



# CITY OF IRWINDALE

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COMMISSIONER

MARICELA  
FRYMARK  
COMMISSIONER

DAVID  
FUENTES  
COMMISSIONER

## AGENDA FOR THE REGULAR MEETING OF THE

### PLANNING COMMISSION

April 19, 2023

6:30 P.M.

### IRWINDALE COUNCIL CHAMBER

Join Webinar at

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

Webinar ID

863 4969 1359

Submit public comments by email to [jjhernandez@irwindaleca.gov](mailto:jjhernandez@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, Maricela Frymark, David Fuentes; Vice-Chair Enoch Y. Burrola; Chair Suzanne E. Gomez**
- E. **AB 2449 DISCLOSURES**  
*Remote participation by a member of the legislative body for just cause or emergency circumstances.*
- F. **ANNOUNCEMENTS**

#### **SPONTANEOUS COMMUNICATIONS**

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 vote 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 all such communications be made in writing so 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 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 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

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

- 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. Adjourned meeting held May 18, 2022
2. Special meeting held August 31, 2022
3. Regular meeting held November 16, 2022
4. Regular meeting held December 21, 2022
5. Regular meeting held January 18, 2023

**2. NEW BUSINESS**

**3. PUBLIC HEARINGS**

**4. DISCUSSION ITEMS/PRESENTATIONS**

**5. COMMUNITY DEVELOPMENT DIRECTOR REPORT**

**6. LEGAL COUNSEL COMMENTS**

**7. COMMISSIONER COMMENTS**

**8. ADJOURN**

AFFIDAVIT OF POSTING

I, Jesus Hernandez, Administrative Secretary, certify that I caused the agenda for the regular meeting of the Irwindale Planning Commission to be held on April 19, 2023 to be posted at the City Hall, Library, and Post Office on April 13, 2023.

*Jesus Hernandez*

Jesus Hernandez,  
Administrative Secretary

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 COMMISSIONER FUENTES Dear heavenly Father, we just come before you this evening thanking you so much for your love, your grace, and your mercies. Father God, I just pray that you give us wisdom, dear Lord for the items that have come before us. (Unintelligible) In Jesus', name Amen.

VICE-CHAIR BURROLA Roll call.

**ROLL CALL:** Present: Commissioners; Richard Chico; Robert E. Hartman; David Fuentes; Vice Chair Enoch Burrola

Absent: Chair Suzanne Gomez

Also present: Jamie Traxler, Assistant City Attorney; Brandi Jones, Senior Planner; Lisa Chou, Associate Planner; Martin Romero, Planning Technician; Jeff Tyler, Senior Code Enforcement Officer; Jesus Hernandez, Administrative Secretary

ADMINISTRATIVE SECRETARY HERNANDEZ Chair Gomez has notified us that she won't be here today, so we will have Vice-Chair Burrola running the meeting.

**ANNOUNCEMENTS**

VICE-CHAIR BURROLA Thank you. Do we have any announcements, Staff?

ADMINISTRATIVE SECRETARY HERNANDEZ No announcements.

VICE-CHAIR BURROLA No announcements.

**SPONTANEOUS  
COMMUNICATIONS**

VICE-CHAIR  
BURROLA

We are going in to Spontaneous Communications, this time is 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 vote 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 all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes, unless such time limits are extended. We are going to be doing the hybrid format, both in-person and hybrid audience members will participate in the following order, Tier 1: will be In-person attendees, Tier 2: will be Teleconference attendees. Tier 3: will be In-person attendees who have not previously provided comments on the matter(s) being discussed by the legislative body, and Tier 4: Teleconference attendees who have not previously provided comments on the matter(s) being discussed by the legislative body. Do we have any Spontaneous Communications at this time? Tier 1?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

None for Tier 1.

VICE-CHAIR  
BURROLA

We will move on to Tier 2.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

We do have one person in our webinar that has raised their hand.

VICE-CHAIR  
BURROLA

Okay.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

Now I will be unmuting Fredrick Barbosa.

FRED BARBOSA

Good evening Commissioners, Staff, residents. My name is Fred Barbosa. Can you hear me?

COMMISSIONER  
FUENTES

Yes.

FRED BARBOSA I planned to attend the Scoping Meeting the other day that they had at the recreational center, but being physically immobile I wanted to attend it via Zoom. But it was not on the Agenda Center so I missed it. What I heard from some of the residents is nothing but hearsay. So basically, I am repeating what they said is that the Scoping Meeting was the Planning Department telling the residents that they have two (2), three (3) warehouses. Each of them 250,000 square foot each that will be built on that site. That is the recommendation. I never found out how many bays it was there. We must get the message to the Planning Department; we don't want any more warehouses. We have the worst air quality than 85% of the State. The area has more solid waste sites and we are building a recycling center. We have more ground water threats, toxic releases, hazardous waste sites, and traffic than eighty-five percent of the State. They said they have an EIR. How can you have a real EIR, if you don't even know what is going on on that site?

VICE-CHAIR BURROLA Excuse me Mr. Barbosa, are we talking about an Agenda Item?

FRED BARBOSA No, this is not an Agenda Item, is it?

VICE-CHAIR BURROLA Um, okay. Go ahead. I am sorry continue.

FRED BARBOSA No, this was about the Scoping Meeting last week.

VICE-CHAIR BURROLA Okay.

FRED BARBOSA Okay I am sorry, am I all right?

VICE-CHAIR BURROLA Go ahead and proceed, I am sorry.

FRED BARBOSA Okay. They said they had an EIR. How can they have an EIR if you don't know what is going on in there? If there was any kind of EIR, it was done with my understanding that it was supposed to be a proposed shopping outlet, not a warehouse with bays and trucks running with traffic 24/7. This is what gets the City in trouble with the developers, they think it is okay but the residents won't live with it. Give them new direction. We liked to build a 76-acre site hotel, which one of the Mayor suggested. Still keep that shopping center which would be complement the hotel that would be across the 76 acres. Besides building, a hotel on the 76 acres the City could start doing that high density housing that the State wants them to do, and put 199 units within the next five(5) years. That would be a good place to start, but we don't need any more warehouses, please, they are killing us. They are actually killing us. That is a fact. It is on paper. Our air quality is getting worse, it won't get better. Please tell them they have to go in

another direction. Thank you for your time, gentleman. God bless you and have a good evening.

VICE-CHAIR  
BURROLA Thank you and for the record this Scoping Meeting was for what, Jesus?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ The Speedway.

VICE-CHAIR  
BURROLA The Speedway area, okay. Thank you. So, do we have any more on Tier 2?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ We do not.

VICE-CHAIR  
BURROLA Okay, how about Tier 3?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ No.

VICE-CHAIR  
BURROLA No. And Tier 4?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ No.

VICE-CHAIR  
BURROLA Okay. Alright, so we will go ahead and continue with the Consent Calendar.

### **CONSENT CALENDAR**

VICE-CHAIR  
BURROLA Recommendation, there is no Minutes for approval for this Meeting. We will go ahead and move on to New Business.

### **NEW BUSINESS**

VICE-CHAIR  
BURROLA Do we have any New Business?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ No New Business.



**PUBLIC HEARINGS**

VICE-CHAIR  
BURROLA

Okay thank you. So Public Hearing, this is a continuing Public Hearing from last Meeting. This is for a Conditional Use Permit No. 02-2021 for 1399 Las Lomas Road, Michael McKain, Cal Blend Incorporated. Staff, do you have a presentation? Commissioners, can you see?

PLANNING  
TECHNICIAN  
ROMERO

Good evening Honorable Vice-Chair and members of the Planning Commission. We will be discussing a request for a Conditional Use Permit for Cal Blend Soils located at 1399 Las Lomas Road. The applicant is Michael McKain of Cal Blend Soils. The property owner is Michael Brown of Mike Brown Grandstands. Before I continue with the presentation, I'd like to inform the commission that we have received some information from the City of Duarte this includes two (2) days of traffic video. Our legal teams met to discuss the item and Duarte's concerns were addressed. The City of Duarte has stated that they no longer wish to challenge this item. Conditions of Approval B.13, B.16, and B.18 were composed to meet those concerns. The applicant is requesting a Conditional Use Permit for the outdoor storage and onsite sale of bulk landscaping and gardening materials, and outdoor storage of grandstand equipment. The site is bounded by Mount Olive Storage to the north, Edison Transmission Towers on the south, the City of Duarte to the east, and the 210 freeway to the west. Cal Blend Soils is located in an M-2 (Heavy Manufacturing) Zone with a General Plan designation of Industrial/Business Park. The proposed project is categorically exempt from CEQA per Section 15301 Class 1; Existing Facilities. The applicant, Cal Blend Soils, is a landscaping and gardening material supplier located at 1399 Las Lomas Road. They have conducted business in Irwindale for nearly 20 years. They were previously granted three (3) Conditional Use Permits at two (2) previous locations before moving to the 1399 Las Lomas Road property. Cal Blend Soils moved to this location after the grading of the Park at Live Oak began. Cal Blend Soils' site plan displays the 4.9 acre parcel with the material bunkers on the eastern side and the grandstand equipment on the western side. On the northeastern edge of the property, there is a 36 foot locked gate used as an emergency access gate for the neighboring Mount Olive Storage site. The outdoor storage of gardening and landscape materials consists of 29 material bunkers placed on the northern and southern property lines. The materials stored in the bunkers are organized with the neighboring Duarte residents in mind. Gravel, aggregates, and other odorless materials are positioned towards the northern edge of the property line closest to the residential area. Bark and mildly scented materials are positioned on the southern edge of the property line. Mulch and other more scented materials are positioned towards the back western end of the southern property line bunkers. Cal Blend Soils takes their neighbors into account. As noted before, they store organic materials away from the residential area. They also have a posted speed limit to aid in dust control. They hand out a truck route stapled to each receipt

to avoid the residential area. They spray materials with the onsite water truck and sweep the site with the onsite street sweeper. They replenish supplies according to wind direction. And load trucks in the proper loading areas. Pictured here is the onsite windsock used to gauge wind direction. Cal Blends has also purchased and installed a weather information station that would not only gauge wind direction but also calculate wind speed. As of last month's meeting, Cal Blend Soils has repositioned the material screeners to the western edge of the property to sort materials as far as possible from the neighboring residential. Mike Brown Grandstands is a stage and event seating business also located at 1399 Las Lomas Road. Mike Brown purchased the property in the early 1970s. Mike Brown Grandstands uses the site as a storage and distribution yard for grandstands, spectator seating, and materials. Their main office is on 2160 Central Avenue. Mike Brown Grandstand's business on site is sporadic as they provide seating for seasonal events such as school graduations, sporting events, and the Rose Parade which is 15% of their overall business. Mike Brown was a founding member of the Long Beach Grand Prix for 25 years where he designed the layout for spectator seating around the course. Mike Brown has been working to facilitate the Las Lomas Road street improvement since 2005 and has deeded the City the Las Lomas Road cul-de-sac in July 2020. Mike Brown Grandstands stores mobile grandstands, hydraulic grandstands, and cable deployed grandstands on the western edge of the property. Spectator seating equipment and materials are stored on racks, shelves, and crates on the northern and southern property lines. The materials stored on the site are for aluminum, steel, and wood grandstands. Mike Brown Grandstands stores forklifts on site to move and sort equipment. They also store transport vehicles such as a bobtail, flatbeds, and trailers used in the transportation of grandstand equipment. Staff recommends to adopt Resolution No. 815(22) recommending that the Planning Commission approve Conditional Use Permit No. 02-2021, subject to the proposed Conditions of Approval.

COMMISSIONER  
FUENTES

Adopt Resolution No. 812(21)?

PLANNING  
TECHNICIAN  
ROMERO

I apologize the slides are wrong. It is 815(22). This concludes my presentation, the applicant and I are available for questions. Thank you.

VICE-CHAIR  
BURROLA

Commissioners do you have any comments at this time on the presentation?

COMMISSIONER  
FUENTES

I am good.

COMMISSIONER CHICO I have one little question. It was pointed out that, at least the way I read everything, that the screener, unless I missed it, wasn't mentioned in the initial application. Or am I wrong? Was it mentioned in the initial application?

PLANNING TECHNICIAN ROMERO It was part of the Staff Report.

COMMISSIONER CHICO It was stated in there.

PLANNING TECHNICIAN ROMERO Yes.

COMMISSIONER CHICO So then were the sound tests, were that included, or how should I say did they involve the operation of the screener?

PLANNING TECHNICIAN ROMERO Yes, the screener was active during those...

COMMISSIONER CHICO Yeah I was wondering, yeah okay. Thank you very much that is all I needed to know.

COMMISSIONER FUENTES The issues with Duarte, those have been (unintelligible).

ASSISTANT CITY ATTORNEY TRAXLER Mr. Vice-Chair, if I may.

VICE-CHAIR BURROLA Yes.

ASSISTANT CITY ATTORNEY TRAXLER I can jump in on that a little bit. The City of Irwindale's City Attorney's Office met with the Duarte's City Attorney's Office on Monday. We did have a discussion about the project. The Duarte's City Attorney who was present here at the last meeting represented to us that the City of Duarte was no longer contesting the project. She stated that her and City of Duarte Staff would not be in attendance at this meeting, they would not oppose the project any further, they won't be challenging the project going forward, and they have no objections to the project as proposed. After that she did follow up with me with a request that Cal Blend Soils pay a fee to the City of Duarte, for the specific purpose of upgrading the traffic signal at Huntington Drive and Las Lomas Road to be submitted at the time that the total cost for the traffic signal is determined. Under Land Use Law, any Condition of

Approval for a Conditional Use Permit has to be reasonably related to the use of the land. Based on our environmental analysis and City Staff's traffic study that they did any traffic impacts at that intersection or in general were determined to be less than significant. I don't think that the imposition of a Mitigation Measure that was found not to exist would be reasonable or appropriate at this time. I did talk it over with City Staff, with Irwindale Staff, Director Simpson and I agreed. It is my recommendation that no such requirement be imposed. I did inform the Duarte's City Attorney that I would bring this forward and I would let everyone know that is what they are asking for. At the end of the conversation, we did speak about the working relationship of the two (2) cities among Staff, and we agreed to the extent that we could facilitate a cooperative relationship keeping the lines of communication open as good neighbors. That is kind of where things are.

VICE-CHAIR  
BURROLA

Thank you, and that fee is not part of the CUP or this resolution?

ASSISTANT  
CITY ATTORNEY  
TRAXLER

It is not and it is recommended that it stay that way. In my legal opinion, I don't think that the City of Irwindale would even have jurisdiction to require Cal Blend to pay a fee to the City of Duarte. That is just something that they are requesting.

VICE-CHAIR  
BURROLA

Aren't there some improvements we are doing at the intersection, or is that not on the CUP? I know that it was mentioned at one point that lights are something might be going up, but that is not that intersection that we are talking about.

ASSISTANT  
CITY ATTORNEY  
TRAXLER

I don't believe so. I think that there are general street improvements proposed on Las Lomas Road, but that is wholly within the City of Irwindale. As far as I know, Staff can correct me if I am wrong, I don't think that, that touches the signal.

VICE-CHAIR  
BURROLA

Okay, thank you.

PLANNING  
TECHNICIAN  
ROMERO

It doesn't.

VICE-CHAIR  
BURROLA

Okay, so I have a few questions on the report. I know that we just talked about the City of Duarte, and the letter that they sent part of this packet or part of this Agenda. Also Mount Olive, I think that it is the neighboring business owner, they also had concerns. The concerns were, but not limited to the drainage, access to the site, traffic impact which we talked about already, water detention basin, noise, dust, odor. I just want to make sure that Staff looked at these concerns as far as Mitigation Measures were made for this, and where can we find

this in the CUP that addresses these concerns. If you can guide me to it in the CUP maybe that will be the best way to do it.

PLANNING TECHNICIAN ROMERO      So Condition of Approval B.13, and B.16, and also B.18 were all composed to mitigate any potential dust or odor or noise concerns.

VICE-CHAIR BURROLA      Okay.

COMMISSIONER FUENTES      What was that, B.13 and what else?

PLANNING TECHNICIAN ROMERO      B.13, B.16, and B.18.

VICE-CHAIR BURROLA      Okay. How about drainage? I know Mount Olive, the neighboring business owner was concerned about drainage. Are they going to be doing something in the future? I know I kind of read on it on the CUP, and under the Engineering portion, the Public Engineering portion, that something was going to be done as far as a drainage study or something of that sort. Can you guys touch on that, please?

ASSISTANT CITY ENGINEER CO      In terms of drainage, it is not necessarily a study but in order to deal with the runoff that may collect some of the pollutants, quote on quote the pollutants from the storage of that material. There is going to be a basin that is going to be collecting the water, filtering it out, so the water, the runoff from the site is going to be clean.

VICE-CHAIR BURROLA      I mean, I just want to make sure that we have it in our CUP just in case a problem does arise, and we have it stated in the CUP.

ASSISTANT CITY ENGINEER CO      It is in the Conditions of Approval so let me find that.

COMMISSIONER FUENTES      C.11 and moves on.

ASSISTANT CITY ENGINEER CO      Yeah, C.11 and also C.16 so the NPDES, the National Pollutants Discharge Elimination System that is the requirement that would require them to discharge clean water.

VICE-CHAIR BURROLA      So then we do have something there, just in case a problem arises we can take care of it per the CUP.

ASSISTANT CITY ENGINEER CO	Well once the CUP, if the CUP is approved tonight we will move forward with them submitting plans for that basin, and we will plan check that, and permit that, and they would be able to construct it after that.
VICE-CHAIR BURROLA	Okay, thank you Daniel. Oh go ahead.
COMMISSIONER FUENTES	I got a question about that.
VICE-CHAIR BURROLA	Daniel, one more question I am sorry.
COMMISSIONER FUENTES	Maybe it is for Staff, I don't know. The way that this is written and plans will be submitted. Once they are submitted and approved that the applicant is going to pay for the improvements. What happens if the applicant says, "That is way too much money, we don't want to do it."
ASSISTANT CITY ENGINEER CO	That is a Condition of Approval, so they are required to do it.
COMMISSIONER FUENTES	What will happen? Maybe the Attorney can answer that.
ASSISTANT CITY ATTORNEY TRAXLER	I can advise a little bit.
VICE-CHAIR BURROLA	Legal can comment.
ASSISTANT CITY ATTORNEY TRAXLER	It would be in part a violation of the Conditions of Approval, which are recorded on the property. One thing that the City could do is take action to revoke the CUP.
COMMISSIONER FUENTES	Okay, so how long do they have to get this done? You are talking about plans, you are talking about fire hydrants being put in, you are talking about this tying into the sewer, and also the NPDES plan. How long does it take to get all this submitted, drawn up, put into play?
ASSISTANT CITY ENGINEER CO	We are talking about several things there...
COMMISSIONER FUENTES	All of them are part of the Conditions that's why, I mean...

ASSISTANT CITY ENGINEER CO                      Yeah, so with the drainage itself that process itself will take a couple of months, two (2) to three (3) months for the plan check. Construction would probably take about the same time. It would be relatively quick maybe within six (6) months. With terms of the sewer, that is really up to the City of Duarte. I think we discussed it briefly at the last meeting, somewhat at the last meeting, that the sewer connection requires approval or authorization from the City of Duarte, because that connection would need to connect to one of their sewer systems. The hydrant, and the street, and the sewer improvements are dependent on them giving us permission to connect that.

COMMISSIONER FUENTES                      What happens if we don't get the needed approval?

ASSISTANT CITY ENGINEER CO                      The sewer improvements will not be able to be done until that authorization is given. So right now their trailer is hooked up to a septic, I am not sure what the proper terminology is but it is serviced on the trailer itself. They don't necessarily need that, but it is part of the overall offsite improvements.

COMMISSIONER FUENTES                      My question is if we don't get the approval for that, from the City of Duarte, do we revoke this CUP or do we move forward with it? I mean you are saying six (6) months. So if they don't grant that in time which is part of the CUP what do we do?

ASSISTANT CITY ENGINEER CO                      The sewer improvements are written in the general sense to be as required per the City's requirements. If the City is not able to grant that permission to allow to construct, in that case it just wouldn't be a possibility. The applicant itself cannot force Duarte to accept that.

COMMISSIONER FUENTES                      So it would become a moot point?

ASSISTANT CITY ENGINEER CO                      Again, that is why the Condition is written in a general sense, it is not necessarily stating that it needs to be connected to a Duarte sewer, just that a sewer to be constructed per City requirements. Again, the drainage improvements are unrelated to the sewer. The drainage improvements can move forward.

COMMISSIONER FUENTES                      Okay, it meets the Conditions so...

VICE-CHAIR BURROLA                      Thank you, Daniel. So do we have any more comments from Commissioners? So the Public Hearing is still open, I guess we will use the hybrid format and see if anybody else wants to talk on behalf of this item. In person attendees, so Tier 1. Please state your name and address for the record, thank you.

TOM BEA Hi, my name is Tom Bea. I am here representing Mount Olive Storage. I just want to make sure that we address the drainage coming off of Las Lomas, the offsite drainage, so that it doesn't flow over to our property. It sounds like it is addressed and it has to go through Engineering, which is fine. Other than that we are fine with it. If Cal Blend or Irwindale needs our help or assistance, we will be more than happy to help. Thank you.

VICE-CHAIR BURROLA Jesus, do we have any more in Tier 1?

ADMINISTRATIVE SECRETARY HERNANDEZ Yes.

VICE-CHAIR BURROLA Please state your name and address for our record.

MICHAEL MCKAIN Good evening, my name is Michael McKain. I live at 14718 Orange Grove Avenue, Hacienda Heights, California. I would like to say how appreciative we are of the opportunity to stay in the City of Irwindale. We view the City of Irwindale as our home. We have been here for, I know it says nearly 20 years but we have been here for well over 20 years. We have been before the Planning Commission on several occasions. I know that this has been a very intense and ongoing approval for us. I know that the amount of effort that has gone into us. I am accompanied by my wife tonight. I would like to say, on behalf of my company, my wife, thank you all for all the extenuating circumstances you guys have had to go through. Putting this off, I know this has come up and has been put aside on several other opportunities or several other occasions. I know that this business is not a normal business and we are just very, very appreciative that we get to live out our remaining time in the City of Irwindale. I can't thank you enough, these planning...Martin, Brandi, Marilyn, Jeff have been all just excellent to work with. We are appreciative as well and live by the letter of the law and whatever is handed down to us as part of this CUP, we will abide by and we want to thank you very much for the opportunity.

VICE-CHAIR BURROLA Thank you. Do we have any more for Tier 1?

ADMINISTRATIVE SECRETARY HERNANDEZ No more for Tier 1.

VICE-CHAIR BURROLA How about teleconference attendees?



ADMINISTRATIVE SECRETARY HERNANDEZ	Fred Barbosa had raised his hand but he took it down. Let me double check.
VICE-CHAIR BURROLA	I think that we will close Public Hearing, right, and have members of the audience speak on this, is that correct?
ASSISTANT CITY ATTORNEY TRAXLER	If there are no more public comments then you can close the Public Hearing. Unless the Commissioners have any more questions, you can close the Public Hearing and enter into deliberation.
ADMINISTRATIVE SECRETARY HERNANDEZ	We have no more speakers.
VICE-CHAIR BURROLA	Okay. Any more questions, Commissioners? So at this time we will go ahead and close the Public Hearing.
CLOSE PUBLIC HEARING	There being no speakers, Vice-Chair Burrola closed the Public Hearing at 7:04 p.m.
VICE-CHAIR BURROLA	At this time, Jamie, are we going to go ahead and vote, or give a vote on this CUP, or do we still have other maybe attendees that need to...
ASSISTANT CITY ATTORNEY TRAXLER	No, no attendees. If the Commission wishes to discuss the item, you can discuss it. If you are ready to vote, someone can make a motion.
VICE-CHAIR BURROLA	Okay.
ASSISTANT CITY ATTORNEY TRAXLER	It is at the pleasure of the Commission.
COMMISSIONER FUENTES	I do have a question. The CUP...(Unintelligible)
ADMINISTRATIVE SECRETARY HERNANDEZ	Do you mind speaking closer to the mic?
COMMISSIONER FUENTES	The CUP here is for both the Grandstand Company and also Cal Blend, correct?
PLANNING TECHNICIAN ROMERO	That is correct.

COMMISSIONER FUENTES	The Grandstand owns the property, correct?
PLANNING TECHNICIAN ROMERO	Yes.
COMMISSIONER FUENTES	And Cal Blend is leasing the property, correct?
PLANNING TECHNICIAN ROMERO	Yes.
COMMISSIONER FUENTES	So the onus of payment for these plans and the construction of the improvements that is being paid by the owner of the property or by Cal Bend?
PLANNING TECHNICIAN ROMERO	Cal Blend. That is not the street improvement, just the detention basin.
COMMISSIONER FUENTES	I didn't know who was paying for it, that is all.
VICE-CHAIR BURROLA	Okay, thank you. Alright Commissioners, can we get a motion?
COMMISSIONER FUENTES	Motion to approve.
COMMISSIONER CHICO	Second.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Chico.
COMMISSIONER CHICO	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Fuentes.
COMMISSIONER FUENTES	Yes.

ASSISTANT  
CITY ATTORNEY  
TRAXLER

I am sorry, Jesus, one moment. If I can just read the title of the Resolution into the record.

VICE-CHAIR  
BURROLA

Oh we skipped that part, sorry. Go ahead Jamie. We jumped ahead.

ASSISTANT  
CITY ATTORNEY  
TRAXLER

Just so we have a clear record. This is a motion to approve Resolution No. 815(22) entitled, "A Resolution of the Planning Commission of the City of Irwindale approving Conditional Use Permit No. 02-2021 for the Outdoor Storage and Onsite Sale of Bulk Landscape and Gardening Materials and The Outdoor Storage of Grandstand Equipment, for the Property Located at 1399 Las Lomas Road, Irwindale, CA 91706 (APN: 8604-018-014) 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 CEQA Pursuant to Section 15301 (Class 1; Existing Facilities)." So I believe we have a motion and a second on that.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

I will go ahead and start Roll Call again. Commissioner Chico.

COMMISSIONER  
CHICO

Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

Commissioner Fuentes.

COMMISSIONER  
FUENTES

Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

Commissioner Hartman.

COMMISSIONER  
HARTMAN

Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

Vice-Chair Burrola.

VICE-CHAIR  
BURROLA

Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

And we have Chair Gomez absent.

VICE-CHAIR  
BURROLA

Thank you. Thank you, Staff, you guys did a good job on this one. Michael, you know, thank you for coming up and giving your comments. We are going to go ahead and move on to the second, so it will be the Site Plan and Design Review No. 04-2020 Speculative 129,830 Square-Foot Concrete Tilt-Up Building at 4416 Azusa Canyon Road (Michael Ramirez, Rexford Industrial Realty, LLC). At this time Staff go ahead, or Brandi go ahead and...

SENIOR PLANNER  
JONES

Vice Chair and members of the Planning Commission, the next item is Site Plan and Design Review No. 04-2020. At this time Staff is requesting that the Public Hearing for this item be continued to a date uncertain to allow the applicant to complete an agreement between the applicant and the property owner regarding a private portion of Los Angeles Street, and then to subsequently allow Staff to review that agreement.

VICE-CHAIR  
BURROLA

Okay, so Legal we need a recommendation.

ASSISTANT  
CITY ATTORNEY  
TRAXLER

If the Commission is inclined to take Staff's recommendation, it would be a motion to continue this item to a date uncertain. It would just be a motion and you can give the title of the item.

VICE-CHAIR  
BURROLA

Okay, Commissioners do we have a motion to approve?

COMMISSIONER  
HARTMAN

Motion to continue Site Plan and Design Review No. 04-2020.

COMMISSIONER  
CHICO

Second.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

So we will go ahead and do Roll Call again. Commissioner Chico.

COMMISSIONER  
CHICO

Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

Commissioner Fuentes.

COMMISSIONER  
FUENTES

Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ Commissioner Hartman.

COMMISSIONER  
HARTMAN Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ Vice-Chair Burrola.

VICE-CHAIR  
BURROLA Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ And we have Chair Gomez absent.

VICE-CHAIR  
BURROLA Alright, thank you for that Brandi. Okay so Discussion Items or Presentations.

**DISCUSSION ITEMS/  
PRESENTATIONS**

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ We don't have any.

VICE-CHAIR  
BURROLA No, okay. Community Development Director Report.

**COMMUNITY  
DEVELOPMENT  
DIRECTOR REPORT**

SENIOR PLANNER  
JONES So I will be acting on Marilyn's behalf tonight. So we do have a couple of items. Just wanted to give an update that graffiti abatement is ongoing throughout the City. If you have any questions you can contact Code Enforcement directly via email at [Code@Irwindaleca.gov](mailto:Code@Irwindaleca.gov) or by phone at 626-430-2270. Next Wednesday, March 25<sup>th</sup> at 5:30 the Community Development Department is hosting a Community Development workshop on housing and development. It will be held in the Dan Diaz Recreation Center. There will be a presenter, Matt Kowta, from BAE, time for questions and answers, along with a breakout section design to get community input on housing as part of the General Plan and Housing Element Update.

VICE-CHAIR  
BURROLA Brandi, can you say that again. Was it May 25?

SENIOR PLANNER  
JONES

May 25....

VICE-CHAIR  
BURROLA

At what time?

SENIOR PLANNER  
JONES

May 25 at 5:30, at the Rec Center.

VICE-CHAIR  
BURROLA

Dan Diaz.

SENIOR PLANNER  
JONES

And you can either attend in person or virtually. And..

COMMISSIONER  
FUENTES

Is it going to be similar to the (Unintelligible) at the Senior Center for the Housing or the General Plan?

SENIOR PLANNER  
JONES

Yeah it will be similar, meaning it will just be like, we will be like taking questions and answers like being in groups, discussing and taking input from the community, residents, and from the business community. While City Council will normally be that day, City Council will actually be moved to Thursday, May 26 so it will be a Special Meeting.

VICE-CHAIR  
BURROLA

So we can go there as residents and give our concerns as a resident in this meeting at the Dan Diaz?

SENIOR PLANNER  
JONES

At the Community Meeting?

VICE-CHAIR  
BURROLA

Yes.

SENIOR PLANNER  
JONES

That should be okay.

ASSISTANT  
CITY ATTORNEY  
TRAXLER

That is fine.

VICE-CHAIR  
BURROLA

Yeah. Okay.

SENIOR PLANNER JONES                      Also on the dais, which you received all those numbers, that was a copy of the Regional Housing Needs Allocation or the RHNA numbers, showing all the housing numbers required for cities and counties in the SCAG Region. This item was requested by Commissioner Fuentes at the Joint Study Session. We wanted just to show you how many units that Irwindale is required with the 119, and then you can see with one (1) of the surrounding cities are also required to provide.

COMMISSIONER FUENTES                      What happens if a city, any city, does not comply or they are not able to comply with this? Is there a fine? What happens if they don't?

ASSISTANT CITY ATTORNEY TRAXLER                      Well it is a long and tenuous road ahead. The City can be sued by individual tax payers, housing organizations, lose its funding from the State. There are a myriad of consequences that the City would potentially be subject to if it doesn't comply with the Housing Element requirement.

COMMISSIONER FUENTES                      Has there been any lawsuits against cities for this?

ASSISTANT CITY ATTORNEY TRAXLER                      Against the City of Irwindale?

COMMISSIONER FUENTES                      Any cities.

ASSISTANT CITY ATTORNEY TRAXLER                      Well yes, I can pull up a brief report if you give me one minute. A few cities actually, very recently, were just sued due to their non-compliance with adopting the Housing Element. Six (6) cities actually, let me read them off. The Cities of Bradbury, La Habra Heights, Manhattan Beach, Vernon, South Pasadena, and Laguna Hills have recently been sued for failing to adopt the Housing Element.

COMMISSIONER CHICO                      And Pasadena has a lawsuit against the State?

ASSISTANT CITY ATTORNEY TRAXLER                      That I am unaware of.

COMMISSIONER CHICO                      Thought I read something to that effect that the goals were unreasonable.

COMMISSIONER FUENTES                      Have those lawsuits been resolved or are they ongoing?

ASSISTANT  
CITY ATTORNEY  
TRAXLER

They have just been initiated so it is pretty recent like within the last month.

VICE-CHAIR  
BURROLA

Well if there is deadlines, well we are going to have to meet these deadlines. Obviously, over their time.

ASSISTANT  
CITY ATTORNEY  
TRAXLER

Correct, that is why there is a big push for us to get this off the ground.

COMMISSIONER  
CHICO

Probably the dumbest question in the world.

VICE-CHAIR  
BURROLA

No question is dumb.

COMMISSIONER  
CHICO

The City doesn't build homes right? What if nobody wants to build homes? What if there is no developer out there that wants to build a home here? What happens then?

ASSISTANT  
CITY ATTORNEY  
TRAXLER

I don't really know. I don't think that I can give you an answer to that question off the top of my head. I would have to do some research on that.

COMMISSIONER  
CHICO

Well the fact of the matter, with all due respect, you can do all the research in the world the in-between does not exist, at least not in paper or you would be able to answer the question.

ASSISTANT  
CITY ATTORNEY  
TRAXLER

Yeah, that is fair. That is a fair point.

VICE-CHAIR  
BURROLA

Any more questions Commissioners?

COMMISSIONER  
HARTMAN

I have one for Brandi, as far as the update. I believe I brought this up back in December. I was given an update, I think in March and again last month about the meandering sidewalk across the street, the lighting. Many of the lights are out of order. Quite a few of them have holes broken in the glass panes. Last I heard somebody over there, the maintenance department was trying to order the glass pane. That is almost six (6) months.

SENIOR PLANNER  
JONES

Well based on the information that I have, like the property manager is working on it but there are definitely some supply chain issues.

VICE-CHAIR  
BURROLA

So Brandi this is not part of the Community Development Report is it?



SENIOR PLANNER  
JONES

Oh, I was just responding to Commissioner Hartman.

COMMISSIONER  
HARTMAN

I am sorry, I thought this was Commissioner Updates.

VICE-CHAIR  
BURROLA

We will move on. Any more comments for the Director Report.

SENIOR PLANNER  
JONES

That is it for my report.

VICE-CHAIR  
BURROLA

Okay. Commissioners?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

Excuse me, Chair, Vice-Chair.

VICE-CHAIR  
BURROLA

Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

We do have a hand raised in our online communication. Would you like to receive a general comment right now?

VICE-CHAIR  
BURROLA

Can we do that Legal? Yes?

ASSISTANT  
CITY ATTORNEY  
TRAXLER

Yes.

VICE-CHAIR  
BURROLA

Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

Okay, I will be unmuting Fredrick Barbosa.

FREDRICK BARBOSA

Good evening gentleman and Staff, it was my understanding from when I went to that meeting that you cannot deny a developer that is when you get in trouble. See Bradbury, those big dollar cities, they will deny them. They do not care. They have the money they will fight it. The teeth in this was, you cannot deny the developer to build low income housing. Maybe I am wrong, maybe I misunderstood but my main read was up with it. Thank you.

VICE-CHAIR  
BURROLA Thank you.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ No more speakers, thank you.

VICE-CHAIR  
BURROLA Okay, moving on. Legal Counsel Comments. Thank you Brandi for that report.

**LEGAL COUNSEL  
COMMENTS**

VICE-CHAIR  
BURROLA Legal Counsel Comments.

ASSISTANT  
CITY ATTORNEY  
TRAXLER No comments from me Mr. Vice-Chair, thank you.

**COMMISSIONER  
COMMENTS**

VICE-CHAIR  
BURROLA Okay, and Commissioner Comments. I think this is about the lights.

COMMISSIONER  
HARTMAN Well that was the update that I was asking about.

VICE-CHAIR  
BURROLA Okay. So can you look into that Brandi or give a report next meeting on, you know, when those lights are going to be fixed.

SENIOR PLANNER  
JONES We are actively working on it and in contact with the property manager, but like most things supplies are hard to come by.

COMMISSIONER  
HARTMAN Prices are so high now.

SENIOR PLANNER  
JONES We will give you an update but it may be the same unfortunately.

VICE-CHAIR  
BURROLA That is fine, as long as we are updated, and that you guys are on it and hopefully it gets fixed soon.

SENIOR PLANNER  
JONES Okay.

SENIOR CODE  
ENFORMENT  
TYLER

I have contacted the property management company and the property owner, and asked them to at least get the light fixtures cleaned up and secured for right now. Until he can do the glass repair work on it. I am working with them on getting that done. Just on one side note too, the graffiti has been abated on the walkway that had been there. I did check on that.

COMMISSIONER  
HARTMAN

Thank you.

SENIOR CODE  
ENFORMENT  
TYLER

Thank you.

VICE-CHAIR  
BURROLA

Any more comments? Okay. Thank you for attending and meeting adjourned.

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 7:20 p.m.

---

Suzanne E. Gomez, Planning Commission Chair

Attest:

---

Jesus Hernandez, Administrative Secretary

The Irwindale **PLANNING COMMISSION** met in special 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  
COMMISSIONER  
FUENTES

Dear heavenly Father, we just come before you this evening thanking you so much for your love, your grace, and your mercies. Dear Father. Father God, we just ask now that you would be with us here, be with this community, and be with the entire City staff. Dear Lord. That you would just bless us. That you would give us wisdom beyond our years to make decisions that are pleasing to you. I thank you for all things, dear Lord, I just ask that you once again bless this City. Amen.

CHAIR GOMEZ

Roll call.

**ROLL CALL:**

Present: Commissioners; Robert E. Hartman; David Fuentes; Richard Chico; Vice Chair Enoch Burrola; Chair Suzanne Gomez

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

**ANNOUNCEMENTS**

CHAIR GOMEZ

Do we have any announcements that we need to share?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

No.

CHAIR GOMEZ

Thank you.

**SPONTANEOUS  
COMMUNICATIONS**

CHAIR GOMEZ

At this time we are going to move forward in the Meeting and open it up to Spontaneous Communication. Mr. Hernandez is going to share with us the guidelines for Spontaneous Communication.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

This is a 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 vote 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 all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes, unless such time limits are extended. In the hybrid format, both in-person and hybrid audience members will participate in this following order, first we have Tier 1: In-person attendees. Then we will have Tier 2: Teleconference attendees, then we will go back to Tier 3: In-person attendees who have not previously provided comments on the matter(s) being discussed by the legislative body, and Tier 4: Teleconference attendees who have not previously provided comments on the matter(s) being discussed by the legislative body.

CHAIR GOMEZ

At this time we will have Spontaneous Communication for Tier 1: In-person attendees, is there anyone here today? No? Then we will go to Teleconference attendees, Tier 2. Mr. Hernandez?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

We have no members wishing to speak.

CHAIR GOMEZ

Tier 3: In-person attendees who have not previously not spoken and there is none present and Tier 4. At this time we are going to move on to the Consent Calendar.

### **CONSENT CALENDAR**

CHAIR GOMEZ

At this time we have no business on the Consent Calendar.

### **NEW BUSINESS**

CHAIR GOMEZ

We are now going to move forward on New Business: General Plan and Zoning Map Inconsistency. This matter is continued from 7-20, so that we can all be here today the Commissioners because this has the GP and the Zoning has to be reviewed. Commissioners, who weren't unavailable to attend have valuable input. We look forward to the presentation.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

Thank you Chair and Commissioners, again this Item is regarding inconsistencies between the General Plan and the Zoning Map. This was a multi planner preparation and tonight we have Brandi Jones, our Senior Planner, and Martin Romero, our Planning Technician, presenting this.

SENIOR PLANNER  
JONES

Good evening Chair and members of the Planning Commission, tonight we are going to be discussing some of the inconsistencies between the General Plan and the Zoning Map that we found through multiple things, including creating updated Zoning Maps and General Plan Maps. Some of what it takes to update the General Plan and Zoning Maps and make sure they are consistent, is to go through pretty much the City's history of any types of Zone Changes that were done, reviewing the Ordinances for the Zone Changes and the General Plan Map amendments. We are requesting the Planning Commission Review these inconsistencies presented and direct Staff to make the appropriate changes to the Zoning and General Plan Maps to ensure consistency. The General Plan is the blueprint for future planning and development in Irwindale. Zoning Code, Map and related zoning designations are required to be consistent with the General Plan. Inconsistencies discovered during a recent zoning map "clean-up" in November 2018. Staff has also received multiple applications that require a General Plan Amendments or Zone Changes. Due to these inconsistencies, there are multiple non-conforming uses that limit the highest and best use of properties, due to limitations on expansion and intensification. Consistency between the General Plan and Zoning is a common-sense approach to planning and transparency. Not common-place for cities to spot-zone or change a General Plan Designation for a single parcel, it's usually a group of parcels or one very large parcel. Pending direction from the Planning Commission, Staff may initiate the process to re-zone properties to appropriate classifications. Zone Change and General Plan applications will be brought before the Planning Commission for a recommendation to the City Council for a final decision. This is the chart that we made. Again, this chart and what we are presenting is not all inclusive because we still might come across some as we continue. These were some of the ones that we have been dealing with like more frequently and recently. For example, we have Citrus View, Meridian Street, Mountain Avenue, Park Rose, Ruelas, and Shrode. They have a General Plan designation of Residential, however, their Zoning is either C-3, Heavy Commercial-Residential or M-1. So we want to move all to R-1. For example...

COMMISSIONER  
FUENTES

Ms. Brandi, can I ask a question?

SENIOR PLANNER  
JONES

Sure.

COMMISSIONER FUENTES R-1, Single Family Residential, are ADUs included with that?

SENIOR PLANNER JONES You are allowed to do an ADU on R-1.

COMMISSIONER FUENTES Okay, thank you.

SENIOR PLANNER JONES Meridian, Industrial/Business Park, current zoning designation is M-1. We are proposing to change it to M-2. Ramona Boulevard and a small portion of the Vulcan Durbin Pit off of Ramona, has a General Plan designation of Quarry. The current designation is A-1, and we are proposing to change it to M-2 to match with the remaining area. Also pretty much the remaining area on Ramona and the rest of the Quarry. Park Avenue is General Plan Residential, current Zoning is A-1. We want to change it to R-1 for Single Family consistency. Same thing with Calle Burrola, Fraijo, and Nora Avenue; General Plan Residential, Zoning A-1 change it to R-1. Buena Vista, Industrial Business Park current Zoning Quarry, we want to change that to M-2, Heavy Manufacturing. When we get to the maps, you will see it is just like a small area. Las Lomas Road, Industrial/Business Park, current zone M-1 we want to change that to M-2. The bottom one actually, so that's Arrow Highway/Live Oak Lane. The zoning is currently M-2. The General Plan is Regional Commercial. We were proposing to change that to Industrial/Business Park and Specific Plan. This is currently the General Plan Map that was updated in 2022. This is the updated General Plan Map, the zoning map. Basically we will go through these one by one then we can see what they look like.

CHAIR GOMEZ What I liked to do is when we come back to each one just number them consequently so that when we discuss them, we can discuss each one in particular.

SENIOR PLANNER JONES Whichever way you want to do it. If you want to just discuss this one, make your recommendation then go to the second one, or you want me to go through all and then come back one individually that way?

CHAIR GOMEZ Yeah, go through all and then come back. Thank you.

COMMISSIONER HARTMAN I have a question, also. It is pertaining to Nora Avenue. I live on Nora. Should I not be in here?

CHAIR GOMEZ Well we need to have a Public Hearing as well though. So if we have questions.

SENIOR PLANNER JONES Should he step out for Nora?

ASSISTANT  
CITY ATTORNEY  
TRAXLER

So my question would be, how many Commissioners live on Nora? I am getting conflicting information.

COMMISSIONER  
HARTMAN

I live on Nora. He lives on...

VICE-CHAIR  
BURROLA

I live on the other side of the block, which is Fraijo Avenue.

ASSISTANT  
CITY ATTORNEY  
TRAXLER

Fraijo, okay. Are those in the same grouping Brandi?

VICE-CHAIR  
BURROLA

Yes.

ASSISTANT  
CITY ATTORNEY  
TRAXLER

Okay, so then at this point I would recommend recusal of the two Commissioners. It is ultimately your decision, whether or not to recuse yourself, but you would be within the 500' that is a presumed conflict. Since, we have a quorum of Commissioners that are able to vote that would be satisfactory and there would be no issue. Ultimately, the decision whether or not to recuse yourself is up to you.

CHAIR GOMEZ

I have a question. I want to collaborate with you in terms of how we do this because you are saying that if you presented and do each one while you go along, however, we would have to address the Public Hearing. As the public has input, we usually then have questions, and then we usually make our decision. If we do it in a different way, whereas Brandi does each one and then we give input I am not sure how the Public Hearing will play into that.

ASSISTANT  
CITY ATTORNEY  
TRAXLER

So right now this is just general direction to Staff, whether or not they are to move forward with addressing the zone changes. There is no specific direction in terms of the Planning Commission making a decision whether or not to recommend the Zone Changes. This is just essentially direction to Staff to bring this item forward again for the Planning Commission's consideration. I am not sure I understand the question.

CHAIR GOMEZ

So the Public Hearing. Do we need to open it up for Public Hearing, for discussion as to each item? Or can we do the Public Hearing during the presentation and interact as Commissioners for recommendation?

ASSISTANT  
CITY ATTORNEY  
TRAXLER

You can interact as Commissioners on the record. In terms of allowing the public to comment, I would at this point not do a one by one vote on each property. I would do a general direction and allow the public to comment generally on this Item.



- CHAIR GOMEZ                      Okay, so we are going to proceed as we usually do. We will make the presentation, we will then have question, we will do the Public Hearing, and then we will have a discussion. Thank you.
- SENIOR PLANNER  
JONES                                Or if you want, do you want me to do Calle Burrola, Fraijo, and Nora first? You can talk about first and then they can come in so we don't have to stop and go in and out.
- CHAIR GOMEZ                      Our usual way.
- SENIOR PLANNER  
JONES                                Okay. So this one is Citrus View, Meridian, Mountain Avenue, Park Rose, Ruelas, and Shrode. Ruelas and Park Rose are zoned M-1. What we found was the zoning had been, I believe C-3 for all of that at one point. It was changed M-1, however, the Map was never updated. These houses on Park Rose and Ruelas are legal non-conforming. If somebody lived on those streets and wanted to do an addition, we wouldn't be able to allow them because it would be an intensification of a non-conformity. That is why we want to move them to R-1. Also, when it comes to the properties that are along Shrode and Mountain, they are zoned C-3 which is Commercial-Residential, so you can do either one. It is already all developed as residential, but we want to make it consistent with R-1. Number one, when we have R-1 zone property versus A-1 or C-3 you have more flexibility when it comes to State requirements for ADUs and things like that. We want everybody to have that opportunity so that is why we want to go to R-1, as opposed to have like A-1. The next one, this is Meridian Street. This is just north of Alice Rodriguez Circle and it is an industrial condominium complex, and what we found is that it is zoned M-1 and M-2. When you look at the parcel map it seems like that is kind of following the line a little bit because that portion of Meridian is actually a private street, which is part of the subdivision. Our thoughts were to change it all to M-2, as opposed to M-1. Allowing more flexibility because if we tend to down zone, we are likely to create non-conformities about the uses that are currently there. There is not significant differences in the type of uses between M-1 and M-2. There is not as many permitted uses as M-2 because it does allow for like very heavy uses. Most of the businesses there are just small individual. It is just a small business park. That is our proposal for that one. This is Ramona Boulevard and Vulcan Durbin, so if you see those two rectangular parcels at the bottom that is a mini storage that is down there now. It is zoned A-1. This large area here of Vulcan Durbin is also zoned A-1. In order to be consistent with the types of uses there on Ramona and also to be consistent with mining activity, we are proposing to change that portion of Vulcan Durbin to M-2. This is Park Avenue so this is on the west side of the City. There are a few homes over there also zoned A-1. We want to make it consistent and go to R-1 so that people have the opportunity to take advantage like for example ADUs and things like that. This is Calle Burrola, okay, you want to step out?

ASSISTANT  
CITY ATTORNEY  
TRAXLER

At this point, again it is up to the Commissioners whether or not they want to recuse themselves. However, this is a general item so there is nothing specific to these properties that you would be making a decision on.

SENIOR PLANNER  
JONES

So the west side of Fraijo is R-1, but the rest of Nora and then the east side of Fraijo is A-1. Again, we want to change it all to R-1 so everybody has the same opportunities for development. This is Buena Vista Street, currently what is over there is just another small industrial business park. It is just that particular, like that corner piece that was zoned Quarry overlay. We believed that it was potentially a mapping error. Just north of it is a pit so we just figured it is probably just like a remnant. We want to just make it M-2 to be consistent with the uses that are there and the rest of the industrial area. So that is over by City of Hope. Then this is Las Lomas Road, these parcels some of them are M-1 and M-2 split again to something that is historical that we want to clean up. Based on the uses that are there we believe that it would better to go to M-2 versus M-1. For example, we got like Asian Ceramics up there. They came in, I don't know, probably like ten years ago for a CUP. There used to be Asplundh Tree. They used to be there. I think it is now Edison. There were some uses that have been approved for outdoor, and we just want to be able to keep those consistent without creating any additional non-conformity. This one is the only, so the other ones were changing the zone, this one is changing the General Plan designation. Currently the area that we know, that we pretty much refer to as Nu-Way. The Nu-Way Pit, which is Live Oak Lane, Arrow Highway, and Live Oak. The large parcel and the single parcel like near the top, we are proposing to change that to Specific Plan to allow some flexibility for future development. The other areas that are all along Live Oak Lane, which are individual businesses including like All American Asphalt, Robertson's Ready Mix. Those and along there is some business that are right at the curve of Arrow Highway there, again more small industrial business parks. We are proposing to change those from Regional Commercial to Industrial/Business Park. Currently in the General Plan there is no zone designation that is compatible with Regional Commercial. In an attempt to actually support development here, this is what we are proposing. Also we have, like in the past, there have been some Conditional Use Permits for example approved for some of the uses on Live Oak Lane, and we have put sunset clauses on them so we can work towards getting the General Plan and the Zoning consistent. It really impacts those businesses because they have to come in, like maybe every year, every two or three years to renew their Conditional Use Permit. If we had more consistency then we can be able to make the findings better, to be like this is consistent with the General Plan and Zoning. Because we already have the Industrial/Business Park and Specific Plan, General Plan designation it would just be easier to switch them as opposed to like creating brand new zones to match

with Regional Commercial, which has yet to be done. That's all of the parcels for now, just in general. If you want, you want to go back to the first one?

CHAIR GOMEZ Yes.

SENIOR PLANNER JONES Okay.

CHAIR GOMEZ So let's see, before we open it just for Public Hearing, let's see if the Commissioners have questions as to the each one individually, and then we will save the Nora Avenue, Calle Burrola, and those separately so we can address all the others. So it is just questions, and then we will open it for Public Hearing, and then we will have a discussion. Does anybody have some questions? One, which is Citrus View Avenue, Meridian Street, Mountain Ave., Rose Park Ave., Ruelas Street and so we will keep those as one, and have a discussion on those. That's the one that they want to change to R-1. Do we have any questions from the...

COMMISSIONER FUENTES That makes sense.

VICE-CHAIR BURROLA Brandi, for a C-3 area, what is there? What is there right now?

SENIOR PLANNER JONES So there is houses that face Meridian, the new subdivision that was done. Ambriz, like is the small cul-de-sac that was in the seven lots, that's over there facing Mountain. It is Single Family Residential.

VICE-CHAIR BURROLA All residential there. Okay.

CHAIR GOMEZ We will move to the next one Meridian Street and that's from an M-1 to an M-2. My question is, how close are houses to the industrial park? Are there houses in that area?

SENIOR PLANNER JONES So if you actually look on the Citrus View one, you will see that little grey triangle area just north of Alice Rodriguez that is where it is. That is an existing business park there. The houses that are generally abutting are in the City of Duarte, and then there is a pit to the east side of it.

VICE-CHAIR  
BURROLA

What made you decide, Brandi, to go from M-1 to M-2. The reason I ask, M-2 allows for a lot more, larger industrial businesses like asphalt plants and stuff like that. You know just considering that our Zoning Map, is I don't know how old thirty plus years, who is to say if someone comes in here twenty years from now and buys up this property and decides to put up an asphalt plant. We are talking its really close to residential, Duarte residents and our own residents. What made you decide to go to M-2?

SENIOR PLANNER  
JONES

We were thinking along the lines of trying not to create additional non-conformities. For example, like the example of the asphalt a batch plant or something, that would be something that would never be permitted by right. That will always be conditionally permitted. Say somebody did buy all of those properties and said, "I want to put a batch plant on here." It would come to Planning Commission and you would say, "That is highly incompatible with the surrounding area." So continue to keep that in mind. Like even though we are proposing to go from M-1 to M-2 that still won't automatically make the uses that are M-2 permitted by right. Again, it goes back to creating non-conformities, like when we are zoning like downward it is like okay well some of those businesses for example that are on that east side of Meridian, might be a use that is permitted per M-2. For example, if we go down to M-1, now those uses are now non-conforming. So meaning that they couldn't expand, they couldn't intensify. They could have been approved prior to what the current code is.

VICE-CHAIR  
BURROLA

Are there businesses there that are not conform to M-1?

SENIOR PLANNER  
JONES

There may be. Like there is always the chance, when you are rezoning a collection of parcels that you are going to create a non-conformity. We are just trying to reduce the potential impact.

CHAIR GOMEZ

Okay so we are not certain that there is actually any that would be non-conforming if we don't change it?

SENIOR PLANNER  
JONES

I mean we have a general idea about what type of businesses are there. I think another thing is like because of the way it was split it was kind of split with the street. If you wanted to do a specific business like on the west side of Meridian, it's like oh you can't because you would need a CUP or something but if you go across the street. Number one, it makes it easier for us when we are doing enforcement and when we are approving businesses. Like if we maybe even lay the parcel map on top of here some of these lots individually could have dual zones. So that is pretty much it.

VICE-CHAIR  
BURROLA

Going back, you know I was reading the Ordinance, and it was talking about M-2 and you are right there is certain businesses that have to come in to get a CUP. I am not saying I am going to be here twenty years from now or even make a decision twenty years from now, but usually when a business comes in with a CUP and they are coming in to get a CUP and their business is conforming to the zone, how do we stop them from getting the CUP? It seems that they are right to do that business because it is zoned that way. There is nothing that would stop them right to get the CUP as long as they are conforming to the Zone and all the requirements in the ordinance.

SENIOR PLANNER  
JONES

If they meet the findings then we can support the CUP, but just because a business comes on and wants to do a specific use in a specific location, doesn't mean that we can still make the findings. If we can't make the findings we are not going to make a recommendation of approval to you.

VICE-CHAIR  
BURROLA

That is just the, go ahead Marilyn.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

Chair and Commissioners just a general comment, what we found too that if there is a business that is a use that could have been there for many years, and it is an M-2 type use but the zoning is M-1, if they try to refinance or if they are trying to sell the business and they come to us and it is that non-conformity or the inconsistency this has put them in a bind because of that. When we are noticing a thousand other reasons you know part of the impetus for bringing it and I guess one, you know, it can be in the residential area, you know, it's a big part of it but it's also any of the business that was another reason for trying to get the consistency.

CHAIR GOMEZ

Help me understand, if there is a business and they do a findings and they need to expand and they are functioning under an M-2, do we have the capacity to do like a grandfather clause? They are there, we have allowed them to run for twenty years, they either want to expand and or, you know, enhance their business somehow, do we allow the capabilities of something like a grandfather clause if we keep it at M-1 and not move it to M-2, though they are functioning in that capacity?

SENIOR PLANNER  
JONES

For non-conforming uses they would be grandfathered in. It is just that even if they are grandfathered in that doesn't mean that you can intensify, because now you are trying to intensify that non-conformity and so now you need to meet the requirements of today. Another thing, like we are still working on the Zoning Codes so a lot of the uses that are currently in the M-2 Zone some of those will probably be gone. We will also have a lot more current uses, because our code is basically a holdover from the County and we have been kind of moving pieces around since incorporation.

CHAIR GOMEZ Fascinating.

VICE-CHAIR  
BURROLA If I understand correctly, Brandi, you are going to change the Ordinance to the M-2 language?

SENIOR PLANNER  
JONES We are updating the whole Ordinance. Some of the uses that are currently in M-2 like we are going to get rid of those. Some of them I mean, like who is doing horseshoeing? There is uses like that, that are listed, just like very old uses a lot of heavy outdoor uses. That is really not appropriate since we know that's not what the City wants to see anymore.

CHAIR GOMEZ Anymore questions as to this one? So we will move on to the next one. This is Ramona Boulevard and it is from A-1 to M-2.

SENIOR PLANNER  
JONES So with this one, again, those two small parcels on the bottom I believe it's a ministorage on the east side and just like another small business park on the west side. That large area is a portion of Durbin. It has been like that for years and we would just like to fix the map so that the entire parcel is M-2.

COMMISSIONER  
FUENTES I go by there often, when I get off the freeway sometimes it is backed up. Actually that is where the storage facility is, correct?

SENIOR PLANNER  
JONES Correct.

COMMISSIONER  
FUENTES Right next door to that there is condominiums, homes, that is a whole neighborhood there. Across the street there is homes and everything else. I know that sometimes we are landlocked for housing. My thought was why don't we go ahead and go R-1 there in case we need it, or is there something we can multiuse if we needed to. If we get landlocked and we need some housing area there, it is in a neighborhood, you know. Next to it you had that Cowboy Burger and that other stuff, that little industrial park there. Then you have that storage place and right next to that it is all residential.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON If I may, as we have been working on the Housing Element and doing a sites inventory, there were several sites that were identified to the City Council and one of them was the two acre site that is the self-storage over there, as being something to be converted to residential. The property management company is interested in that. What we are looking at is not even as much for any of the parcels that were identify in our sites inventory as rezoning. We were considering a Zoning Overlay, so it would have a residential overlay but it would keep the underline zoning. The people who have their existing businesses, if we did an overlay on it, it just gave them an additional opportunity for development because that site is surrounded by uses that Housing and

Community Development, I will give you a little bit of background because you will hear this again, when the Housing Element comes to you. The HCD, the Housing and Community Development from the State, they have certain criteria for the sites that can be selected to meet RHNA numbers. Those include if there is access to transportation which there would be on Ramona. There is looking at the surrounding existing uses. As you mentioned there is housing across the street although that's in Baldwin Park. There is also Kaiser that is down the street so there is also a medical facility, and then there is some other commercial uses which would make it an ideal thing for the overlay. Does that help? You are giving me that look.

COMMISSIONER  
FUENTES

Those are my thoughts as I go by there. Eventually, maybe not now maybe fifty years from now, we are going to need more space for homes. That's all I am looking at is that there. Personally myself, I think that would be ideal. Not ideal because it is a way but it would be like the stuff over by Duarte that we have you know that little thing that we have to maintain and do out there. I am just looking at the Housing Element because we have gone through some Housing Elements also. As far as for housing, I would like it there for housing if we needed to put some.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

What the idea is, with the residential overlay really is there is existing businesses that were not, some of the business and people were concerned about a taking or something like that. The City is not interested in eminent domain or any kind of taking so that is why the Residential Overlay it allows them an additional use and incentive in the next several years as thing change they could but it doesn't run anybody out of business.

CHAIR GOMEZ

So even in that, if I may, even in that with the Residential Overlay if we chose or recommended to change it to R-1 they can still, the businesses that still exist are grandfathered in to keep what they are doing and potentially expand because of the capability, correct?

SENIOR PLANNER  
JONES

Well we are proposing to change it to M-2.

CHAIR GOMEZ

I understand.

SENIOR PLANNER  
JONES

With the overlay they can continue to do the businesses that they have. In the event that they did want to develop the residential. We will still need to change the General Plan Designation, right? Yeah, so we would have to come back change the General Plan Designation to be consistent with the overlay.

CHAIR GOMEZ                    So my question was, without the overlay and if we made a recommendation to do a R-1 and allow those businesses to stay, is that possible for them to be grandfather in to continue with their business?

SENIOR PLANNER JONES                    Yes, they would all become non-conforming.

CHAIR GOMEZ                    Okay.

SENIOR PLANNER JONES                    So they could not expand. They cannot intensify.

CHAIR GOMEZ                    And if they wanted to expand intensify, how could they do that? With a CPU?

SENIOR PLANNER JONES                    The zoning has been changed and so now, there is no industrial use that would be permitted in a residentially zoned. If we change it to residential all of those uses would basically, like where they are at that day that the zone was changed that's pretty much it as far as how much they can expand, intensify, or improve. They can do improvements, for example, like exterior modifications maybe restripe the parking lot but as far as any additional square footage, intensity, multiple uses inside of a tenant space it would be limited.

VICE-CHAIR BURROLA                    So this is Vulcan Durbin right?

SENIOR PLANNER JONES                    Mhmm.

VICE-CHAIR BURROLA,                    It is an active Quarry?

SENIOR PLANNER JONES                    Yeah.

VICE-CHAIR BURROLA                    Why do we have it zoned M-2, when we have an actual zone for Quarry is there a difference there?

SENIOR PLANNER JONES                    Quarry is an overlay.

VICE-CHAIR BURROLA                    Oh it is an overlay.

SENIOR PLANNER JONES                    I think most of the active pits at one point where, let's see...



VICE-CHAIR  
BURROLA No you got Hansen, United II, United III, Olive Pit they are all Quarry Zoned. The only one that is not, well Reliance I the northern that's M-2. Then you got M-2 Agriculture for Durbin. Is there a reason why we don't have them Quarry?

SENIOR PLANNER  
JONES The Quarry overlay and M-2 both allow Quarry with a CUP. With having it M-2 you probably just have more flexibility. For example, in the Reclamation Plan...

VICE-CHAIR  
BURROLA So is it consistent with the Reclamation Plan?

SENIOR PLANNER  
JONES It is consistent with the Reclamation Plan, yeah.

VICE-CHAIR  
BURROLA Okay.

SENIOR PLANNER  
JONES It does talk about the entire Durbin site, well all of the...

VICE-CHAIR  
BURROLA So if we go M-2 with Agriculture, is it consistent with the Rec Plan?

SENIOR PLANNER  
JONES If we change the A-1 to M-2 it would be consistent.

VICE-CHAIR  
BURROLA That's the one-third portion that they are going to actually fill, correct? According to the Rec Plan, I don't know...

SENIOR PLANNER  
JONES I believe so when they move the plant site.

VICE-CHAIR  
BURROLA Yes so that whole eastern side a third, I forget the acreage, but that was going to be filled and then the rest being left as a Quarry. That is why I was confused because you have it as M-2 but in the Rec Plan it states it's going to be left as a water recharge basin. I am not sure why we kept it M-2. If you can maybe look into that.

SENIOR PLANNER  
JONES Yeah, I think that it was just, during certain points probably when the Reclamation Plans were approved...

VICE-CHAIR  
BURROLA Can we just look into that, make sure that we are not going against, if we are going to do the Zoning change this is the time to do it to make sure it is consistent with the Rec Plan that's all.

SENIOR PLANNER  
JONES It is consistent with the Reclamation Plan.

VICE-CHAIR  
BURROLA

Is it?

SENIOR PLANNER  
piece is  
JONES

Yeah, because I mean are you concerned that the zoning the A-1  
consistent?

VICE-CHAIR  
BURROLA

What I remember, I might be wrong it's been a while, but I remember it  
being a recharge basin. They are not going to fill that section that is M-  
2 right now, zoned M-2. Then a third of the site with is the eastern side  
they were going to fill that up to grade and then have a, you know,  
build whatever they are going to build there. Being commercial, I didn't  
know that was actually zoned Agriculture. This is new to me. I just want  
it to make sure that it is consistent with the Rec Plan because the Rec  
Plan does supersede our zone, correct? I mean whatever we  
established through the State, through SMARA saying that okay, you  
know, this is Quarry or this is going to be M-2. We just want to make  
sure it is correct. When we do the zoning change it is what it's  
supposed to...

SENIOR PLANNER  
JONES

I will check for you. Another thing is, when it came to like why it is split  
like that, again I can't remember there was something that we found  
that showed that line and we were like that seems like maybe another  
mapping error but we will definitely check. As far as the State, like the  
Rec Plan superseding the code, I mean we would still have to have the  
appropriate zoning in the City in order to do reclamation, which is M-2  
and the Quarry Zones. Yeah but we will check.

VICE-CHAIR  
BURROLA

Okay.

SENIOR PLANNER  
JONES

Okay.

CHAIR GOMEZ

So I am a little stuck because I had the honor of attending two of the  
housing sessions, very informative. We are mentioning the State  
again, so the State is requiring a lot of us for housing. Would the  
overlay for housing in this section show the State, that's what the  
discussion has been over and over again with the residents and the  
community, that we are open to housing? Would it be shown in the  
State, in the demands, in the Housing Element, if we rezone for  
housing? What do you think about that?

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

You really are getting a preview of upcoming attractions with that. But  
yes those are the things that we had discussions with HCD, but we  
have not sent our sites inventory, you know, to them. You know, we  
will be presenting that to the City Council for their final approval for  
that. But yeah, it does demonstrate that this is feasible to allow  
housing.

- CHAIR GOMEZ                      Thanks. So when you are looking into what the Vice-Chair also spoke to as the reclamation, I'd like to know further what is the possibility of the housing but also what kind of negative effect it would have on the businesses. We don't want to leave the businesses out either but it is very competitive right now because of the Housing Element. We have to do our due diligence because obviously the Housing Element has become a huge priority for every City including ours and in California.
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON                      Each one of the sites that is going to be identified in what we call the Sites Inventory. We are sending out a letter and questionnaire for them. It will go not only to the property owner, it will go to the business owner, it will go to any property management company. For the areas we sent out the Public Notices when we had meetings, so some of them have attended that and we have gotten some feedback.
- CHAIR GOMEZ                      That's wonderful because I think that this collaboration has to take place in that the State has now, I understand created an enforcement team so that therefore then our priority not only has to be seeing about our City, our businesses, and now the Housing Element. I think that maybe, thank you Commissioner Fuentes, that this might be a good place to start looking at our Housing Element a little bit more to demonstrate that we are serious in this City about our future. Whether we build it or not that's another story but to demonstrate our willingness. Okay, any other questions on this one? Okay, so we are going to go to Park Avenue.
- SENIOR PLANNER JONES                      So Park is a small residential area on the west side and we are going to propose to change it from A-1 to R-1.
- CHAIR GOMEZ                      Any questions as to that one from the Commissioners? No? Okay Brandi lets go down to Buena Vista Street.
- SENIOR PLANNER JONES                      Buena Vista, this area is currently Quarry Overlay and it is a small area that's currently part of the Industrial Business Park. In order to change it to be consistent with everything else that is around there with similar uses and intensities we wanted just to change, that little triangular piece to M-2 to match. To the west of it is more industrial business parks. To the north that's, is that United Pit 3.
- COMMUNITY DEVELOPMENT DIRECTOR SIMPSON                      Yes.
- SENIOR PLANNER JONES                      United Pit 3 to the north.
- COMMISSIONER FUENTES                      Do you have a pointer?

- SENIOR PLANNER JONES This little area here is part of the business park. There is like some businesses there, I don't if you remember when you did the CUP for Pick Up USA, the basketball gym. That is over there, and then this here is United Rock Pit 3. Then if you go up this street, there is City of Hope right over there.
- VICE-CHAIR BURROLA I thought it was going to stay like a recharge basin as well. That is why it is why I guess it is zoned Quarry as well because there is not going to be no development in the...
- SENIOR PLANNER JONES It also has its own Reclamation Plan too. What we are going to do, we are proposing to change that corner piece just to be M-2 to be consistent with the other portions of the business parks.
- CHAIR GOMEZ Any questions from Commissioners? Okay we will move on to the next one.
- SENIOR PLANNER JONES This is Las Lomas, well it is Las Lomas and Huntington Drive. These are some of the businesses over here, like this for example, is like Mount Olive Storage. I can't even think.
- PLANNING TECHNICIAN ROMERO Mount Olive, Cal Blends...
- SENIOR PLANNER JONES Cal Blends, I couldn't even think.
- VICE-CHAIR BURROLA A CUP for that.
- SENIOR PLANNER JONES Hmm?
- VICE-CHAIR BURROLA There is a little section right there that we did a...
- SENIOR PLANNER JONES Yeah for the Cal Blends. There is Mount Olive Storage there. This is a neighborhood in Duarte, Asian Ceramics, formerly the Asplundh, and I think there might be a Southern California Edison over there now. These are all primarily outdoor uses and always have been. We are proposing to change this area to M-2 to match the majority of the zoning over there.
- CHAIR GOMEZ What you are saying is that the businesses over there are already working under an M-2 status?

SENIOR PLANNER  
JONES

Some of them may have. More than likely if it is an M-2, they may have like an outdoor use which doesn't necessarily mean that it was like M-2 heavy. For example like Cal Blend wasn't necessarily what you would think is like M-2 heavy, which is like maybe like a lot of outdoor equipment, noise, dirty equipment, things like that. Or even like Asian Ceramics, which there was a CUP. I think even a Site Plan and Design Review because they were going to build a new building that was like early 2000's. Well the mid 2000's because I was here. They still had to go through a CUP because it was outdoor, but not necessarily heavy because Asian Ceramics just sells wholesale pottery. To be consistent and then also having the portions of the properties make sure they are all the same zone. You know, in some areas like you might have a zone, like a property and it would be split zone like one portion is A-1, just like Meridian for example. In this area, it is just like a few. There is certain other parts of town where you have one building that's split between Irwindale and Azusa.

COMMISSIONER  
FUENTES

It makes the existing businesses non-conforming?

SENIOR PLANNER  
JONES

Not necessary because we would be going from a lower to a higher.

CHAIR GOMEZ

Arrow Highway and Live Oak Lane.

SENIOR PLANNER  
JONES

Okay so this one is the opposite. Instead of changing the Zoning we are proposing to change the General Plan Designation. This is the one that is currently Regional Commercial. That was designated, I believe, in 2008.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

Yes.

SENIOR PLANNER  
JONES

The 2008 General Plan. When you look there is a chart in the General Plan which has the land use designations and the appropriate zoning designation. It might say like, you know, Industrial/Business Park and it will have like C-M, M-1, and M-2 so like those are the compatibility. Here if you look at the General Plan for Regional Commercial it says it needs to be created. What we have been experiencing for almost all of these businesses here is the, like the inconsistency so it is harder for them to expand because of the inconsistency. That is pretty much it, it's really the expansion and new development. Because we don't have a zoning to go with the Regional Commercial we have to create one, and we have the existing zoning that will be compatible with Specific Plan, which we have already done on some of the large parcels like Reliance, the Park at Live Oak, so we have already done Zone Changes and General Plan amendments from like either a M-Zone or

having a General Plan designation of Industrial/Business Park to Specific Plan for consistency. Going to Specific Plan also allows some flexibility as far as like, you can still have the commercial uses also in the Specific Plan. When the Specific plan is created, oh sorry. When it is created, like with Park at Live Oak and even like City of Hope Specific Plan you know like different uses can be incorporated. It comes to you guys to make comments on it. What we also found is that a lot of these small businesses along Live Oak Lane can't expand, or that they have the time limit on their CUPs. Putting time limits on CUPs is really umm, it is not standard, not standard practice. Not only does it create an additional process for a lot of these businesses, a lot of which are small businesses coming back every year, paying a CUP fee which is in excess of \$2,000 a year. As opposed to the City being able to actually create a General Plan Designation that is consistent so we can make those findings, so these businesses can just operate. For example, like a lot of these businesses here on Arrow Highway those are just small industrial parks. When somebody for example wants to come in to do a CUP, it is difficult because it is going to be hard for us to make the findings because the General Plan and the Zoning are inconsistent. For now, like sometimes people will come in and say hey, I want to do like often times people say I want to do a gym or something that might require a CUP and we are like well that would normally just be a CUP in the M-1 or M-2 zone but the General Plan is Regional Commercial, it is inconsistent we will see what we can do. Sometimes we will come here and then it will be like put a time limit on it. Then we are like okay, hopefully within a year we can come together make some purposed changes, and then those users can just operate. Also, it decreases the burden on Staff and Code Enforcement having to go out there and enforce, having to come back to you pretty much with the same CUP every year. Live Oak Lane is a private street so there may be certain room for improvements, if we can like maybe a nexus between, for example, a CUP and some improvements like in the right of way.

CHAIR GOMEZ

Questions from Commissioners?

COMMISSIONER  
FUENTES

So with them having to come back however often they have to come back for these CUP, you say it is about \$2,000 by cutting that out is the City losing revenue?

SENIOR PLANNER  
JONES

I don't know if it is really a revenue thing versus us having a process that we should be avoiding, because CUPs run with the land. Once we approve the CUP at a specific location then it is there indefinitely unless it is revoked like from maybe Code Enforcement reasons or them not complying with the CUP.

COMMISSIONER FUENTES I guess I am asking because you said some have time limits, and they have to continually once a year come in. Isn't that positive revenue coming into the City if they are coming in once a year to go ahead and renew their CUP?

SENIOR PLANNER JONES It may be revenue but it is a practice that we should be avoiding. Maybe you can chime in a little?

ASSISTANT CITY ATTORNEY TRAXLER I think Director Simpson can speak more to the amount of revenue that the Planning Department is bring in.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you Chair and Commissioners, so for application fees or building permit fees, any of those kind of things we should not be making money off of those. That would be a violation to be making money off the fees that we get from a Conditional Use Permit or any other kind of permit. If we were ever audited we would have some deep questions about that. If you are talking about the revenue from the business, if we are requiring them to keep coming in they may not come in and we will lose the revenue that we currently get from that business.

COMMISSIONER FUENTES If they are coming in why would they not come in?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Well they may want to but we are talking smaller business here. I think there is one or two. It does beg the bigger issue of Conditional Use Permits and it is kind of timely because Conditional Use Permits stay with the land and we want to be consistent with State law. That is something that we are looking at right now with our legal team on that. We haven't been challenged on it. We don't want to be challenged on it. What Brandi had said about the fees it is not just the fees, the City should not be making money from an application fee. We did raise our fees so that we are consistent with what is the typical price for a Conditional Use Permit. In addition to that, the applicant needs to have plans, they need to have radius maps, mailing labels, you know things like that. So there is another cost that is to them and to some of the applicants they may choose not to. They can choose to take their business elsewhere. We would lose the revenue that we do get. It sends a message to the businesses. Especially if it is somebody that has been coming in and they've paid their Business License fees to us and have not been Code Enforcement issues or anything like that. Those have been businesses that we consider, you know, they're good neighbors for the City. Cause they are abiding by the CUP that is another key thing that we would want them to be abiding by all the conditions of approval that have been imposed on them.

- CHAIR GOMEZ Any additional questions? Okay so we are going to go back to Nora Avenue. My question though is when we look at Nora its moving from an Agriculture to an R-1, tell me recusing yourself I don't know if that, is it necessary? I mean is that necessarily negative going from an Agriculture to an R-1? What kind of businesses would go to Agriculture? What are we looking at there?
- SENIOR PLANNER JONES Well primarily currently in A-1 it allows for Single Family Residential and it also allows for maybe a few more farm animals then you would be allowed in R-1 quite frankly.
- VICE-CHAIR BURROLA I would I like to...
- CHAIR GOMEZ Recuse yourself, okay. Are you staying or are you going? Alright, I wouldn't. Okay, go ahead with your presentation on these; Calle Burrola, Fraijo, and Nora, Ms. Brandi.
- SENIOR PLANNER JONES Okay, so for this one...
- ASSISTANT CITY ATTORNEY TRAXLER I apologize for the interruption, we just have to let the record reflect that Commission Hartman and Vice-Chair Burrola have recused themselves for this particular property, which is Calle Burrola, Fraijo Avenue, and Nora Avenue.
- CHAIR GOMEZ Thank you.
- SENIOR PLANNER JONES For this one, the same as the others. The east side of Fraijo and both sides of Nora are currently A-1, and we are proposing to change them to R-1 just for consistency.
- CHAIR GOMEZ If any of the residents currently have animals that are allowed under A-1 are they allowed to keep them grandfathered in as to an R-1?
- SENIOR PLANNER JONES I don't know. It seems like it would be the same as a non-conformity for a business. Like if you got like one sheep that is probably it.
- CHAIR GOMEZ Just want to protect the residents as well. Okay, thank you. They can come back in now. Now we are going to open it up for Public Hearing. If there is anybody...
- COMMISSIONER CHICO Are we supposed to have a Public Hearing?
- CHAIR GOMEZ Pardon?



COMMISSIONER CHICO Are we supposed to?

CHAIR GOMEZ Do we have a Public Hearing? Yeah, I think so.

ASSISTANT CITY ATTORNEY TRAXLER It is public comment not a Public Hearing.

COMMISSIONER CHICO Not a Public Hearing, right.

CHAIR GOMEZ Public comment, okay. Jesus, do we have any public comments. Nobody in the audience. Anybody online?

ADMINISTRATIVE SECRETARY HERNANDEZ No one has rose their hand.

CHAIR GOMEZ Okay, so we are going to move forward on to Commissioners recommendations.

ADMINISTRATIVE SECRETARY HERNANDEZ If you can just do me a favor, they are having trouble hearing you online so if you could just speak closer to the mic. For all Commissioners.

CHAIR GOMEZ How is that? Just kidding.

COMMISSIONER CHICO Pull the mics towards you.

CHAIR GOMEZ Alright so we are going to now have a discussion as to each. We will go again and discuss each one of them.

ASSISTANT CITY ATTORNEY TRAXLER I apologize Madame Chair, just to let the record reflect that Vice-Chair Burrola and Commissioner Hartman have rejoined the meeting.

CHAIR GOMEZ Okay, so now that we have closed public comments we will now as Commissioners give recommendations as to each of the sites. Let's start on the first one, Citrus View and the streets associated with that again it is moving to an R-1. Any comments from the Commissioners as to the recommendation?

ASSISTANT CITY ATTORNEY TRAXLER Madame Chair if I may, the recommendation is meant to encompass all the sites. We can have comments as to the individual sites but the recommendation is meant to be all inclusive.

- CHAIR GOMEZ                      Okay, so we need to break it down because I think that it has become obvious that some of them we don't have a problem with and others we want more information. So we would like to move forward and resolve that, making a recommendation for those of which we would like to see move forward and those that we want more information. How would you propose that? Can we break it down and make it individual?
- ASSISTANT  
CITY ATTORNEY  
TRAXLER                              At this time if you wanted individual recommendations, my recommendation would be to direct Staff to bring those items back for further discussion.
- SENIOR PLANNER  
JONES                                  I mean are we okay just to take notes on each one like their thoughts on them?
- ASSISTANT  
CITY ATTORNEY  
TRAXLER                              Sure, sure. We can do that and just provide direction and not have a consensus vote.
- VICE-CHAIR  
BURROLA                              Are we recommending each zone or we recommending the zoning?
- SENIOR PLANNER  
JONES                                  So for all of them except for Live Oak Lane and Arrow. That is the only one that is changing the General Plan Designation. All of the other ones are Zone Change.
- ASSISTANT  
CITY ATTORNEY  
TRAXLER                              So right now, at this stage, you are recommending Staff to bring back the official Zone Change, which will require notice, a Public Hearing, and all the requirements for an actual Zone Change. Right now this is just getting direction.
- CHAIR GOMEZ                      We can give them direction. We don't need a Zone Change. Each individual one will have a recommendation, it is not everything is okay.
- ASSISTANT  
CITY ATTORNEY  
TRAXLER                              Sure that is fine.
- CHAIR GOMEZ                      We can give you a recommendation as to each one, and then if you need a zone change you are going to have to bring that back, however, that works. So let's go to the Citrus View changing that to an R-1. I need comments by Commissioners.
- COMMISSIONER  
FUENTES                              I am good with that one.

- CHAIR GOMEZ                      Yeah I think we all are. How about, gentleman? Good, we are good with that one. Meridian Street, M-1 to an M-2. How do the Commissioners have a recommendation?
- VICE-CHAIR  
BURROLA                              Not so much a recommendation but I still feel that I need to know what you are going to change in the wording of the Ordinance for M-2. Are you going to keep it the same? Are you going to keep the M-2 wording the same? I would like to know what you are going to change in there.
- SENIOR PLANNER  
JONES                                      For now the M-2, like if we bring it to you next month with the City initiated change the M-2 would be as what the Code is today prior to when we adopt the new one. When we create the new code, the zoning for M-2 or whatever the equivalent zoning would be it would fall under those regulations. So do you want to see, for example, like what the difference is between the zones, like the uses that are currently in M-1 and M-2? Will that make you feel more comfortable?
- VICE-CHAIR  
BURROLA                              Yeah, or like you mentioned M-2 changing the wording for M-2 all together.
- SENIOR PLANNER  
JONES                                      Eventually.
- VICE-CHAIR  
BURROLA                              Yeah eventually. That is kind of like what I would like to see but I know we are doing it here. As long as we are addressing that in the future, I will be happy with, you know.
- SENIOR PLANNER  
JONES                                      It is ongoing so we should hopefully have at least the draft by this year, by the end of the year.
- VICE-CHAIR  
BURROLA                              Okay.
- CHAIR GOMEZ                      Yeah so she answered that one. Any other comments?
- COMMISSIONER  
CHICO                                      You want to withhold that one?
- CHAIR GOMEZ                      Sure, we can hold that one cause I actually also agree with that as well, withholding it that also not only to safe guard the businesses that are there but also in that area the residential community also has concerns that they are step children and they are not. They are also a part of that and we want to reserve the right to protect businesses and the residents. That one we are going to hold back. Let's move forward to Ramona Boulevard, the Vulcan Pit. Comments by Commissioners please. Recommendation?

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Fuentes can you please...

COMMISSIONER FUENTES I don't like the proposed zoning change.

CHAIR GOMEZ I think that we discussed that in depth and that we were going to, it was recommended and a discussion about waiting not only to see, did you speak to the Reclamation?

VICE-CHAIR BURROLA Yeah, Brandi did you take notes on the logistics...

SENIOR PLANNER JONES We are going to check the Reclamation Plan.

VICE-CHAIR BURROLA Yeah, because I just want to be consistent with the Rec Plan, and the Zone to be consistent with that as well.

CHAIR GOMEZ Also in that we are going to also see if we can do more to make it part of the Housing Element, so that we can show to the State our willingness to even change our Zoning to accommodate the housing plan for the State of California in the City of Irwindale and our willingness to Zone for that. Okay so then the next one is Park Avenue.

SENIOR PLANNER JONES Okay, if I may.

CHAIR GOMEZ Did you have a question?

SENIOR PLANNER JONES For Commissioner Fuentes, for the portion of the Zone Change that you don't agree with, is it the Vulcan part or just the two parcels at the bottom.

COMMISSIONER FUENTES The parcels at the bottom where we can use for housing.

SENIOR PLANNER JONES Okay, but as far as...

COMMISSIONER FUENTES Whatever that is one here that we can use for housing.

SENIOR PLANNER JONES Okay, so that's two parcels but as far as the portion that is on Vulcan you are okay with that?

COMMISSIONER Correct.

FUENTES

SENIOR PLANNER  
JONES

Okay.

CHAIR GOMEZ

Any other questions? Can we move forward? Okay Park Avenue, any comments by Commissioners? No. I think we are good with that any kind of, we are good with that change from an A-1 to an R-1. Any large animals would be grandfathered in. We will move forward to Buena Vista Street and that is from Quarry to M-2, any comments by Commissioners? Okay we are all okay with that one, Thank you. The next one Las Lomas Road that is from an M-1 to an M-2, any comments by Commissioners or recommendations?

COMMISSIONER  
FUENTES

I am good with that one too.

VICE-CHAIR  
BURROLA

Same concerns I have for the one in Meridian, just when we get to the Zone Change and the zone language being changed to, you know, look into that.

SENIOR PLANNER  
JONES

Same concerns with potential inconsistencies...

VICE-CHAIR  
BURROLA

I mean it is by residential as well. We are looking at what it is saying now, think of what businesses they can have there.

SENIOR PLANNER  
JONES

So you want to see the future Zoning Code prior to making changes on this?

CHAIR GOMEZ

And then Arrow Highway and Live Oak Lane, comments by Commissioners. I think that we would be actively involved in a Specific Plan, right? So we would be, whatever that was brought forward we can address it. That is what I am hearing right? When we say that we are going to make it Industrial Business Park Specific Plan, then that means when they come in with something then we are dealing with it not generally but in the concept of the community, the street, the whole zoning correct?

SENIOR PLANNER  
JONES

So what the Specific Plan is, it's basically its own set of regulations including like setbacks, land uses, design. You would see that as part of an application. As far as the other areas some of them are proposing, like they have the timeline. That is pretty much what we deal with mostly down there, where businesses that come in and we are like will we are getting consistent. As far as Specific Plan, yes you would be able to review.

CHAIR GOMEZ                      Comments or concerns by Commissioners on this particular item? So then we are good with it. Okay, so then we are going to move to Nora and two Commissioners have recused themselves. Commissioner Hartman and Vice-Chair Burrola will be stepping out for a moment. I didn't forget this time.

COMMISSIONER CHICO                      We are going to zone it M-2 when you are gone.

CHAIR GOMEZ                      M-2. For the record we are just kidding. Okay so that was from an A-1 to an R-1 and I think the recommendation is that we are good with that one right?

COMMISSIONER FUENTES                      As long as the sheep can go along with it.

CHAIR GOMEZ                      Okay, so we will have the Commissioners come back in.

COMMISSIONER CHICO                      You do get to keep your sheep.

SENIOR PLANNER JONES                      As far as Environmental Review, because this is pretty much direction and discussion, it is not considered a project under CEQA so it is just informational. Our recommendation would be to instruct Staff to prepare Zoning Change and General Plan Amendment application to allow for consistency between Zoning and General Plan maps, alternative provide direction regarding various General Plan and Zoning Map inconsistencies throughout the City. Based on your feedback we will go through the ones you had comments on, provide some updates as far as Vulcan, Meridian, and some of those uses, also Las Lomas.

CHAIR GOMEZ                      Thank you.

SENIOR PLANNER JONES                      You are welcome.

CHAIR GOMEZ                      We are going to move on to the next item on the Agenda, which is the...

VICE-CHAIR BURROLA                      Do we need a motion?

CHAIR GOMEZ                      Oh, do we need a motion, it was just a discussion so there is no motion.

VICE-CHAIR BURROLA                      Yeah, this was a discussion.

CHAIR GOMEZ                      So we move on to the next hearing...

VICE-CHAIR  
BURROLA                              Thank you Brandi.

CHAIR GOMEZ                      Yeah, thank you Brandi. I appreciate that.

**PUBLIC HEARINGS**

CHAIR GOMEZ                      Site Plan and Design Review and you have a request to continue this to September 21, 2022.

ASSISTANT  
CITY ATTORNEY  
TRAXLER                              Yes, Madame Chair you will open up the Public Hearing, then we will receive a motion to continue. That would be the process.

CHAIR GOMEZ                      We will open up the hearing to hear a Public Hearing for a Site Plan and Design Review for No. 02-2022 for the 1500 Duarte Road, City of Hope, square foot Central Utility Plan.

OPEN PUBLIC  
HEARING                              At 7:48 p.m., Chair Gomez opened the Public Hearing.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                          We have no one on the audience wishing to speak on this meeting.

CHAIR GOMEZ                      Okay, so let's move forward there has been a request to continue it.

COMMISSIONER  
FUENTES                              Motion to continue.

COMMISSIONER  
CHICO                                  Second.

CHAIR GOMEZ                      Roll Call.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                          Commissioner Chico.

COMMISSIONER  
CHICO                                  Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                          Commissioner Fuentes.

COMMISSIONER  
FUENTES Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ Commissioner Hartman.

COMMISSIONER  
HARTMAN Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ Vice-Chair Burrola.

VICE-CHAIR  
BURROLA Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ Chair Gomez.

CHAIR GOMEZ Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ Thank you.

CHAIR GOMEZ Thank you Mr. Hernandez. Number 4. Discussion Items and Presentation.

**DISCUSSION ITEMS/  
PRESENTATIONS**

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON We have no presentations tonight.

CHAIR GOMEZ Thank you. Then we move to the Community Development Director Report.



**COMMUNITY  
DEVELOPMENT  
DIRECTOR REPORT**

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

Thank you Chair and Commissioners, the only item is to kind of recap on August 9<sup>th</sup>, we had our second workshop for the Housing Element. This one was focused on the Safety Element and new Environmental Justice Element. We had an interactive activity for that. The consultant felt like they got really good feedback with that. The next step, you know they are looking at programs and things. There was some good feedback with that. It is moving forward. We don't have a date set yet for the third workshop, which will focus on the housing again. Again, we will send it out, you know the usual matter. We will send it to all the residents and then it will go out to even the business community, it will be on Social Media, so we give you adequate time.

CHAIR GOMEZ

Will that be in September or October, do you think?

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

We are looking at September for that.

CHAIR GOMEZ

I do appreciate it. I have participated and they are very informative. Some of the people in the Community have requested, you know we do all we can, I understand especially to give them notice by social media and a flyer. Some have even in that have said they didn't get enough notice to attend. I think that maybe we should also post it in the Senior Center, the Community Center. There is a Mariachi Festival that the City is hosting we can make an announcement, if it is within the September date so that the residents can participate. I always see it on social media so I know it is out there.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

We do post at the Library, at City Hall, at the Senior Center. In fact for this last one the Place It, the consultant, had a table set up in the Senior Center

CHAIR GOMEZ

Oh nice.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

Which got a lot of interest, and a lot of activity. We had it on the City, the dedicated webpage. They created a Flickr account, we have some pictures of that. It was very colorful so it got everybody's attention, you know for that. The feedback was, somebody said is this what Irwindale is going to look like.

CHAIR GOMEZ

Hopefully.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

Well some of it was very creative buildings in there. It was just to get people's imagination, their thoughts, their input, and you know it was really fun.

CHAIR GOMEZ

That's very nice. What happens is that we had Music in the Park, which is open to the entire region. With my experience in the Mariachi Festival, it is more residents...

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

Oh that is good.

CHAIR GOMEZ

The consultant if he hasn't been might want to participate in that way as well.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

Well for giving out the flyers you will see me doing that.

CHAIR GOMEZ

Okay, no problem thank you. That would be great.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

So we will send it out. I really appreciate getting that feedback, that some people aren't getting it. We really do want them to participate. I think we will even put up some of the flyers around the local businesses too. We want to make sure that everybody is included in the community. That is very important to the State too, and that we demonstrate that.

CHAIR GOMEZ

Do we have any reports on any of the prior issues in the community updated or do we even have any pending?

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

I didn't have anything pending.

CHAIR GOMEZ

Thank you.

**LEGAL COUNSEL  
COMMENTS**

CHAIR GOMEZ

Legal Counsel Comments.

ASSISTANT  
CITY ATTORNEY

None from me tonight, thank you.

TRAXLER  
CHAIR GOMEZ                      Thank you.

**COMMISSIONER  
COMMENTS**

CHAIR GOMEZ                      So we will go down and have some Commissioner Comments, if we have any tonight.

COMMISSIONER  
HARTMAN                              I only have one. I would like to thank Code Enforcement. There was a very large water leak coming from the bridge over Cypress Avenue. It ran for approximately two months after my notifying different agencies. I finally decided, you know what nobody is going to fix it I am going to contact Code Enforcement. Within a week he had it taken care of, a whole new system put on that thing, and no more big waste of water during this drought we are going through. I want to thank Mr. Tyler for taking care of that.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON                              He might be listening but I will be sure to tell him.

COMMISSIONER  
HARTMAN                              Thank you.

CHAIR GOMEZ                      Anyone else? So I don't know what happened but I got a couple of calls recently, and so I think that, somebody made a complaint. I didn't go check myself. I personally didn't see it but the Metro Station also has a lot of graffiti again. If we can just collaborate with whoever handles that, I am not sure if it is our Department or Public Works, and or the Gold Line their system. We just want to thank you. I did participate in the housing and I encourage Commissioners to go to the next element as well, the next meeting. Very informative. It is very important and it is nice to see a lot of different residents getting involved, because the State has put a mandate on us that may alter how we do business with our housing, but we are willing to work with the State. The State will be working with us rather than we working with the State. That is my take.

COMMISSIONER  
CHICO                                  Very good.

CHAIR GOMEZ                      The other thing is that in the community we have had a lot of stuff going on. It was a really lovely summer. Park and Rec, I just wanted to comment on that, their Music in the Park, their movies, and recently there aquatics center, where my heart is, had a wonderful luau. They have a great swimming program that me, and both the Vice-Chair

participate in weekly. I encourage the other Commissioners to participate.

VICE-CHAIR  
BURROLA Yes, it is really good.

CHAIR GOMEZ Lastly, I just want to share, I went to the training on Friday and it was fantastic. You better watch out, cause I learned a lot. I really enjoyed it and I look forward to working more closely with the Director and also with my other Commissioners. I will share more information on that later. Anything else? Mr. City Manager anything?

CITY MANAGER  
MIRANDA Thank you Chair and nothing from my end. Thank you very much. As always it is wonderful being here.

CHAIR GOMEZ Thank you, we appreciate your presence. We could use some Starbucks in the future.

CITY MANAGER  
MIRANDA Noted.

COMMISSIONER  
FUENTES I do have something.

CHAIR GOMEZ Okay Commissioner.

COMMISSIONER  
FUENTES For those who don't know the Pepe Miranda Foundation is a great organization from the City. They do a lot for the residents, and the children, and the schools. Anyways, they are having their annual golf tournament, September 10<sup>th</sup> at Glen Oaks in Glendora. If there is anybody that would like to donate any door prizes or donations or anything at all, it all comes back to the community. My children have benefited from, as many, many children here in the City. It is a great organization and they only have several fundraisers. If you guys can participate or donate it would be awesome.

CHAIR GOMEZ Thank you for that. At this time, we will adjourn the meeting until next time.

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 7:56 p.m.

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Suzanne E. Gomez, Planning Commission Chair

Attest:

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Jesus Hernandez, Administrative Secretary

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

CHAIR GOMEZ	Please stand for the Pledge of Allegiance and continue standing for Invocation.
COMMISSIONER FUENTES	We had a flag.
CHAIR GOMEZ	I know but...
ADMINISTRATIVE SECRETARY HERNANDEZ	So we are having issues with the flag. That will stay on the whole time nothing else will change from that.
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 COMMISSIONER FUENTES	Dear heavenly Father, we just come before you this evening thanking you so much for your love (Unintelligible).
CHAIR GOMEZ	Roll call.
<b><u>ROLL CALL:</u></b>	Present: Commissioners; Robert E. Hartman; David Fuentes; Richard Chico; Vice Chair Enoch Burrola; Chair Suzanne Gomez  Also present: Julian Miranda, City Manager; Adrian Guerra, City Attorney; Marilyn Simpson, Community Development Director; Brandi Jones, Senior Planner; Martin Romero, Planning Technician; Jesus Hernandez, Administrative Secretary
<b><u>ANNOUNCEMENTS</u></b>	
CHAIR GOMEZ	Now we are on Announcements. Do we have any Announcements this evening from any of the Commissioners or any of the Staff?
COMMISSIONER FUENTES	I have not an announcement, it is a request. I would like the flag back in here if we can. I mean that is like looking at a fireplace on TV, to me. I would like to...
CITY MANAGER MIRANDA	Absolutely.
ADMINISTRATIVE SECRETARY HERNANDEZ	Just because we have a little bit of technical, issues if everybody could just speak into the mic, thank you.

**SPONTANEOUS  
COMMUNICATIONS**

CHAIR GOMEZ Now moving onto the Spontaneous Communications and Mr. Hernandez will review the outline for Spontaneous Communications at this time.

ADMINISTRATIVE SECRETARY HERNANDEZ This is a 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 vote 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 all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes, unless such time limits are extended. We are currently in a hybrid format, so we have both in-person and hybrid audience members and they will participate in the following order. Tier 1: In-person attendees. Tier 2: Teleconference attendees. Tier 3: In-person attendees who have not previously provide comments on the matter(s) being discussed by the legislative body, and Tier 4: Teleconference attendees who have not previously provide comments on the matter(s) being discussed by the legislative body.

CHAIR GOMEZ At this time, do we have anybody on Spontaneous Communication for Tier 1? Spontaneous Communication for Tier 2?

ADMINISTRATIVE SECRETARY HERNANDEZ We do not.

CHAIR GOMEZ Thank you. Do we have anybody for Tier 3 or Tier 4?

ADMINISTRATIVE SECRETARY HERNANDEZ No, we do not.

**CONSENT CALENDAR**

CHAIR GOMEZ So let's move onto the Consent Calendar and those are for the Minutes of the Regular Meeting held April 20, 2022. Do we have any discussion or comments on them that need to change, if not we need a motion to approve? I motion.

COMMISSIONER HARTMAN Second.

CHAIR GOMEZ	Roll call.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Chico.
COMMISSIONER CHICO	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Fuentes.
COMMISSIONER FUENTES	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Vice-Chair Burrola.
VICE-CHAIR BURROLA	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Chair Gomez.
CHAIR GOMEZ	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you.

**NEW BUSINESS**

No Items



**PUBLIC HEARINGS**

CHAIR GOMEZ                      Now we move on to Public Hearings and a Conditional Use Permit No. 01-2022; wireless telecommunications facility, mono-pine, at 13201 Ramona Boulevard, John McDonald, Agent for AT&T, Eukon Group. So we are going to open the Public Hearing for our presentation and Staff Report.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON                      Thank you Chair and Commission, this item will be presented by our Planning Technician, Martin Romero.

CHAIR GOMEZ                      Thank you.

PLANNING TECHNICIAN ROMERO                      Good evening Honorable Chair and members of the Planning Commission. We will be discussing a Conditional Use Permit for the property located at 13201 Ramona Blvd. The applicant is John McDonald of Eukon Group, an agent for AT&T. The property owner is Westport Irwindale LLC. The applicant is requesting a Conditional Use Permit for the construction of a new wireless telecommunications facility, at the property at 13201 Ramona Blvd. The site is bounded by the Vulcan Durbin pit to the north, Ramona Boulevard on the south, the City of Baldwin Park to the east, and an industrial business park to the west. The site is located in an A-1 (Agricultural) Zone, with a General Plan designation of Quarry Overlay. The proposed project is categorically exempt from CEQA per Section 15303 Class 3; New Construction or Conversion of Small Structures. The site is currently used as a mini-storage. The proposed mono-pine will be constructed on the parking lot on the eastern edge of the property. There is an existing mono-pine on the northeastern edge of the property. This mono-pine is fully developed and can no longer be collocated. If you can see that red buffer, that is the existing mono-pine. The new mono-pine would help service a "significant gap in coverage" in the area, and will help ease overloading of the surrounding towers. This facility will also be equipped with FirstNet. The facility sits on the northeastern side of the property. The facility's enclosure is 15 feet from the property line, which complies with A-1 rear setbacks. The tower itself will sit 34 feet 11 inches from the property line. The facility will be enclosed by an 8 foot screened chain-link enclosure. The mono-pine itself will stand at 75 feet tall. Three (3) California native pines will be planted near the facility to help stealth the mono-pine. Before the installation of the facility, we can see the "significant gap in coverage" that I had mentioned. After the proposed installation, we can see how coverage will improve in the area. Staff recommends to adopt Resolution No. 817(22) recommending that the Planning Commission approve Conditional Use Permit No. 01-2022, subject to the proposed Conditions of Approval. This concludes my presentation. I believe the applicant has a presentation as well. One second.

COMMISSIONER FUENTES Martin, excuse me, I am sorry. Can you go back where you were showing where the existing one is at, and just point to where the new one is going to be? I don't see it on here. I mean you got this but I'd like to see it...

PLANNING TECHNICIAN ROMERO Yeah, for sure. As we can see the red buffer that is the existing. The new facility will be somewhere right here. Do you have a copy of your site plan with you?

COMMISSIONER FUENTES Yeah, I do. The reason I am asking, it looks like it is more towards the center.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Fuentes, do you mind speaking closer to the mic?

COMMISSIONER FUENTES Oh I am sorry. In the site plan it looks like it is more to the center, more than 15 feet or 30 feet off the property line, that is all. That is why I was asking.

PLANNING TECHNICIAN ROMERO Oh, so the rear property line for this property is the northern property line. So it is 15 feet away from the Vulcan/Durbin pit property line.

COMMISSIONER FUENTES Okay. Alright cool.

PLANNING TECHNICIAN ROMERO Do you have any further questions?

COMMISSIONER FUENTES No.

PLANNING TECHNICIAN ROMERO Okay.

CHAIR GOMEZ Please, step forward and state your first and last name for the record.

ALEXIS DUNLAP Good evening Chairwoman Gomez and Planning Commissioners. My name is Alexis Dunlap. I am here representing AT&T. I greatly appreciate you having this entire Planning Commission Meeting just for our one (1) cellphone tower. I appreciate you all meeting out here with us tonight. I will also like to thank Martin Romero and Planning Staff for helping us get to this point. He gave a great presentation. I really don't have a lot to add to what he brought up. I am happy to answer any questions that you have. I do have one question, a request for clarification, and perhaps a modification to one of the Conditions of

Approval that I will bring your attention to, the Community Development Department Conditions Condition No. 2. As Mr. Romero mentioned this tower will house FirstNet antennas. Just in case everybody on the Planning Commission or in the City is not aware, FirstNet is a federal contract that provides priority cellphone coverage to FirstNet, um excuse me, emergency responders. I am aware that the City of Irwindale and definitely the County of L.A. are subscribers of the FirstNet Network. Once these towers go on air, we are required by other federal agencies to keep the towers on air; otherwise, we could be fined by other federal agencies in the event of an emergency or a national disaster, where our towers are not able to be accessed from people that are trying to call for emergency services. Condition No. 2 states that, in the event interference is determined, the Applicant shall cease operation until further clearance by the applicable governmental entity. So the clarification or the potential modification that AT&T would like to request to this condition, is that if it would be possible to further define the word determine. I don't know if you have a City Attorney here tonight. Hey. Thank you. So the modification that AT&T would like to propose is instead of just saying "if interference is determined," if we can explain how that is determined. Our suggestion would be that if interference is determined by a third party radio frequency engineering company. Instead of you know next door neighbor Joe coming up and saying, "Hey your cellphone tower is interfering with my television," if we can get a certify agency to determine that interference, AT&T would be willing to pay for that third party. Radio frequency report, we could provide that report with a valid suggestion to the City that there might be interference. Once that interference is determined in that manner, then if we are not in compliance and it is determined that we are actually causing interference, then we would have to cease operation of the tower because then we would not be in compliance with our FCC license.

CHAIR GOMEZ

Okay, so let's have some feedback from our attorney.

CITY ATTORNEY  
GUERRA

In concept, I don't have an issue with that, I think that is fair. At this point the language is somewhat vague, as to who would make the determination if there is interference. I think that is a fair request. Maybe I will word it while you are having the Public Hearing. The three points I will add are: number one: it would be a third-party certified engineer, number two: it will be an engineer selected by the City, and number three: all cost relating to the engineer would be borne by the applicant.

CHAIR GOMEZ

And if you read further on that particular one on the Community Development two, "The Chief of Police has the authority to determine whether to have a facility that causes." Now will we change that or will we continue with the body of this particular paragraph or will you alter it further?

ALEXIS DUNLAP I would recommend that, that one be altered as well. My husband is a cop. He has no idea whether or not we would be interfering with his towers.

CHAIR GOMEZ Thank you, but I would actually like it to stay. Our Police of Chief, we are a small community and we are well aware of our emergency, our complex, and apparatus. However, whatever the attorney recommends we will definitely go with that.

CITY ATTORNEY GUERRA Okay, I will take a look at that.

ALEXIS DUNLAP And then I am happy to answer any other questions that you might have.

CHAIR GOMEZ Thank you.

COMMISSIONER FUENTES I have a question.

CHAIR GOMEZ Please go ahead.

COMMISSIONER FUENTES It is an AT&T tower, do you sub it out to others like say Verizon or T-Mobile? Do they use it also, or is only for AT&T?

ALEXIS DUNLAP It will be available for co-location by other carriers. As Mr. Romero mentioned there is already a cellphone tower on this lot that houses T-Mobile and Sprint. It is possible. I don't know where Verizon's towers are located, but in the future if Verizon wants to join on our tower it is structurally capable. I know that the City has a preference for co-location on existing towers. We would certainly be willing to sub that out to another carrier.

CHAIR GOMEZ Any other questions from the Commission at this time, whether, as to Staff or the AT&T representative?

VICE-CHAIR BURROLA (Unintelligible)

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Burrola, do you mind speaking into the mic?

VICE-CHAIR BURROLA Can you hear me now? Yeah? Okay. So the engineer, you guys going to have some qualifications to go with that engineer to make sure that he is qualified to do this report?

CITY ATTORNEY GUERRA Yes.

VICE-CHAIR  
BURROLA Is that something we put here, or is that something that Staff would go over and suggest?

CITY ATTORNEY  
GUERRA That would be something that the Staff would make that determination, as to whether they are qualified. I would assume Staff would likely go through an informal RFP process, maybe in consultation with the applicant to determine the qualified firms that are capable of doing it. I don't think we need to specify it here. I will word it in a way that it gives the Staff discretion to make that determination.

VICE-CHAIR  
BURROLA Okay, thank you.

CHAIR GOMEZ Excuse me?

VICE-CHAIR  
BURROLA Go ahead.

CHAIR GOMEZ Any other questions before we move on to open the Public Hearing? At this time, I will be opening the Public Hearing.

OPEN PUBLIC  
HEARING At 6:50 p.m., Chair Gomez opened the Public Hearing.

CHAIR GOMEZ Do we have anybody in the audience who would like to speak? Anybody on Zoom?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ We do not.

CHAIR GOMEZ Okay. At this time, we will be closing the Public Hearing and opening it up for discussion by the Commission.

CLOSE PUBLIC  
HEARING There being no speakers, Chair Gomez closed the Public Hearing at 6:50 p.m.

COMMISSIONER  
CHICO I have one question. Is there any contact between, will there be any contact between the two (2) towers being that they are different operators?

ALEXIS DUNLAP No. So one of the reasons why the two (2) towers aren't right next to each other, they have to be at least one hundred feet away to avoid interference. I have worked in the industry for several years; all the carriers work very well together because if AT&T were interfering with T-Mobile, T-Mobile would be interfering with AT&T. We want to get far enough away from each other so that no interference is caused between the two towers.

CHAIR GOMEZ                      Any other questions?

VICE-CHAIR  
BURROLA                              I have a question for Staff. Martin, what kind of operation is going on there? I know that it is going to be taking some parking spaces. Is that going to interfere with the requirements as far as parking?

PLANNING  
TECHNICIAN  
ROMERO                              Currently it is a mini-storage, a US Storage, I believe. I think they have enough parking for their use.

VICE-CHAIR  
BURROLA                              Can you look into that and make sure that we...

PLANNING  
TECHNICIAN  
ROMERO                              Yeah, I will look into that.

VICE-CHAIR  
BURROLA                              Yeah, because I just want to make sure that if they are taking stalls away that, you know, we still have the required amount.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON                              Thank you Chair and Commission, the area where the tower is going, that is considered part of the storage. They do have adequate parking. It is not usurping any required parking.

VICE-CHAIR  
BURROLA                              Okay, thank you.

CHAIR GOMEZ                      Any other questions?

COMMISSIONER  
FUENTES                              I got questions/comments. I know we are looking at our General Plan, and we are looking at our housing and places for housing. I know that this area there, it was brought up for that, that is a possibility for housing. I didn't go to the last meeting. Will this tower at all, let's just say we decided to use that area there, would it affect housing what so ever for the units that we are planning on putting in, possibly?

PLANNING  
TECHNICIAN  
ROMERO                              That site has been identified by the housing site, as you have mentioned. Per our housing consultant it would not interfere with what we would require for housing.

COMMISSIONER  
FUENTES                              Oh, you looked into that already. Okay. Thank you.

CHAIR GOMEZ                      Okay at this time, I was reviewing this and I really wanted to point out that I want to applaud AT&T because one of the things they are doing with the proposal, it meets all the Development and Design Standards including adding additional trees, I understand, to make it look visibly pleasant. Which is very nice because we go to other cities, often towers don't have fake trees or other trees. I do appreciate that they have met all the Development and Design Standards. A nice presentation, thank you. So can I have a motion?

COMMISSIONER FUENTES                      I have a follow up question. The trees, they are real trees that are to be planted, or are they artificial?

ALEXIS DUNLAP                      There are three (3) live trees that will be planted around the faux tree to further screen it.

COMMISSIONER FUENTES                      Irrigation system to keep them watered, is that included?

ALEXIS DUNLAP                      It is. We submitted a landscape plan. I don't know it off the top of my head, but it was included with the plans that were submitted.

COMMISSIONER FUENTES                      Okay. Thank you that is it.

VICE-CHAIR BURROLA                      One quick question, did you get an easement for this?

ALEXIS DUNLAP                      We obtained the necessary access and utility easements through our lease agreement with the underline property owner.

VICE-CHAIR BURROLA                      So they know if you need to go make, do maintenance on the...

ALEXIS DUNLAP                      Access, utility, water, all of that would be included in our underline lease agreement with the property owner.

VICE-CHAIR BURROLA                      Okay, good so you can go in there and they won't have any restrictions to you guys.

ALEXIS DUNLAP                      Correct.

VICE-CHAIR BURROLA                      Okay good, thank you.

ALEXIS DUNLAP                      Thank you.

- CHAIR GOMEZ                    So we are moving to a motion for Resolution No. 815(22) A resolution of the Planning Commission of the City of Irwindale for the Conditional Use Permit No. 02-2021 for the outdoor storage and onsite, I am reading the wrong one. Sorry about that. A resolution for...
- CITY ATTORNEY  
GUERRA                         Madame, did you want to respond on the Condition of Approval before the Commission takes a vote?
- CHAIR GOMEZ                    Yeah.
- CITY ATTORNEY  
GUERRA                         So what I would propose for the Condition of Approval, is on the second sentence, I would change it to, "If such interference is determined by a qualified third-party certified engineer as selected by the Director of Community Development, with all cost to be borne by the applicant, the applicant shall cease operations blah blah blah." So that would be the first change. The second change is the last sentence. Currently it is the Police Chief; I actually feel that, that should not be an administrative decision because if it constitutes removal of property, there should be due process involved with that. What I would recommend is it come to the Planning Commission, and they can have the right to be heard before the Planning Commission determines it should be removed, and have the right to appeal it to the City Council. What I've proposed is, "The Planning Commission, or on appeal the City Council, shall have the authority to determine whether to have a facility, that is determined to have caused interference as described above, fixed or removed." If that is acceptable to the Commission, I would ask that the applicants representative confirm on the record that, that is acceptable to her.
- CHAIR GOMEZ                    I think that is excellent. I just had one question because when I read it, it seems to me that interfering with operation and the use of Irwindale Police or Los Angeles County Fire Department's communications operation. I was thinking that it would be an emergency situation, because if it was, you know, a regular situation there was interference, then we contact them, we discuss it, but if it is an emergency situation and this is applicable to that situation particular, would that language still be enough?
- CITY ATTORNEY  
GUERRA                         Yeah, I think it would. I mean the issue....
- CHAIR GOMEZ                    Then we would have an emergency Planning Commission to decide if the interference was justifiable?



CITY ATTORNEY  
GUERRA

Yes and no. So what would happen is we would get some report, maybe the applicant can probably speak on it better than I can, but I would assume we get some type of report, some type of notice that there is some interference going on. Staff would hear about this, we would consult with the applicant, if we are hearing it is a problem we would get a consultant to come out and explore, to see exactly what is happening. If it something that can easily be fixed and it was some error, I would assume they would fix it. If it is something that is significant, that is going to be ongoing and it is going to be problematic, I assume at that point we consider, we would have to do something, maybe that's when we would consider removal or fixing it.

CHAIR GOMEZ

Okay, but I totally agree under normal conditions, but what I am thinking is does this apply if it is a critical emergency situation in our City and in our area, would it be applicable that the Chief of Police cannot or the County Fire Department Head make a decision? I am not talking about interference, I am talking about a serious condition that identifies from whatever it may be. That is just my concern, but if you feel that that is adequate then we can move forward.

CITY ATTORNEY  
GUERRA

Yeah, so if you read the middle paragraph it does, or sentence I should say, it does say that if the installation or the operation in any way interferes with the operation of PD or LA County Fire, the applicant shall immediately cease to operate.

CHAIR GOMEZ

We are keeping that in the language?

CITY ATTORNEY  
GUERRA

That is staying in there.

CHAIR GOMEZ

Okay.

CITY ATTORNEY  
GUERRA

So I would ask the applicant if my revision is acceptable to the applicant.

ALEXIS DUNLAP

Yes, thank you very much for helping us modify that. I will just add a quick clarification to help explain this. It would be highly unusual that the AT&T tower was interfering with any Police or other individual radio television communications, because the frequencies that AT&T towers operate under every single frequency has to be license specifically by the FCC, who regulates it and says, "Okay AT&T operating under this 800 megahertz. It won't cause any interference with nearby radio frequencies," which are significantly much lower like fourteen-degree frequency. Also the AT&T tower, since we are contracted by the federal government to provide the FirstNet services the Federal government and the FCC are partnered together, to make absolutely certain that the frequencies under which the AT&T towers operate are not going to interfere with any other police communication. So the clarification or modification request is only as to whom makes the

determination of the interference. AT&T just asks that it would be a radio frequency engineer instead of the Chief of Police, who may not be necessary qualify to make that determination of the interference.

- CHAIR GOMEZ Thank you we appreciate that. Thank you. So we are going to move on to our motion for, I will read it correctly, Resolution No. 817(22) a Resolution of the Planning Commission of the City of Irwindale approving Conditional Use Permit No. 01-2022 for the construction and operation of a wireless telecommunications facility (mono-pine) on property located at 13201 Ramona Boulevard, Irwindale, CA in the A-1 (Agricultural) Zone, subject to conditions as set forth herein and making findings in support thereof and finding the project exempt from CQA. Do I have a motion?
- COMMISSIONER HARTMAN Motion to approve as amended.
- CHAIR GOMEZ Second?
- COMMISSIONER CHICO Second.
- CHAIR GOMEZ Roll Call.
- CITY ATTORNEY GUERRA To clarify, it is the proposed resolution with the amendment to the Condition that we stated previously.
- CHAIR GOMEZ Correct.
- ADMINISTRATIVE SECRETARY HERNANDEZ Okay, Commissioner Chico.
- COMMISSIONER CHICO Yes.
- ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Fuentes.
- COMMISSIONER FUENTES Yes.
- ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Hartman.

COMMISSIONER  
HARTMAN Yes.

ADMINISTRATIVE  
VICE-CHAIR BURROLA Vice-Chair Burrola.

SECRETARY  
HERNANDEZ  
VICE-CHAIR  
BURROLA Yes.

ADMINISTRATIVE  
CHAIR GOMEZ Chair Gomez.

SECRETARY  
HERNANDEZ  
CHAIR GOMEZ Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ Thank you.

CHAIR GOMEZ Thank you for coming out today and your presentation, we appreciate that.

**DISCUSSION ITEMS/  
PRESENTATIONS**

CHAIR GOMEZ Okay, now we are moving on to Number 4, Discussion Items or presentations.

DEVELOPMENT  
DIRECTOR  
SIMPSON Thank you Chair and Commission, there are no presentations tonight.

**COMMUNITY  
DEVELOPMENT  
DIRECTOR REPORT**

CHAIR GOMEZ Also then we will move forward to Community Development Director Report.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON Thank you Chair and Commissioners, the draft Housing Element has been put out for public review and you will find on the dais a copy of the draft document and a memo for that. We tentatively have it scheduled to come before you at the December meeting. While you have the paper copy, we have a dedicated webpage and you can find it there if you are more techy, for that. Let's see, December 1<sup>st</sup> just a reminder, the holiday party if you have not RSVP'd you can still RSVP with Berlyn Aguila. That is going to be held 12-2 on Thursday, December 1<sup>st</sup> at the California County Club in Whittier. That is it.

CHAIR GOMEZ Thank you.



COMMISSIONER  
FUENTES

I'd like to have this meeting adjourned to a longtime resident, who passed away last week, Mr. Woody Pusey. If would we could adjourn this meeting in his memory?

CHAIR GOMEZ

We adjourn in his honor. The meeting is now adjourned. Thank you so much, happy Thanksgiving.

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 7:05 p.m.

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Suzanne E. Gomez, Planning Commission Chair

Attest:

---

Jesus Hernandez, Administrative Secretary

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 COMMISSIONER FUENTES Dear heavenly Father, we just come before you, Father, and thank you so much for your love, your grace, and your mercies. Father, let us never forget that the reason for this season is because of your son, Jesus Christ. We just ask for his wisdom, dear Lord. We have this presentation (Unintelligible). Also pray for Mr. Hartman, who has been here for 19 years in this Commission, bless him dear Lord. In Jesus' name I pray. Amen.

CHAIR GOMEZ Roll call.

**ROLL CALL:** Present: Commissioners; Robert E. Hartman; David Fuentes, Richard Chico; Vice Chair Enoch Burrola; Chair Suzanne Gomez

Also present: Julian Miranda, City Manager; Jamie Traxler, Assistant City Attorney; Marilyn Simpson, Community Development Director; Martin Romero, Planning Technician; Jesus Hernandez, Administrative Secretary

## **ANNOUNCEMENTS**

CHAIR GOMEZ Any Announcements at this time? We will move on to Spontaneous Communication, as well be addressed by Mr. Hernandez.

## **SPONTANEOUS COMMUNICATIONS**

ADMINISTRATIVE SECRETARY HERNANDEZ This is a 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 vote 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 all communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes, unless such time limits are extended. We are in a hybrid format, so both in-person and hybrid audience members can participate in the following order. Tier 1: In-person attendees. Tier 2: Teleconference attendees. Tier 3: In-person attendees who have not previously provide comments on the matter(s) being discussed by the legislative body, and Tier 4: Teleconference attendees who have not

previously provide comments on the matter(s) being discussed by the legislative body.

CHAIR GOMEZ Thank you. Do we have anyone in Tier 1, who would wish to participate in Spontaneous Communication?

ADMINISTRATIVE SECRETARY HERNANDEZ We do not.

CHAIR GOMEZ Tier 2, Teleconference attendees?

ADMINISTRATIVE SECRETARY HERNANDEZ We do not.

CHAIR GOMEZ Tier 3, In-person who did not previously commented?

ADMINISTRATIVE SECRETARY HERNANDEZ No one.

CHAIR GOMEZ And Tier 4.

ADMINISTRATIVE SECRETARY HERNANDEZ No one for Tier 4.

### **CONSENT CALENDAR**

CHAIR GOMEZ Thank you. We will move forward to the Consent Calendar on the Minutes for the regular meeting held Sept 21, 2022. Are there any changes or comments? If not, we need a motion.

COMMISSIONER CHICO Motion to approve.

COMMISSIONER HARTMAN Second.

CHAIR GOMEZ Roll call.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Chico.

COMMISSIONER Yes.

CHICO

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Fuentes.

COMMISSIONER FUENTES Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Hartman.

COMMISSIONER HARTMAN Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Vice-Chair Burrola.

VICE-CHAIR BURROLA Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Chair Gomez.

CHAIR GOMEZ Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Thank you.

CHAIR GOMEZ Thank you. We will now move forward to New Business.

**NEW BUSINESS**

CHAIR GOMEZ Having no New Business we then move forward to Public Hearing.

**PUBLIC HEARINGS**

CHAIR GOMEZ Having no Public Hearings tonight, we therefore move forward to Discussion Items and Presentations.

**DISCUSSION ITEMS/  
PRESENTATIONS**



CHAIR GOMEZ                    A. Draft Housing Element Presentation.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON                    Thank you Chair and Commission. Tonight's Draft Housing Element presentation will be presented to you by Matt Kowta, our consultant from BAE, tonight.

MATT KOWTA                    Thank you Marilyn. Good evening, Chair and members of the Commission, and members of the public. It's a pleasure to be with you. I'm going to share my screen with the slides in just one moment. Are you able to see that?

CHAIR GOMEZ                    Not yet.

COMMISSIONER  
HARTMAN                    City of Irwindale logo.

CHAIR GOMEZ                    There we go.

MATT KOWTA                    Alright, let me go to the next slide. We are here this evening to present the public review draft of the 2021-2029 Housing Element Update for the City of Irwindale. We have had this draft out on the street since November 10<sup>th</sup>, and tonight we are at the end of our initial public comment period on the draft before we make some changes, revisions, updates that may be needed before passing the document on to the State Department of Housing and Community Development, for their review and comment on it. We will talk about next steps after that. At this point, we want to give a quick presentation, kind of high-level overview of the Housing Element, tell you about the input that we received at the workshop on November 10<sup>th</sup> when we presented the draft and the same information, and also let you know about any input that was received on the draft. Since the public has had the opportunity to review the full document, which was made available on the City's website beginning on just before the 10<sup>th</sup>. So, you could hear about that, and then we'd like to get any additional public input that may be given this evening, and then also get the Planning Commission's input and feedback on this draft before we get it ready to submit to HCD. You can see down below the web address on the City's website where that Housing Element document is linked and can be downloaded for anybody who's interested. That's on the General Plan update web page. So, as I said, we'll have some background on the Housing Element update, much of which you've heard before, we'll review the housing sites inventory that was put into the Draft Housing Element after a lot of discussion and input we received before drafting creating the full draft. We'll review the updated Housing Programs List. So, this is new since we issued the draft that was a new feature of the draft, and the feedback we received at that November 10<sup>th</sup> Community Workshop. So then again, looking for any additional community feedback on the document, Planning Commission discussion and

direction, and then we'll talk about next steps. So, this is just background information, many of you have seen this before but just for the benefit for anybody on the audience, who have not been with us at all in the steps along the way. What is a Housing Element? A City's plan to meet local housing needs, provide access to housing opportunity within the cities, that's a big goal of the Housing Elements. It's one component of the overall City of Irwindale General Plan. Every city and county in California must have a Housing Element as part of their General Plan. Typically, you're on an 8-year update cycle, and each time the update needs to be reviewed and approved by the California Department of Housing and Community Development and Los Angeles County. These current Housing Element updates cover 2021 to 2029. There is a California Government Code Section 65580 and onward, which covers all the law of the Housing Element. Some of the key objectives of the Housing Element Law are to plan for housing production. A key piece of that, a key metric, is accommodating the projected regional housing need allocation or RHNA, which is an allocation of new housing development at various income levels that each community within the State needs to plan for. Housing Preservation, so the goal is to protect and rehabilitate the existing housing within the community, particularly affordable housing resources. A new emphasis that's something that's always been part of Housing Elements but a lot more focus on this 6<sup>th</sup> Cycle on affirmatively further fair housing. So, taking steps to actively address inequities and access to housing and remedying situations that may have come from historical patterns, and so forth that have created inequity or unequal access to housing opportunity. Housing for all the concept here being that you need to plan for all socioeconomic segments of the community so low income, moderate income, above moderate income, and also various special needs populations such as the elderly, disabled, families, and so forth. Let's talk a little bit about this 6<sup>th</sup> Cycle RHNA and the associated income levels for the various units. The RHNA starts with a projected statewide need that the State creates, and then they allocate those needs down to each region in the State. Then in each region typically the local council of governments, in your case the Southern California Association of Governments, allocates the regional need down to each city and county for a share of that. Again, there are components to meet housing needs at all income levels. Irwindale's 6<sup>th</sup> Cycle RHNA is 119 units. We need to plan to accommodate development of 119 new units. It doesn't necessarily mean the City is going to build those units, but we need to have planning in place, sites available, appropriate zoning to accommodate those units, and the units will be different types that are deemed to be suitable for households at various income levels. We'll get into that in just a moment. So, the housing element has to demonstrate that ability to accommodate the full RHNA by identifying the sites and also removing governmental constraints, putting together programs to support housing development, but again we're creating the opportunity, setting the stage for private enterprises, property owners, developers,

and so forth to build the units. The City is not going to actually build all of these units itself. Sites identified to accommodate the RHNA have to meet criteria defined by the State and we'll talk a little bit more about those specific criteria, but generally we want to have appropriate residential zoning access to the utilities to support those housing units, be developable within the next eight (8) years, and particularly for the lower income units portion of the RHNA we have to typically allow at least 20 dwelling units per acre of density of development. So, here is a breakdown of the 2021 to 2029 allocation, of those 119 units and you can see the comparison to the 5<sup>th</sup> Cycle RHNA, which was only 15 units. Irwindale like most other jurisdictions throughout the State, had a very large increase in the RHNA for this current 8-year period. So, it's been a challenge for almost every jurisdiction to identify how it can meet its new RHNA number, which is a considerably higher bar typically than from the 5<sup>th</sup> Cycle. You can see the breakout by income level: 36 at the very low, 11 at the low, 17 for moderate income, 55 for above moderate. These are not maximums. These are minimum targets. If the City can plan for more, if the City can accommodate more development, that's fine but at the minimum we need to have 119 units broken out by these income categories within the plan. So how do we translate those income levels to dollars and household incomes? This chart summarizes the 2022 household income levels for Los Angeles County, which are the relevant incomes for Irwindale. It shows what that really looks like so for example, at the very low-income level a single person would qualify if their income is \$41,700 per year or less. A family of 5 people with the household income of just under \$65,000.00 per year can qualify as low income. I'm sorry very low income. Low-income households could be as high as, for 5 person, almost \$103,000.00 per year. So, this gives us a flavor for what we're talking about when we're talking about planning for housing that can accommodate lower income households. That's people that are in these income bands or below, whereas you're above moderate and moderate incomes are considerably higher income households. Little bit deeper dive into the criteria for the housing sites. So, State of California is generally looking for us to identify sites that are at least a half-acre in size, and not more than ten (10) acres in size. That's what the State believes are the most practical to develop. For new housing, they're looking for sites that have infrastructure available to serve the new housing units or can have infrastructure provided to them, so that housing can be built within the next eight (8) years. The site should not have environmental constraints that would make it hazardous for housing to be built on the site and people to occupy that housing. The surrounding land uses should be compatible with residential use, and ideally the sites will be vacant or very likely to be redeveloped in the 2021 to 2029 time frame. All of this is kind of focused on identifying sites where housing can be built relatively easily, relatively quickly, at a reasonable cost within the next eight (8) years. Also, some other key points here already mentioned. For very low and low income sites, we need to allow at least 20 dwelling units per acre. We also need to be

mindful not to over concentrate sites for lower income housing in any one part of the community, and lower income housing should provide good access to schools, jobs, shopping, and services. Fortunately, most locations within Irwindale do have those locational attributes because you've got a lot of service, schools, and jobs and so forth throughout the community and nearby. So, let's get into the proposed housing sites, the five (5) sites that we settled on for this draft. You can see on this map that we have them distributed through the various parts of the City, and we'll talk about the details of each of those. You have Site Number 1 here on the Allen Drive site, Site Number 2 is at Ramona Boulevard as well as Site Number 3, and then sites 4 and 5. The Gold Line site is number 4 it's a very large site, and then Irwindale Avenue/Avenida Padilla is Site Number 5. So, here you have a summary of some of the key existing zoning, proposed zoning, assumed maximum densities, and the number of units we estimate could be accommodated on these sites. What you can see, is that in total we have potential theoretical of 210 units. If all of these 5 sites were developed in the way that we assume they would be developed, then within those 210 we could have a breakdown: 53 lower income, very low and low-income units, 48 moderate income units, and 109 above moderate-income units. Now, it's important to note that on some of these larger sites we're only talking about rezoning for a portion of the sites to be residential development. So, Allen Drive is about ten (10) acres in total, but we're only talking about residentially zoning six (6) acres in total there. In the Gold Line site that is 90 total acres within that large specific plan area, we are targeting one acre to be rezoned for residential development and mixed-use type of a setting, and then similarly in the Irwindale/Avenida Padilla area you have a total of 20 acres, but we're targeting 2 acres for different densities. So, one (1) acre at 30 dwelling units per acre and other acre at up to 14 dwelling units per acre so smaller portions of those larger sites. That's the inventory that we've included in the Housing Element. We'll just zoom in and take a quick look at each of the sites so here is Allen Drive. This is the whole 10-acre site so we need to identify which portion of the site would actually have that residential rezoning, six (6) acres of that so it would be about 2/3 of it. Site Number 2 on Ramona Boulevard, you can see here. Site Number 3 on Ramona Boulevard kind of a long, narrow strip that fronts on Ramona Boulevard. Site Number 4 the Gold Line/Reliance 2 Specific Plan area, this whole large areas. We'd pick one (1) acre out of this larger 90 acre area for residential development, and then Site Number 5 is the existing Business Park area. Twenty acres where we'd identify two (2) acres for residential development within that. Okay, next we have the Housing Programs. These are a key part of the Housing Element, and they outline the actions that the City will take during the next eight (8) years to support housing development, housing conservation, housing rehabilitation within the City. So, I'm just going to quickly highlight some policy areas, and then the associated programs within each of those policy areas. So, first one is to maintain the existing housing quality and affordability. We

have two (2) supporting programs; the residential code enforcement which is new, and then creating a local housing rehabilitation loan fund which is a carryover of a previous Housing Element Program. Policy Area Number 2, to remove governmental constraints to housing development. So, we have a number of new programs here, proposed use of CEQA exemptions for infill projects that qualify under State law for those CEQA exemptions. CEQA is acronym for California Environmental Quality Act which, excuse me, is the State law that requires examination of the environmental impacts from new development and often times but not always, results in the preparation of an Environmental Impact Report for a project. The exemptions would allow qualifying projects not to go through that process. Again, this is a provision in State law. Facilitating adaptive reuse of commercial industrial projects near transit is a new program where the City would really encourage reuse of certain properties, near transit, long commercial corridors, where it makes sense to have a new housing integrated with your commercial areas. Efficient project reviews essentially a project streamlining type of approach, to help new projects move through the process of approvals more quickly. Zoning Code amendments to comply with State law, so as we went through our analysis of potential governmental constraints, one thing we identify is a number of places where the Zoning Code needs to be updated to comply with new State laws. The State legislature is constantly passing new laws regarding housing as well as many other topics. But every eight (8) years is a good time to bring that Zoning Code up to date, make sure that your local code is consistent with those newer State laws. So, we've identified some places where that needs to happen, and that would be a program conducted in the next eight (8) years. Mixed-Use Zoning and Development Standards, this is new, you don't have mixed-use zoning within the City currently. So, this would create a set of planning guidelines to allow that mixture of housing and commercial uses on the same property. The 3<sup>rd</sup> Policy Area is to provide adequate housing sites, so this goes right to that housing inventory and accommodating the RHNA. So, our programs are to rezone the targeted housing sites. This is not a new program. You had called for that in the last Housing Element, but we are dealing with the new sites this time. Monitoring housing sites for no net loss. What this means is that we have an obligation to make sure that at all times the City maintains an inventory of land and sites available for housing development, that can accommodate the City's remaining unmet RHNA for the planning period. If we start out with 119 units and some of the land gets developed, we need to look at how many more housing units do we still need to build during the planning period, and does our remaining land accommodate that remaining RHNA. If not, then the No Net Loss Law, which is another State law, says City has to go out and identify other sites that could accommodate that shortfall. Arrow Highway Commercial Corridor Specific Plan is proposal to create a specific plan for the Arrow Highway Corridor and presumably within that specific plan area there would be some provisions for some

additional housing opportunities. General Plan Consistency is a requirement of State law, to make sure that the Housing Element and the rest of the General Plan are consistent and that your Zoning Code, and so forth, are also consistent with the General Plan. So, this is just a housekeeping type of a program to make sure that if there are changes that everything remains in sync, and with that internal consistency. Then finally facilitating housing development on large sites, I mentioned those two (2) locations within the housing inventory. The Reliance 2 location, as well as in the Avenida Padilla area where you have smaller, we're targeting smaller, and also Allen Street. We're targeting smaller portions of larger sites for housing development, and so we need to identify for HCD, how the City can help create the opportunity to basically create smaller pieces that have the right zoning for housing development that fall within that 0.5 to 10 acre size range and make those available for the housing development within the planning period. Number 4 Policy Area, Providing New Affordable Housing, several programs here. First using the Allen Drive site for attracting affordable housing, being that that is owned by the Housing Authority. You have the ability to use that site to attract a developer and negotiate with the developer to include some affordability within the housing, not just have it purely market rate development sold to the highest bidder and so forth. Creating Affordable Housing Linkage Fee Program, is a new program identified in this Housing Element. A Linkage Fee is a fee charged to new commercial developments that mitigates the impact of the new employee housing demand, that that new development creates. For example, if you have an industrial building and it has 100 employees there, that new development is actually bringing 100 new employees to the City. Those employees will be in need of housing and some portion of those employees would need affordable housing (below market rate housing) due to their income levels. The linkage fee would be backed by a Nexus study that identifies that relationship, and creates a fee that is set to mitigate that affordable housing needs. The City would collect the fee and then that fee could be used to partner with say an affordable housing developer to build affordable housing within the City. Tenant Based Rental Assistance is a program to help lower income households find rental assistance that is helping them to pay their rent. A common program is the Section 8 Voucher Program out of HUD that provides somebody with a voucher, qualified household with a voucher, that allows them to pay 30% of their income for housing and then HUD via the voucher pays the difference, so that they can afford housing unit that otherwise would not have been affordable. The Affordable ADU Incentive Program is a program to encourage property owners to create accessory dwelling units, ADU's, and to make them affordable, and available to lower income households. So that you can use those accessory dwelling units as a way to expand the affordable housing supply locally. The ADU Design Templates Monitoring Program is a program to basically provide some free set plans to property owners, so that if they want to put in an ADU on their property they've got a pre-

approved plan that they can use to streamline that process. Then the monitoring component is calling for the City to monitor with the property owners, how those ADU's are used, and what level household affordability they're serving so that can be acknowledged in the future planning for housing within the City. Then finally program number 18, I mentioned that the State's always passing new housing laws and they kind of trickle down to impose requirements on the City. This program would incorporate those new State law changes, and essentially acknowledge that locally if the State law says a certain thing has to be permitted and so forth, then that would become part of the local program. Policy number 5, Affirmatively Furthering Fair Housing, also abbreviated as AFFH, and addressing special housing needs. So, you can see we have some programs addressing senior housing opportunities, housing for people with disabilities, a fair housing outreach program, providing some streamlined approvals for affordable housing, workforce housing development, and really to use your linkage fee monies from that new linkage fee to help stimulate new housing development is affordable to members of the local workforce. The Affordable Housing Development Assistance and Implementation Guide, kind of a how to for people that are interested in building affordable housing within the City. Reasonable Accommodations is a process for people with disabilities to request exceptions to local rules and processes that would make it difficult for them to enjoy housing within the community because of the kind of disability that they have. This is a fair housing requirement to provide those reasonable accommodations, so people that have certain kinds of special needs or disabilities are not denied the ability to enjoy living within the community. Then, finally number 26, Homeless Service Strategy, looking at those people that are currently unhoused, not adequately housed, at risk of being homeless, and really working to address those needs. So, that brings us up to the very last set of programs. Policy number 6, Promoting Sustainability Energy Efficiency and Healthy Community, we have grants for green appliances, solar sustainability, and energy efficiency at home, so that's one program. Sustainable Community Design, so designing new developments in ways that they can encourage walking, biking, limiting the amount of auto use, limiting the amount of water use, energy use, and so forth starting from the very early design phase of the project. Then a biannual trash and hazardous item pickup for residential locations within the City to help residents remove as hazardous materials and so forth from their properties. So, those are all the policies and programs. We presented all this information at the workshop on November 10<sup>th</sup>, and we just want to summarize really quickly what kind of feedback and input we received at that workshop. First thing to note is that most of the comments that we received at that meeting were really requests for clarifications on various aspects of the Housing Element Update. People had questions about what we presented, what's in the Housing Element Document. We provided answers, and clarifications, and so forth, but there was some specific input given on the housing

programs. Participants expressed support for programs that would help lower income households become homeowners over time. There was support expressed for housing for seniors. There was also a concern that housing rehabilitation assistance should not come with strings attached that were excessive in terms of preventing homeowners from being able to access the equity in their home. So having a balance, provide assistance, but don't put so many conditions on the participants in the programs that they're kind of stuck and not able to decide how they want to use the equity in their home. On the housing sites, we talked about all those sites. We did not have any specific input on any of these sites, but just a general statement of support for placing lower income sites near existing residential areas. Then on other aspects of the Housing Element, one participant expressed interest in future meetings with Planning Commission and the City Council to discuss the Housing Element Update. They felt that in front of your Commission and in front of the City Council, is where the rubber was really going to hit the road, so we informed them of these meetings that we're having so that there's the opportunity for further dialogue. And then another participant expressed interest in the City, having some future workshops to help prepare residents for home ownership and perhaps to be ready to take advantage of programs that might ultimately create some new affordable housing opportunities or new home ownership opportunities within the City. We have a placeholder slide here for any additional community input received since the workshop. Again, people have the opportunity to download the Housing Element Document, review it in detail, provide any comments or feedback on any aspect of the document, and as of this date, we did not have any specific feedback on any component of the Housing Element. Not on the housing programs. Not on housing sites. Not on other aspects of the Housing Element. That is what we have to report there and then of course we will consider any input received this evening as part of the public review process for this document. So, with that I think I'll open it up to questions from the Commission, and then if you have specific comments or feedback you'd like us to have, and then also I think you're going to accept public comment on this item, so we can kind of hit those items. Then after that, we'll talk about what the next steps are. Then we have one more slide to let everybody know about some General Plan Update stakeholder interviews that are happening, and opportunities to get involved with that. Let me stop there and see if the Commission has any questions.

CHAIR GOMEZ

Thank you for the presentation, it was very thorough. Any questions at this time, from the Commissioners?

COMMISSIONER  
FUENTES

None, very good job.



COMMISSIONER HARTMAN I have one question. Under Irwindale's 2021-2029 RHNA, the 119 units, what happens when there is no more property? I mean, I'm talking way down the road.

MATT KOWTA Sure, yeah, no that's...

COMMISSIONER HARTMAN Does that mean that they're actually going to have to eventually, like shut down some of the commercial buildings, tear them down and build housing?

MATT KOWTA Well, it could mean a number of things. I mean that would be one option. The other option, of course, would be to identify some other kind of vacant property or underutilized property. So you know, there may be not a lot of vacant parcels, but there may be parts of parcels that are vacant where say you have a building with a very large parking area, and if all of that parking was not needed to serve the building then potentially some housing could be added into a location like that. You could also have redevelopment, which kind of be a variation of instead of just shutting something down you could maybe redevelop the site, where you could accommodate the existing use but also some additional housing. I should say in addition to commercial properties the State expects jurisdictions to consider public properties. Properties that are used for things other than housing or residential. They really want you to kind of turn over every stone. It's becoming more of an issue for jurisdictions with these really large increases in the RHNA, where you know previously might not have been that challenging to find a place for 15 housing units within a community, but when you do an almost tenfold increase, eightfold increase, it suddenly becomes a lot more challenging. So, we're seeing jurisdictions all over the State having to really take a look at all those kinds of options that I that I've mentioned.

COMMISSIONER HARTMAN Eventually if it keeps going you're not going to have any place.

MATT KOWTA Yeah, and then what they're looking at is densification. So, if you've got a site that has two (2) houses on it, how can you get four (4) houses on it, and so forth. I think you're quite a ways away from that kind of situation in Irwindale, but the State in its planning does not consider being out of land a reason for a community to just not plan for any growth. They expect looking into ways to accommodate growth even if there is no vacant land.

CHAIR GOMEZ Any additional questions? Yes?

VICE-CHAIR BURROLA So if I understand this correctly, the 119 units is based on the City's need not on the available land?

MATT KOWTA It's based on the City's share of the regional need and it doesn't...

VICE-CHAIR  
BURROLA Not on the land we have available?

MATT KOWTA Yeah, Yeah.

VICE-CHAIR  
BURROLA Okay.

MATT KOWTA It's a little bit of a simplification, but that's essentially the answer.

VICE-CHAIR  
BURROLA So given that fact, we do have future mining sites that are being filled, according to their Reclamation Plan, which is a State required document that they need for mining to continue mining. Is it a possibility in the future to look at these Reclamation Plans, and amend them to require, you know, the landowner at the end of the fill to give up, you know, like you were saying, an acre or two (2) for this 119 unit requirement. You know it's a State requirement, you know, the State is requiring the City to come up with 119 units. So, is it possible to amend these Reclamation Plans and Development Agreements?

MATT KOWTA Yes, I would probably have to defer to City Staff, maybe the City Attorney on, you know, the exact legal process that you would have to go through to do that. I think over the long term as these sites become reclaimed and become available for something other than mining, then housing is certainly one of the uses that could be looked at just like....

VICE-CHAIR  
BURROLA Oh, we lost him.

MATT KOWTA Portion former mining pit has been identified for housing, so I would think as other pits get mined out and then reclaim that there may be additional opportunities.

VICE-CHAIR  
BURROLA Would that satisfy the 119 units that the State is requiring? I guess that is something we have to look into you are saying.

MATT KOWTA Right and I would say again, these 119 units have to be, they have to have the potential to be built by 2029. So it may be that you know if you've got a pit that's winding things down, but not for five (5) or six (6) years that site maybe could be identified in 7<sup>th</sup> Cycle Housing Element Update as an opportunity site, but it wouldn't necessarily be available for the 6<sup>th</sup> Cycle that we're dealing with right now. You will have a new RHNA for the 7<sup>th</sup> Cycle and then that's possibly where one of those other mining pits could come into play.

VICE-CHAIR  
BURROLA Because right now they're actively filling the 40 acres site, I believe over there at Hanson, which is west of the 605...

MATT KOWTA                      Okay.

VICE-CHAIR  
BURROLA                      I am not sure what their, I forget, what their Reclamation Plan says for that, but maybe that falls in the 6<sup>th</sup> Cycle, like you're saying as far as timing. Just to look into it, you know, to see if we can, you know, grab some of those units.

MATT KOWTA                      Yeah. Okay.

VICE-CHAIR  
BURROLA                      Thank you.

MATT KOWTA                      Thank you.

CHAIR GOMEZ                      Any other questions? I have a few questions so just to piggyback on the reclamation land at the last City Council Meeting, we were speaking to the pit that is now the Speedway. Now, so has the State volunteered or offered any money to address the housing need?

MATT KOWTA                      Well, the State does have a number of housing programs that are available. They tend to be competitive and of course, oftentimes they're oversubscribed in terms of the people applying for the money, relative the amount of money that's available, but having a Housing Element that is considered legally adequate which is what we're working on, is typically one of the requirements for a City or County to apply for State housing funds. By going through this process of updating the Housing Element and getting it in compliance with all the new State Laws then that could position the City to be able to go out and apply and compete for some of those housing monies.

CHAIR GOMEZ                      Got it. So back to the reclamation, so the Speedway has some serious issues. One of the things that could happen, and we can push the hand of the State if they're forcing in the in the, so are we saying that in Cycle 7 we're going to have additional requirements for housing?

MATT KOWTA                      Yes, so if history, you know, can inform us every Housing Element Cycle, jurisdictions get a new arena. For example, if you were to see housing construction for all these 119 units for the 6<sup>th</sup> Cycle, then the 7<sup>th</sup> Cycle comes along you'd have a new RHNA, some new goal. It kind of keeps, you know to kind of use that sports analogy, it keeps pushing the goalposts out further. In the State's minds, you know, communities are never done. You never get to that point where they say, "okay you've built enough housing, you don't have to do this anymore." There's always a new RHNA with the next Housing Element cycle.

CHAIR GOMEZ Yes, I mean that completely makes sense. However, you know going from 15 to 119, and then the 7<sup>th</sup> Cycle wondering what that increase will be but back to the Cycle 7. Since we can't do it in Cycle 6 to mandate, the State mandates us a particular number, then we should also you know try to get some money so that even like the Speedway to do, they have to empty the pit and redo it. The State can help pay for that and then that can be a whole level of housing. I know that's just an example for Cycle 7. So, I have some additional questions really quick. I just want clarification, so when we're going through the policies, 1 through 5, the policies are mandated by the Housing Element. Then we supplied the programs that spoke to each policy?

MATT KOWTA No, the policies and the programs are really locally created. It's not to say that a Housing Element doesn't have to have policies and programs, it does. The Housing Element Law says that as we go through the required analysis of housing needs, governmental and non-governmental constraints on housing, fair housing issues, and so forth, as we identify what's happening within the community, and we identify different needs, we identified different constraints or issues or challenges, then the Housing Element policies and programs need to respond to those and state how the City is going to take action. They don't require that, you know, we have these exact six (6) policies...

CHAIR GOMEZ So if I may, we created these and then we put programs in and what we thought. That's excellent. I think they did a wonderful job here.

MATT KOWTA Yes.

CHAIR GOMEZ I appreciate that, and I just wanted to say that. I wasn't sure whether that was mandated. It's a great presentation and how we will... I think that you derive these from the meetings and also from what the residents anticipated. I do really like the policies and also the programs that speak to them. Excellent job. So, then I would just particularly, if we go to policy 6 in program 7. When it speaks for grants for green appliance solar sustainability, I just would rather it be mandated that we give money, not just grants so that it's competitive, but that they automatically get it. That there's not a choice anymore to build homes that are sustainable in every area. You know we're doing climate change. The electricity, we had electricity issues in the summer, in the winter because we need to build homes that are climate adjustable without sustaining self on electricity and solar power. So, I'm just suggesting that other than grants that we should mandate they give them money or the project has to be sustainable energy. I have no further questions or any of the commissioners. We thank you for this presentation. I know that this is the structure. We're going to go back, and then you can fill us in on the next step.

MATT KOWTA Okay.

ASSISTANT  
CITY ATTORNEY  
TRAXLER

Madam Chair if I may before we move on if you wanted to open it up for public comment.

CHAIR GOMEZ

Yes, please. Um let's open it up now for public comment. Do we have anybody. Thank you.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

I'll first start with the Written Communications, we got yesterday.

CHAIR GOMEZ

Okay, thank you.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

So we did receive a letter from a Mary Linares. They are Attorneys from Southwest Mountain States Regional Council of Carpenters. The letter references development projects and addresses issues regarding development. It includes a request to require a project to be built using a local workforce that is trained in Infection Control Risk Assessment, ICRA protocols, with local workers who have graduated from a Joint Labor-Management Apprenticeship Program. This is the letter that was received yesterday.

CHAIR GOMEZ

Thank you. Any other communications, Spontaneous Communications?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ

Tier 1, no one from Tier 1. Tier 2, no one from Tier 2.

CHAIR GOMEZ

Alrighty, then we'll close Spontaneous Communication and continue with the presentation for the next step for the Housing Element.

MATT KOWTA

Okay. So, let me switch to, oh I'm not sharing my screen, am I? Give me one moment and I'll get that next steps slide up on the screen. You should be able to see it now. So, you have heard about the Housing Element Update, and this evening I've not really heard a lot of direction for making modifications to the Draft Housing Element that we've presented. Maybe there's a little bit of potential for looking at Program 27 language to see if there's some language we can incorporate it in there to make sure that it's clear that City wants new development projects to be as sustainable as possible. So, we could take a look at that. Then what we would do is with some limited modification, we would get this draft ready to send to HCD for their statutory review. They are given 90 days to review the Element for compliance with State law, and then they'll send a letter back to the City typically right on the 90<sup>th</sup> day, and they'll state whether they believe as is it's in compliance with the law or whether they believe some adjustments need to be made before the City Council adopts the Housing Element Update. You all may have been hearing that in the 6<sup>th</sup> Cycle the

State's been very, they've been looking very closely at the Housing Elements. They've had a very high bar for what they consider to be legally adequate, and they've provided typically a lot of comments on the Housing Elements in their first draft, and even on second drafts and third drafts. There are nearly 200 jurisdictions in the Southern California Association of Governments Region, and only about 25% or so of the jurisdictions have had their Housing Elements approved so far. So, we will do our best to respond and revise the Draft Housing Element to address any comments that we do get from HCD. Then we would anticipate bringing the document back to the Planning Commission for another look. The Planning Commission could then recommend the document for adoption to the City Council, and then if the City Council agrees that they would adopt it, and it would become unofficial part of your General Plan, but then it goes back to HCD for another review. That's a 60-day review and at the end of that review they need to either state that it's in substantial compliance which means they are certifying the Housing Element, or they need to identify what deficiencies they believe are still there and outline what changes need to be made to that document. So, we still have some continuing opportunities for public input on the document, as we go. We'll keep sharing the evolving document with the public. There will be opportunities for review and input before it gets adopted in its final form by the City Council. Those are the steps and I think we have just one more slide. I think maybe Marilyn was going to talk a bit about the stakeholder interviews for the General Plan Update Project.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

Thank you Matt for the thorough presentation. Thank you, Commissioners and Chair, so in addition to the Housing Element that's being updated, we're also updating our Safety Element. There is a new Element, the Environmental Justice Element, that the State is requiring. Our consultant, ESA, they're conducting stakeholder interviews and we really encourage community input and participation. We will post it on the website, you know as well, if you have anybody listening in the audience and the Commissioners. If anyone has expressed any interest in this please share this information. So, if you would like to participate, you can contact Sylvia Palomera directly. Her e-mail is [spalomera@esassoc.com](mailto:spalomera@esassoc.com) or call her at 818-356-5768, and the information it can be anonymous there and you can share that information. If you're more comfortable, anyone, you can contact Community Development. You can contact me, Marilyn Simpson, I'm at [Msimpson@lrwindaleca.gov](mailto:Msimpson@lrwindaleca.gov) or call me at 626-430-2209 and we can provide the comments to ESA, but really encourage, you know, as much participation.

CHAIR GOMEZ

Thank you. So, what I understand and I think that the Commissioners understand that this is the first review. Some of us went to several of the meetings. I was fortunate to go to all the meetings except for one. I think that you derived great accurate picture for the City of Irwindale in this document. Also, you know the residents had a lot of concerns and they seemed to be reflected as well. So, we will have the opportunity. I think you should take it and run with it now. We have the opportunity when you get some comments back to review it again, and also have the public review it again when it comes back for the comments provided by the Housing Authority in the State of California. Since we are only out of this discussion and presentation, we don't need to do any kind of motion or anything. Alright, any other questions to that? Then we are going to move on. Okay, thank you. So, Number 5 Community Development Director Report.

**COMMUNITY  
DEVELOPMENT  
DIRECTOR REPORT**

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

Thank you Chair and Commission, so this is our last meeting this year. I do want to say Merry Christmas, Happy Holidays, Happy New Year, all that. I'm looking forward to next year and I do want to say on behalf of Community Development, in the Planning Division, that it has been our pleasure to serve you, and to work with you, and we look forward all this exciting stuff that's going to be happening here. Then I want to say thank you to Commissioner Hartman. This will be his final meeting. So really want to tell you what a pleasure it has been working with you. I've been here six (6) years and you put up with me for six (6) years in here, so please take his example with that. Just want to let you know, we wanted to have a little bit of a celebration. We do have some sweets that we would like to share, you know, after this meeting. So, if everyone wants to stay around.

CHAIR GOMEZ

Thank you. Thank you so much.

COMMUNITY  
DEVELOPMENT  
DIRECTOR  
SIMPSON

And that's all I have.

CHAIR GOMEZ

Thank you.

**LEGAL COUNSEL  
COMMENTS**

CHAIR GOMEZ

Anything from Legal Counsel at this time?

ASSISTANT  
CITY ATTORNEY  
TRAXLER

No thank you, but I echo all of Marilyn's sentiments.

**COMMISSIONER  
COMMENTS**

CHAIR GOMEZ

Commissioner Comments.

COMMISSIONER  
FUENTES

I would like to just commend the City Manager, Staff, that did all the holiday decorations. It looks unbelievably beautiful. It is quite a sight. I tell people to drive by City Hall and up and down of the street here, and just take a look at everything they have done. So, if you could pass that on to the workers that did it, to everybody that was involved with it. Excellent, excellent job. It looks beautiful.

COMMISSIONER  
HARTMAN

I agree, it does look good.

CITY MANAGER  
MIRANDA

Thank you, we will convey that sentiment.

CHAIR GOMEZ

I want to take this time to thank everybody for their hard work, Staff, Council, and my fellow Commissioners. I appreciate it, this year went by really quickly. I had the opportunity to work with Commissioner Hartman many, many years ago when I was in the Planning Commission. I was lucky to work with him again, an asset and he was a good mentor, and we wish him the best. We want to wish everybody a Merry Christmas and Happy Holidays. So let's party, I am kidding.

CITY MANAGER  
MIRANDA

Chair. Chair.

CHAIR GOMEZ

Yes.

CITY MANAGER  
MIRANDA

Chair if I might, you know, in my previous stance as a City Council I just want to also echo the comments for Commissioner Hartman. You know Commissioner Hartman, you have handled your business here with the City with nothing but dignity and class. I really do appreciate all your hard work that you put into this community. You have always been around for various events; don't think we don't notice. We see. Your heart is in it, and we've always seen that about you through the last 19 years and even before then. So, I want to thank you very much for your commitment and for your service to our City. You will be missed. Thank you.

CHAIR GOMEZ

We hope we continue to see you at least at the cornhole toss.



COMMISSIONER  
HARTMAN I would like to thank everybody, everybody in this room. I've really enjoyed doing this job. I love everybody in this place. I love this City. This City has pretty much adopted me. I will continue to be at all the events. I'm not going to give that up. I enjoy being in the community so, thank you very much to everybody.

CHAIR GOMEZ We adjourn this meeting. Merry Christmas everyone.

COMMISSIONER  
FUENTES Chair.

CHAIR GOMEZ Yes.

COMMISSIONER  
FUENTES Can we adjourn this meeting in honor of Mr. Hartman, please?

CHAIR GOMEZ Absolutely.

COMMISSIONER  
FUENTES I would like that on the record.

CHAIR GOMEZ Okay, thank you.

**ADJOURNMENT** There being no further business to conduct, the meeting was adjourned at 7:31 p.m.

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Suzanne E. Gomez, Planning Commission Chair

Attest:

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Jesus Hernandez, Administrative Secretary

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  
COMMISSIONER  
FUNTES Dear heavenly Father, we just come before you once again this evening dear Lord. We just thank you so much for your love, your grace, and your mercy. Father God, as we start this new year we just ask, father, that your wisdom would be poured out upon us, dear Lord. That any decisions we make would be pleasing to you and to the advancement for you, dear Lord. We ask you now that you be with this Commission, dear Lord. We welcome our new Commissioners, dear God. Bless us all, in Jesus' name. Amen

AB 2449  
DISCLOSURES Will continue down the agenda to Item E. There is no AB 2449 Disclosures. Can we have a Roll call.

**ROLL CALL:** Present: Commissioners; David Fuentes (via Zoom); Maricela Frymark; Richard Chico; Vice Chair Enoch Burrola; Chair Suzanne Gomez

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

## **ANNOUNCEMENTS**

CHAIR GOMEZ We are at announcements. At this time, I would like to take the opportunity to acknowledge and welcome our newest Commissioner, Maricela Frymark. We look forward to working with her the next couple of years. Thank you very much. Welcome.

COMMISSIONER  
FRYMARK Thank you.

## **REORGANIZATION OF PLANNING COMMISSION**

CHAIR GOMEZ We will now proceed with the reorganization of the Planning Commission. Mr. Jesus Hernandez will be handling that portion.

ADMINISTRATIVE SECRETARY HERNANDEZ At this time it is appropriate to reorganize the Planning Commission, including the selection of a Chair and Vice Chair. Any Commissioners may nominate another Commissioner or themselves and no second to the nomination is required. I will start off with opening the nominations for the office of Chair. After receiving all the nominations, I will close the nominations and conduct the election of Chair by roll call vote, in the order nominated. Do we have any nominations for the office of Chair?

VICE-CHAIR BURROLA I nominate Suzanne Gomez.

ADMINISTRATIVE SECRETARY HERNANDEZ Thank you. Do we have any other nominations? Thank you. Commissioner Gomez, do you accept or decline?

COMMISSIONER GOMEZ I accept, thank you.

ADMINISTRATIVE SECRETARY HERNANDEZ I will now be conducting roll call for the nomination of Chair, for Commissioner Gomez. Commissioner Chico.

COMMISSIONER CHICO Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Frymark.

COMMISSIONER FRYMARK Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Fuentes.

VICE-CHAIR BURROLA Yes, sorry. I forgot he is on the...

COMMISSIONER FUENTES Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Vice-Chair Burrola.

VICE-CHAIR BURROLA Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                      Chair Gomez.

CHAIR GOMEZ                      Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                      Thank you. We will now welcome our new Chair, Chair Gomez.

CHAIR GOMEZ                      Thank you.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                      Chair Gomez, please open the nominations for Vice Chair. Again, any Commissioner may nominate another Commissioner or themselves and no second to the nomination is required. After receiving all the nominations, I will close the nominations and conduct the election of Vice Chair by roll call vote, in the order of nomination.

CHAIR GOMEZ                      I open the nominations for Vice-Chair at this time. I would like to nominate Commissioner Burrola.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                      Commissioner Burrola, do you accept or decline?

VICE-CHAIR  
BURROLA                              I accept.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                      Thank you. Do we have any more nominations? I will now be conducting roll call for the nomination of Vi-Chair for Commissioner Burrola. Vice-Chair, Sorry. Commissioner Chico.

COMMISSIONER  
CHICO                                  Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                      Commissioner Frymark.

COMMISSIONER  
FRYMARK                              Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                      Commissioner Fuentes.

COMMISSIONER  
FUENTES                                Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ Vice-Chair Burrola.

VICE-CHAIR  
BURROLA Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ Chair Gomez.

CHAIR GOMEZ Yes.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ Thank you.

**SPONTANEOUS  
COMMUNICATIONS**

CHAIR GOMEZ Now we move forward to Spontaneous Communications, Mr. Hernandez will again provide that information.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ This is a 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 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 so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes, unless such time limits are extended. We are in a hybrid format, so we have both in-person and hybrid audience members, who will participate in the following order. Tier 1: In-person attendees. Tier 2: Teleconference attendees. Tier 3: In-person attendees who have not previously provide comments on the matter(s) being discussed by the legislative body, and Tier 4: Teleconference attendees who have not previously provide comments on the matter(s) being discussed by the legislative body.

CHAIR GOMEZ At this time let's open up Spontaneous Communications.

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ We have no members of the audience, wishing to speak. Online as well.

CHAIR GOMEZ Thank you. Do we have anybody on Zoom?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                      We do not.

CHAIR GOMEZ                      Okay, and that would be inclusive of Tier 1, 2, 3, and 4. This time, we have nobody that has wish to speak during Spontaneous Communication, correct?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                      Correct.

CHAIR GOMEZ                      We move forward to the Consent Calendar.

**CONSENT CALENDAR**

CHAIR GOMEZ                      At this time, the Consent Calendar there is no minutes for approval. We will move forward to New Business.

**NEW BUSINESS**

CHAIR GOMEZ                      At this time there is no New Business? Then we move forward to Public Hearing.

**PUBLIC HEARINGS**

CHAIR GOMEZ                      At this time there is no Public Hearing?

**DISCUSSION ITEMS/  
PRESENTATIONS**

CHAIR GOMEZ                      Number 4, is there any Discussion Items or Presentations?

ADMINISTRATIVE  
SECRETARY  
HERNANDEZ                      There is none.

CHAIR GOMEZ                      Okay.

**COMMUNITY  
DEVELOPMENT  
DIRECTOR REPORT**

CHAIR GOMEZ                      Community Development Director Report will be provided by Brandi.

SENIOR PLANNER  
JONES                              And we don't have any items for you tonight.

CHAIR GOMEZ                      Thank you.

**LEGAL COUNSEL  
COMMENTS**

CHAIR GOMEZ

We will move forward to Legal Counsel Comments.

ASSISTANT  
CITY ATTORNEY  
TRAXLER

Thank you Madame Chair, I do have a legislative update for the Planning Commission. You may have noticed on the agenda there is now an item for AB 2449 Disclosures. That is with regard to the new teleconferencing requirements that the Legislature adopted, amending the teleconferencing requirements of the Brown Act. So if you will remember back to a time before Coronavirus, the Brown Act had teleconferencing requirements that required a member of the Commission, if they were going to teleconference in, to post the notice of the agenda wherever they were going to teleconference from, open their location to the public, you know, state that there was no one else in the room, it had all of these various requirements. And then COVID-19 happened, and the Legislature adopted AB361, which is the current teleconferencing rules that we are operating under. Those rules allow for the legislative body, the Planning Commission, to participate remotely. It allows for a quorum of the legislative body to participate remotely, as long as there is a declared State of Emergency. And that's simplifying the rules, obviously. Now that it is ending, with Governor Newsome's declaration that the State of Emergency will be ending in February. In response to that and in order to make the teleconferencing rules a little bit more flexible, the Legislature adopted AB 2449, Assembly Bill 2449. That went into effect January 1, 2023. Those allow for remote teleconferencing participation by a Commissioner under two (2) circumstances. The first is Just Cause, and Just Cause requires childcare or necessary caregiving of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires a Commissioner to participate remotely. Or a contagious illness, a need related to a physical or mental disability, or travel while on official business for the city. So if a commissioner wants to teleconference for Just Cause, they can do so. They have to make a disclosure to the Planning Commission at the beginning of the meeting. There's still must be a quorum of the Commissioners in person at the place of the meeting. And you can only participate for Just Cause two (2) times a year. And then the second way to participate is an Emergency Circumstance, defined as a physical or family medical emergency that prevents a member from attending in person. You are also required to disclose your participation to the extent that you can, without providing any, you know, confidential or personal information. And under both of these circumstances, the board has to approve essentially a Commissioner's remote participation by a majority vote. So we still have to have a quorum present in order to go forward with the meeting. That's it unless you guys would like a more detailed presentation, I can bring that back to you. But other than that, that is it.

CHAIR GOMEZ Thank you, think that's pretty thorough. I'm glad the legislation is still being positive and progressive to know that you know, there's dilemmas that sometimes we can't make it, as Commissioners or as City Council. I only have one question. I just want clarification. I understand that access by the public to Zoom won't change and so they continue to have access through Zoom to participate in meetings.

ASSISTANT  
CITY ATTORNEY  
TRAXLER That is correct.

CHAIR GOMEZ Excellent. Any other questions from the Commissioners regarding this? Thank you.

**COMMISSIONER  
COMMENTS**

CHAIR GOMEZ Any Commissioner Comments at this time? Okay well at this time, Happy New Year. It is our first quick meeting. Last one probably. I am going to adjourn this meeting. Thank you so much. Meeting is adjourned.

**ADJOURNMENT** There being no further business to conduct, the meeting was adjourned at 6:43 p.m.

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Suzanne E. Gomez, Planning Commission Chair

Attest:

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Jesus Hernandez, Administrative Secretary