

RESOLUTION NO. 792(21)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF IRWINDALE AMEND SECTION 8.20.370 OF THE IRWINDALE MUNICIPAL CODE REGARDING SOLID WASTE FRANCHISES, AMEND CHAPTERS 17.56 AND 17.58 OF THE CITY OF IRWINDALE MUNICIPAL CODE REGARDING MATERIAL RECOVERY FACILITIES IN THE M-2 (HEAVY MANUFACTURING) ZONE AND ADD SECTION 17.56.025 REGARDING DISTANCE REQUIREMENTS FOR ALCOHOL BEVERAGE ESTABLISHMENTS

A. RECITALS.

- (i.) Athens Services, 14048 Valley Boulevard, City of Industry, CA 91746, the Applicant, has made a request for Zone Ordinance Amendment No. 04-2016 (ZOA) (Application) to the Irwindale Municipal Code (IMC) regarding material recovery facilities and distance requirements for alcohol beverage establishment conditional use permits (CUPs), which will affect properties Citywide;
- (ii.) The City, through this resolution, wishes to recommend that the City Council amend the Municipal Code to allow a Material Recovery Facility as a permitted use in the M-2 Zone, and to modify the distance requirements for alcohol beverage establishments; and
- (iii.) On January 20, 2021, the Planning Commission conducted a duly noticed public hearing, as required by law, and recommended that the City Council approve the Zone Ordinance Amendment; and
- (iv.) All legal prerequisites to the adoption of this Resolution and Ordinance have occurred.

B. RESOLUTION.

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

SECTION 1. The Planning Commission finds that the above recitals are true and correct and incorporated herein by this reference.

SECTION 2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports and verbal testimony, this Planning Commission hereby specifically finds as follows:

- a. That the proposed ZOA is consistent with the City's General Plan Land Use Designation, as amended, and the Zoning Designation.

- b. The proposed ZOA to allow a Materials Recovery Facility & Transfer Station is in the best interests and welfare of the City and its residents. The proposed Project will protect public health, safety, and welfare, to control pest and nuisance vectors and to carry out the mandatory duties imposed on the City by the State of California.
- c. The proposed ZOA modifies the minimum distance requirement to be waived if it is determined that a substantial physical obstruction or barrier exists that would cause access to the site to be in excess of the minimum distance. The Project site is located at the back of the Santa Fe Dam Recreation Area and is separated by Arrow Highway, a multi-laned arterial roadway and the proposed use is located at such a distance so as not to have an adverse effect on the recreation area.

SECTION 2. The Planning Commission hereby specifically finds and determines that the project, as proposed, pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the City, as the Lead Agency, has analyzed the project and recommends that the City Council certify the 2020 Final Environmental Impact Report (2020 FEIR) (SCH#2013051029) for the Project. A copy of the 2020 FEIR and Mitigation Monitoring and Reporting Program was posted on the City's website.

SECTION 3. The Planning Commission hereby specifically finds and determines the project, as proposed, pursuant to the authority and criteria contained in CEQA of 1970, as amended, the State CEQA Guidelines, and the City of Irwindale environmental guidelines, the City, as the Lead Agency, has reviewed and considered the 2020 FEIR, including 2020 Recirculated Draft Environmental Impact Report ("2020 RDEIR") for the proposed Materials Recovery Facility and Transfer Station ("MRF/TS") Project in Irwindale, California that identified and evaluated specific environmental effects of the proposed project as directed by the Superior Court of California in its September 2019 Decision and Writ of Mandate. All other portions of the 2014 Final EIR and Addendum No. 1, upheld by the Court, remain a part of the 2020 Recirculated DEIR and 2020 FEIR and the Findings attached as Exhibit A to Resolution No. 790(21). The 2020 RDEIR addressed four (4) specific environmental topics, including: 1) Truck Fueling Operations; 2) Greenhouse Gas Emissions; 3) Transportation Energy Use; and 4) Project-Specific Air Emissions Health Risks. The analyses concluded that truck fueling operations, greenhouse gas emissions and transportation energy will have less-than-significant environmental effects. The analysis of project-specific air emissions concluded that it is scientifically infeasible to substantively connect an individual project's criteria air pollutant emissions to public health consequences of regional air quality conditions. A copy of the 2020 FEIR and Mitigation Monitoring and Reporting Program was posted on the City's website. The Planning Commission has reviewed and considered the 2020 FEIR as a basis of its decision making for the proposed Project.

SECTION 4. The Planning Commission recommends that the City Council adopt Ordinance No. 752, a true and correct copy of which is attached hereto as Attachment 1, which amends Chapters 8.20, 17.56, and 17.58 of the Irwindale Municipal Code as shown therein.

SECTION 5. The Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 20th day of January 2021.



Arthur R. Tapia, Chair
City of Irwindale Planning Commission

ATTEST:


Marilyn Simpson, Secretary

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

I, Marilyn Simpson, Community Development Manager/City Planner of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Irwindale held on the 20th day of January 2021, by the following vote:

AYES: COMMISSIONERS: R.Hartman, L. Corpis, R. Chico, E. Burrola, A. Tapia

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:


Marilyn Simpson, Secretary

**ATTACHMENT 1
ORDINANCE NO. 752 FOR
ZONE ORDINANCE AMENDMENT NO. 04-2016**