

SUPPLEMENTAL REPORT TO THE REGIONAL PLANNING COMMISSION

DATE ISSUED:	September 21, 2023	
HEARING DATE:	September 27, 2023	AGENDA ITEM: 6
PROJECT NUMBER:	PRJ2020-001386-(1)	
PERMIT NUMBER(S):	Tentative Tract Map No. 83183 (RPPL2020004447) Conditional Use Permit ("CUP") No. RPPL2021005384 Environmental Assessment No. RPPL2020004450	
SUPERVISORIAL DISTRICT:	1	
PROJECT LOCATION:	16209 East San Bernardino Road, East Irwindale	
OWNER/APPLICANT:	MLC Holdings, Inc. c/o Aaron Talarico	
PUBLIC MEETINGS HELD:	5 OF 5	
INCLUSIONARY HOUSING ORDINANCE ("IHO"):	The Project is not subject to the IHO because it was deemed complete prior to the IHO effective date.	
CASE PLANNER:	Erica G. Aguirre, AICP, Principal Planner eaguirre@planning.lacounty.gov	

The purpose of this supplemental report is to make some minor corrections and clarifications to the hearing package issued on September 13, 2023.

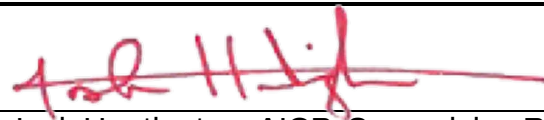
The Project description in the Project Summary (Exhibit B) and on page 2 of 11 in the Staff Analysis incorrectly characterized the open space area, stating it includes 35,780 square feet of landscaping. The open space area for the project is approximately 98,233 square feet total, which includes 35,780 square feet of programmed amenity areas and 62,443 square feet of landscaping, which is to be maintained by the Homeowner's Association. Therefore, it was corrected in this supplemental report.

Additionally, Finding No. 40 in the Draft Findings for the Tentative Tract Map and Finding No. 35 in the Draft Findings for the CUP (Exhibit C) were edited for clarity.

Staff has not received any additional comments at the time of preparation of this supplemental report.

Report

Reviewed By:



Josh Huntington, AICP, Supervising Regional Planner

Report

Approved By:



Susie Tae, AICP, Assistant Administrator

LIST OF ATTACHED EXHIBITS	
EXHIBIT B	Updated Project Summary
EXHIBIT C	Updated Findings



PROJECT SUMMARY

OWNER / APPLICANT

MLC Holdings, Inc., c/o Aaron Talarico

PROJECT NUMBER

PRJ2020-001386-(1)

HEARING DATE

9/27/2023

REQUESTED ENTITLEMENT(S)

Tentative Tract Map No. 83183 (RPPL2020004447)
("TM83183")

Conditional Use Permit ("CUP") No. RPPL2021005384

Environmental Assessment No. RPPL2020004450

MAP/EXHIBIT DATE

8/17/2021

PROJECT OVERVIEW

The proposed project includes 68 detached condominium units, 179 parking spaces (136 covered and 43 uncovered), internal private driveways and fire lanes, two common open space areas with landscaping and stormwater infrastructure, totaling 98,233 square feet on one multifamily lot that is 9.61 gross (9.5 net) acres ("Project"). All units would be a maximum of two stories and 25 feet high, ranging in size from 1,677 to 2,300 square feet, and include private front and rear yard areas. Each unit includes an attached two-car garage. The Project includes 43 on-site uncovered guest parking spaces, including three accessible (ADA) parking spaces. The 26-foot-wide internal private driveways and fire lanes provide direct access from San Bernardino Road to all units. Other Project features include an internal five-foot-wide walkway, six short-term bicycle parking spaces and 34 long-term bicycle parking spaces, and 231 new trees. The Project includes a CUP for on-site project grading totaling 196,868 cubic yards ("cy"), including 98,434 cy cut and 98,434 cy fill. The Project Site was a former elementary school, the Griswold School, and is currently vacant.

LOCATION

16209 East San Bernardino Road, Irwindale

ACCESS

East San Bernardino Road

ASSESSORS PARCEL NUMBER

8435-006-014

SITE AREA

9.61 gross acres (9.5 net acres)

GENERAL PLAN / LOCAL PLAN

General Plan

ZONED DISTRICT

East Irwindale

LAND USE DESIGNATION

P (Public and Semi-Public), surrounded by H9 (Residential
9 – 0 to 9 Dwelling Units Per Net Acre)

ZONE

A-1-6,000 (Light Agricultural – 6,000 Square Feet Minimum
Required Lot Area)

PROPOSED UNITS

68

MAX DENSITY/UNITS

87 Units based on
surrounding H9 category

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION

An Environmental Impact Report (EIR) including the Final EIR, Draft EIR, Mitigation Monitoring and Reporting Program (MMRP), CEQA Findings of Fact, and a Statement of Overriding Considerations, has been prepared for this project pursuant to the California Environmental Quality Act (*Cal. Pub. Res. Code* §§ 21000, et seq.). The Final EIR identifies transportation impacts for the Project as significant and unavoidable after mitigation. The MMRP also includes mitigation measures for the following environmental topic areas: Biological Resources, Cultural and Paleontological Resources, Hazards and Hazardous Materials, Noise, Tribal Cultural Resources, and Utilities and Service Systems, resulting in less than significant impacts, also noting compliance with plan, programs, and policies in relation to Air Quality, Hazards and Hazardous Materials, and Hydrology and Water Quality.

KEY ISSUES

- Consistency with the General Plan
- Satisfaction of the following portions of Title 21 and 22 of the Los Angeles County Code:
 - Chapter 21.40 (Tentative Maps)
 - Section 22.158.050 (CUP, Findings and Decision)
 - Section 22.16.030 (Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W)
 - Section 22.16.050 (Development Standards for A-1 and A-2)

CASE PLANNER:

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LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
PROJECT NO. PRJ2020-001385-(1)
TENTATIVE TRACT MAP NO. 83183 (RPPL2020004447)

RECITALS

1. **HEARING DATE.** The Los Angeles County (“County”) Regional Planning Commission (“Commission”) conducted a duly-noticed public hearing on September 27, 2023, in the matter of Project No. PRJ2020-001385-(1), consisting of Tentative Tract Map No. 83183 (RPPL2020004447) (“TR83183”). TR83183 was considered together with Conditional Use Permit (“CUP”) No. RPPL2021005384, and Environmental Assessment No. RPPL2020004450, and referred to collectively as the “Project”.
2. **ENTITLEMENT REQUESTED.** The subdivider, MLC Holdings, Inc., c/o Aaron Talarico, ("subdivider"), requests TR83183 to create one multi-family lot with 68 detached condominium units on 9.61 gross acres (9.5 net acres) (“Project”) located at 16209 East San Bernardino Road in the unincorporated community of Irwindale ("Project Site") pursuant to County Code Chapter 21.40 (Tentative Maps).
3. **ENTITLEMENTS REQUESTOR.** Unless otherwise apparent from the context, subdivider or successor in interest (“subdivider”) shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
4. **RELATED ENTITLEMENT.** The CUP is a related request to authorize on-site project grading exceeding 100,000 cubic yards pursuant to County Code Sections 22.16.030 (Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W), 22.140.240 (Grading Projects), and 22.158.050 (CUP, Findings and Decision).
5. **LAND USE DESIGNATION.** The Project Site is located within the P (Public and Semi-Public) land use category of the General Plan, which defers to a compatible density with the surrounding development in the event that the public or semi-public mapped use or facility is terminated. The Project density is approximately seven units per acre, which is just below the maximum allowed density permitted by the H9 (Residential 9, 0 to 9 Dwelling Units per Acre) land use designation consistent with the surrounding properties.
6. **ZONING.** The Project Site is located in the East Irwindale Zoned District and the East San Gabriel Valley Planning Area and is currently zoned A-1-6,0000 (Light Agricultural - 6,000 Square Feet Minimum Required Lot Area).

7. SURROUNDING LAND USES AND ZONING.

LOCATION	GENERAL PLAN LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	P	A-1-6,000	Vacant lot; former elementary school

NORTH	H9	A-1-6,000	Single-family residences
EAST	H9, P, and CG (General Commercial)	A-1-6,000, C-1 (Restricted Business)	Single-family residences
SOUTH	H9	A-1-6,000	Single-family residences
WEST	H9 and P	A-1-6,000	Single-family residences

8. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is a 9.61-gross acre (9.5-net acre) parcel and consists of one legal lot. The Project Site is rectangular in shape with flat topography and is currently vacant with no buildings, previously developed as an elementary school.

B. Site Access and Circulation

The Project Site is accessible via East San Bernardino Road, a 122-foot-wide existing Secondary Highway on the County Master Plan of Highways, to the south. Access to the Project Site will be via an ungated entrance/exit on the southwest portion of the Project Site from East San Bernardino Road. This connects to an internal network of 26-foot-wide private driveway and fire lanes. The Project includes a five-foot-wide walkway throughout the Project Site, providing direct access to all units. The Project also includes a new sidewalk along the southern portion of the Project Site along East San Bernardino Road. The internal walkways and sidewalk enhance pedestrian connectivity.

C. Tentative and Exhibit Maps

The Tentative Tract Map dated August 17, 2021 depicts one parcel of 9.61 gross acres (9.5 net acres) in size with 68 building pads and a network of private driveway and fire lanes.

The Exhibit Map/Exhibit "A" dated August 17, 2021 depicts 68 detached condominium units. All units would be a maximum of two stories and 25 feet high, range in size from 1,677 to 2,300 square feet, and include private front and rear yard areas. Each proposed unit includes an attached two-car garage for 136 covered parking spaces total. The Exhibit Map/Exhibit "A" also depicts 43 on-street, uncovered guest parking spaces, including three accessible (ADA) parking spaces. The internal network of 26-foot-wide private driveways and fire lanes provide direct access to all units.

The Project includes two open space areas that will remain open to the public. The main open space area located at the south end of the Project Site would include a playground, lawn area with bench seating, and short-term bicycle parking. A secondary landscaped open space area is proposed along the north end of the Project Site adjacent to the Metrolink line and is designed for passive recreation.

The Project also includes a designated on-site area adjacent to East San Bernardino Road would be developed with a bioswale buffer, including underground biofiltration basins and landscaping. This is a separate landscaped area that serves as a buffer along East San Bernardino Road.

Other Project features include an internal five-foot-wide walkway to enhance pedestrian connectivity, six short-term bicycle parking spaces, and 34 long-term bicycle parking spaces, and 231 new trees. The total proposed grading for the Project is 196,868 cubic yards (“cy”) including 98,434 cy cut and 98,434 cy fill, which will be balanced on-site.

D. Affordable Housing and the Housing Crisis Act (SB330)

This Project is not providing an affordable component. The Project is not subject to the Inclusionary Housing Ordinance (“IHO”) as it was deemed complete and vested pursuant to SB330 on October 24, 2020 prior to the IHO effective date, which is December 10, 2020

E. Parking

The Project will provide a total of 179 parking spaces. Each proposed unit includes an attached two-car garage for 136 covered parking spaces total. The Project also includes 43 on-street, uncovered guest parking spaces, including three accessible (ADA) parking spaces.

F. Internal Circulation

Vehicular internal circulation and access for the Project will be provided by a network of 26-foot-wide private driveway and fire lanes providing direct access to all units. The Project also includes an internal five-foot-wide walkway for pedestrian use.

G. Condominium Project

The Project proposes 68 detached condominium units on one multi-family lot. Pursuant to the Subdivision Map Act, condominium units may be leased or sold. Renters of condominium units may not receive sufficient notification when an owner decides to sell the units. In order to provide renters proper notification, notification will be required 180 days prior to termination of tenancy in the event the condominium units are first leased and then later sold.

9. **CEQA DETERMINATION.**

Environmental Impact Report (“EIR”)

County Department of Regional Planning (“LA County Planning”) Staff has determined through an Initial Study and identified in the Notice of Preparation (NOP) sent to agencies on January 25, 2022, that an EIR was necessary for the Project. It is important to note that the school buildings were vacated approximately five years ago. However, since the time of the publication of the NOP for the Draft EIR, the school buildings were damaged in a fire. As a result, the school buildings were demolished to eliminate public health and safety hazards related to the unsafe condition of the school buildings.

Pursuant to 14 California Code of Regulations Section 15000 et seq. ("State CEQA Guidelines"), specifically, Section 15125, the environmental baseline for the Draft EIR is the date the NOP was published. As of this date, the school buildings were vacant but intact. As such, the Draft EIR environmental baseline condition assumed the school buildings as vacant but intact.

The Draft EIR was released for a 45-day public review period from June 8 to July 24, 2023, and publicized as required with a Notice of Completion and Availability, pursuant to CEQA. There were no comments submitted on the Draft EIR from the general public, however, LA County Planning did receive comment letters from the County Sheriff and County Library as well as from the California Department of Transportation. As a result of these comments, the Project will be conditioned to enhance the existing crosswalk on East San Bernardino Road with in-road warning lights and signage as well as to provide proof of payment of the required library facilities mitigation fee. However, there were no changes to the Draft EIR or Mitigation Monitoring and Reporting Program (MMRP) as a result of these comments.

The Initial Study found that the following areas required no further environmental review as they did not have the potential to cause significant impacts without any mitigation measures:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Wildfire

The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the MMRP prepared for the Project. Mitigation measures are included for the following environmental topic areas:

- Biological Resources
- Cultural / Paleontological Resources
- Hazards and Hazardous Materials
- Noise
- Tribal Cultural Resources
- Utilities and Services Systems

The MMRP also notes compliance with plan, programs, and policies in relation to Air Quality, Hazards/Hazardous Materials, and Hydrology and Water Quality.

Potentially Significant Environmental Impacts: Transportation and Traffic

The only area of potential significant environmental impact identified in the Draft EIR is Transportation and Traffic. As identified in the Draft EIR, after implementation of the required mitigation measures, the Project would result in significant adverse impacts to the environment. The Project-generated vehicle miles traveled ("VMT") exceeds the County's baseline threshold by 48.04%. Under the 2010 Quantifying Greenhouse Gas Mitigation Measures California Air Pollution Control Officers Association Manual

guidance for projects in suburban areas, the global maximum project VMT reduction is 15%. The implementation of proposed transportation demand management strategies would not reduce Project-generated VMT to a less than significant level. The Project includes one mitigation measure to provide a ride-share program, as well as two project design features including bicycle parking, and sidewalk connectivity; however, this does not reduce the Project VMT to levels that are less than significant. As such, transportation impacts for the Project are significant and unavoidable.

Findings of Fact, and a Statement of Overriding Considerations (“SOC”)

Staff recommends the adoption of a CEQA Findings of Fact and SOC. An SOC is required to allow the approval of the Project in light of the above-identified remaining significant and unavoidable impact for Transportation and Traffic, and demonstrates that the benefits and the value of the Project outweigh its impacts. The CEQA Findings and SOC outline the benefits and value of the Project in greater detail, confirming that the Project outweighs the remaining significant impacts of the Project after all proposed mitigation has been implemented. The benefits of the Project include the provision of 68 new detached residential dwelling units as part of an infill development on an underutilized parcel in an urbanized and built-out area. The Project design features for the Project ensure that the Project is compatible with the surrounding residential neighborhood, which consists of mostly single-family homes. Finally, the provision of much-needed housing helps the County meet its Regional Housing Needs Allocation goals pursuant to California State law and the County General Plan Housing Element. The Final EIR includes the Initial Study and Draft EIR, mitigation measures, responses to comments received during the Draft EIR review period, the Findings of Fact, and a Statement of Overriding Considerations. The Final EIR is included along with this report (Exhibit F – Environmental Determination).

10. **COMMUNITY OUTREACH.** On the evening of December 14, 2022, prior to the Commission’s public hearing on the Project, the subdivider held a community meeting for the Project at Bethany Church in West Covina. The meeting was publicized with a flyer in both English and Spanish and sent to the owner addresses within 500-feet of the Property Site. Eleven community members attended this meeting. Attendees seemed generally supportive of the Project, but raised concerns about traffic, privacy, wildlife, dust during construction, and concerns about rising home prices, and gentrification.
11. **PUBLIC COMMENTS.** Staff received one comment letter from L.A. Metro on September 11, 2023, and incorporated the letter and recommended conditions of approval into the project conditions. No other comments were received at the time of report preparation.
12. **AGENCY RECOMMENDATIONS.**
 - A. County Subdivision Committee, consisting of LA County Planning and County Departments of Public Works, Fire, Parks and Recreation, and Public Health, recommended approval of Tentative Tract Map dated August 17, 2021.

B. As part of the Draft EIR public comment period, County Sheriff and County Library as well as the California Department of Transportation, in letters dated July 21, 2023, July 27, 2023, and July 25, 2023, respectively, provided additional comments. These comments are addressed in the response to comments in the Final EIR.

C. L.A. Metro, in a letter dated September 11, 2023, provided comments and recommended conditions of approval for the Project.

13. **LEGAL NOTIFICATION.** Pursuant to Sections 21.16.070 (Notice of Public hearing) and 21.16.075 (Posting), of the County Code, the community was properly notified of the public hearing by mail, newspaper, San Gabriel Valley Tribune, and property posting. Additionally, the Project notice and case materials were posted on LA County Planning's website. On Thursday, August 24, 2023, a total of 254 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 60 notices to those on the courtesy mailing list for the East Irwindale Zoned District and to additional interested parties, including those notified as part of the environmental review process.

14. **HEARING PROCEEDINGS.** *Reserved.*

GENERAL PLAN CONSISTENCY FINDINGS

15. **LAND USE POLICY.** The Commission finds that the Project is consistent with the goals and policies of the General Plan and with the P land use designation. The P land use designation is intended for public and semi-public facilities and community-serving uses, such as schools, hospitals, and parks. In the event that these uses are terminated, alternative uses that are compatible with the surrounding development and in keeping with the community character, are permitted. Most of the surrounding area has a land use designation of H9, accommodating single-family residences and low-to-medium density housing, and has been built out accordingly. The Commission further finds that the proposed condominium Project is a compatible housing development in keeping with the existing community character and intent of the land use designation as detached units are proposed and designed with private yard areas similar to single-family residential development.

16. **GOALS AND POLICIES.** The Commission finds that the Project is consistent with the following policies of the General Plan:

The following goals and policies of the General Plan are applicable to the proposed Project:

- *Goal LU 3: A development pattern that discourages sprawl, and protects and conserves areas with natural resources and Significant Ecological Areas ("SEA").*
 - *Policy LU 3.3: "Discourage development in undeveloped areas where infrastructure and public services do not exist, or where no major infrastructure projects are planned."*

- *Goal LU 4: Infill development and redevelopment that strengthens and enhances communities.*
 - *Policy LU 4.1: “Encourage infill development in urban and suburban areas on vacant, underutilized, and/or brownfield sites.”*
- *Goal LU 5: Vibrant, livable and healthy communities with a mix of land uses, services and amenities.*
 - *Policy LU 5.1: Encourage a mix of residential land use designations and development regulations that accommodate various densities, building types and styles.*
- *Goal LU 10: Well-designed and healthy places that support a diversity of built environments.*
 - *Policy LU 10.3: “Consider the built environment of the surrounding area and location in the design and scale of new or remodeled buildings, architectural styles, and reflect appropriate features such as massing, materials, color, detailing or ornament.”*
 - *Policy LU 10.12: “Discourage gated entry subdivisions (“gated communities”) to improve neighborhood access and circulation, improve emergency access, and encourage social cohesion.”*

The 9.6-gross acre (9.5-net acre) property was formerly developed with an elementary school and currently vacant. The property is not located within an SEA and the Project is proposed in an already developed area where public water and sewer are available. The Project is an infill development as it is proposed in a developed area where additional infrastructure and public services are not required. Therefore, it is compact development, which consumes less land and resources, and can reduce the costs of providing public infrastructure and services. The Project would create 68 detached condominium units, enhancing the provision of housing, consistent with surrounding neighborhoods and the existing built environment. The proposed residential development will not be a gated community, and the private driveways with internal sidewalk design will provide pedestrian connectivity to the existing neighborhood. Based on the property’s size and land use designation, the proposed 68 dwelling units can be accommodated on-site.

SUBDIVISION AND ZONING CODE CONSISTENCY FINDINGS

17. **PERMITTED USE IN ZONE.** The Commission finds that the Project is consistent with the A-1-6,000 zoning classification as detached single-family homes are permitted in such zone pursuant to County Code Section 22.16.030 (Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W). Detached condominium units are designed as single-family in line with the zoning classification.
18. **AREA.** The Commission finds that the Project is consistent with the area standards identified in County Code Section 21.24.240 (Area and width—Requirements generally). The parcel is zoned A-1-6,000 and is required a minimum parcel size of 6,000 net square feet. The Project Site is one parcel that is 9.61 gross acres (9.5 net

acres) in size. The Project Site is over 50 feet wide, exceeding the minimum lot width requirement of 50 feet.

19. **REQUIRED YARDS.** The Commission finds that the Project is consistent with the standards identified in County Code Section 22.110.080 (Required Yards) for front, side, and rear yard areas. The Project provides front yard setbacks that are over the required 20 feet (from about 24.6 feet to 29 feet), side yard setbacks that are five feet wide, and rear yard setbacks that are 15 feet wide, meeting the minimum requirements.
20. **HEIGHT.** The Commission finds that the Project is consistent with the standard identified in County Code Section 22.16.050.B (Development Standards for Zones A-1 and A-2). All units would be a maximum of two stories and 25 feet high, which is under the maximum height limit of 35 feet high for single-family residences.
21. **DISTANCE BETWEEN BUILDINGS.** The Commission finds that the Project is consistent with the standard identified in County Code Section 22.110.050 (Distance Between Buildings). All detached residential units meet the required building separation of 10 feet for primary residential structures.
22. **FENCES AND WALLS.** The Commission finds that the Project is consistent with the standard identified in County Code Section 22.110.070 (Fences and Walls). The Project includes new six-foot-high concrete (“CMU”) walls on the western and eastern boundaries of the Project Site, along the Project’s side yard areas. The rear yard area in the northern portion of the Project Site is separated from the Metrolink San Bernardino Line to the north of the Project Site by an existing six-foot-high CMU wall that will remain, and that shall be maintained in good condition as a condition of approval. The Project also includes interior walls including six-foot-high CMU walls on edges of the proposed internal blocks and 5.5-foot-high vinyl fencing between units.
23. **PARKING.** The Commission finds that the Project is consistent with the standard identified in County Code Section 22.112.070 (Required Parking Spaces) for single-family residences because each detached condominium unit has an attached two-car garage and provides two covered parking spaces as required. The Project also provides 43 uncovered parking spaces along the private driveways and fire lanes, including three accessible (ADA) parking spaces, that serve as guest parking. The guest parking for condominium developments is not specified in the County Code Section 22.112.070 (Required Parking Spaces); however, what is provided exceeds the guest parking required for multifamily housing projects that require one uncovered parking space per four dwelling units, or 17 uncovered parking spaces.
24. **BICYCLE PARKING.** The Commission finds that the Project must be consistent with the standard identified in County Code Table 22.112.100-A (Minimum Required Bicycle Parking Spaces), which requires one short-term bicycle parking space for every 10 dwelling units (for a total of 6 short-term bicycle spaces), and one long-term bicycle parking space for every two dwelling units (for a total of 34 long-term bicycle spaces). The Project must therefore include at least six short-term bicycle parking spaces, and 34 long-term bicycle parking spaces, to be noted and shown on a Amended Exhibit Map/“A” prior to final map recordation

25. **GRADING.** The Commission finds that the Project is consistent with the standard identified in County Code Section 21.40.040 (Items Required for Tract Maps) and 22.140.240 (Grading Projects). The total proposed grading for the Project is 196,868 cy, including 98,434 cy cut and 98,434 cy fill, to be balanced on-site. The Project includes related CUP No. 2021005384 because the proposed on-site project grading exceeds 100,000 cubic yards.
26. **TREE PLANTING.** The Commission finds that the Project is consistent with the standards identified in County Code Chapter 21.32 (On-site Trees), requiring one tree for each 25 feet of street frontage for each parcel created by a residential division of land. The street frontage is approximately 470 linear feet and requires 19 trees to be planted on-site along the street frontage of East San Bernardino Boulevard. The schematic landscaping plans included as part of the Exhibit Map depict 20 trees on-site along the street frontage in compliance with this requirement.
27. **INCLUSIONARY UNITS.** The Commission finds that the Project is exempt from the IHO because the Project was deemed complete on October 24, 2020, prior to the effective date of IHO on December 10, 2020.

TENTATIVE TRACT MAP SPECIFIC FINDINGS

28. **The Commission finds that the map is consistent with the goals and policies of the General Plan.** The Project is an infill development on an underutilized parcel in an area that is already developed with detached residential units. The Project adds to the mix of residential land uses in the community and blends in with the existing neighborhood, is well-designed to promote pedestrian connectivity, and will not be gated supporting several goals and policies of the General Plan as described above (Goals LU 3, 4, 5, and 10).
29. **The Commission finds that the design or improvement of the proposed subdivision is consistent with the goals and policies of the General Plan.** The Project is designed to blend in with the existing character of the neighborhood, which consists of predominantly low-density housing and single-family residences. The Project includes two common space areas, landscaping and new trees, sufficient parking, internal walkways, and internal circulation for vehicles with private driveways and fire lanes that provide direct access to all units, in compliance with applicable development standards and aligned with the goals and policies of the General Plan as described above.
30. **The Commission finds that the site is physically suitable for the type of development.** The Project Site is prime for infill development as it is an underutilized flat parcel in a developed area with connections to existing utilities.
31. **The Commission finds that the site is physically suitable for the proposed density of development.** The Project Site is located within the P land use category of the General Plan, which defers to a compatible density with the surrounding development in the event that the public or semi-public mapped use or facility is terminated. The surrounding properties are within the H9 land use category, that would allow a density

of 87 dwelling units on the Project Site. The proposed 68 dwelling unit proposal is compatible with density permitted in the surrounding areas.

32. **The Commission finds the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** No significant impacts, other than for traffic and transportation, were identified as part of the subdivision review process after all proposed mitigation measures, County review or Final EIR pursuant to CEQA.
33. **The Commission finds that the design of the subdivision or type of improvements is not likely to cause serious public health problems.** The Project is infill development as it is proposing the redevelopment of an underutilized site in an urbanized area with existing water, sewage, and road infrastructure. It is also designed to include appropriate stormwater infrastructure.
34. **The Commission finds that the design or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.** There are no identified conflicts with easements within the proposed subdivision.

ENVIRONMENTAL FINDINGS

35. The Commission finds that the Final EIR for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. The Commission reviewed and considered the Final EIR, along with its associated MMRP, Findings of Fact and SOC and finds that they reflect the independent judgment of the Commission. The Findings of Fact and SOC are incorporated herein by this reference, as set forth in full.
36. The Commission finds that the MMRP for the Project is consistent with the conclusions and recommendations of the Final EIR and that the MMRP's requirements are incorporated into the conditions of approval for the Project.
37. The Commission finds that the MMRP, prepared in conjunction with the Final EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project.
38. The Commission finds that the MMRP, prepared in conjunction with the Final EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project. The Commission further finds that the MMRP's requirements are incorporated into the conditions of approval for this Project, and that approval of this Project is conditioned on the subdivider's compliance with the conditions of approval and MMRP.
39. The Commission finds that the subdivider is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.

ADMINISTRATIVE FINDINGS

40. **HOUSING ACCOUNTABILITY ACT AND SB330.** The Commission finds that the Project is considered a housing development that is consistent with the General Plan and Zoning and would not have a specific adverse impact upon public health or safety as described in the tentative map, and environmental findings. The Commission also finds that the Project was vested pursuant to SB330 on October 24, 2020.
41. **PUBLIC MEETINGS.** The Commission finds that pursuant to SB 330, the number of publicly held meetings since January 1, 2020 do not exceed the five-meeting limit. Five meetings occurred on the following dates:
- Four Subdivision Committee Meetings held on March 4, May 21, July 22, and September 23, 2021.
 - Regional Planning Commission Hearing held on September 27, 2023.
42. **LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Subdivisions Section, LA County Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

- A. The Commission finds that the map is consistent with the goals and policies of the General Plan.
- B. The Commission finds that the design or improvement of the proposed subdivision is consistent with the goals and policies of the General Plan.
- C. The Commission finds that the site is physically suitable for the type of development since the Project complies with all development standards of the A-1-6,000 zoning.
- D. The Commission finds that the site is physically suitable for the proposed density of development since the Project is consistent with the General Plan, within the maximum allowable density as determined compatible with surrounding areas, and complies with all development standards of the prescribed A-1-6,000 zoning.
- E. The Commission finds the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- F. The Commission finds that the design of the subdivision or type of improvements is not likely to cause serious public health problems since sewage disposal, storm drainage, fire protection, and geologic and soils factors.

- G. The Commission finds that the design or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
- H. The Commission finds that it is necessary to provide tenant protections where the subdivider opts to lease all of the units rather than sell the units as is allowed under the Subdivision Map Act.
- I. The Commission finds that a covenant and agreement is needed to ensure potential tenants are provided 180 days written notice of intention to sell units prior to termination of tenancy due to the sale of the condominium unit.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

- 1. Certifies that the Final EIR for the project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; adopts the Findings of Fact and Statement of Overriding Considerations and the MMRP; finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during the Project implementation, and finds that the unavoidable significant effects of the Project after adoption of said mitigation measures are as described in those Findings of Facts and Statements of Overriding Considerations; and determines that the remaining, unavoidable environmental effects of the Project have been reduced to an acceptable level and are outweighed by specific health, safety, economic, social, and/or environmental benefits of the Project as stated in the Findings of Fact and Statement of Overriding Considerations.
- 2. Approves **TENTATIVE TRACT MAP NO.83183 (RPPL2020004447)**, subject to the attached conditions.

ACTION DATE: September 27, 2023

DD:ST:JSH:AB:EGA
9/21/2023

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
PROJECT NO. PRJ2020-001385-(1)
CONDITIONAL USE PERMIT NO. RPPL2021005384

RECITALS

1. **HEARING DATE(S).** The Los Angeles County (“County”) Regional Planning Commission (“Commission”) conducted a duly-noticed public hearing on September 27, 2023, in the matter of Project No. PRJ2020-001385-(1), consisting of Conditional Use Permit (“CUP”) No. RPPL2021005384 considered together with Tentative Tract Map No. 83183 (RPPL2020004447) (“TR83183”) and Environmental Assessment No. RPPL2020004450, and referred to collectively as the “Project”.
2. **ENTITLEMENT REQUESTED.** The permittee, MLC Holdings, Inc., c/o Aaron Talarico (“permittee”), requests a CUP to authorize on-site project grading exceeding 100,000 cubic yards pursuant to County Code Sections 22.16.030 (Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W), 22.140.240 (Grading Projects), and 22.158.050 (CUP, Findings and Decision).
3. **ENTITLEMENT REQUIRED.** TR83183 is a related request to create one multi-family lot with 68 detached condominium units on 9.61 gross acres (9.5 net acres) (“Project”) located at 16209 East San Bernardino Road in the unincorporated community of Irwindale (“Project Site”) pursuant to County Code Chapter 21.40 (Tentative Maps).
4. **LAND USE DESIGNATION.** The Project Site is located within the P (Public and Semi-Public) land use category of the General Plan, which defers to a compatible density with the surrounding development in the event that the public or semi-public mapped use or facility is terminated. The Project density is seven units per acre, which is just below the maximum allowed density permitted by the H9 (Residential 9, 0 to 9 dwelling units per acre) land use designation consistent with the surrounding properties.
5. **ZONING.** The Project Site is located in the East Irwindale Zoned District and the East San Gabriel Valley Planning Area and is currently zoned A-1-6,000 (Light Agricultural - 6,000 Square Feet Minimum Required Lot Area).

6. **SURROUNDING LAND USES AND ZONING.**

LOCATION	GENERAL PLAN LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	P	A-1-6,000	Vacant lot; former elementary school
NORTH	H9	A-1-6,000	Single-family residences

EAST	H9, P, and CG (General Commercial)	A-1-6,000, C-1 (Restricted Business)	Single-family residences
SOUTH	H9	A-1-6,000	Single-family residences
WEST	H9 and P	A-1-6,000	Single-family residences

7. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is a 9.61-gross-acre (9.5-net-acre) parcel and consists of one legal lot. The Project Site is rectangular in shape with flat topography and is currently vacant with no buildings, previously developed as an elementary school.

B. Site Access and Circulation

The Project Site is accessible via East San Bernardino Road, a 122-foot-wide existing Secondary Highway on the County Master Plan of Highways, to the south. Access to the Project Site will be via an ungated entrance/exit on the southwest portion of the Project Site from East San Bernardino Road. This connects to an internal network of 26-foot-wide private driveway and fire lanes. The Project includes a five-foot-wide walkway throughout the Project Site providing direct access to all units. The Project also includes a new sidewalk along the southern portion of the Project Site in the public right-of-way along East San Bernardino Road. The internal walkways and sidewalk enhance pedestrian connectivity.

C. Exhibit "A"

The Exhibit "A" dated August 17, 2021 depicts 68 detached condominium units. All units would be a maximum of two stories and 25 feet high, ranging in size from 1,677 to 2,300 square feet, and include private front and rear yard areas. Each proposed unit includes an attached two-car garage, so there are 136 covered parking spaces total. The Project also includes 43 on-street, uncovered guest parking spaces, including three accessible (ADA) parking spaces. The internal network of 26-foot-wide private driveways and fire lanes provide direct access to all units.

The Project includes two open space areas that will remain open to the public. The main open space area located at the south end of the Project Site would include a playground, lawn area with bench seating, and short-term bicycle parking. A secondary landscaped open space area is proposed along the north end of the Project Site adjacent to the Metrolink line and is designed for passive recreation. The Project also includes a designated on-site area adjacent to East San Bernardino Road would be developed with a bioswale buffer, including underground biofiltration basins and landscaping. This is a separate landscaped area that serves as a buffer along East San Bernardino Road.

Other Project features include an internal five-foot-wide walkway to enhance pedestrian connectivity, six short-term bicycle parking spaces, and 34 long-term

bicycle parking spaces, and 231 new trees. The total proposed grading for the Project is 196,868 cubic yards (“cy”) including 98,434 cy cut and 98,434 cy fill, which will be balanced on-site.

D. Affordable Housing and the Housing Crisis Act (SB330)

This Project is not providing an affordable component. The Project is not subject to the Inclusionary Housing Ordinance (“IHO”) as it was deemed complete and vested pursuant to SB330 on October 24, 2020 prior to the IHO effective date, which is December 10, 2020

E. Parking

The Project will provide a total of 179 parking spaces, of which 136 will be covered. Each proposed unit includes a two-car garage. The Project also includes 43 on-site, uncovered guest parking spaces, including three accessible (ADA) parking spaces.

F. Internal Circulation

Internal circulation and access for the Project will be provided by a network of 26-foot-wide private driveway and fire lanes providing direct access to all units, with access to East San Bernardino Road. The Project also includes an internal five-foot-wide walkway for pedestrian use.

G. Condominium Project

The Project proposes 68 detached condominium units on one multi-family lot. Pursuant to the Subdivision Map Act, condominium units may be leased or sold. Renters of condominium units may not receive sufficient notification when an owner decides to sell the units. In order to provide renters proper notification, notification is required 180 days prior to termination of tenancy in the event the condominium units are first leased and then later sold.

8. CEQA DETERMINATION.

Environmental Impact Report (“EIR”)

Staff has determined by way of an Initial Study and identified in the Notice of Preparation (NOP) sent to agencies on January 25, 2022, that an EIR was necessary for the Project. It is important to note that the school buildings were vacated approximately five years ago. However, since the time of the publication of the NOP for the Draft EIR, the school buildings were damaged in a fire. As a result, the school buildings were demolished to eliminate public health and safety hazards related to the unsafe condition of the school buildings. Pursuant to 14 California Code of Regulations Section 15000 et seq. (“State CEQA Guidelines”), specifically, Section 15125, the environmental baseline for the Draft EIR is the date the NOP was published. As of this date, the school buildings were vacant but intact. As such, the Draft EIR environmental baseline condition assumed the school buildings as vacant but intact.

The Draft EIR was released for a 45-day public review period from June 8 to July 24, 2023, and publicized as required with a Notice of Completion and Availability, pursuant

to CEQA. There were no comments submitted on the Draft EIR from the general public, however, LA County Planning did receive comment letters from the County Sheriff and County Library as well as from the California Department of Transportation. As a result of these comments, the Project will be conditioned to enhance the existing crosswalk on East San Bernardino Road with in-road warning lights and signage as well as to provide proof of payment of the required library facilities mitigation fee. However, there were no changes to the Draft EIR or Mitigation Monitoring and Reporting Program (MMRP) as a result of these comments.

The Initial Study found that the following areas required no further environmental review as they did not have the potential to cause significant impacts without any mitigation measures:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Wildfire

The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the MMRP prepared for the Project. Mitigation measures are included for the following environmental topic areas:

- Biological Resources
- Cultural / Paleontological Resources
- Hazards and Hazardous Materials
- Noise
- Tribal Cultural Resources
- Utilities and Services Systems

The MMRP also notes compliance with plan, programs, and policies in relation to Air Quality, Hazards/Hazardous Materials, and Hydrology and Water Quality.

Potentially Significant Environmental Impacts: Transportation and Traffic

The only area of potential significant environmental impact identified in the Draft EIR is Transportation and Traffic. As identified in the Draft EIR, after implementation of the required mitigation measures, the Project would result in significant adverse impacts to the environment. The Project-generated vehicle miles traveled ("VMT") exceeds the County's baseline threshold by 48.04%. Under the 2010 Quantifying Greenhouse Gas Mitigation Measures California Air Pollution Control Officers Association Manual guidance for projects in suburban areas, the global maximum project VMT reduction is 15%. The implementation of proposed transportation demand management strategies would not reduce Project-generated VMT to a less than significant level. The Project includes one mitigation measure to provide a ride-share program, as well as two project design features including bicycle parking, and sidewalk connectivity; however, this

does not reduce the Project VMT to levels that are less than significant. As such, transportation impacts for the Project are significant and unavoidable.

Findings of Fact, and a Statement of Overriding Considerations ("SOC")

Staff recommends the adoption of a CEQA Findings of Fact and SOC. An SOC is required to allow the approval of the Project in light of the above-identified remaining significant and unavoidable impact for Transportation and Traffic, and demonstrates that the benefits and the value of the Project outweigh its impacts. The CEQA Findings and SOC outline the benefits and value of the Project in greater detail, confirming that the Project outweighs the remaining significant impacts of the Project after all proposed mitigation has been implemented. The benefits of the Project include the provision of 68 new detached residential dwelling units as part of an infill development on an underutilized parcel in an urbanized and built-out area. The Project design features for the Project ensure that the Project is compatible with the surrounding residential neighborhood, which consists of mostly single-family homes. Finally, the provision of much-needed housing helps the County meet its Regional Housing Needs Allocation goals pursuant to California State law and the County General Plan Housing Element.

The Final EIR includes the Initial Study and Draft EIR, mitigation measures, responses to comments received during the Draft EIR review period, the Findings of Fact, and a Statement of Overriding Considerations. The Final EIR is included along with this report (Exhibit F – Environmental Determination).

9. **COMMUNITY OUTREACH.** On December 14, 2022, prior to the Commission's public hearing on the Project, the subdivider held a community meeting for the Project at Bethany Church in West Covina. The meeting was publicized with a flyer in both English and Spanish that were sent to the owner addresses within 500 feet of the Property Site. Eleven community members attended this meeting. Attendees seemed generally supportive of the Project, but raised concerns about traffic, privacy, wildlife, dust during construction, and concerns about rising home prices, and gentrification.

10. **PUBLIC COMMENTS.**

Staff received one comment letter from L.A. Metro on September 11, 2023, and incorporated the letter and recommended conditions of approval into the Project conditions. No other comments were received at the time of report preparation.

11. **AGENCY RECOMMENDATIONS.**

- A. Los Angeles County Subdivision Committee, consisting of County Planning and County Departments of Public Works, Fire Department, Department of Parks and Recreation, and Department of Public Health recommended approval of Tentative Tract Map dated August 17, 2021.
- B. As part of the 45-day public comment. period for the Draft EIR, the Los Angeles County Sheriff and Library, as well as the California Department of Transportation, in letters dated July 21, 2023, July 27, 2023, and July 25, 2023, respectively,

provided additional comments. These comments are addressed in the response to comments in the Final EIR.

C. L.A. Metro, in a letter dated September 11, 2023, provided comments and recommended conditions of approval for the Project.

12. **LEGAL NOTIFICATION.** Pursuant to 22.222.120.A. (Notice of Public Hearing) of the County Code, the community was properly notified of the public hearing by mail, newspaper, San Gabriel Valley Tribune, and property posting. Additionally, the Project notice and case materials were posted on LA County Planning's website. On Thursday, August 24, 2023, a total of 254 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 60 notices to those on the courtesy mailing list for the East Irwindale Zoned District and to additional interested parties, including those notified as part of the environmental review process.

13. **HEARING PROCEEDINGS.** *Reserved.*

GENERAL PLAN CONSISTENCY FINDINGS

14. **LAND USE POLICY.** The Commission finds that the Project is consistent with the goals and policies of the General Plan and with the P (Public and Semi-Public) land use designation. The P land use designation is intended for public and semi-public facilities and community-serving uses, such as schools, hospitals, parks, etc. In the event that these uses are terminated, alternative uses that are compatible with the surrounding development and in keeping with the community character are permitted. Most of the surrounding area has a land use designation of H9 for single-family residences, accommodating low-to-medium density housing and built out accordingly. The Commission further finds that the proposed condominium Project is a compatible housing development in keeping with the existing community character, and intent of the land use designation.

15. **GOALS AND POLICIES.** The Commission finds that the Project is consistent with the following policies of the General Plan:

The following goals and policies of the General Plan are applicable to the proposed Project:

- *Goal LU 3: A development pattern that discourages sprawl and protects and conserves areas with natural resources and Significant Ecological Areas ("SEA").*
 - *Policy LU 3.3: "Discourage development in undeveloped areas where infrastructure and public services do not exist, or where no major infrastructure projects are planned."*
- *Goal LU 4: Infill development and redevelopment that strengthens and enhances communities.*
 - *Policy LU 4.1: "Encourage infill development in urban and suburban areas on vacant, underutilized, and/or brownfield sites."*

- *Goal LU 5: Vibrant, livable and healthy communities with a mix of land uses, services and amenities.*
 - *Policy LU 5.1: Encourage a mix of residential land use designations and development regulations that accommodate various densities, building types and styles.*
- *Goal LU 10: Well-designed and healthy places that support a diversity of built environments.*
 - *Policy LU 10.3: “Consider the built environment of the surrounding area and location in the design and scale of new or remodeled buildings, architectural styles, and reflect appropriate features such as massing, materials, color, detailing or ornament.”*
 - *Policy LU 10.12: “Discourage gated entry subdivisions (“gated communities”) to improve neighborhood access and circulation, improve emergency access, and encourage social cohesion.”*

The 9.6-gross (9.5-net) acre property was formerly developed with an elementary school and is now vacant. The property is not located within an SEA and is proposed in an already developed area where public water and sewer are available. The Project is an infill development because it is proposed in a built-out urbanized area where additional infrastructure and public services are not required. Therefore, it contributes to a compact development already served by public utilities, potentially reducing the costs of providing public infrastructure and services to new residential units. The Project would create 68 additional detached condominium units, including two open space areas with landscaping, increasing the number of dwelling units, and designed to be consistent with the surrounding neighborhoods. The proposed residential development will not be a gated community. The internal private driveways and fire lanes and internal walkways will provide pedestrian connectivity to the existing neighborhood. The Project site is sufficient in size to support the proposed 68 dwelling units, while providing for the required yards, covered parking, internal circulation, and open space.

SUBDIVISION AND ZONING CODE CONSISTENCY FINDINGS

16. **PERMITTED USE IN ZONE.** The Commission finds that the Project is consistent with the A-1-6,000 zoning classification as single-family homes are permitted in such zone pursuant to County Code Section 22.16.030 (Land Use Regulations for Zones A-1, A-2, O-S, R-R, and W). The Project proposes detached condominium units designed as single-family structures on one multi-family lot, consistent with the zoning classification.
17. **AREA.** The Commission finds that the Project is consistent with the area standard identified in County Code Section 21.24.240 (Area and width—Requirements generally) and for the A-1-6,000 Zone, requires a minimum parcel size of 6,000 square feet. The parcel is a multifamily parcel that is 9.61 gross acres (9.5-net acres) in size.

The Project Site is over 50 feet wide, exceeding the minimum lot width requirement of 50 feet.

18. **REQUIRED YARDS.** The Commission finds that the Project is consistent with the standards identified in County Code Section 22.110.080 (Required Yards) for front, side, and rear yard areas. The Project provides front yard setbacks that are over the required 20 feet (from about 24.6 feet to 29 feet), and side yard setbacks that are five feet wide, and rear yard setbacks that are 15 feet wide. Additionally, each individual rear yard for each condominium unit is 20 feet wide.
19. **HEIGHT.** The Commission finds that the Project is consistent with the standard identified in County Code Section 22.16.050.B (Development Standards for Zones A-1 and A-2). All units would be a maximum of two stories and 25 feet high, which is under the maximum height limit of 35 feet high for single-family residences.
20. **DISTANCE BETWEEN BUILDINGS.** The Commission finds that the Project is consistent with the standard identified in County Code Section 22.110.050 (Distance Between Buildings). All detached residential units meet the required building separation of 10 feet for primary residential structures.
21. **FENCES AND WALLS.** The Commission finds that the Project is consistent with the standard identified in County Code Section 22.110.070 (Fences and Walls). The Project includes new six-foot-high concrete ("CMU") walls on the western and eastern boundaries of the Project Site, framing the Project's side yard areas. The open space area in the northern portion of the Project site, or rear yard area, is separated from the Metrolink San Bernardino Line to the north of the Project Site by an existing six-foot-high CMU wall that will remain, and that shall be maintained in good condition as a condition of approval. The Project also includes interior walls including six-foot-high CMU walls on edges of the proposed internal blocks and 5.5-foot-high vinyl fencing between units.
22. **PARKING.** The Commission finds that the Project is consistent with the standard identified in County Code Section 22.112.070 (Required Parking Spaces) for single-family residences because each condominium unit has a two-car garage as required. The Project includes a total of 179 parking spaces, which including 136 covered parking spaces (a two-car garage for each unit), as well as additional 43 on-street, uncovered parking spaces, including three accessible (ADA) parking spaces, that serve as guest parking. The guest parking for condominium developments is not specified in the County Code Section 22.112.070 (Required Parking Spaces), however, what is provided exceeds the guest parking requirement specified for multifamily housing or apartments, which requires one uncovered parking space per four dwelling units, or 17 uncovered parking spaces.
23. **BICYCLE PARKING.** The Commission finds that the Project must be consistent with the standard identified in County Code Table 22.112.100-A (Minimum Required Bicycle Parking Spaces), which requires one short-term bicycle parking space for every 10 dwelling units (for a total of 6 short-term bicycle spaces), and one long-term bicycle parking space for every two dwelling units (for a total of 34 long-term bicycle

spaces). The Project must therefore include at least six short-term bicycle parking spaces, and 34 long-term bicycle parking spaces, to be noted and shown on a Amended Exhibit "A" prior to final map recordation

24. **GRADING.** The Commission finds that the Project is consistent with the standard identified in County Code Section 21.40.040 (Items Required for Tract Maps) and 22.140.240 (Grading Projects). The total proposed grading for the project is 196,868 cubic yards ("cy") including 98,434 cy cut and 98,434 cy fill, to be balanced on-site. The Project includes related entitlement CUP No. 2021005384 because the proposed on-site grading exceeds 100,000 cubic yards.
25. **TREE PLANTING.** The Commission finds that the Project is consistent with the standards identified in County Code Chapter 21.32 (On-site Trees) requiring one tree for each 25 feet of street frontage for each parcel created by a residential division of land. The street frontage of approximately 470 linear feet and requires 19 on-site trees to be planted along the street frontage adjacent to East San Bernardino Boulevard. The schematic landscaping plans included as part of the Exhibit "A" depict 20 trees on-site along the street frontage in compliance with this requirement.
26. **INCLUSIONARY UNITS.** The Commission finds that the Project is exempt from the IHO because the Project was deemed complete on October 24, 2020, prior to the effective date of the ordinance on December 10, 2020.

CONDITIONAL USE PERMIT FINDINGS

27. **The Commission finds that the proposed use at the site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.** The Project, as an infill development on an underutilized parcel in an area that is already built out, adds to the mix of residential land uses in the community and blends in with the existing neighborhood. The Project is well-designed to promote pedestrian connectivity within a network of internal five-foot-wide walkways that connect to the existing sidewalk and will not be gated. The Project supports several goals and policies of the General Plan as cited above (Goals LU 3, 4, 5, and 10), addressing infill development, and healthy design, etc. As such, the Project will not negatively impact or endanger the public health, safety, or general welfare. Grading will be balanced on-site, and the graded property will be similar in elevation to the nearby residences.
28. **The Commission finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.** The Project is designed to blend in with the existing character of the neighborhood, which consists of predominantly low-density housing and single-family residences. Each unit will have a private yard area and fencing that has the form of

traditional single-family residential development. The project's proposed uncovered parking along the internal private driveway and fire lanes is similar to on-street parking for public streets. The Project also includes two common open space areas, landscaping and new trees, sufficient parking, internal walkways and vehicle circulation, and direct access to all units.

29. **The Commission finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.** The Project is infill development as it is proposing the redevelopment of an underutilized parcel in an urbanized area with existing water, sewage, and road infrastructure. The 26-foot-wide internal private driveways and fire lanes provide direct access from San Bernardino Road, a 122-foot-wide existing Secondary Highway on the County Master Plan of Highways, to all units. Although the environmental analysis confirms the transportation impacts related to vehicle miles traveled for the Project are significant and unavoidable pursuant to CEQA, Staff is recommending the adoption of the Findings of Fact, and a Statement of Overriding Considerations for the Project. Furthermore, the Project will include a condition requiring the permittee to enhance the existing crosswalk on East San Bernardino Road with in-road warning lights and signage.

ENVIRONMENTAL FINDINGS

30. The Commission finds that the Final EIR for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. The Commission reviewed and considered the Final EIR, along with its associated MMRP, Findings of Fact and SOC and finds that they reflect the independent judgment of the Commission. The Findings of Fact and SOC are incorporated herein by this reference, as set forth in full.
31. The Commission finds that the MMRP for the Project is consistent with the conclusions and recommendations of the Final EIR and that the MMRP's requirements are incorporated into the conditions of approval for the Project.
32. The Commission finds that the MMRP, prepared in conjunction with the Final EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project.
33. The Commission finds that the MMRP, prepared in conjunction with the Final EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project. The Commission further finds that the MMRP's requirements are incorporated into the conditions of approval for this Project, and that approval of this Project is conditioned on the permittee's compliance with the attached conditions of approval and MMRP.
34. The Commission finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.

ADMINISTRATIVE FINDINGS

35. **HOUSING ACCOUNTABILITY ACT AND SB330.** The Commission finds that the Project is considered a housing development that is consistent with the General Plan and Zoning and would not have a specific adverse impact upon public health or safety as described in the tentative map, and environmental findings. The Commission also finds that the Project was vested pursuant to SB330 on October 24, 2020.

36. **PUBLIC MEETINGS.** The Commission finds that pursuant to SB 330, the number of publicly held meetings since January 1, 2020 do not exceed the five-meeting limit. Five meetings occurred on the following dates:

- Four Subdivision Committee Meetings held on March 4, May 21, July 22, and September 23, 2021.
- Regional Planning Commission Hearing held on September 27, 2023.

37. **LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Subdivisions Section, LA County Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR for the project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently

reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; adopts the Findings of Fact and Statement of Overriding Considerations and the MMRP; finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during the Project implementation, and finds that the unavoidable significant effects of the Project after adoption of said mitigation measures are as described in those Findings of Facts and Statements of Overriding Considerations; and determines that the remaining, unavoidable environmental effects of the Project have been reduced to an acceptable level and are outweighed by specific health, safety, economic, social, and/or environmental benefits of the Project as stated in the Findings of Fact and Statement of Overriding Considerations.

2. Approves **CONDITIONAL USE PERMIT NO. RPPL2021005384**, subject to the attached conditions.

ACTION DATE: September 27, 2023

DD:ST:JSH:AB:EGA
9/21/2023