, and then have some information to present based on the feedback. The comments and questions we received at that July Study Session meeting. Here is the agenda for the presentation, I'll give a status of the Zoning Code Update, talk about the main objectives of why the Zoning Code Update occurred, discuss the existing Zoning Code today, some of the key points of that as well as some of the key changes to the Zoning Code, the structure of the new Zoning Code and how its laid out and organized, provide a brief overview of the zoning districts that are in the updated code, and have you provide any questions or comments on the Zoning Code. So, we had prepared a draft Zoning Code document for public comment, and Planning Commission, and City Council review back in early June. That review period was from June through July of 2023. We had our study session meeting back on July 19th to go over the Zoning Code update, give an overview of the project, what we've been up to, and get some questions and comments from the public as well as Planning Commission Members and City Council Members. That was great feedback that we received and were able to review that. In my presentation tonight, I will be responding to a quite a few of those comments, and questions that were provided. They are also provided in your packet; we listed it out in a table. I believe its Exhibit A, where you will see the comments and questions that were provided, and then how we wanted to let the public know and the Planning Commission members know how we wanted to respond to those questions. If you have any comments or questions again on those items, happy to talk about that tonight as well. Next slide, for the objectives of the Zoning Code Update it was started again in 2020, and then a long time coming I believe the General Plan was updated back in 2010. General Plans and Zoning Codes need to be consistent with each other, so this is trying to ensure the consistencies the General Plans visions, goals, and policies with the Zoning Code. Also helping to modernize the

Zoning Code since the code was really started from the LA County Code back in the 60's, and it's been amended over the years but it really hasn't comprehensively updated in many years. We need to look at uses in the code, what are the things that it's addressing today, but also some of the things that it wasn't addressing, and things that you may be looking at the future that can come into Irwindale, and how to address those items. We also want to make the code more user friendly with a layout. How it's organized today there is about 25 chapters that are just all in a row. They are not necessarily organized in a topic or arranged in a way that is easy perhaps for a property owner or a developer or somebody to come and take a look at the code. So, making it more organized, easy to read, update the code's format, add more illustrations like the one you see on the screen, and then comply with recent legal state requirements. Some of the key changes to the Zoning Code is making it consistent with the updated Housing Element which you are preparing, and some of the key things that are coming out of that we are trying to respond to with the Zoning Code Update in terms of accessory dwelling units and other housing related items as well as other General Plan elements in the Code. We are also trying to ensure that there is consistency between the Zoning Code within itself, that different chapters are correctly aligning with each other, and also within the Municipal Code because there are things outside the Zoning Code and the overall Municipal Code that just need to tie back to the Zoning for the City. We also have regulations for ADU's and lot splits in there based on SB9, updated density bonus provisions per recent state law. We are also helping to consolidate zoning districts where it made sense, where there may only be a few zone properties like CM. I believe there is only 4 or less zone properties. So, just looking how to consolidate it with other zoning districts to make it easier to review by City Staff, and by the Planning Commission, and by the public. We did add new districts such as the Business Park District, the Public Semipublic District, and Recreation and Parks based off of the General Plan. I will show you a table in a few moments that shows how the new zoning districts align with the General Plan land use categories. There is now 12 total base zoning districts, so the zoning districts like R-1, R-2, R-3. Today there is 11, so there is 3 being removed or consolidated, and 4 new ones that we are adding such as the ones I just mentioned. We also addressed general and site design and planning standards, to help with how new buildings will look and appear in the City. Also, enhance landscaping provisions. We also looked at parking, and how parking provisions can be provided for uses in the City, and added some new standards to make it more up to date with current transportation planning standards as well as having objective design standards for multi-family housing, based off of a recent state law SB35 that allows for the streamlining of certain types of multi-family housing when a developer may be eligible for that. Having some guidance on the design that Staff can use, and the review of multi-family housing development projects. Several comments came up in the July meeting regarding the A-1 district, as

consultant team and Staff talked about taking the A-1 district and consolidating with the R-1 district to better align with the City Zoning Code and with the General Plan. As a General Plan does recommend that the R-1 zone and A-1 zone get combined, so the thoughts behind that are the development standards for the R-1 zone are already being used for the A-1 zone property. If anybody is doing an addition or doing something to a property that is zoned A-1, Staff is using the R-1 district as a guide for those development standards. Now, in terms of animals the A-1 district does allow horses and bovine animals, so if these zones are combined then that would not be allowed anymore, however, small animals and fowl would be still allowed in the R-1 district. There was quite a bit of comments on property values and how would that be affected. Based off consultant research and staff research, there would be no changes in property taxes if the zoning is changed to R-1. Basically, taxes are based on improvements of the land, so it is not foreseen that land values would change or excuse me property taxes would be impacted in a negative away. Now, again this is a recommendation for you tonight as we had discussed back in July, so just wanted to provide that information for the Planning Commission to review and to be able to take a look at. In terms of the structure of the new Zoning Code, we took all those 35 chapters, and we rearranged them into a different order where their provided within a hierarchy with what we call divisions or articles. The purpose and interpretation of the Zoning Code is pretty similar to what you have now it's just a little more updated to basically be here in 2023 on how you use the Zoning Code, what you are doing with it, and how it relates to the General Plan and other policy documents. We do have a division now that has multiple chapters showing the multiple zoning districts, and they are organized. All the residential districts are combined together, all the commercial districts are combined together, industrial and manufacturing as well, the public and semipublic uses are also kind of put together alike, parks and recreation space and public buildings. That also includes the development standards that you see in the code today, like height, setbacks, and so on. Division III has the city-wide regulations, so that includes things that are applied city-wide perhaps you are in a R-3 district or C-2 district that includes parking, landscaping, signage, provisions for accessory dwelling units, so all those regulations in development standards that apply city wide are in Division III. Division IV is how the code is administered by City Staff and by the City, including the different permit types and processes that need to be followed to implement new development correctly and modifications to existing structures. The last Division is the Definitions and Glossary, that provides what we have as use-based definitions, so they are kind of clustered together as you noticed probably the residential terms are all clustered together, the different commercial definitions, and so on. Then, kind of more your general planning terms and terms related to perhaps design or architectural terms are found in the last part of the Zoning Code. This table shows the Zoning Districts, the ones that we are having in the recommended new Zoning Code,

and it includes the residential zones(R-1-R-3), the Commercial and the Mixed-Use zones, industrial and office zones, and then public and semipublic zones. It shows the corresponding General Plan land use designations to the right, so how each of those are implementing the zones or excuse me the land use designations in the General Plan. Everything that we looked at and reviewed is tying back to the General Plan for consistency. The next slide is showing the remainder of the base zones, and then we are showing the Specific Plan Zones. Although those won't be in the Zoning Code, but we are having a chapter that shows how the Specific Plans relate to the Zoning because those are their own regulations and their own guidance for those, but we do have a chapter in there showing how the City reviews specific plans, how it relates to the Zoning Code, and so on. Then we have the 3 Overlay Zones that are the same ones you have now, Plan Development, District Auto Dismantling Overlay Zone, and then the Quarry Overlay Zone which had very minor revisions. So, just some clean up that need to be done, but nothing major was done to those overlay zones. We have permitted use tables now in the Zoning Code, so today when you go in the Zoning Code you are seeing in the different zoning districts just a list of things that are allowed by right or that need a Conditional Use Permit. Sometimes an R-2 Zone will say it refers back to the R-1 zone, that the R-1 uses are also allowed in the R-2. So, we got away from that because it is very confusing and hard for people to understand. Now, we have a table that shows easily by different use categories like Residential Zones. What is permitted by specific types of uses with a P, if it's a conditionally allowed use then it is with a C, and if it is not allowed in the Zoning District you will see a little dash marked in there. Then, we have notes and additional regulations for people to refer back to a specific zoning code section if they want to look at a specific use like let's say family daycare. For example, and then it points you where to go in the code to look at more detail provisions for that. Then, we have development standards as well that are in tables, so it's just easy to go and look for, you know, what the height requirements are for a specific district and then you can compare it against other districts next to it. If you are looking at the R-1 Zone, you can kind of see how the height of an R-2 Zone is relating to the height of an R-1 Zone. So, it is easy to compare and to look at the different districts side by side. That is a bit of an overview for tonight, I am sure you have a bit of questions to ask and I'll be happy to answer those. If we cannot answer those perhaps tonight, we will be happy to look them up and get back to you right away on that. Thank you.

CHAIR GOMEZ

Thank you, I just want to say I want to thank you for putting this together. It does flow really nicely. The update will speak to our General Plan and our future. I do have a quite a few questions, and I am going to let the other Commissioners if they anything to interject. I want to say to the Planning Staff, I appreciate it and our consultant. I think that its cohesive and flows very nicely. What we are doing now.

What was interesting that I find is that when the governor put together the components of the new standards that are reflected. Last night, we had the Environmental Justice for the safety component, and it seems that it overlaps. Even though it's a different entity in itself, some of the suggestions that came from the residents are pertinent because they speak to our future and our vision. It is kind of exciting to be able to review our Zoning, since we have not reviewed it since 1955. I know it is going to be an ongoing process, but to have it cohesive so that when a new development comes in or anybody looks at our Zoning Code its readable and doable. We appreciate that, and the Commission wants to acknowledge and thank you for that. All of you. So we'll get started on some of the review. Anybody wants to start first?

COMMISSIONER
FRYMARK

Sure, thank you Chair. I have a couple of comments and just some questions. First, I want to thank you and acknowledge you for the work that you have put into the presentation and answering also the questions that we had during that Joint Study. There was a lot of meaningful questions that were asked, and you addressed them specifically speaking to what I wrote the animal portion, the taxes, and although that may seem minor to some it is important for some of our residents. So, it is important that we speak to that and address that head on. Thank you, I appreciate that acknowledgment and then also seeing this write up that also helped create some clarity. Now, comments that I had, so understanding that the General Plan was last updated in 2013 which I believe was what was stated. How will the changes in the Zoning Plan impact the General Plan because now we are looking at a General Plan that is 13 years old? Which isn't probably that long, all things considering, but just curious how that would impact the plan?

NICK PERGAKES

The General Plan is very well written, I think there is a lot of great things in there. Its really a great guiding document for the vision of the community. Talking to staff and reading it, it seems like its still on the mark with the things that you are trying to accomplish. So, the Zoning is really tying back to that General Plan. Now, we are not doing anything in the Zoning Code that differs with the General Plan because we knew that we couldn't do that because then the General Plan would then have to be updated. You may choose to do that in so many years again, maybe 5 or 10 years, but great point. If anything is inconsistent in the Zoning Code with the General Plan then that wouldn't be good. It has to align with the General Plan, everything in there we made sure that it does align with the General Plan today.

COMMISSIONER
FRYMARK

Perfect, that is exactly what I was hoping to hear. Marilyn, did you want to add something?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Speaking of the General Plan update that we are doing, its really is the Housing Element update, and as part of the Housing Element Update its always required to update the Safety Element. That's been in times past, and when the state law was changed when you are updating two or more of the elements you have to include this new Environmental Justice Element. So, the other elements that we have in the General Plan those aren't being changed. If there is anything that, I don't want to get off the Zoning Code part of it, but just to tell you that if anything in the General Plan as part of the update of the Housing Element, the Safety and Environmental Justice Element. If any of the other elements need to have some tweaking or adding to that's what are consultant for that will do. The Zoning Code now, as Nick had said, it's consistent with the current General Plan and the elements that we have.

COMMISSIONER
FRYMARK

That's what I wanted to confirm, and make sure that we weren't going to have to go back and update more elements of the General Plan, understanding that we are currently reviewing or will be reviewing, housing. Then last night we just got a glimpse of the Environmental Justice and Safety. Speaking to that point, I appreciate and recognize that there is landscaping verbiage in here that dictates the appropriate landscaping in or around the City. Also, talks specifically to community gardens which is I believe an action and goal that was outlined in the Environmental Justice plan that was proposed yesterday. So, it was great to see that correlation, and that forward thinking. We are also looking at adding some EV parking in the future, so I do see the correlation in that. My question now is specific to landscaping, and maybe perhaps this is a question for City Staff but there are specific indicators that outline you cannot use artificial turf, you have to have drought tolerant plants, and I should know these words because my father was a gardener but its been so many years that I forget. Anyway, how are we going to enforce that? Because if you drive around the City now there is businesses that don't have proper landscaping.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

So, the Zoning Code anything with the landscaping is consistent with there is an Ordinance we have, we call it MWELO. It's the Model Water Efficient Landscaping Ordinance. So, it was a state mandate. It has to be consistent with that for drought tolerant, certain species, and water usage. Anytime a new business comes in they have to be consistent with that, so new businesses that you'll see will have that type of landscaping. We do have businesses that come in that because of the drought, they'll come in and they want to change their landscaping because they want to conserve water as well. So, when they come in we'll review their plans to make sure its consistent with our ordinance. We don't go out and force anyone to have to change that, but anytime new landscaping has to come in it has to, or a landscape plan, it has to be consistent with that. I hope that answers...

COMMISSIONER
FRYMARK

It sort of does, I mean I understand because I read it here. That it talks about any new businesses will be required to adhere to Chapter 17.17 in the landscaping section, but I just know that there is current businesses that don't have pleasing landscaping in the City and I wasn't sure if there was any type of enforcement.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

If the landscaping becomes a nuisance or it's a problem we'll look back to the original entitlement, and then Code Enforcement will go out and they can give them the Courtesy Warning Notice and if it's a citation. If they remove something that they're not permitted to remove, we wouldn't necessarily have them come back in and replace exactly. Like if it was turf, we would encourage them and say you need to meet the current standards now. We don't go out proactively and cite those businesses. If code enforcement notices that there's been changes, and they are always out in the field they will cite the businesses.

COMMISSIONER
FRYMARK

I understand it's a delicate situation because we want to be good partners with our businesses. I was just curious what the follow up looked like if any, but you addressed it. Thank you, those are my questions for now.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you. Commissioner?

VICE-CHAIR
BURROLA

Yes, I want to reiterate what our Planning Commissioner and our Chair said. Thank you for the hard work you did on this. I know when I started 7 years ago as a Planning Commissioner, I was asking the questions about a Zoning Update and stuff like that. Now, we are here and this is great. There is a lot to go over and were still going over things, and I still see things as I go through, that are new from the previous review I had. I have another question though, I know we put all this together for the Zoning Code, but I haven't really heard about a Zoning Map Update. Is that going to be part of this review because I know in the General Plan if you read through the General Plan, and there's certain things in the General Plan that goes hand in hand with the Zoning Code. One of the things, it talks about a Civic Center Plan, and I don't see that happening with this new code update. Let me find it real quick, I know I had it here. I just was looking at it, give me one second...okay yeah it talks about a Civic Center Plan the City is currently considering the preparation of a Civic Center Specific Plan to ensure that the area surrounding the Civic Center is developed in an attractive manner while accommodating potential and field development that is likely to occur in incoming years. Those are things that I was looking at in compared to the Zoning Code Update, and I wanted to see if you could talk about that a little bit and how this new Zoning Code Update kind of goes hand in hand with that specific plan. If you could kind of mention what people are looking at for that.

SENIOR PLANNER
JONES

I'll do my best. So, to answer your first question as far as the Zoning Map. This process is for the text only, so for example like Nick was saying we are going to be consolidating some of the current zones into some of the more like, for example, A-1 into R-1, CP into the C zones, CM into the M zones because at least for the latter two we don't have very many parcels that are zoned that. As far as incorporating the Civic Center Specific Plan into the Zoning, the Zoning is the key in order to enforce that. (Inaudible) Well it would depend, like Nick said we're going to have some new zones. I think it was open space, so some of those may be reclassified as that. So, this is the existing zoning map. If you look in the town center area, it's pretty much all green which is A-1. If you look at this map, City Hall is public and then the areas around it that are now yellow that is going to all go to R-1 which is single family residential.

VICE-CHAIR
BURROLA

What about the M-2 Heavy Industrial on the east side of the parks? Is that going to change? Is that part of the Civic Center Plan? Is that going to be part of that vision?

SENIOR PLANNER
JONES

I don't think that's part of the Civic Center Plan because most of that area is along Vincent. There is only a small area, for example the 10 acres on Allen Drive, that is still zoned M-2 which needs to be changed to a residential zone, to correspond with the underlying General Plan designation of residential.

VICE-CHAIR
BURROLA

You know where I am going with this, right? Is any of this going to change as far as following what the General Plan states. Are we looking into that to make changes to this map, in accordance with the General Plan and the new Zoning Update? I know that is going to be done later, but are you guys looking into all that to make sure that everything is going to be in accordance with what our vision is for the City?

SENIOR PLANNER
JONES

Like we were saying earlier, the update with this along with the General Plan Update and the Housing Element those are all done so that they are consistent.

VICE-CHAIR
BURROLA

You guys are still going to go through the actual Zoning Map to see where you can make changes, with the changes you've made with the Zoning Code.

SENIOR PLANNER
JONES

Yes, all for consistency.

VICE-CHAIR
BURROLA

And that will be brought later to us to see? Or is this going to be done at a later time? Right now are we just considering...

SENIOR PLANNER
JONES

Right now, we are just doing the text part.

VICE-CHAIR
BURROLA

Another question I have looking at what the City has become as far as mostly industrial, business centers, and stuff like that. There is a key, it says right here in page 24 in the General Plan, there is only 0.25 percent Commercial Zoning in the City. You would think that with our City, and how the zoning updates are being done that we would look into something where we have more Commercial Zoning in our City. Is that a hard task to do or is that something we can actually consider in the future, to update our map to include more commercial zoning than other zoning? Because if you look, there are only certain areas that there are red dots all over the City. Its only 0.25 percent of the zone. Is that something you guys have looked at?

SENIOR PLANNER
JONES

Yeah, we can definitely look at that especially along Arrow Highway. I know that's been brought up before, and I know 0.20 sounds like a small number, but we also have to take into consideration that 1/3 of the City is Santa Fe Dam...

VICE-CHAIR
BURROLA

I understand that.

SENIOR PLANNER
JONES

The majority of the City is also mining. There is still just a little room remaining for residential and commercial uses, but we can take that into consideration.

VICE-CHAIR
BURROLA

Is that a hard task to do though, to change a zone from Heavy Industrial M-2 to Commercial? Is that possible?

SENIOR PLANNER
JONES

We can always propose it, but for example, we have to take in consideration that this is private property.

VICE-CHAIR
BURROLA

(Inaudible)

SENIOR PLANNER
JONES

Well, there's that but there is also is it feasible?

VICE-CHAIR
BURROLA

Yeah, of course.

SENIOR PLANNER
JONES

Yeah, because if we have a large area, for example, like on Charter and Tapia that is all M-1. So, if you're proposing to change that to C-2, you are going to create a large number of nonconformities. They won't be able to expand.

VICE-CHAIR
BURROLA

Nuway they are working on getting the land updated or recycling the material. It used to be a landfill, correct? They are doing a lot of work out there; do you ever consider that being a Commercial Zone since right now its considered Quarry? Is that correct?

SENIOR PLANNER JONES	The zoning is M-2.
VICE-CHAIR BURROLA	M-2, is there any way we can make it a commercial in the future? Is that something that we can look into?
SENIOR PLANNER JONES	There is a proposal for that site, so I don't think I can get into the merits of the project right now because it is active.
VICE-CHAIR BURROLA	I get that, but I am just saying if you can think about areas that we can actually make commercial and hold owner to it, where that's all they can really build is commercial buildings. That's what I would like to see, and it's also stated in the General Plan that we need to do stuff like that too. As far as the Zoning Code, it's looking good, and I really don't have too much to say on the Zoning Code itself. I would like to see the map updated and see what we can do with that.
SENIOR PLANNER JONES	We'll be working on that, and just also keep in mind that perhaps during the last time of the update things have changed when it comes to how commerce is handled. So, before more people were walking into stores, now people do the majority of their shopping online. Then you know we may be envisioning more brick and mortar, when they may just not be feasible. We will definitely take it into consideration.
VICE-CHAIR BURROLA	And I get it because buildings too, I see a lot of buildings vacant right now. A lot of the business centers are for lease, so it goes hand and hand with that too if we were going to be building those buildings and their empty. That is not good for the City either. Okay, Thank you.
SENIOR PLANNER JONES	Okay, Your welcome.
CHAIR GOMEZ	Thank you. I just want to piggyback on that. I definitely would like us to look at more options for commercial and see if we can even grandfather...I know that was an issue during our Study Session. Did we look at any of that, actually? Participants residents brought up the issue of potentially looking at converting some of the heavy industrial, or M-1 or M-2 to Commercial. Did you take a look at that?
NICK PERGAKES	That was a comment, yes, correct.
CHAIR GOMEZ	Yeah.
NICK PERGAKES	And we do allow, in the new Zoning Code we are allowing some, like restaurant uses, like catering businesses, and I am trying to remember the third category, but we do allow some commercial in the M-2 zone. But really trying to focus that more, you know, in the C-1 and C-2 zones, you know, like Neighborhood Commercial and then your General Commercial that you're seeing along Arrow Highway.

CHAIR GOMEZ

Well, I have a few things, so let's go to it. So, I believe that during the Study Session, the residents came forth and were concerned about Residential versus Agriculture. I think that the Planning Staff, and as well as you sir, have done your due diligence in answering some of their questions. However, the residents are still concerned, and we serve, you know, the residents, the City Council, and representative of the mission of the future of the City. So, I'd like to propose a survey to go out to the residents and indicate, you know, knowledge is power. So, in that survey I like it... Hopefully we can get it done by October so that when we come back we can decide firmly to convert, and to make it consistent with changing their zoning to Residential rather than Agriculture. Now we know, you know, and you've explained to us that residential, you know, there's no reason not to. However, I'd like to make sure that our residents know that, and also have some input. I do know that also, that sometimes, that when they had access to additional notes outside of the Joint Study Session, they didn't input any additional information. However, let's give them the opportunity to be informed and let's send out a survey when it's able by the Planning Department. That's the first thing. Secondly, let's go to... I discussed this briefly during the Joint Session, so we're going to go to 17.30.030, which is the fireworks sales except special events. And I would like the Code to be modified and to add also some of the language that the Police Department uses. I think that is the fine component, if you're caught with illegal fireworks, I would like it to state that there's a fine or you'll be prohibited from selling fireworks again, such as the language that you can get from the Police Department, which we've used on literature that we send out to residents and also the public.

NICK PERGAKES

So note, I mean we can certainly put, you know, a sentence in there regarding that. But I think what we can put in this table, is just having a reference to the Municipal Code Chapter, 8.16 Fireworks, because that goes into a lot more detail about the sale of fireworks and the use of fireworks. So, it may not even be really relevant to actually... we may want to just eliminate this to be honest with you in the Zoning, because it's not something you typically address in the Zoning Code. I know we haven't...

CHAIR GOMEZ

However, Irwindale has a wonderful history of fireworks, so we'd like to include it and also put in any kind of penalties, because... Very long history of wonderful fireworks, but unfortunately, in all of the region, there's illegal fireworks that are an issue, so thank you. Then I want to go to Alpha Street. Which is, I have it right here. Let's see. I think it's page 25. Am I correct? Close to it, no. The overlay on autos and that would be on 35, page 35 or it would be, 17.10.010. So, I want to firm up some of these. Let's go to, actually, 1710.02 Land Use and Permit Requirements as to Section B2. And I want to modify that. I think that this is excellent. I think that it speaks to it, but we've had some situations with Alpha Street so I'd like to firm it up a little bit, and add... I don't know this is your... how you do it. But there's a couple of

enforcement things that I want us to be consistent with, but also from a point of code enforcement, but also so that when they come in and somebody... I know that they're changing ownership on some of those buildings. So how does that work? So when they change ownership, do they grandfather in the conditional use or can we change them and add additional ones when a new owner comes in? If he could help me out with that Mrs. Director. Thank you, Brandi.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

We're going to have our Alpha Street expert address that.

CHAIR GOMEZ

Excellent. Thank you. Awesome. I appreciate that.

SENIOR PLANNER
JONES

So anytime there's a change of ownership with any business that has an existing entitlement like the CUP, when they come in for their occupancy, we let them know there's a set of Conditions of Approval that you have to abide by. Then we require that they sign an affidavit to accept those conditions. So, they are made aware that there's a set of rules on top of just like the regular Zoning Code requirements that they have to abide by. We cannot change those requirements. We have to come back here to modify the CUP.

CHAIR GOMEZ

As to that particular business, but when a brand-new business comes in, how often does that happen in Alpha Street? I mean, can we say a brand-new business comes into Alpha Street that we could add, modify, and change the CUP on the conditions on that. Does that happen?

SENIOR PLANNER
JONES

The only way a Conditional Use Permit would need to be modified is if they were doing something outside of what was previously approved.

CHAIR GOMEZ

What I'd like to see on that, and you can contemplate it and let me know if it's feasible. There's a couple of things in talking with, so last night even we made reference to the Automobile Dismantling Overlay Zone and Enforcement. So, we know that there's Code Enforcement and then we also know that there's a Police enforcement. So, I would like to also have the access and permission on our point of view with drone surveillance. Now, I don't know how that would work maybe that's a legal question as well. So, I know that sometimes we have to get permissions from businesses, but if it's an enforcement issue I like to have... I know that we have Police Officers trained in drones. We now have a Drone Official that does some of our drone business. But I'd like to start incorporating it into enforcement using the drone. And then also we have the DMV, who can also come in and regularly review the different vehicle registrations, and see if there's any illegal vehicle, stolen, or taken in. And then also I understand there was a San Gabriel TRAP, which is the Traffic, you'll have to get the acronym

from the Police Department. Which also reviews the whole San Gabriel Valley. Somehow, I want this enforcement put into Alpha Street. Then also their height limitations when they go over or... Also, you know you can randomly drive over there, and I'm sure you're fully aware of it, Brandi, because this is your specialty but when there's such, you know, there's cars left, couches left. And you know, I'm not sure what the previous CUP discussed as to landscape because there's none. So, they made it into parking and they park in front or all over the street, because there is no parking. So how, how would that look? How can we enforce that they, maybe we don't need to do landscaping, but that at least their parking area is clean. Right?

SENIOR PLANNER
JONES

In each CUP, there's a minimum parking that they have to provide per operator. So, for the most part, each lot is approximately 1 acre. I think there's 28 of them out there, so. And if I can remember, I think you had to have like 5 spaces per operator. The way we wrote the code was like, they would have a certain set back in the front because we wrote it so it wouldn't become nonconforming because for the most part everybody had like a 5-foot set back that they had a sign, a fence. I don't know. I can't remember for sure, but as far as landscaping on site, they I don't believe that they were required to maintain any. Yeah.

CHAIR GOMEZ

Okay, so we can nix the landscape, however, what about the trash and such that goes on there? How is your perception of that? Can we control it? Is there anything we can do better? Because it looks pretty bad sometimes.

SENIOR PLANNER
JONES

Well, I mean that's like a Code Enforcement, I'm not sure. There's certain things that we can put in here, but...

CHAIR GOMEZ

I'd like you to take a look at that, and when we come back, let's talk about some of those things, utilizing some of those including the drone enforcement to make sure that they're not going in their height limitation with old cars or with you know how you can see them over the fence often?

SENIOR PLANNER
JONES

Yeah, I think it was like a double stack that they were allowed to have. And the north side has slightly different regulations than the south side because the north side abuts the residential. So, there are some additional regulations as far as stacking, equipment, the height, and things like that.

CHAIR GOMEZ

And visibility now, so you know more so than I do, but what happens when you can see them on the residential side? What do we do when that happens?

SENIOR PLANNER
JONES

Well, I think it depends on, if those vehicles are exceeding the actual height versus if someone can just see them depending on their line of sight.

- CHAIR GOMEZ Okay, and so how often do we go and enforce that or review that? Do you know?
- SENIOR PLANNER JONES I don't know that, that's more Code Enforcement...
- CHAIR GOMEZ Okay.
- SENIOR PLANNER JONES But as far as like the DMV, like when an operator comes in sometimes they'll be forms that we have to complete for DMV. So, we're aware of that. As far as the surveillance and the drone, that's not a zoning issue. So, I don't know if like Legal wants to weigh in on that, but...
- ASSISTANT CITY ATTORNEY TRAXLER Yes.
- CHAIR GOMEZ Hi, Jamie.
- ASSISTANT CITY ATTORNEY TRAXLER Hi, can you guys hear me? Okay, so regarding drone searches of the properties at Alpha Steet, I would definitely not recommend that. Drone searches are considered a search under the 4th Amendment, so unless we had a subpoena to search those properties, we would really have no way to conduct those searches. What we could do for future Alpha Street applicants is put in a Condition of Approval, for example, to allow for an administrative search or two a year. That would allow the City's Code Enforcement Officers or, you know, the Building Officials access to the property with notice to the property owner in order to inspect the property and ensure that they're complying with conditions of approval. Outside of that, I really wouldn't recommend any drone surveillance of the Alpha Street properties.
- CHAIR GOMEZ Well, what you said was more in alignment with what I was thinking. I think that would be an excellent way to do it. Maybe we don't have to use the word search, I mean maybe an Alpha Street Search. But Jamie, how about this, how about if we make that a condition from now on, that we are able to have access for new projects in the CPU so that we can do a historical perspective on upcoming developments or any developments that are coming in for the city, without the one-year limitation depending on the development and that would be part of the CPU. How does that stand legally?
- ASSISTANT CITY ATTORNEY TRAXLER Yeah, so we can always put Conditions of Approval in the CUP and administrative searches are pretty common. They're administrative inspections really, we should stay away from the term searches, but they are administrative inspections and usually they occur once or twice a year maximum. You do have to give notice to the property owner, so that would be something that we would negotiate with any applicant that was going to be operating a business under a CUP. As

far as the current CUPs that have already been issued, we wouldn't really have any mechanism to change them unless we started enforcing code violations. And the way that the Code Enforcement Officers do that is they visually inspect the property from, for example, the public right of way. And if they can see any violations within their plain view, in their line of sight, then they can issue that property a citation.

CHAIR GOMEZ

Okay, Thank you so much. I really appreciate that. It's been very helpful. So, I would like to see that. I'd like to see that, in a new CPU that we do have access to drone inspection for the one or two years. And then also that if we do need surveillance for that we have the proper.... Now I'm not sure if this just goes into the zoning, but it would go into the zoning for a CUP. I think. I'm not sure, however, I want us to put in the language of drone....

ASSISTANT
CITY ATTORNEY
TRAXLER

I apologize. So, it wouldn't be a drone inspection. It would just be an in person inspection of the property.

CHAIR GOMEZ

Okay. Yeah. You know as they're developing, we can have that historical significance of progress of how the developments going. So, I would like that included in our... And then for Alpha Street, you know, we can see if the, you know, she gave us a solid answer, however, I'm not sure if we need to put a component in it that would say that if there is some issue that the Police Department can get a search or a search warrant. I don't know if that's necessary, but if we can look into it just to verify if we need that.

SENIOR PLANNER
JONES

And you want that part? You want the part regarding the police in the zoning section or do you want that to go to a different chapter?

CHAIR GOMEZ

Whatever you guys, when you look at it, whatever works.

ASSISTANT
CITY ATTORNEY
TRAXLER

We can mention it, but really, if the police have the evidence to get a subpoena from the court to be able to search the property, that's something that they would do independent of the City's Zoning Code.

CHAIR GOMEZ

Absolutely, however, there have always been issues with Alpha Street, so I would like it to have some teeth to it in the substance in the zoning and then also...

ASSISTANT
CITY ATTORNEY
TRAXLER

Okay.

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CHAIR GOMEZ The CPU definitely, we want to let them know when they're coming. I know obviously we can't do it too existing CPU's or plans to alter them, but in the future, that'd be great.

SENIOR PLANNER JONES But we did just get confirmation that the current CUP's do have a inspection component.

CHAIR GOMEZ Oh, fantastic. And that'll be good, because we can... We give notice to the business, but do we? So then, therefore we don't need permission because we have permission, since they have the CPU's to do a drone, but we just need to give them notice then.

SENIOR PLANNER JONES We can't do the drone.

CHAIR GOMEZ Oh, okay. I am talking to drones though. I want...

SENIOR PLANNER JONES No drone, only in person.

CHAIR GOMEZ Okay, currently to some of them, but how about in the future?

SENIOR PLANNER JONES No future drone.

CHAIR GOMEZ No future drone?

SENIOR PLANNER JONES Not without a warrant, like Jamie said.

CHAIR GOMEZ Jamie, is that true? We can't put a drone as part of the progress of a new development?

ASSISTANT CITY ATTORNEY TRAXLER Yeah, that would be correct.

CHAIR GOMEZ Okay, and what if the law changes? So right now, in the CPU we cannot put a drone to take pictures of the property as they're developing it. Right? That's what you're saying?

ASSISTANT CITY ATTORNEY TRAXLER That is correct because a drone observance of the property like that, from a sky view level, that would be considered a search under the 4th Amendment. So, we wouldn't have any basis to be doing that in a just regulatory capacity.

- CHAIR GOMEZ So where would the language be if we wanted to have historical documentation of the progress of development of our mine, a mining property being filled. How is that? Is there such a thing, or are we going to be the first to do it?
- ASSISTANT
CITY ATTORNEY
TRAXLER So we have Reclamation Plans for all of the mining pits that govern all of the mining activities, and that's really with the Public Works and Engineering Department to monitor. They I would assume, most likely, do mining inspections and they are at the pits very frequently making sure that all of the mining activities are in accordance with the Reclamation Plans and their CPUs.
- CHAIR GOMEZ Okay, thank you.
- COMMISSIONER
FRYMARK May I ask a quick point of clarity? I'm just curious, and this is just for my own knowledge. If we as a City are not able to use new technologies such as drones, how is it possible that like Google, for example, can go and take images of our home and businesses? I just looked up Alpha Street and it looks like there's cars stacked, like four (4) high. Like how is that they're able to do that, but yet we as a city who's trying to manage and oversee the conditions outlined in the CUP not use it?
- ASSISTANT
CITY ATTORNEY
TRAXLER So we can observe anything that we can see with our eyes. So, Code Enforcement can go and stand on the sidewalk of Alpha Street, and if there are code violations that they can see with their eyes, they can cite those properties for that. As far as Googles satellite images, or Google Earth images, or something like that, they are not a government entity so the 4th Amendment doesn't apply to them in terms of what constitutes someone's property right and to be free of search and seizure. So that's why we have different rules that we have to abide by, is that Google isn't a government entity they don't, you know, enforce criminal actions against property owners or anything like that.
- CHAIR GOMEZ Thank you for that clarification. So, if we want to have historical documentation, it's not a zoning issue but, and we wanted to take pictures with a drone, like let's say Nuway we wanted to have a historical perspective and have an exhibit, we can't regulate it or govern it. We have to ask permission from them to go and do that, correct? Is that what I'm hearing? We have no right for access.
- ASSISTANT
CITY ATTORNEY
TRAXLER That is correct. Yes, we could negotiate that as part of the Conditions of Approval, if as part of the inspection they would allow the City to take pictures or video by drone but that's not something that we could independently just do.

CHAIR GOMEZ

Okay, so let's do that. Let's negotiate to see if we can get drone pictures while we're in the CPU and see if they would allow it for a certain amount of time on each development. And would that be a zoning issue, or would that just be something that would be on the CPU?

ASSISTANT
CITY ATTORNEY
TRAXLER

The latter, so it would just be in the Conditions of Approval.

CHAIR GOMEZ

Okay, if that's not a zoning issue, let's move that way, in that direction anyway. Okay, thank you. Go ahead, please keep us informed.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you Chair and Commissioners, so my understanding is that we have aerial maps, you know, that you've seen in the City. Every two years those do get updated. Now those are more for, I believe like topographic purposes, looking at borders, but they are not looking at specific properties with that. So, we do have some historical photos and analysis of that, that we can see. But again, you know, we're talking every two years or so. And that's something that's done like, it used to be with airplanes before. I'm not sure what they use now, but they don't use drones, you know, for it, for a flyover.

CHAIR GOMEZ

Yeah, but Google does so I think that... I appreciate that. Thank you for that information. Okay so then the next thing, I have some questions on that I'd like to have a lengthy conversation. Even last night and in our study group in July, residents spoke about height limitations of buildings. And also... so let's just do height limitations, especially on main thoroughfares like Arrow Highway. What are the height limitations? How high can they go, and do we mandate or is there something that governs us to let them be as big as they want to be? Just clarify that for me please. And if I have the...yeah.

SENIOR PLANNER
JONES

Currently as far as height limits, I think most of the concern probably came from the M-2 Zone. So M-2 currently does not have a maximum height limit. M-1 has a height limit of 35 feet. So, when we're reviewing a development, for example in the M-2 zone, so there are things that limit like how big the building can be. Like number 1 setbacks, floor area ratio, landscaping, parking. So those all dictate to how big the building can be.

CHAIR GOMEZ

Okay. And that's based on the design that the developer gives us?

SENIOR PLANNER
JONES

Yeah so, they typically come in, figure out what the zone and General Plan are, and then they look at the code. They have their idea and they say, well, that's fine, but you have to build it based on these parameters.

CHAIR GOMEZ And what would like, for instance...tell me what those parameters would be?

SENIOR PLANNER JONES Oh, for example, like for an M-2, they would come in and the front yard setback is 20 feet, if it's adjacent to other industrial. If it's adjacent to residential, then it's 50-foot setback. Then for like the front and sides, like if you're on a corner then you'll have side yard setbacks. Parking. So, you have to have parking. You have to have the minimum driveway width for us and for the fire department. So, for example like a 26-foot-wide drive aisle. In addition to what our requirements are, we have to also take consideration, fire, so they can have access to this site. Landscaping, things like that. So those are...

CHAIR GOMEZ Appreciate it. Thank you. Now if we're proposing, let's say we propose that we want to have some high limitations on M-2. What would that look like and how would we do that Brandi?

SENIOR PLANNER JONES Well, I believe that the new code does have a M-2 height limit.

CHAIR GOMEZ What would that be?

SENIOR PLANNER JONES I don't know. Oh, I don't know at the top of my head.

CHAIR GOMEZ No, no problem, I understand. I appreciate that. Thank you. No, no rush. We can be here all night. No, I'm kidding. Take your time. It's no rush.

SENIOR PLANNER JONES 65.

CHAIR GOMEZ So 65 feet. Give me a kind of a visual. So, when we talk about the building on Arrow Highway and Allen, what is that height, off hand? Do you know, the building on the north side, just across the street from Allen and Arrow Highway? Right here, you know the... By the church. I mean, I don't know height is that about...

SENIOR PLANNER JONES Panattoni.

CHAIR GOMEZ Panattoni. Is that 65 feet?

SENIOR PLANNER JONES No.

CHAIR GOMEZ What is that?

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- SENIOR PLANNER JONES I don't think Panattoni is 65 feet. It's M-1, that Zone, and that would be 35.
- CHAIR GOMEZ And so we are allowing 65 feet for M-2s, right? Wow. How did we choose that number?
- SENIOR PLANNER JONES I think #1 is based on like Nick's experience with preparing other codes and just surveys that we've done to other cities.
- CHAIR GOMEZ So it's consistent with other cities. Is that what we are...
- NICK PERGAKES A maximum of 65, that's roughly like a five-story building. It's yeah, I mean that's a recommendation it's certainly go lower than that. Because in the other district we have 50 feet for the M-1 district, but M-2 is kind of your more intensive use.
- CHAIR GOMEZ Was the M-1 changed to 50 feet? We were previously at 35 and now we're going to 50 feet at M-1?
- NICK PERGAKES Yeah, so we discussed with Staff and decided to go up a little bit on that one as a maximum height, so it can be less than that.
- CHAIR GOMEZ Yeah, we really need to review that and reduce that.
- SENIOR PLANNER JONES It's also consistent with some of the recent approvals like the Home Depot, 13131 LA Street, Park at Live Oak.
- CHAIR GOMEZ Appreciate those beautiful developments, however, we like to move forward and reduce that somewhat on the M-1 and M-2. So, let's take a look at that and so we can read...
- SENIOR PLANNER JONES Do you have a suggested height?
- CHAIR GOMEZ You know, I really don't. I don't. However, I know that community awareness speaks to a different height and height limitations. And so as a representative body of our history and our future in the General Plan, I think we should look at that. And I'll take a look at it and I will either, you know, put it in an e-mail or contact you if I have some feedback. You know I have to have some vision. I mean, I have to visually, I'm a visual learner, so that has to be. So let's talk about setback limitations as well, the setbacks which were also an issue at both study sessions, this last one yesterday and also in our July. What is the standard setback? What are the new ones then on the M-1 and M-2?

- NICK PERGAKES The setback, we have a minimum of 30 feet for the M-1 and M-2, and then the new Business Park zoning designation, the side's setbacks are 20 feet. Then interior sides are kind of based on certain factors that we have some things written in there. Rear is actually 0 feet, or it's 15 feet if it's abutting a Commercial or Mixed-Use Zone. Then a minimum of 30 feet for a property in the M-1, M-2, or BP Zone adjacent to a residential zone property.
- CHAIR GOMEZ When we're talking about setback, what about location? Would that be on a busy...so we have two components, the residential and a busy street or commercial like Arrow Highway. Is there any differentiate, or a difference, or we did the same on all of them?
- NICK PERGAKES We are treating them the same whether it's an arterial street or a smaller collector street? So we don't have different setback provisions based on the street you're fronting. It's based on the use that you are or the use your next to, not based on the street you're on.
- CHAIR GOMEZ That should be a consideration if you're residential. However, when you're on a busy street, so let's take again the Panattoni building here. One side is a nice set back, which they allowed so that they could see the church, but then the other part comes a little closer. So I want you to look at that. I want you to look at and see if on a busy street... We can't take away the residential and with their next to, those components need to stay. But the setback on a busy street versus Industrial park in the background of the setback, I think that we should take a look at that. I'm not clear on what that means, but I'm going to, we're going to have that discussion. And then also, the setback should be a little bit more. When we look at the Siracha. He is called, Huy Fong. Beautiful set back, right? What would that feet be, Brandi, do we know of hand? Huy Fong.
- SENIOR PLANNER JONES From Azusa Canyon? I think it is less than that, maybe 20 to 50.
- CHAIR GOMEZ So there is parking there. Let's take a look at that. I want to review the setback and height limitations, and your recommendation, and how that would look, and consistency with the feedback from the July session and last night's session. Even though every component is different, I understand. We were doing environmental justice but also safety. I think that the government environmental justice to be awareness in the communities of what the community wants. So, I appreciate that work and I appreciate you looking into it. Thank you.
- SENIOR PLANNER JONES So for setbacks, you're looking at something closer to what Huy Fong looks like? Okay.
- CHAIR GOMEZ Or even you know the one I just mentioned over here.

VICE-CHAIR
BURROLA

Like you guys were saying he changes the height requirement and it went up, you know the maximum went up by 20 feet. Is there a way we could change the front yard setback to be more like Huy Fong Foods? We have landscape, and then you have parking up front, and you're pushing the building back you still can keep it 50, 60 feet as it stated in the M-2, but it doesn't look so big because it's pushed back. So, it's not an eyesore to people who are driving by. You know, like kind of like what the Chair was saying as far as this building up here, where if you pass it by its right there and you can see it because it's only a 20-foot set back there. So, is there a way we could look into that and maybe make it a requirement where all their parking requirements will be up front? The design will be more parking up front and landscape up front, so you can meet that set back of whatever Huy Fong Foods is, 100 feet or whatever it is.

CHAIR GOMEZ

And it doesn't have to be that far, Brandi. I think that we can give guidelines but not just 20 to 30 feet. And no, we can't keep it at 50 feet height limitation. I know that the other Commissioner thought that would be... We need really need to look at that.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you, Chair and Commission, so what Vice-Chair Burrola.

COMMISSIONER
CHICO

What's his name?

CHAIR GOMEZ

What's his name?

VICE-CHAIR
BURROLA

Who's that guy?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

You know, I can't recognize him.

CHAIR GOMEZ

I know, we all miss it.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

I am so sorry.

VICE-CHAIR
BURROLA

It's alright.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

So there has been a discussion about that. If there was... Okay, we have a landscape setback in the front, then we have parking if you want, as a development standard to have the parking go at the front of the building then we'd have to have the drive aisle. So, depending on the landscape, let's not even talk about that at this time. So we have 20 feet basically for the car parking. We're talking about for vehicle parking. We're not talking about any kind of fleet trucks or anything. Then we'd have 26 or 28, the Fire Department lane, you know, the backup that they would require. So we're already at 48 feet with that and then whatever the landscaping, so we're looking at what, 10 or 15 feet, you know from the property line. So then you're talking about, you know, the development standards themselves would just include that setback. And then are you asking for maybe a further set back from the drive aisle or the parking lot?

CHAIR GOMEZ

Sometimes. Depending on where it is located. Not necessarily, but sometimes.

VICE-CHAIR
BURROLA

Is that doable?

CHAIR GOMEZ

Oh, I think that you should contemplate it.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

We could have that, and I think we could provide a graph.

CHAIR GOMEZ

That would be wonderful.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

The Zoning Code is where we do want lots of graphics.

CHAIR GOMEZ

And also when we think of a setback, I know that I've driven around different times, so you know, sometimes buildings are expanding or they're changing. We don't want them to use the front as storage because they or, you know, their sister's RV, or their car, or stuff like that. So, we want to make sure that we also have that. But I appreciate your willingness, Brandi. Thank you for taking a look at all this, and I thank you for your collaboration and your partnership in this. It's very appreciative. We haven't done the zoning, the General Plan. So, it's kind of an exciting time for us and we appreciate your hard work all of you. Thank you. That's all I have. Does anybody else let's move forward on our agenda? Anybody else have any questions pertaining to this? Anybody in the Zoom audience, Sir?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

I think we have public.

CHAIR GOMEZ

Oh, yes. Please. Thank you, Sir.

ROBERT DIAZ

Thank you. Robert Diaz, 240 South Mountain Ave. Um, couple questions I had about the presentation. Is for one, adult businesses are required to be in industrial areas as we develop land, I suspect some of that land if industrial, could also be available for adult businesses. So, do we have any restrictions in place so that there's as field as required by law? And then locations that are more acceptable than less acceptable.

CHAIR GOMEZ

If I may, Mr. Diaz, if you would ask all your questions then we'll have our Planning Director speak to them.

ROBERT DIAZ

The other one is, can the City consider redefining what commercial is? So that you get completely commercial instead of a mixed bag. The way regional commercial is defined today, it says a mix of business and commercial. Well, as we're talking about business parks now, it's basically coming out manufacturing such as a Speedway, it's being described as a business park or whatever, but it's basically manufacturing. So, my concern is that unless you specify a commercial zone strictly for commercial that you might wind up with what you're getting now, a suppose mixed-use its basically manufacturing or industrial. And specific plans this question is about that, I'm still not sure I'd like to know. We have some specific plans for those specific developments. What jurisdiction does the City have if ever they wish to regulate those parks? Live Oak at the Park is one of those specific plans, another one proposed for Foothill and Irwindale Ave. If let's say you want to widen the roadway because of traffic concerns then do you say, "Oh no, sorry, we have this as part of our plan and so if you want it we'll have to renegotiate the contract." I'd hate to see something like that happen, but the regular zoning I know that you can condemn it. It's a matter of discussing price or something like that. Better, if you plan ahead you can perhaps get the rights of way when they ask for the development in the first place. So anyway, specific plan, what advantage is there in having a specific plan versus having our regular zoning?

CHAIR GOMEZ

Thank you. And if we can't answer those questions, we'll definitely answer them at the next session. Shall we answer them at the next session?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

We can, if Legal wants to weigh in on adult businesses. They could do that now.

CHAIR GOMEZ	Jamie?
ASSISTANT CITY ATTORNEY TRAXLER	Yes, hello. Sorry, I was on mute. So adult businesses, we can to some extent regulate them and designate them to a certain corridor or area. What we cannot do is ban them completely. So, we can regulate them to some extent and that would be in the planning process, in the zone that you know the City deems appropriate, but that's about all that we will be able to do.
CHAIR GOMEZ	Thank you.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Thank you, Jamie. Regarding a specific plan just we do have a few specific plans here, they're basically their own zoning code that you know there is something that is unique about the land. You know a larger area typically. So, they can have some uses that may not have been spelled out in our current Zoning Code. There are provisions in, I believe, in each one of the specific plans: the City of Hope Specific Plan, Reliance II Specific Plan, Park at Live Oak Specific Plan. If something isn't explicitly spelled out in that plan it refers back to the Irwindale Municipal Code. So...
CHAIR GOMEZ	I'm sorry, excuse me, but even in that it comes before the Planning Commission even as to the special circumstances on the special plan? or is that automatically?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yeah, the specific plans, that you'll have a developer who may propose that so those go through the same process as just as site plan design review, that it goes to the Planning Commission for a recommendation to the City Council. The only one that is unique is Reliance II that went through what was called an initiative process. That went straight to an initiative from the City and presented to the City Council.
CHAIR GOMEZ	Was that all his questions?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	The definition for commercial we'll definitely look at that.
CHAIR GOMEZ	Okay.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	You know we can get more detailed description of that.
CHAIR GOMEZ	Thank you so much. Do we have anybody else that would like to speak, Mr. Hernandez?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

We do not.

CHAIR GOMEZ

We are going to move onto Number 6, the Community Development Director report.

**COMMUNITY
DEVELOPMENT
DIRECTOR REPORT**

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Commission, you'd think I'd ran out of things to say to that. No, I just wanted to...last night, we did have the workshop for the Safety and the Environmental Justice Element. We will be doing an encore presentation for that. We will give notice; we don't have a date set up for it. We will have that and they'll be notices that we'll send out again to each homes, we'll have it published and hopefully we'll have some good participation. We had a really good participation by the way last night. You know, some really good discussions came out of it and our consultant was really pleased as well as staff. Other than that, I have nothing else.

CHAIR GOMEZ

Thank you, legal counsel and any Legal Counsel Comments, Jamie?

**LEGAL COUNSEL
COMMENTS**

ASSISTANT
CITY ATTORNEY
TRAXLER

Thank you, Chair, not at this time. I do apologize for not being able to be there in person. I'm attending the League of California Cities Conference, learning all things municipal law to hopefully better serve the Commission. So, I apologize for not being there, but I promise it's for a good cause.

CHAIR GOMEZ

Thank you. So, we'll move to Commissioner comments? Please, yes.

**COMMISSIONER
COMMENTS**

COMMISSIONER
FRYMARK

So, I have two comments, maybe three actually. Marilyn, when we're doing the encore presentation and when we send out a notification to the residents about the upcoming presentation, could we ask that it be sent out at least like two weeks in advance so that families have some time to plan for it? I understand there was a little bit of a disconnect at some point yesterday.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yes, thank you.

COMMISSIONER
FRYMARK

Thank you. The next two comments are specific to our meeting that was held on June 21st. I was just curious to know if the department had any updates on the first one. Is the Development Agreement on the property for the intersection of the 210 and the 605 with the Regency Outdoor advertising, I was wondering if there was any updates in terms of the structure. There was conversations about possibly being able to repurpose the existing structure, but they weren't sure whether or not it was structurally sound. I was curious if there was an update on that.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you, I'll have our project planner address that.

PLANNING
TECHNICIAN
ROMERO

Hi. So the applicant at this time has not submitted for a plan check. So, once that would start that's when we would see. Not at this time, no.

COMMISSIONER
FRYMARK

Okay. Thank you. Then, the next question that I had was specific to that same meeting we I believe it was, Commissioner Fuentes, who brought up the issue about the bridge. There was issues with the bridge. I believe it was like a 3 by 4 or 4 by 4 hole and that the city was going to be working with the department, LA County. I wondered if there was an update on that. You guys are smiling. Why are you smiling?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

I'll have our Engineering Division; he'll steal my thunder.

ASSOCIATE
ENGINEER
PIMENTEL

I can go ahead.

COMMISSIONER
FRYMARK

Thank you.

ASSOCIATE
ENGINEER
PIMENTEL

Hi, good evening Commission. Yeah, we do have an update. The left turn pocket is actually open, we did do the repairs about a week ago. So, it's fully completed as of last week if I'm not mistaken. The abutment was repaired, and the structure on top was fixed. Temporarily fixed, but it's fixed at least so it's open so we can look into the future for more fixes.

COMMISSIONER
FRYMARK

That's good to hear. I'm going to have to take a drive.

ASSOCIATE
ENGINEER
PIMENTEL

So yeah... So, it's been fixed.

COMMISSIONER
FRYMARK

Thank you. That's all for me.

VICE-CHAIR
BURROLA

Can we get an update on the Reliance II Specific Plan? Where we're at with that one? It's been years now and they haven't done any development or came with, you know, a plan. What they're going to do with that land? Also, within that Reliance II Specific Plan in the inside north wall there's a lot of graffiti. I was wondering if you could get with the owner to take care of that. This is the Reliance II Specific Plan.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yes, Code Enforcement has been in touch with the property owner regarding that. So, an update for the, you're talking about the development or the implementation of the Specific Plan, plans have been submitted to Building and Safety and Planning. It's in process right now. So, we're looking at that. They submitted plans and they did ask for an extension of the permits.

VICE-CHAIR
BURROLA

Like an estimate timeline or when we might see something come through?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

I know that what they're working on now, there's a lot of infrastructure and the offsite improvements. They've been working with Azusa Light and Water, I think, you know who supplies that. So, they've been working on that. They've been working on plans you know of actually. I think. Do you want to speak specifically to that? Okay?

ASSOCIATE
ENGINEER
PIMENTEL

Hello again. So, I know they're working on doing utility upgrades, one of them being the water line right now on Foothill for the Reliance II. So that's one of the works that's in progress. The other plans are I believe in review that's unfortunately another one of my colleagues. I could definitely follow up with them and see exactly where we are with that and probably provide an update to Planning and maybe give you guys an update on that, but I know we are moving forward with some of those plan checks on that as well. That's what I have as of right now.

VICE-CHAIR
BURROLA

Like a deadline for them? Do we have like a certain time or they have all the time they want to develop that land?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

No, there's not really. The only deadline would be if their permits were expiring with that, but they have been working. There was some complications because there's a rail spur in there and getting cooperation from the railroad; I think that took them a little bit longer than they anticipated. Then I know that, you know, they were looking at, you know, a few months ago we had some concerns about an economic downturn. You know they were talking about maybe a

recession at that time. And I'm not saying anything specific about this one. This was kind of overall. We were hearing from developers, construction loans were being looked at, you know, at that time until things kind of stabilized and I think things have stabilized, you know, so that's a more global kind of issue, you know, with it. They've been in touch with us, they've been pretty active for a while with the Building and Safety for their plans, but really there's a lot of infrastructure and offsite improvements that were required. I'm thankful that engineering was here too to kind of highlight some of those things.

CHAIR GOMEZ

You can actually send us an e-mail as to the status from your colleague on engineering component. So, can I get an update? What about the signal that we're waiting for over here?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Vincent and Arrow or the one on Azusa Canyon Road?

CHAIR GOMEZ

What's the status on that signal?

ASSOCIATE
ENGINEER
PIMENTEL

So the one on Azusa Canyon and Los Angeles, again, I would have to follow up with our department. I don't know much of the status on that. However, on Los Angeles Street. and the actual driveway, I know they are doing construction as it is right now to put...

CHAIR GOMEZ

For the traffic signal?

ASSOCIATE
ENGINEER
PIMENTEL

For the traffic signal, for the driveway. Yeah, so they are in construction right now. I don't have a tentative completion date. I can follow up and see when they anticipate when that would be completed, but I know it's fairly soon. I just don't have an actual date on that.

CHAIR GOMEZ

That would be excellent.

VICE-CHAIR
BURROLA

Have plans been submitted and reviewed for the traffic signal?

ASSOCIATE
ENGINEER
PIMENTEL

For which one?

VICE-CHAIR
BURROLA

Los Angeles Street?

ASSOCIATE
ENGINEER
PIMENTEL

I would have to double check and see. Last I know, I didn't see anything myself, but I would definitely have to double check and get back to the Commission on that.

VICE-CHAIR
BURROLA

Update on the materials recycling facility? Where they're at as far as construction...is there like a update on that where we're at with that and I wanted to see if I can get a tour at that site?

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

We can certainly reach out to them for that. I think with your questions are all good on timelines and so we'll include them in the weekly update you know to get some specifics. I know with the MRF they we're currently reviewing you know for the main building, main MRF building, we're reviewing plans for that and hope to issue permits shortly. Now they are doing grating and they're working on the tunnel portion of that. That's what they're grating for right now. So, you would like a tour of the actual site?

VICE-CHAIR
BURROLA

I just don't know who to talk to, a point of contact? Also, the development west of the 605.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Park at Live Oak?

VICE-CHAIR
BURROLA

Yeah.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Oh, they're very happy to give tours.

VICE-CHAIR
BURROLA

So, I know we talked about it before, but I just need a point of contact so I can call them and set something up for myself. I know we can't, you know, three at a time, can't go and visit. So, I would just like to set something up for myself.

CITY MANAGER
MIRANDA

Commissioner Burrola, I can definitely reach out to Jeff Dritley or also John Edwards. I know we're right now working on providing a tour for one of our Council Members, so we can definitely include you in on that and any other Commissioner that would like to.

COMMISSIONER
FRYMARK

I would like to be added to that, if possible, please. Thank you.

CITY MANAGER
MIRANDA

Absolutely, Commissioner.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

The latest news at the Park at Live Oak is that the two signals that they had going into it, I guess they went live today so if you're driving a Live Oak or on Arrow Highway you'll notice you have to stop. Oh, Engineering again.

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ASSOCIATE
ENGINEER
PIMENTEL

Actually slight correction on that one. One of them went live today at the driveway of United Rock and Arrow Highway. The other one they were working on, didn't get to finish the timing into that. So, they're going to be working on that tomorrow. It should be going live tomorrow for those sections. So, I just wanted to get clarification on that.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Meaning you can still race through on one side of the road.

CHAIR GOMEZ

I want to thank everybody for their hard work. There's a few things going on in the city, so call it a night. Goodnight. Thank you so much. I adjourn the meeting.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:12 p.m.



Chair

Attest:



Jesus Hernandez, Administrative Secretary

Approved as presented at the meeting held November 13, 2023