AGENDA FOR THE REGULAR MEETING OF THE

PLANNING COMMISSION

September 18, 2019

6:30 P.M.

IRWINDALE CITY HALL/ COUNCIL CHAMBER

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 from 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, if you need special assistance to participate in a Commission meeting or other services offered by this City, please contact City Hall at (626) 430-2200. Assisted listening devices are available at this meeting. Ask the Chief Deputy City Clerk if you desire to use this device. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with disabilities. 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).
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: Enoch Y. Burrola, Loretta Corpis, Robert E. Hartman; Vice-Chair Richard Chico; Chair Arthur R. Tapia

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. 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.

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. May 30, 2019

2. NEW BUSINESS

3. PUBLIC HEARINGS

A. CONDITIONAL USE PERMIT NO. 02-2018 (MGA Roll Off Service Inc.)
Request for a Conditional Use Permit for the establishment of a roll-off truck storage yard for a property zoned M-2, located at 15615 Arrow Highway (APN 8619-001-013). ENVIRONMENTAL REVIEW: The proposed project is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15332 (Class 32; In-Fill Developments), which exempts infill development within urbanized areas that are consistent with the General Plan and Zoning, would not result in any significant traffic, noise, air quality, or water quality impacts, and can be adequately served by all utilities and public services.

Recommendation: Adopt Resolution No. 769(19), Entitled:
A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 02-2018 FOR THE ESTABLISHMENT OF A ROLL-OFF TRUCK STORAGE YARD FOR PROPERTY LOCATED AT 15615 ARROW HIGHWAY, IRWINDALE, CA 91706 IN THE M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF, AND FINDING THAT THE PROJECT IS EXEMPT FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
4. DISCUSSION ITEMS/PRESENTATIONS

5. COMMISSIONER COMMENTS

6. LEGAL COUNSEL COMMENTS

7. COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER’S REPORT

8. AGENDA ITEM REQUESTS BY COMMISSIONERS

9. ADJOURN

AFFIDAVIT OF POSTING

I, Berlyn Aguila, Administrative Secretary, certify that I caused the agenda for the regular meeting of the Irwindale Planning Commission to be held on September 18, 2019 to be posted at the City Hall, Library, and Post Office on September 12, 2019.

Berlyn Aguila
Berlyn Aguila
Administrative Secretary
The Irwindale PLANNING COMMISSION met in special session at the above time and place.

ROLL CALL: Present: Commissioners Enoch Burrola; Robert E. Hartman; Vice Chair Richard Chico; Chair Arthur R. Tapia

Also present: Marilyn Simpson, Community Development Manager/City Planner; William Tam, City Manager; Brandi Jones, Senior Planner; Adrian Guerra, Assistant City Attorney; Berlyn Aguila, Administrative Secretary

SPONTANEOUS COMMUNICATIONS There were no speakers.

CONSENT CALENDAR

ITEM NO. 1A MINUTES

The following minutes were approved as presented:

1) Special meeting held March 25, 2019.

NEW BUSINESS There were no items.

PUBLIC HEARINGS There were no items.

DISCUSSION ITEMS/PRESENTATIONS

ITEM NO. 4A Commercial and Industrial Design Guidelines Review and Direction to staff

COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER MARILYN SIMPSON

Community Development Manager/City Planner Simpson reported that Commissioner Corpis had informed staff about her absence prior to the meeting.

COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER MARILYN SIMPSON

Community Development Manager/City Planner Simpson stated that the Commissioners have received a copy of the Commercial and Industrial Design Guidelines and the three exemptions that have been made. She also states that staff recommends additional time for Commissioners to review the Commercial and Industrial Design Guidelines and existing exemptions in order to provide direction to staff at the following Planning Commission meeting. Any changes to the Commercial and Industrial Design Guidelines will be brought forward to the City Council for approval.
CHAIR TAPIA Chair Tapia asked if only the adjustments will be brought forward. Community Development Manager/City Planner Simpson replied that the adjustments and any changes to prior exemptions will be taken as a whole to City Council.

CHAIR TAPIA Chair Tapia asked if the active “grandfathered” businesses must be up-to-date with the City's guidelines. Assistant City Attorney Guerra replied that unless the business asks for an entitlement or a new development, they do not have to adhere to the City’s current guidelines.

CHAIR TAPIA Chair Tapia asked if the city can legally make an adjustment where the “grandfathered” businesses will have to comply with the current guidelines. Assistant City Attorney Guerra replied that only if a business asks for a land use entitlement or a building permit, they do not have to comply.

COMMUNITY Community Development Manager/City Planner Simpson reminded the commissioners to send all comments regarding the Commercial and Industrial Design Guidelines directly to her. Assistant City Attorney Guerra added that all comments sent directly to Community Development Manager/City Planner Simpson will be presented to the Commissioners and should not be discussed between each other because it can violate the Brown Act.

VICE CHAIR Vice Chair Chico asked if the Brown Act does not allow them to speak to one another and provided an example. Assistant City Attorney Guerra clarified that they are able to socially speak to one another but not involving any items on the agenda.

VICE CHAIR Vice Chair Chico gave an example of what could possibly be a Brown Act violation. Attorney Guerra added that the Brown Act can also be violated by text or email.

ITEM NO. 4B New FPPC Conflict of Interest Regulations Pertaining to Real Property Interests

ASSISTANT CITY ATTORNEY GUERRA Assistant City Attorney Guerra announced new California Fair Political Practices Commission (FPPC) updates. He stated that the prior regulation applied to decision makers/individuals within 500 feet of the subject site, therefore it would be a conflict of interest and that person would not be able to participate in the project review and decision making.

VICE CHAIR Vice Chair Chico asked if these regulations only pertain to City
CHICO Officials. Assistant City Attorney Guerra clarified that it includes all City Officials and decision makers. He also stated that their financial interest of the project will be considered.

VICE CHAIR CHICO Vice Chair Chico questioned if there is no financial benefit, will it still be considered a conflict of interest. Assistant City Attorney Guerra replied that it also includes a detriment.

VICE CHAIR CHICO Vice Chair Chico asked about the possibility of a detriment being within 500 feet. Assistant City Attorney Guerra stated that whether it has a positive or negative impact, it will still be considered a conflict of interest.

CHAIR TAPIA Chair Tapia asked for further clarification.

ASSISTANT CITY ATTORNEY GUERRA Assistant City Attorney Guerra compared the previous California Fair Political Practices Commission (FPPC) regulations and the new updates. He also provided examples of both regulations.

VICE CHAIR CHICO Vice Chair Chico asked about the appeal process considering that proposed project could possibly be within the 500 to 1000 foot radius and it can take up to six months for an analysis from the FPPC. Assistant City Attorney Guerra replied that the Commissioners will be informed of a proposed project as soon as the application is submitted, therefore, allowing enough time to receive a response from FPPC. He also added that an analysis must be made in order to avoid it being challenged.

COMMISSIONER HARTMAN Commissioner Hartman stated his concern over having no quorum in the case of three commissioners being considered an interest of conflict. Assistant City Attorney Guerra explained that FPPC has a procedure in the case of no quorum. He stated that one of the three exempt commissioners will be selected to have the third vote.

VICE CHAIR CHICO Vice Chair Chico referenced the size of the city and the potential of it being considered a conflict of interest. Assistant City Attorney Guerra stated that FPPC has a financial conflict and the Common Law Bias to be considered when a commissioner must make a determination. Vice Chair Chico replied that the applicant’s project could likely be approved even though it’s detrimental.

ASSISTANT CITY ATTORNEY GUERRA Assistant City Attorney Guerra indicated that the exempt Commissioners have a right under the First Amendment and as members of the public to make any comments during the staff presentation, but will not be allowed to vote. Vice Chair Chico asked if the exempt Commissioners are able to speak about the project to another individual. Assistant City Attorney replied that they continue to have their rights as a citizen.
ASSISTANT CITY ATTORNEY GUERRA
Assistant City Attorney Guerra stated that this regulation is placed so the decision maker is biased about an upcoming project. Vice Chair Chico gave an example of a biased decision and asked why the new update has been approved. Assistant City Attorney Guerra replied that each city has adopted a zoning code that allows certain uses, therefore every decision must adhere what is stated in the code.

VICE CHAIR CHICO
Vice Chair Chico stated that there are still Variances and potential Zone Changes. Assistant City Attorney Guerra replied that the city is in the works of updating the Zoning Code. Vice Chair Chico stated his opinion about the interest of conflict and the decrease in property value.

COMMUNITY DEVELOPMENT MANAGER/CITY PLANNER MARILYN SIMPSON
Community Development Manager/City Planner Simpson reported that when an application is submitted and there is a conflict of interest with a Commissioner, the individual will be excused and they become a citizen/resident and is able to submit comments to staff. She also added that the commissioner will not be identified and the comment will be brought forward as a “concern from a resident”.

VICE CHAIR CHICO
Vice Chair Chico gave an example of a project submittal that is considered a conflict of interest and stated that staff should advise the affected Commissioner, Assistant City Attorney Guerra and begin the analysis with FPPC, otherwise the applicant will receive a response before the analysis from FPPC is complete. Assistant City Attorney Guerra replied that the Commissioner will be notified, but the analysis can be completed a month prior to the Planning Commission meeting.

VICE CHAIR CHICO
Vice Chair Chico stated that a Commissioner needs to be advised if they will be allowed to vote on the upcoming project. Assistant City Attorney Guerra replied that in order for the Commissioner to receive a response, the analysis must be made, but can take months. Commissioner Hartman made a comment in reference to the analysis.

CHAIR TAPIA
Chair Tapia asked if there is a case on file where the requested proposal is easily accepted with the new regulation. Assistant City Attorney Guerra replied that there no such case yet, but the new update is not to facilitate the applicant’s request.

CHAIR TAPIA
Chair Tapia asked why the FPPC updated their regulation. Assistant City Attorney Guerra replied that he will follow up, but believes it could be because 500 to 1000 feet allows flexibility to determine if there is a conflict of interest.

CHAIR TAPIA
Chair Tapia asked how long this has been an issue. Assistant City Attorney Guerra replied that it could be possibly a year or several years.
VICE CHAIR
CHICO
Vice Chair Chico expressed his opinion about benefiting the developer.

COMMISSIONER
BUROLLA
Commissioner Burrola asked if the Zone Change will be made before accepting any more applications from developers. Vice Chair Chico asked if the City Council can issue a moratorium. Community Development Manager/City Planner Simpson stated that there will be a new Zoning Code update and uses will include the following: Permitted by right or conditionally permitted, development standards, and compatibility of uses. She also added that the Zoning Code is the City’s law and the Commissioners will be able to make a decision when the update is brought forward in the future.

CHAIR TAPIA
Chair Tapia suggested staff to create a library that is easily accessible to the public where staff can include what the Commissioner have learned and what the staff has researched. It can be used as reference for Commissioners to look into when there’s a question.

ASSISTANT CITY
ATTORNEY GUERRA
Assistant City Attorney Guerra suggested that if Commissioners believe they are less than 1000 feet away from the proposed project, they are able to get in contact with staff and they will be guided thereafter.

CHAIR TAPIA
Chair Tapia asked if Commissioners own multiple properties, are they able to use either address. Assistant City Attorney Guerra replied that each property is subject to the same regulation. In reference to Vice Chair Tapia’s question, the moratorium can be issues by City Council but it has to be on a use-by-use or area basis. He provided an example of a moratorium.

VICE CHAIR
CHICO
Vice Chair Chico asked if a public hearing is needed for a moratorium. Assistant City Attorney Guerra replied that there is a hearing required before the City Council. He also stated that if one property is targeted, it can cause an issue. Vice Chair Chico added that new rules will be added and have to be obeyed.

ASSISTANT CITY
ATTORNEY GUERRA
Assistant City Attorney Guerra referenced a new a bill that will disregard a cities jurisdiction to regulate certain uses.

CHAIR TAPIA
Chair Tapia shared that Commissioners need to understand what is brought forward. Assistant City Attorney Guerra restated that a Commissioner must abstain if there is a personal bias, is an employee of the developer or new development, or if any contract with the property would affect one’s decision. Community Development Manager/City Planner Simpson added that the zoning code is to be updated and that a moratorium is being considered on certain uses in specific areas based on comments and concerns that have been presented to staff.
COMMISSIONER BURROLA

Commissioner Burrola asked if a third party is being used for the analysis. Community Development Manager/City Planner Simson replied that since the analysis is still in its early stages, it has yet to be determined.

COMMISSIONER COMMENTS

CHAIR TAPIA

Chair Tapia congratulated Assistant City Attorney Guerra on the birth of his newborn.

LEGAL COUNSEL

There were no items to report by legal counsel.

COMMUNITY

Community Development Manager/City Planner Simpson announced that staff will be hosting a second community meeting on Tuesday, June 11th for the Park at Live Oak Specific Plan. She also reported that the San Gabriel Valley Council of Governments (COG) has created a task force to track coyotes that include sightings, near encounters, and attacks. The task force will be brought forward if City Council decides to participate.

COMMUNITY

Community Development Manager/City Planner Simpson introduced City Manager Tam to answer questions regarding the Manning Pit as mentioned in the previous Planning Commission meeting.

VICE CHAIR CHICO

Vice Chair Chico asked when will the Conditional Use Permit be terminated for the Manning Pit. City Manager Tam replied that the Conditional Use Permit ended when the pit was filled to street level. Vice Chair Chico asked if the operators and trucks are no longer on sight. City Manager Tam replied that they have been removed.

CITY MANAGER TAM

City Manager Tam stated a previous question regarding trees placed on sight. He mentioned that the trees on the site were received to plant alongside Irwindale Avenue. The City of Irwindale’s portion of the Manning Pit is being used for City operations.

COMMISSIONER BURROLA

Commissioner Burrola asked how long it took to fill the pit and if it was completed within scheduled time. City Manager Tam replied that it took six to seven years and was not completed as scheduled because there was a recession that affected the amount of fill material available.

VICE CHAIR CHICO

Vice Chair Chico asked if there is a discussion about homes being built at the Manning Pit. City Manager denied any discussion.

COMMISSIONER

Commissioner Burrola asked if a developer is chosen, will they have
BURROLA  the same leasing agreement such as the Olive Pit. City Manager Tam replied that all pits will follow state regulations and added that the library maintains records of every individual pit reclamation.

CHAIR TAPIA  Chair Tapia thanked Community Development Manager/City Planner Simpson for the presentation and thanked staff for the additional time to review the Design Guidelines.

ADJOURNMENT  There being no further business to conduct, the meeting was adjourned at 7:24 p.m.

__________________ _______________
Chair Arthur R. Tapia

Attest:

_________________________________
Berlyn Aguila, Administrative Secretary
Date: September 18, 2019

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP
Community Development Manager/City Planner

Project Planner: Edwin Arreola, Planning Technician

Project: Conditional Use Permit No. 02-2018; Roll-off truck storage yard

Applicant: Jesus Armas, Armas Consulting Group, on behalf of Mauricio Gomez, MGA Roll Off Service Inc.

Property Owner: Mauricio Gomez

Project Location: 15615 Arrow Highway (APN 8619-001-013)
**Staff Recommendation:** That the Planning Commission adopt Resolution No. 769(19) finding the project exempt from the California Environmental Quality Act (CEQA) and approving the proposed Conditional Use Permit subject to the attendant Conditions of Approval.

**REQUEST**
The Applicant is requesting a Conditional Use Permit to operate a roll-off truck storage yard on a property with an existing industrial building.

**LOCATION AND SITE HISTORY**
The subject property is located at 15615 Arrow Highway. It consists of ±0.79 acres (34,493 square feet), occupied by a single ±4,601 square-foot building constructed in 1952. The property is currently unpaved.

The previous use at 15615 Arrow Highway was “Carbide Die and Manufacturing Company”, a carbide die machine shop which ceased operations in 2002. The property has since been vacant and there are no previous entitlements on file.

**GENERAL PLAN AND ZONING**
The site is designated in the General Plan as Industrial/Business Park. The site is currently zoned M-2 (Heavy Manufacturing).

The site is surrounded by the following zones and uses:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Existing Land Use</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Industrial/Warehouse</td>
<td>M-2, Heavy Manufacturing</td>
</tr>
<tr>
<td>South</td>
<td>Fueling Station/Commercial Center</td>
<td>C-2, Heavy Commercial</td>
</tr>
<tr>
<td>East</td>
<td>Industrial/Warehouse</td>
<td>M-2, Heavy Manufacturing</td>
</tr>
<tr>
<td>West</td>
<td>Parking Lot</td>
<td>M-2, Heavy Manufacturing</td>
</tr>
</tbody>
</table>

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

**PROJECT DESCRIPTION**
The Applicant is requesting a Conditional Use Permit to establish a roll-off truck storage yard for 8 roll-off trucks and 18 roll-off containers on the ±34,493 square foot parcel. A roll-off truck is a truck designed to carry rectangular, open-top containers on wheels. The containers are loaded on and off trucks via hydraulic-lifting beds and hooks or cables. As the truck bed is lifted at an angle, the container can be rolled on to the truck or off the truck into place. The roll-off trucks that would be stored on site measure approximately 30 feet long by 8 feet wide. The existing ±4,601 square-foot building would be used as office and storage for items such as maintenance tools, lockers, and truck parts.

Day to day operations would consist of employees arriving each morning, parking their personal vehicles and obtaining a truck to either deliver or pick up a roll-off container. The
majority of MGA Roll Off Service Inc. employees would arrive around 4:00 a.m., depart shortly thereafter to a job site, return around 3:00 p.m., and then depart for the day.

Activity at the project site would also include permitted, light vehicle maintenance, such as oil changes and fluid replacement, inflating tires, replacing damaged tires, and washing out roll-off containers and/or trucks. **No major vehicle repairs or recycling would occur at this project site.**

**Traffic Review**
Due to the location of the proposed project on Arrow Highway, the City of Irwindale put out a request for proposal for a focused site traffic review. KOA Corporation was selected to prepare the traffic review and studied two intersections within the vicinity of the project located at Arrow Highway and Azusa Canyon Road and at Arrow Highway and 4th Street. Traffic impacts were analyzed for weekday morning and weekday afternoon peak-hour periods.

Based on the City’s criteria and KOA’s findings, the project, as proposed by the applicant, would not create significant traffic impacts at any of the study intersections during peak-hours under existing and future project conditions. KOA’s study calculated that the proposed project would generate a net total of 49 daily trips, including 25 vehicle trips during the morning peak-hour and 25 vehicle trips during the afternoon peak-hour.

Additionally, KOA prepared a truck-turning template for access and circulation within the site. Full ingress and egress access would be provided by the existing driveway on Arrow Highway. The truck-turning template indicates that there is sufficient spacing for trucks to maneuver within the site. The template also indicates that there is sufficient access into the site. Furthermore, to prevent any queuing from occurring on Arrow Highway, a condition of approval has been included requiring an automatic gate opener for the front gate to the property via sensor or remote control.

**Noise Analysis**
The City of Irwindale also requested a project noise impact analysis prepared by Terry A. Hayes Associates Inc. (TAHA). Noise monitoring equipment was left on the property for a 24-hour period. Furthermore, reference noise levels for roll-off container trucks were measured for back-up alarms, engine noise and unloading of containers. The study determined that operation of the proposed project would not exceed the City’s noise standards. Noise levels at adjacent property lines were well under the ambient noise thresholds per the Irwindale Municipal Code. Additionally, new masonry block walls proposed on the southern and western property lines will provide additional noise barriers.

**Parking**
The Code requirement for the proposed use is four (4) spaces for office and storage uses. The applicant is proposing six (6) spaces on site, four (4) standard spaces and two (2) handicap spaces, along with eight (8) spaces for roll-off truck parking. Additionally, there will be ten (10) designated storage locations for roll-off containers. Parking requirements and parking provided for the proposed project are summarized below:

<table>
<thead>
<tr>
<th>Use</th>
<th>Square Footage</th>
<th>Required Parking Ratio</th>
<th>Total Required</th>
<th>Total Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Storage</td>
<td>3,118.96</td>
<td>1/1000 sf</td>
<td>3.12</td>
<td>X</td>
</tr>
<tr>
<td>Office</td>
<td>226.19</td>
<td>1/350 sf</td>
<td>0.65</td>
<td>X</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>4</td>
<td>6</td>
</tr>
</tbody>
</table>
**Landscaping**
The site plan indicates new landscaped areas along the side of the existing building and the front of the property for a total of 3,809 square feet of landscaping or 11% of the total lot size.

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

A. That the site for the proposed use is adequate in size and shape.

   The site is a rectangular-shaped, ±34,493 square-foot parcel with approximately 13% of the site occupied by an existing industrial building. The majority of the site is vacant open area suitable for providing adequate on-site circulation, as determined by the truck-turning template, parking for the proposed amount of roll-off trucks and storage of roll-off containers.

B. That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.

   Ingress and egress is provided by a single, 30’ wide driveway off Arrow Highway. The proposed use will generate limited and periodic additional traffic. The site provides adequate parking and on-site circulation for vehicles. Based on the City’s criteria and KOA’s traffic analysis, the project would not create significant traffic impacts during peak-hours under existing and future project conditions.

C. That the proposed use will not have an adverse effect upon adjacent property.

   As proposed, the roll-off truck storage yard will not have an adverse effect on adjacent properties that include manufacturing, auto repair, fuel station, and commercial uses. The proposed use is adjacent to various industrial uses on the north side of Arrow Highway and is in the M-2 (Heavy Manufacturing) zone. The proposed use is expected to have minimal activity throughout the day on site. Therefore, the impact of the facility on surrounding properties is expected to be insignificant.

**CONCLUSION**
That the Planning Commission take the following action:

1. Adopt Resolution No. 769(19) approving Conditional Use Permit No. 02-2018, subject to the proposed Conditions of Approval to permit the proposed improvements as presented herein.

**Alternative Actions:**
2. Request that staff prepare a resolution of denial based on recommended Findings of Fact to be brought back at the next regularly scheduled Planning Commission meeting for adoption; OR

3. Request that the applicant revise the project and continue the hearing to a date certain.
ATTACHMENTS
Exhibit A: Resolution No. 769(19) with Conditions of Approval
Exhibit B: Site Plan/Floor Plan
Exhibit C: Traffic Impact & Noise Study
RESOLUTION NO. 769(19)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE
APPROVING CONDITIONAL USE PERMIT NO. 02-2018 FOR THE ESTABLISHMENT
OF A ROLL-OFF TRUCK STORAGE YARD FOR PROPERTY LOCATED AT 15615
ARROW HIGHWAY, IRWINDALE, CA 91706 IN THE M-2 (HEAVY MANUFACTURING)
ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING
FINDINGS IN SUPPORT THEREOF, AND FINDING THAT THE PROJECT IS EXEMPT
FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

A. RECITALS.

(i) Jesus Armas (Armas Consulting Group), on behalf of Mauricio Gomez (MGA
Roll Off Service Inc.), 2004 West Lincoln Avenue, Montebello, CA 90640, the
Applicant, has made a request for a Conditional Use Permit pursuant to
Subsection 17.56.020(39) of the Irwindale Municipal Code (IMC) to operate a
roll-off truck storage yard.

(ii) The Subject Property is located at 15615 Arrow Highway (APN 8619-001-
013). The Subject Property is zoned M-2 (Heavy Manufacturing). Hereinafter
in this Resolution, the subject Conditional Use Permit shall be referred to as
the “Application.”

(iii) On September 18, 2019, the Irwindale Planning Commission conducted a duly
noticed public hearing, as required by law, on the Application, closed the public
hearing and approved the Conditional Use Permit, which details the specific
Conditions under which the Application was approved.

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

B. RESOLUTION.

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

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

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

A. That the site for the proposed use is adequate in size and shape.
The site is a rectangular-shaped, ±34,493 square-foot parcel with approximately 13% of the site occupied by an existing industrial building. The majority of the site is vacant open area suitable for providing adequate on-site circulation, as determined by the truck-turning template, parking for the proposed amount of roll-off trucks and storage of roll-off containers.

B. That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.

Ingress and egress is provided by a single, 30' wide driveway off Arrow Highway. The proposed use will generate limited and periodic additional traffic. The site provides adequate parking and on-site circulation for vehicles. Based on the City’s criteria and KOA’s traffic analysis, the project would not create significant traffic impacts during peak-hours under existing and future project conditions.

C. That the proposed use will not have an adverse effect upon adjacent property.

The proposed roll-off truck storage yard will not have an adverse effect on adjacent properties that include manufacturing, auto repair, fuel station, and commercial uses. The proposed use is adjacent to various industrial uses on the north side of Arrow Highway and is in the M-2 (Heavy Manufacturing) zone. The proposed use is expected to have minimal activity throughout the day on site. Therefore, the impact of the facility on surrounding properties is expected to be insignificant.

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

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

5. The Secretary shall:

a. Certify to the adoption of this Resolution; and

b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.
ADOPTED AND APPROVED this 18th day of September 2019.

Chair

ATTEST:

Secretary

I, Marilyn Simpson, AICP, 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 18th day of September 2019, by the following vote:

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

Secretary
EXHIBIT “A”

PLANNING COMMISSION RESOLUTION NO. 769(19)

Conditional Use Permit No. 02-2018
MGA Roll Off Service Inc.
15615 Arrow Highway (APN 8619-001-013)

FINAL CONDITIONS OF APPROVAL

A. GENERAL CONDITIONS

1. The activities authorized by this Conditional Use Permit are for the operation of a roll-off truck storage yard, which shall commence within twelve (12) months from the date of approval. Thereafter, if the activities have been abandoned for ninety (90) or more days, the Conditional Use Permit approval shall expire and become null and void, unless a written request for extension is received by the Community Development Manager/City Planner at least thirty (30) days prior to such expiration or abandonment. The granting body, upon good cause shown by the Applicant, may extend the time limitations imposed by this section for a period not to exceed one (1) year.

2. The Applicant shall agree and consent, in writing, to each and every condition of permit approval set forth herein within twenty (20) days from the adoption of this Resolution by the Planning Commission approving the Conditional Use Permit.

3. The signed Final Conditions of Approval shall be photocopied and included as a sheet in any plans submitted for tenant improvements.

4. Plans for any proposed site improvements shall be submitted to the City of Irwindale Building Department and Los Angeles County Fire Department for review and approval prior to the issuance of Building Permits.

5. All graffiti shall be adequately and completely removed or painted over within 48 hours of notification by the City of Irwindale.

6. This Conditional Use Permit may be revoked for any violation of or noncompliance with any of these conditions or other codes, regulations of standards enforced by or beneficial to the City of Irwindale in accordance with IMC Section 17.80.140.

7. The Applicant shall defend, indemnify and hold harmless the City of Irwindale, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 02-2018 and/or the environmental
review thereof. The City will promptly notify the permittee of any such claim, action or proceeding against the City and will cooperate fully in the defense.

8. City inspectors shall have access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes with a 48-hour notification to MGA Roll Off Service Inc., or current business owner, to ensure complete accessibility.

9. The facility and use thereof shall be maintained in full compliance with all codes, standards, policies and regulations imposed by the City, County, State or Federal agencies with jurisdiction over the facility.

10. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permit for this project.

11. Upon receipt of a complaint related to any condition of approval imposed by this Conditional Use Permit, the City shall notify the Applicant of the alleged violation, and the Applicant shall commence to cure within ten (10) days after the receipt of the notice.

12. The Subject Site shall be maintained free and clear of any accumulations of trash, debris, waste, and combustible and/or flammable materials, other than the related materials specifically authorized under this Conditional Use Permit.

13. All industry standard practices shall be adopted to control dust and odor.

14. The business operator shall obtain a City of Irwindale occupancy permit and business license within thirty (30) days of approval of this Conditional Use Permit.

15. The use and site improvements authorized by this Conditional Use Permit shall conform to the plans as finally approved by the City as conditioned herein, and any appreciable modification as determined by the Community Development Manager/City Planner shall require the prior approval of the Planning Commission.

B. COMMUNITY DEVELOPMENT DEPARTMENT

1. The project shall substantially conform to submitted plans date-stamped September 11, 2019, except as modified herein. Future modifications that are not in substantial conformance, as determined by the Community Development Manager/City Planner, shall require modification of this approval subject to the provisions of IMC Section 17.80.160 “Modification.”

2. This Conditional Use Permit is for the authorization to operate a roll-off truck storage yard for eight (8) roll-off trucks and eighteen (18) roll-off containers only. Major vehicle repairs or recycling are prohibited on site. Any additional truck(s) or
roll-off container(s) to be operated on the property shall require an amendment to this Conditional Use Permit.

3. The hours of operation for the approved use shall be 3:30 A.M. to 4:30 P.M. of each day, seven (7) days per week.

4. Any proposed expansion or intensification of the use shall be subject to a modification of this CUP.

5. No overnight storage of materials or waste on site or within the roll-off containers shall be permitted at any time. This prohibition includes, but is not limited to, hazardous materials such as tires, freon appliances, televisions, paint, asbestos, batteries, oils, fuels, and tar-treated railroad ties.

6. Any proposed subleasing of the property to additional tenants shall be reviewed by staff prior to subleasing, and is subject to all City requirements, including, but not limited to, the Irwindale Municipal Code, the issuance of an occupancy permit and business license.

7. All portions of the site not occupied by buildings or landscaping shall be paved with either asphalt or concrete in accordance with the standards of the Public Works Department prior to issuance of an occupancy permit.

8. Parking lot asphalt shall be not allowed to enter a state of disrepair. Any portion of asphalt found in disrepair shall be repaired, patched, and resurfaced in accordance with the standards of the Public Works Department.

9. A solid, view-obscuring masonry wall shall be constructed along the southern and western property lines not less than six, nor more than eight feet in height prior to issuance of an occupancy permit.

10. The access driveway shall have a front gate that automatically opens via sensor or remote control for all employees and customers. The automatic gate shall comply with all City and Los Angeles County Fire Department requirements.

11. All masonry walls and driveway gates shall be decorative consistent with the building design and the Commercial and Industrial Design Guidelines. The design of the walls and gates shall be subject to the review and approval of the Community Development Department. No chain link fencing shall be allowed for permanent perimeter fencing applications.

12. All truck parking and container storage areas shall be striped.

13. All approved business operations on-site shall have an Occupancy Permit and Business License prior to commencing operations.
14. At least 10 percent of the total gross land area of the site (in this case, 3,450 square feet) shall be landscaped. All landscaping shall be maintained in good condition at all times, including but not limited to, the replacement of any damaged foliage and replanting, as necessary. It shall be maintained in good and healthy condition and replaced if damaged, unhealthy or dead.

15. No parking or storage of trucks and/or containers shall be allowed within any designated standard/handicap parking areas or drive aisles.

16. Applicant shall at all times comply with the Irwindale Municipal Code Noise Standards (as may be amended) as measured at the Site boundary. Additionally, if noise impacts exceed the applicable noise standard contained in the Irwindale Municipal Code, Applicant shall take necessary actions and implement procedures to bring the operations into compliance with this Code.

17. A covered trash enclosure shall be constructed.

18. All signs proposed for the project site shall conform to the requirements of IMC Section 17.56.050, “Signs.”

19. A final inspection conducted by the Community Development Department shall be required.

C. PUBLIC WORKS/ENGINEERING

1. Adequate “on-site” parking shall be provided per City requirements.

2. Common driveways shall not be allowed unless approved by the City Engineer. Proposed driveways shall be located clear of existing fire hydrants, street lights, water meters, etc.

3. All off-site improvements within the Public Right-of-Way shall be performed in accordance with City Standards and to the satisfaction of the City Engineer.

4. A 10-foot roadway easement +/-63 ft. easterly along the frontage of the property on Arrow Highway shall be dedicated to the City of Irwindale.

5. The owner/developer shall remove the existing driveway approach on Arrow Highway and install a new ADA-compliant driveway approach per City Inspector direction.

6. The owner/developer shall install an automatic driveway gate and provide sufficient space that will prevent truck queuing along Arrow Highway. Truck queuing and truck maneuvering within the public streets will not be allowed on Arrow Hwy.
7. The site shall be limited to eight (8) trucks that can be used for the on-site operations planned.

8. Storm drain grates at driveway shall be upgraded to bicycle safe storm drain grates. Damaged concrete catch basin to be repaired as directed by the City Engineer.

9. The owner/developer shall remove and reconstruct all curb and gutter along frontage of property on Arrow Highway.

10. The owner/developer shall remove and reconstruct damaged or deficient sidewalk and curb ramps as directed by the City Engineer.

11. The owner/developer shall bear the full cost of design, engineering, installation and inspection for one (1) new street light on Arrow Highway at the frontage of property. Street lighting shall meet the City of Irwindale Design Standards.

12. All existing buildings shall be connected to the sanitary sewers.

13. The owner/developer shall comply with all requirements of the County Sanitation District, make application for and pay the sewer maintenance fee.

14. Storm drains, catch basins, connector pipes, and appurtenances for the site specific storm drain system shall be designed and constructed in accordance with Los Angeles County standards and the City Engineer’s requirements. The owner/developer shall submit grading and drainage plans to the City Engineer for review and approval. The grading and drainage plans shall be prepared by a licensed civil engineer and comply with Los Angeles County grading permit requirements. A hydrology study shall be included with the drainage plan.

15. The owner/developer shall pay the connection fee upon application for storm water connection to the County of Los Angeles system.

16. The owner and/or developer shall design and construct a landscaped parkway (minimum 10-foot width) along the Arrow Highway street frontage as directed by the Public Works Services Manager.

17. A landscape irrigation system shall be installed within the public right-of-way along Arrow Highway, subject to the Public Works Services Manager’s approval. Separate meter(s) shall be installed to accommodate the connection of the irrigation system.

18. Fire hydrants shall be installed as required by the Fire Department. Existing public fire hydrants adjacent to the site, if any, shall be upgraded if required by the City Engineer.
19. Prior to issuance of grading permits, a grading and drainage plan shall be submitted for approval to the City Engineer. The owner/developer shall pay drainage review fees in conjunction with this submittal. A professional civil engineer registered in the State of California shall prepare the grading and drainage plan.

20. The owner/developer shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMPs) on all construction sites in accordance with the City Code. The owner/developer will also be required to submit a Certification for the project and may be required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Projects over five acres in size will be required to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB). The owner/developer can obtain the current application packet by contacting the SWRCB, Construction Storm Water Unit, at (866) 563-3107 or by downloading the forms from their website at: www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml. The project shall also conform to the City’s Ordinance regarding the requirements for the submittal of a Standard Urban Storm Water Mitigation Plan (“SUSMP”), and the requirements of Low Impact Development (“LID”). The SUSMP includes a requirement to implement Post Construction BMPs to infiltrate the first 3/4” of runoff from all storm events and to control peak-flow discharges.

21. Unless exempted by the Los Angeles Regional Water Quality Control Board, a Covenant and Restriction ensuring the provisions of the approved SWPPP shall also be required.

D. BUILDING AND SAFETY

1. Building permits shall be obtained from the Building and Safety Division for any building modifications and all construction shall be in compliance with the current Irwindale Building Code.

2. The Applicant shall submit site, floor, elevation plans that include all Life & Safety and Accessibility requirements as required by the current Los Angeles County Building Code for any proposed improvements to the existing facility. Any applicable Building plans must contain the following items in order to be submitted for plan check:

   a. Site Plan: Lot size, locations and dimensions of property lines, adjacent streets, setbacks from property lines, locations of other structures, easements, contours/drainage pattern.

   b. General Notes: Applicable codes, occupancy classification, type of construction, allowable area analysis, and occupant load analysis, plumbing fixture analysis,
description of work, lot area, existing/proposed building area, material specifications.

c. **Floor Plans:** Walls, partitions, doors and window locations and schedule, existing and intended room uses. Floor plan must identify all existing and new construction for all affected floors.

d. Indicate height of proposed CMU walls – engineering may be required.

e. **Cross Sections:** Full height and width, indicating framing, foundation (if applicable).

f. **Foundation Plan:** Locations of all new footings, anchor bolt and hold-down schedules, complete foundation details (if applicable).

g. **Structural Analysis:** Calculations shall be provided to substantiate the structural plans where new block wall structural calculations shall address both vertical and lateral forces and shall be wet stamped and signed by a licensed engineer or architect registered in the state of California (if applicable).

h. **Details:** Complete framing and foundation details for new structural elements (if applicable).

i. **Disabled Access Requirements:** Complete path of travel, parking spaces, ramps, curbs, counters, etc. All details must be cross referenced on the plan.

   1. Accessible path of travel from public right of way and accessible parking stall to building entrance. Place accessible parking stalls shortest distance to building entrance.

   2. Accessible path of travel shall not exceed 2.08% in any direction (swale shown on plans). Accessible parking stall (van and standard) dimensions shall comply with Chapter 11B: Section 208 and Division 5 of 2018 LA County Building Code.

   3. Parking sign identification required, additional signs.

   4. Ensure accessible parking stalls are arranged so that persons using the stalls are not required to travel behind parking spaces on their own.

j. **Agency referral** form given at time of initial submittal to Building and Safety.

E. **FIRE DEPARTMENT**

1. Any new building construction shall require plans to be submitted to the Fire Prevention Engineering Office located at 231 W. Mountain Avenue, Glendora CA 91741. The plans shall include fire access, hydrant location, fire flow availability and life safety information. Plans shall include the project address, assessor's parcel number, type of construction, and occupancy classification.

2. Provide a drive aisle with a minimum unobstructed width of 26 feet “clear to sky”.