MEETING AGENDA

MONTEBELLO PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
1600 W. BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA
TUESDAY, SEPTEMBER 17, 2019
6:30 P.M.

MONTEBELLO PLANNING COMMISSION
SONA MOORADIAN
CHAIRPERSON

BERJ ALIKSANIAN
VICE CHAIR

ALEXANDRA BRISENO
PLANNING COMMISSIONER

MARLENE RAMIREZ
PLANNING COMMISSIONER

NATALIA LOMELI
PLANNING COMMISSIONER

CITY STAFF

MANUEL MANCHA
DIRECTOR OF PLANNING AND
COMMUNITY DEVELOPMENT

IAIN MACMILLAN
PLANNING COMMISSION LEGAL
COUNSEL

MATTHEW FESKE
PLANNING MANAGER

MARIA ROMAN
ADMINISTRATIVE SECRETARY

1. MEETING CALLED TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. PLANNING MANANGER

A. CORRECTION TO AGENDA

5. STATEMENT OF PUBLIC ORAL COMMUNICATIONS:

Members of the public interested in addressing the Planning Commission on any agenda item or topic must fill out a form provided at the door, and turn it into the Planning Commission Secretary prior to the beginning Oral Communications. A form does not need to be submitted for public hearing items.

Speakers wishing to address the Planning Commission on an item that is not on the agenda will be called upon in the order that their speaker card was received. Those persons not accommodated during this thirty (30) minute period will have an opportunity to speak under “Oral Communications – Continued” after all scheduled matters have been considered.
Please be aware that the maximum time allotted for individuals to speak shall not exceed three (3) minutes per speaker. Please be aware that in accordance with State Law, the Planning Commission may not take action or entertain extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Planning Commission Chair.

6. MINUTES

A. April 16, 2019
B. May 21, 2019
C. June 4, 2019
D. June 18, 2019
E. July 2, 2019
F. July 16, 2019
G. August 6, 2019
H. August 20, 2019
I. September 3, 2019

7. STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

A. None

8. PUBLIC HEARING(S)

For each of the following items, the public will be given an opportunity to speak, following Planning staff’s presentation of its report and the Planning Commissioners’ disclosures (if any) of site visits to the location at issue and any relevant information obtained during same. The applicant is allowed to speak and the public is allowed three (3) minutes per person to speak on issues relating to the case. After all persons have spoken, the applicant is allowed to rebut and/or summarize, and then the hearing is closed.

A. Zone Code Amendment (ZCA07-19) - Continued

**Project Applicant**
City of Montebello

**Project Description:**
A Zone Code Amendment by Electric Guard Dog, LLC to amend Title 17 of the Montebello Municipal Code to add electric fences as an allowed fence material.

B. Zone Code Amendment (ZCA08-19)

**Project Applicant**
City of Montebello

**Project Description:**
The proposed Amendment will allow the promotion of high-density residential development in certain commercial zoned areas, specifically Whittier Boulevard, Olympic Boulevard, and Washington Boulevard for the properties already zoned C-2 (Commercial), as stand alone residential projects or as a part of a mixed-use development. In addition, the proposed will allow for affordable housing projects.
to be proposed and constructed to meet housing needs and provide a diversity of housing options for the community.

9. CONSENT ITEM(S)
   A. None

10. STAFF COMMUNICATIONS TO THE PLANNING COMMISSION
    A. None

11. ORAL COMMUNICATIONS – CONTINUED (IF NEEDED)

12. PLANNING COMMISSION ORALS
    A. Chair, Sona Mooradian
    B. Vice Chair, Berj Aiksanian
    C. Commissioner, Alexandra Briseno
    D. Commissioner, Natalia Lomeli
    E. Commissioner, Marlene Ramirez

13. ADJOURNMENT

    The next regularly scheduled meeting on October 1, 2019

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Building Official at 323/887-1497. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II/1203+)

Please note that the information contained in this agenda is a summary of the staff report prepared for each item. Complete copies of each staff report are available in the Office of the City Clerk.
CITY OF MONTEBELLO
PLANNING COMMISSION

MINUTES

April 16, 2019

Planning Commission meets at 6:30 p.m., on the day scheduled in City Hall Council Chambers

1. CALL MEETING TO ORDER
   6:47 P.M. by Chair Mooradian

2. ROLL CALL
   Present: Chair Mooradian, Vice Chair Aliksanian, Commissioner Briseno, and Commissioner Lomeli
   Absent: None
   Also present: Planning Manager – Matthew Feske
   Planning Commission Legal Counsel

3. PLEDGE OF ALLEGIANCE
   Commissioner Briseno

4. PLANNING COMMISSION SECRETARY – CORRECTION TO AGENDA
   No corrections

5. STATEMENT OF PUBLIC ORAL COMMUNICATIONS
   NONE

6. APPROVAL OF MINUTES:
   NONE

7. STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST
   NONE

8. PUBLIC HEARINGS

   A. Conditional Use Permit (CJP01-19)
      A Conditional Use Permit for a commercial communication antenna that will be mounted to a future Southern California Edison lattice tower and associated equipment shed located near 2201 Via Campo.

      MOTION: Commissioner Briseno - Adopt a Resolution approving the new commercial communication antenna that will be mounted to a future Southern California Edison lattice tower and associated equipment shed located near 2201 Via Campo.
      SECOND: Commissioner Lomeli
      ACTION: 4-0-0-1 (vacant)
B. General Plan Amendment (GPA01-19) from Low-Density Residential to Commercial Boulevard for properties along Beverly and Montebello Boulevard. General Plan Amendment (GPA01-19) from Low-Density Residential to Commercial Boulevard for properties located between West Beverly Boulevard (northern boundary); West Beverly Terrace (southern boundary); North Spruce Street (Western Boundary); and North Montebello Boulevard (Eastern Boundary).

Public Speakers – Not In Favor
Armando Cabrello – Displace residents. Rezone is wrong. Bad people to the community. City is a sanctuary. Eminent domain

Staff – Eminent domain is not considered and not allowed. This does not force anyone from their property


Commission asks staff to respond – Staff – Eminent domain is not allowed. City does not force property owners to sell

Lucy Lopez – Something in writing. Security to homeowners

Staff – Written in the Municipal Code. City Law and only City Council can change the law

Edwina Garcia – What’s the rush? Fix Whittier Blvd. Why can’t it stay the way it is

Staff – Whittier Blvd we are working on Whittier Blvd. Rush, this is the second public meeting to allow for community input. Municipal Code allows rebuilding nonconforming uses or structure.

Edwina Garcia – Stated Director made a statement that this is required or we will be sued by California.


Linda Nicolas – Eminent domain and doing this we think we are circumventing, variance, notice/lawsuit and did not notice

Rosie Vasquez – Why do this? Do commercial in the south.

Robert Guzman – Outreach?

MOTION: Commissioner Alikian - Adopt Planning Commission Resolution recommending that the City Council not approve the General Plan Amendment (GPA01-19) from Low-Density Residential to Commercial Boulevard for properties located between West Beverly Boulevard (northern boundary); West
Beverly Terrace (southern boundary); North Spruce Street (Western Boundary); and North Montebello Boulevard (Eastern Boundary).
SECOND: Commissioner Lomeli
ACTION: 3-1-0-1 (Mooradian, vacant)

9. CONSENT ITEM (S)

NONE

10. STAFF COMMUNICATIONS TO THE PLANNING COMMISSION
NONE

11. ORAL COMMUNICATIONS – CONTINUED
NONE

12. PLANNING COMMISSION ORALS
   Chair Mooradian
   Vice Chair Aliksanian
   Commissioner Briseno
   Commissioner Lomel

13. ADJOURNMENT
   The meeting adjourned at 8:38 p.m.

Matthew Feske, Planning Commission Secretary
CITY OF MONTEBELLO
PLANNING COMMISSION

MINUTES

May 21, 2019

Planning Commission meets at 6:30 p.m., on the day scheduled in City Hall Council Chambers

1. **CALL MEETING TO ORDER**
   6:35 P.M. by Vice Chair Alisianian

2. **ROLL CALL**
   Present: Vice Chair Alisianian, Commissioner Briseno, and Commissioner Lomeli
   
   Absent: Chair Mooradian
   
   Also present: Planning Manager – Matthew Feske
   Planning Commission Legal Counsel
   Administrative Secretary – Maria Roman

3. **PLEDGE OF ALLEGIANCE**
   Commissioner Briseno

4. **PLANNING COMMISSION SECRETARY – CORRECTION TO AGENDA**
   No corrections

5. **STATEMENT OF PUBLIC ORAL COMMUNICATIONS**
   NONE

6. **APPROVAL OF MINUTES:**
   NONE

7. **STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST**
   NONE

8. **PUBLIC HEARINGS**

   A. Zone Code Amendment (ZCA02-19)
      Project Description: Zone Code Amendment (ZCA02-19), amending Chapter 17.10 Table 17.1 0-020 "Residential Development Standards Table" to amend density/development standards for the R-I, R-2, R-3, R-4, amend the ADU requirements and to allow residential developments with a minimum of 30 units per acre without discretionary approval from the City.

      Staff presented.

      Commissioner Briseno – Not comfortable with no discretionary action for projects with a density of 30 units per acre or higher.
Staff – Provided clarification that only projects that are 100% affordable housing would be subject to no discretionary action.

Commissioner Briseno – Still not comfortable with that. Commissioner feels that Planning Commission and City Council should review.

Vice Chair Aliksanian – Confirmed with staff that this is State requirements and that if the City does not implement these requirements then the State will.

Staff – Confirmed State requirements.

MOTION: Commissioner Lomeli - Adopt a Resolution recommending that the City Council approve Zone Code Amendment (ZCA02-19) amending Chapter 17.10 Table 17.1 0-020 "Residential Development Standards Table" to amend density/development standards for the R-1, R-2, R-3, R-4, amend the ADU requirements and to allow residential developments with a minimum of 30 units per acre without discretionary approval from the City.
SECOND: Vice Chair Aliksanian
ACTION: 2-1-0-2 (Briseno) (Mooradian, Vacant) – Motion Failed

MOTION: Vice Chair Aliksanian – Continue item to next Planning Commission Meeting
SECOND: Commissioner Lomeli
ACTION: 3-0-0-2 (Mooradian, Vacant) – Motion passed

9. CONSENT ITEM (S)

NONE

10. STAFF COMMUNICATIONS TO THE PLANNING COMMISSION
NONE

11. ORAL COMMUNICATIONS – CONTINUED
Eva Columvia (?) – Update to the rezone

Staff – No update

Edwina Garcia – Stated that the Chair said it was a mistake

Staff – Item was heard, notices went out, and a motion was made and acted upon.

12. PLANNING COMMISSION ORALS
NONE

13. ADJOURNMENT
The meeting adjourned at 7:37 p.m.

Matthew Feske, Planning Commission Secretary
CITY OF MONTEBELLO
PLANNING COMMISSION
MINUTES

June 4, 2019

Planning Commission meets at 6:30 p.m., on the day scheduled in City Hall Council Chambers

1. CALL MEETING TO ORDER
   6:35 P.M. by Chair Mooradian

2. ROLL CALL
   Commissioner Present: Chair Mooradian, Vice Chair Aliksanian,
   Commissioner Briseno, and Commissioner Lomeli

   Absent: None

   Also present:
   Director of Planning and Community Development – Manuel Mancha
   Planning Manager –Matthew Feske
   Planning Commission Legal Counsel

3. PLEDGE OF ALLEGIANCE
   Commissioner Lomeli

4. PLANNING COMMISSION SECRETARY –CORRECTION TO AGENDA
   Continued Item 8A will be last item on agenda. Items 8B-8F will move up on
   sequential order and 8A will move to the end. Planning Commission moved
   item 8A up the agenda to accommodate Vice Chair.

5. STATEMENT OF PUBLIC ORAL COMMUNICATIONS
   NONE

6. APPROVAL OF MINUTES:
   NONE

7. STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST
   NONE
8. PUBLIC HEARINGS

A. Zone Code Amendment (ZCA02-19) - Continued

Zone Code Amendment (ZCA02-19), amending Chapter 17.10 Table 17.1 0-020 "Residential Development Standards Table" to amend density/development standards for the R-I, R-2, R-3, R-4, amend the ADU requirements and to allow residential developments with a minimum of 30 units per acre without discretionary approval from the City.

Staff - Presented

Omar Trujillo – Not in favor of current ordinances and in favor to lower required square footage

Planning Commission Legal Counsel – Clarifying this item the commission is voting on will reduce from 7,500 to 5,000.

Chair – If approved, not for your specific project, for the housing element.

City Consultant- Presented regarding Housing

Staff - Standards for what is affordable housing, affordable income is defined by state and federal government and is what we abide by.

MOTION: Commissioner Aliksanian motions to adopt a Resolution recommending that the City Council approve Zone Code Amendment (ZCA02-19) amending Chapter 17.10 Table 17.1 0-020 "Residential Development Standards Table" to amen density/development standards for the R-I, R-2, R-3, R-4, amend the ADU requirements and to allow residential developments with a minimum of 30 units per acre without discretionary approval from the City.
SECOND: Commissioner Lomeli
ACTION: 3-1-0-1(Vacant)

B. Conditional Use Permit (CUP01-19)

A Conditional Use Permit application to allow Non-Store Front delivery, within an existing commercial building on the property located at 914 S. Vail Avenue, APN 6453-014-004.

Cannabis Consultant – Presented

Tony Torres (representing applicant) – Presented and answered question about community giveback.
MOTION: Commissioner Aliksanian motions to approve Conditional Use Permit application to allow Non-Store Front delivery, within an existing commercial building on the property located at 914 S. Vail Avenue, APN 6453-014-004.
SECOND: Commissioner Lomeli
ACTION: 4-0-0-1 (Vacant)

C. Conditional Use Permit (CUP02-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation and Manufacturing, within an existing commercial building on the property located at 8129 Slauson Avenue, APN 6354-030-001.

Cannabis Consultant – Presented

Maribel Briseno – Wanted clarification regarding number of parking spaces for their business.

Cannabis Consultant Morales – This building is legal non-conforming meaning it’s there and built with permits but does not meet current standards for parking. Today’s standard for manufacturing industrial the parking requirement is 1 space for every 500 square feet regardless of what the use may be. If we hold every particular applicant to the parking standard that building would remain vacant. They do fall under legal non-conforming structure meaning they cannot comply physically with today’s standards for parking. They are willing to submit a certified roster of their employees to indicate they will have someone onsite to manage parking and there will be no visitors to this site. They do have the ability to provide 8 spaces for employees plus 2 additional spaces for delivery vehicles.

MOTION: Commissioner Briseno motions to continue item CUP02-19 to next Planning commission meeting on June 18, 2019
SECOND: Commissioner Lomeli
ACTION: 3-0-1-1 (vacant)

D. Conditional Use Permit (CUP03-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation and Manufacturing, within an existing commercial building on the property located at 1616 Beach Street, APN 6353-002-007.

Cannabis Consultant – Presented
Shel Graham (representing applicant) – Presented

Compliance Officer for applicant Geoff Sugerman – Presented

Maribel Briseno – Will there be extraction done onsite and parking

Compliance Officer for applicant Geoff Sugerman - We have 28 parking spots and will far exceed the amount of workers we will have. No high pressure, heated extraction will be done

Shel Graham (representing applicant) – Wants to make clarification and this is not for cultivation for but Manufacturing and Non-Store Front delivery.

Planning Commission Legal Counsel – motion and approval is as stated in staff report and recommendation

MOTION: Commissioner Lomeli motions to Conditional Use Permit application to allow indoor cannabis Cultivation and Manufacturing, within an existing commercial building on the property located at 1616 Beach Street, APN 6353-002-007.
SECOND: Commissioner Briseno
ACTION: 3-0-1-1 (Vacant)

E. Conditional Use Permit (CUP04-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, and Non-Store Front delivery, within an existing commercial building on the property located at 8019 Slauson Avenue, APN 6354-030-055.

Cannabis Consultant – Presented

Tony Torres (representing applicant) – Presented

Commissioner – What kind of manufacturing?

Tony Torres (representing applicant) – Removing the element that gets you high and leaving all the beneficial cannabinoids in the product.

MOTION: Commissioner Lomeli motions to approve a Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, and Non-Store Front delivery, within an existing commercial building on the property located at 8019 Slauson Avenue, APN 6354-030-055.
SECOND: Commissioner Briseno  
ACTION: 3-0-1-1 (vacant)

F. Conditional Use Permit (CUP05-19)  
A Conditional Use Permit application to allow indoor cannabis  
Manufacturing and Non-Store Front delivery, within an existing commercial  
building on the property located at 7137 Telegraph Road, APN 6354-024-  
047.

Cannabis Consultant – Presented

Applicant Ramon – presented

MOTION: Commissioner Lomeli motions to approve a A Conditional Use  
Permit application to allow indoor cannabis Manufacturing and Non-Store  
Front delivery, within an existing commercial building on the property  
located at 7137 Telegraph Road, APN 6354-024-047.
SECOND: Commissioner Briseno  
ACTION: 3-0-1-1 (vacant)

9. CONSENT ITEM (S)  
None

10. STAFF COMMUNICATIONS TO THE PLANNING COMMISSION  
None

11. ORAL COMMUNICATIONS –CONTINUED  
None

12. PLANNING COMMISSION ORALS  
Chair Mooradian  
Vice Chair Aliksanian  
Commissioner Briseno  
Commissioner Lomeli

13. ADJOURNMENT  
The meeting adjourned at 9:42p.m.

Mathew Feske, Planning Commission Secretary
Planning Commission meets at 6:30 p.m., on the day scheduled in City Hall Council Chambers

1. CALL MEETING TO ORDER
   6:38 P.M. by Chair Mooradian

2. ROLL CALL
   Commissioner Present: Chair Mooradian, Vice Chair Aliksanian, Commissioner Briseno, and Commissioner Lomeli.
   Absent: None
   Also present:
   Director of Planning and Community Development – Manuel Mancha
   Planning Manager – Matthew Feske
   Planning Commission Legal Counsel

3. PLEDGE OF ALLEGIANCE
   Commissioner Aliksanian

4. PLANNING COMMISSION SECRETARY – CORRECTION TO AGENDA
   NONE

5. STATEMENT OF PUBLIC ORAL COMMUNICATIONS
   NONE

6. APPROVAL OF MINUTES:
   NONE

7. STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST
   NONE

8. PUBLIC HEARINGS
   A. Conditional Use Permit (CUP02-19) - Continued

1
A Conditional Use Permit application to allow indoor cannabis Cultivation and Manufacturing, within an existing commercial building on the property located at 8129 Slauson Avenue, APN 6354-030-001.

CORRECTED: A Conditional Use Permit application to allow indoor cannabis Manufacturing, Distribution, and Non-Store Front Delivery service within an existing building on the property located at 8129 Slauson Avenue, APN 6354-030-001.

Cannabis Consultant – Presented

Applicant – Presented and discussed project

Bobby Nassir (??) – In favor of project and expressed concern regarding crime

Cannabis Consultant – Police department has been involved with review of all projects and will address issues in the development agreement

Linda Nicholas – Expressed concerned regarding cultivation

Planning Commission Legal Counsel – Clerical error on agenda, applicant to clarify uses that are being proposed

Applicant – No cultivation, no indoor cultivation its distribution, Non-Store Front delivery and manufacturing

MOTION: Commissioner Lomeli motions to approve a Conditional Use Permit application to allow indoor cannabis Manufacturing, Distribution, and Non-Store Front Delivery service within an existing building on the property located at 8129 Slauson Avenue, APN 6354-030-001.
SECOND: Commissioner Aliksanian
ACTION: 4-0-0-1 (vacant)

B. Conditional Use Permit (CUP06-19)

A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, and Non-Store Front delivery, within an existing commercial building on the property located at 760 Vail Avenue, APN 6353-002-006.

Cannabis Consultant – Presented

Applicant Representative – Presented and discussed project
Edwina Garcia – Concerned regarding testing

Applicant Representative - We are doing Cultivation, Manufacturing, and retail delivery we are not doing testing.

MOTION: Commissioner Aliksanian motions to Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, and Non-Store Front delivery, within an existing commercial building on the property located at 760 Vail Avenue, APN 6353-002-006.
SECOND: Commissioner Lomeli
ACTION: 3-1-0-1(vacant)

C. Conditional Use Permit (CUP07-19)
A Conditional Use Permit application to allow indoor cannabis Manufacturing and Non-Store Front delivery, within an existing commercial building on the property located at 728 Vail Avenue, APN 6353-002-005.

Cannabis Consultant – Presented

Applicant – Presented and discussed project

MOTION: Commissioner Aliksanian motions to approve Conditional Use Permit application to allow indoor cannabis Manufacturing and Non-Store Front delivery, within an existing commercial building on the property located at 728 Vail Avenue, APN 6353-002-005.
SECOND: Commissioner Lomeli
ACTION: 4-0-0-1 (vacant)

D. Conditional Use Permit (CUP08-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, and Non-Store Front delivery, within an existing commercial building on the property located at 760 Vail Avenue, APN 6353-002-006.

Cannabis Consultant – Presented

Applicant – Presented and discussed project
Linda Nicholas – Applicant stated distribution and wanted clarification

Cannabis Consultant – The staff report and resolution clearly states what is being approved and considered on all applications today.

Rosie Vasquez – Would Non-Store Front delivery be able to change to retail and who would be monitoring the environment

Cannabis Consultant - Condition 58 talks about air quality and permits required for clearance from the agencies AQMD, Building and Safety and Public works.

Planning Commission Legal Counsel - A question was asked about non store front retail would they be able to later change to store front retail business. The answer is no. Unless the city was to at a later date amend their local laws, their ordinance which would require 1st and 2nd reading and approval.

MOTION: Commissioner Lomeli motions to Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, and Non-Store Front delivery, within an existing commercial building on the property located at 760 Vail Avenue, APN 6353-002-006.
SECONg: Commissioner Aliksanian
ACTION: 3-1-01 (vacant)

E. Conditional Use Permit (CUP09-19)
A Conditional Use Permit application to allow indoor cannabis Manufacturing and Non-Store Front delivery, within an existing commercial building on the property located at 7111- 7115 Telegraph Road, APN 6354-024-034, 035, and 036.

Cannabis Consultant – Presented

Applicant – Presented and discussed project

MOTION: Commissioner Lomeli motions to approve Conditional Use Permit application to allow indoor cannabis Manufacturing and Non-Store Front delivery, within an existing commercial building on the property located at 7111- 7115 Telegraph Road, APN 6354-024-034, 035, and 036.
SECOND: Commissioner Aliksanian
ACTION: 4-0-0-1 (vacant)

F. Conditional Use Permit (CUP10-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, Non-Store Front delivery, and Testing in a new structure located at 1711 S. Bluff Road, APN 6354-030-045.

CORRECTION: A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, Non-Store Front delivery in a new structure located at 1711 S. Bluff Road, APN 6354-030-045.

Cannabis Consultant – Presented

Applicant representative – Presented and discussed project

Linda Nicholas – Concerns regarding security

Cannabis Consultant – All applicants have a general requirement in conditional approval about security plan. All security plans must be reviewed and approved by the police chief or designee.

MOTION: Commissioner Aliksanian motions to approve Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, Non-Store Front delivery in a new structure located at 1711 S. Bluff Road, APN 6354-030-045.
SECOND: Commissioner Briseno
ACTION: 4-0-0-1 (vacant)

9. CONSENT ITEM (S)
   None

10. STAFF COMMUNICATIONS TO THE PLANNING COMMISSION
   None

11. ORAL COMMUNICATIONS –CONTINUED
   None

12. PLANNING COMMISSION ORALS
Chair Mooradian
Vice Chair Aliksanian
Commissioner Briseno
Commissioner Lomeli

13. **ADJOURNMENT**
The meeting adjourned at 8:20 p.m.

Matthew Feske, Planning Commission Secretary
CITY OF MONTEBELLO
PLANNING COMMISSION
MINUTES

July 2, 2019

Planning Commission meets at 6:30 p.m., on the day scheduled in City Hall Council Chambers

1. CALL MEETING TO ORDER
   6:36 P.M. by Chair Mooradian

2. ROLL CALL
   Commissioner Present: Chair Mooradian, Commissioner Briseno,
   Commissioner Lomeli and Commissioner Ramirez

   Absent: Vice Chair Aliksanian

   Also present:
   Planning Manager –Matthew Feske
   Planning Commission Legal Counsel

3. PLEDGE OF ALLEGIANCE
   Commissioner Ramirez

4. PLANNING COMMISSION SECRETARY – CORRECTION TO AGENDA
   NONE

5. STATEMENT OF PUBLIC ORAL COMMUNICATIONS
   NONE

6. APPROVAL OF MINUTES:
   NONE

7. STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST
   NONE

8. PUBLIC HEARINGS
   A. Conditional Use Permit (CUP19-19)
      The applicant, Wing Stop, has submitted a Conditional Use Permit application to allow alcohol sales (Beer and Wine) within a new restaurant that will be located at 2431 West Whittier Boulevard.
Staff – presented

Staff – Condition 41 just for clarification is to be limited to regional managers and local manager’s onsite only

Chair – There’s always going to be manager onsite?

Staff – Yes, if local manager not available a lead certified person will need to be on site at all times.

Applicant representative – presented and discussed project

MOTION: Commissioner Lomeli motions to approve a Conditional Use Permit application to allow alcohol sales (Beer and Wine) within a new restaurant that will be located at 2401 West Whittier Boulevard.
SECOND: Commissioner Briseno
ACTION: 4-0-0-1

B. Conditional Use Permit (CUP11-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 7895 Telegraph Road, APN 6368-001-021.

Cannabis Consultant – presented

Applicant – presented and discussed project

Commissioner- What action are being taken to omit the odor from the grow rooms?

Applicant – We are going to have a complete filtration and spend extra money so we don’t have that problem.

Cannabis Consultant – There is a conditional approval for all CUP’s regarding air quality and omissions. The requirement is the applicant must get certification and approval from by local AQMD office in order to control any odor or air omissions and must submit the required equipment. The city will not issue a permit until they submit the required certification paperwork.

Chair – There is no testing happening at the facility, correct?

Applicant – No testing
MOTION: Commissioner Briseno motions to approve a Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 7895 Telegraph Road, APN 6368-001-021.
SECOND: Commissioner Lomeli
ACTION: 4-0-0-1

C. Conditional Use Permit (CUP12-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 7121 Telegraph Road, APN 6354-024-039.

Cannabis Consultant – Presented. Applicant has decided not to pursue cultivation at this time.

Applicant – Presented and discussed project

Chair – Do you intend to employ Montebello Residents?

 Applicant - Absolutely

MOTION: Commissioner Lomeli motions to Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 7121 Telegraph Road, APN 6354-024-039.
SECOND: Commissioner Ramirez
ACTION: 4-0-0-1

D. Conditional Use Permit (CUP13-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 1724 Aeros Way, APN 6354-028-025.

Cannabis Consultant – An email from applicant was received stating that they were out of the country and wanted to continue this item to a date certain which would be the July 16th hearing. We are recommending continuing this item until that time.
MOTION: Commissioner Mooradian motions to continue Conditional Use Permit (CUP13-19) to July 16, 2019.
SECOND: Commissioner Briseno
ACTION: 4-0-0-1

E. Conditional Use Permit (CUP14-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 7131 Telegraph Road, APN 6354-024-044.

Cannabis Consultant – presented

Applicant Representative – presented and discussed project

MOTION: Commissioner Ramirez motions to approve Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 7131 Telegraph Road, APN 6354-024-044.
SECOND: Commissioner Lomeli
ACTION: 4-0-0-1

F. Conditional Use Permit (CUP15-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 1801 Bluff Road, APN 6354-030-002.

Cannabis Consultant – Presented. Applicant originally applied for cultivation and has opted not to pursue cultivation at this time. Application will consist of Manufacturing, Distribution, and Non-Store Front.

Applicant – Presented and discussed project

Commissioner – There’s a lot of blank walls around your building maybe consider anti-graffiti design because area can get graffiti heavily

Applicant – There is a special 100% acrylic paint that makes so we are able to wash graffiti off the wall and we’ve utilized that in a lot of our other properties.
Staff – To address the commissioners’ question regarding graffiti, if they are not meeting conditions we can bring it forward to the Planning Commission to either make the conditions stricter or add additional conditions.

MOTION: Commissioner Lomeli motions to approve Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 1801 Bluff Road, APN 6354-030-002.
SECOND: Commissioner Ramirez
ACTION: 4-0-0-1

G. Conditional Use Permit (CUP16-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 7107 and 7117 Telegraph, APN 6354-024-032 and 037.

Cannabis Consultant – Presented

Applicant Representative—Presented and discussed project

Commissioner - Does SB Montebello LLC hold a cannabis license anywhere else?

Applicant Representative - No

MOTION: Commissioner Ramirez motions to approve a Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 7107 and 7117 Telegraph, APN 6354-024-032 and 037.
SECOND: Commissioner Lomeli
ACTION: 4-0-0-1

9. CONSENT ITEM (S)
None
10. STAFF COMMUNICATIONS TO THE PLANNING COMMISSION
   None

11. ORAL COMMUNICATIONS –CONTINUED
   None

12. PLANNING COMMISSION ORALS
   Chair Mooradian
   Vice Chair Alikian
   Commissioner Briseno
   Commissioner Lomeli
   Commissioner Ramirez

13. ADJOURNMENT
   The meeting adjourned at 7:33 p.m.

______________________________
Matthew Feske, Planning Commission Secretary
CITY OF MONTEBELLO
PLANNING COMMISSION
MINUTES
July 16, 2019

Planning Commission meets at 6:30 p.m., on the day scheduled in City Hall Council Chambers

1. CALL MEETING TO ORDER
   0:35 P.M. by Chair Mooradian

2. ROLL CALL
   Commissioner Present: Vice Chair Aliksanian, Commissioner Briseno and Commissioner Ramirez
   
   Absent: Chair Mooradian and Commissioner Lomeli

   Also present:
   Director of Planning and Community Development – Manuel Mancha
   Planning Manager – Matthew Feske
   Planning Commission Legal Counsel

3. PLEDGE OF ALLEGIANCE
   Commissioner Briseno

4. PLANNING COMMISSION SECRETARY –CORRECTION TO AGENDA
   NONE

5. STATEMENT OF PUBLIC ORAL COMMUNICATIONS
   NONE

6. APPROVAL OF MINUTES:
   NONE

7. STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST
   NONE

8. PUBLIC HEARINGS

   A. Conditional Use Permit (CUP13-19)
      A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 1724 Aeros Way, APN 6354-028-025.
Cannabis Consultant – Presented

Brian Ambriz – Discussed effects of marijuana use

Applicant Representative – Presented and discussed project

MOTION: Commissioner Briseno motions to approve a Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing commercial building on the property located at 1724 Aeros Way, APN 6354-028-025.
SECOND: Commissioner Ramirez
ACTION: 3-0-0-2

B. Conditional Use Permit (CUP17-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing and proposed commercial building on the property located at 1405 Date Street and 1404-1408 Espanol Avenue, APN 6354-050-042, and 6354-020-044 & 045.

Cannabis Consultant – Presented

Applicant Representative – Presented

Joseph Sanchez – Voiced concern regarding integrity and damaged sidewalk of other properties

Vice Chair – Condition 28 approval of CUP states “applicant shall repair any and all damage side along street frontage of property, install any new sidewalk as may be required and determined by the city engineer …”

MOTION: Commissioner Ramirez motions to approve a Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, within an existing and proposed commercial building on the property located at 1405 Date Street and 1404-1408 Espanol Avenue, APN 6354-050-042, and 6354-020-044 & 045.
SECOND: Commissioner Briseno
ACTION: 3-0-0-2
C. Conditional Use Permit (CUP18-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, in a proposed building on the property located at 1424 Espanol Avenue, APN 6354-020-043.

Cannabis Consultant – Presented

Commissioner – Have homes been rezoned and do they have to be a business

Cannabis Consultant – They can maintain them. Applicant is complying with zoning requirements as they are in place now.

Commissioner – Is non-confirming in reference to parking?

Cannabis Consultant – Non-confirming is in reference to the non-confirming uses around it

Staff – The zone was changed and in the general plan it does designate this area as manufacturing. This type of use is consistent with the general plan. Also noticing was done within 300 ft.

MOTION: Commissioner Ramirez motions to approve a Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, in a proposed building on the property located at 1424 Espanol Avenue, APN 6354-020-043.
SECOND: Commissioner Aliksanian
ACTION: 2-1-0-2

MOTION: Commissioner Briseno to reconsider vote for CUP18-19
SECOND: Commissioner Ramirez
ACTION: 3-0-0-2

MOTION: Commissioner Ramirez motions to approve a Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front delivery, in a proposed building on the property located at 1424 Espanol Avenue, APN 6354-020-043.
SECOND: Commissioner Aliksanian
ACTION: 3-0-0-2
D. Conditional Use Permit (CUP20-19)
A Conditional Use Permit application to allow alcohol sales (Beer and Wine) within a new restaurant that will be located at 2809 Via Campo, Unit H.

Staff – Presented

Applicant Representative – Presented

MOTION: Commissioner Briseno motions to approve to approve a Conditional Use Permit application to allow alcohol sales (Beer and Wine) within a new restaurant that will be located at 2809 Via Campo, Unit H.
SECOND: Commissioner Ramirez
ACTION: 3-0-0-2

E. Zone Code Amendment (ZCA06-19)
A Zone Code Amendment to amend Title 17 of the Montebello Municipal Code for Childcare Facilities to change the maximum children allowed by right from 12 to 15.

Staff – Presented

Staff – Staff report says 16 however it is 15

MOTION: Commissioner Ramirez motions to approve a Zone Code Amendment to amend Title 17 of the Montebello Municipal Code for Childcare Facilities to change the maximum children allowed by right from 12 to 15.
SECOND: Commissioner Briseno
ACTION: Motion passed 3-0-0-2

F. Zone Code Amendment (ZCA05-19)
A Zone Code Amendment to amend Title 17 of the Montebello Municipal Code to change the distance requirement between tattoo parlors.

Staff – Presented

Commissioner – Do we have a lot of applicants?
Staff – We do not. We’ve had a couple over past 4 years and have challenged the municipal code and in response to cases and judges orders this would be appropriate step to expand opportunity for these businesses to operate within the city.

Commissioner – How many possible locations could we have if this was approved?

Staff – Should distance requirement be reduce it would increase approximately 5%. Sensitive properties still have distance requirements at 1,000 feet.

MOTION: Commissioner Ramirez motions to approve a Zone Code Amendment to amend Title 17 of the Montebello Municipal Code to change the distance requirement between tattoo parlors.
SECOND: Commissioner Briseno
ACTION: 3-0-0-2

G. Zone Code Amendment (ZCA07-19)
A Zone Code Amendment by Electric Guard Dog, LLC to amend Title 17 of the Montebello Municipal Code to add electric fences as an allowed fence material.

Staff – Applicant has requested that this item be continued to the next planning commission meeting. Applicant had conflict of interest and could not make it tonight to explain their side.

MOTION: Commissioner Ramirez motions to continue Zone Code Amendment (ZCA07-19) to next scheduled planning commission meeting.
SECOND: Commissioner Briseno
ACTION: 3-0-0-2

H. Zone Code Amendment (ZCA03-19)
A Zone Code Amendment application by Newcastle and Associates to amend Title 17 of the Montebello Municipal Code to change the off street parking requirements for manufacturing zones.

Staff – Presented
MOTION: Commissioner Ramirez motions to approve a Zone Code Amendment application by Newcastle and Associates to amend Title 17 of the Montebello Municipal Code to change the off street parking requirements for manufacturing zones.
SECOND: Commissioner Briseno
ACTION: 3-0-0-2

9. CONSENT ITEM (S)
None

10. STAFF COMMUNICATIONS TO THE PLANNING COMMISSION
None

11. ORAL COMMUNICATIONS –CONTINUED
None

12. PLANNING COMMISSION ORALS
Chair Mooradian
Vice Chair Aliksanian
Commissioner Briseno
Commissioner Lomeli
Commissioner Ramirez

13. ADJOURNMENT
The meeting adjourned at 8:00p.m.

Matthew Feske, Planning Commission Secretary
CALL MEETING TO ORDER
6:41 P.M. by Chair Mooradian

ROLL CALL
Commissioner Present: Chair Mooradian, Vice Chair Aliksanian, Commissioner Lomeli and Commissioner Ramirez
Absent: Commissioner Briseño
Also present:
Director of Planning and Community Development – Manuel Mancha
Planning Manager – Matthew Feske
Planning Commission Legal Counsel

PLEDGE OF ALLEGIANCE
Vice Chair Aliksanian

PLANNING COMMISSION SECRETARY – CORRECTION TO AGENDA
Chair – Proposed to go dark next Planning Commission meeting
August 20, 2019

MOTION: Chair Mooradian motions to go dark next Planning Commission meeting August 20, 2019
SECOND: Commissioner Ramirez
ACTION: 4-0-0-1

STATEMENT OF PUBLIC ORAL COMMUNICATIONS
NONE

APPROVAL OF MINUTES:
NONE

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST
NONE
8. PUBLIC HEARINGS

A. Zone Code Amendment (ZCA07-19)
   A Zone Code Amendment by Electric Guard Dog, LLC to amend Title 17 of the Montebello Municipal Code to add electric fences as an allowed fence material.

   Staff – Applicant has requested that this item be continued to the next planning commission meeting September 3, 2019.

   MOTION: Commissioner Lomeli motions to continue item ZCA07-19 to next Planning Commission meeting on September 3, 2019.
   SECOND: Commissioner Ramirez
   ACTION: 4-0-0-1

B. Conditional Use Permit (CUP24-19)
   The applicant, 7-Eleven, has submitted a Conditional Use Permit application to allow alcohol sales (Beer and Wine) within building that will be located at 2900 West Beverly Boulevard.

   Staff – Presented

   Sherrie Olson (applicant representative) – Presented

   Commissioner – What’s the parking situation?

   Sherrie Olson (applicant representative) – Most customers are in the morning and are quick customers, 3-5 minutes max.

   Masood Shaili (??) (property owner) - As for parking we have no full uses, we have service business. Three remaining tenants are service tenants.

   Commissioner – How many total units?

   Masood Shaili (??) (property owner) – 5 total and 7-Eleven would take up 2 units.

   Commissioner – Regarding the neighborhood, there is restaurants and supermarket near area. is there restriction of distance between entities?

   Staff - Only restriction is number of licenses in a census tract area. At this time there is only one off sale license for this area and a second one would still be within the approval for census tract.
(??) Medina – not in favor of 7-Eleven

Richard Corona – not in favor and voiced concerned regarding alcohol and parking

MOTION: Commissioner Mooradian motions to deny a Conditional Use Permit application to allow alcohol sales (Beer and Wine) within building that will be located at 2900 West Beverly Boulevard.
SECOND: Commissioner Lomeli
ACTION: 4-0-0-1

C. Conditional Use Permit (CUP21-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery, within an existing and proposed commercial building on the property located at 1701 Aeros Way, APN 6354-028-021.

Cannabis Consultant – Presented

Mario Beltran (applicant representative) – Presented and discussed project

MOTION: Commissioner Lomeli motions to approve a Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery, within an existing and proposed commercial building on the property located at 1701 Aeros Way, APN 6354-028-021.
SECOND: Commissioner Ramirez
ACTION: 4-0-0-1

D. Conditional Use Permit (CUP22-19)
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery, within a proposed commercial building on the property located at 1701 Aeros Way, APN 6354-028-021.

Cannabis Consultant – Presented

Jay Cortez (applicant representative) – Presented and discussed project
Commissioner – Commented on condition regarding graffiti. This is a high graffiti area and just be aware to be on top of that

Jay Cortez (applicant representative) – that can be incorporated with the community service hours that is offered with the employee to take of their local surrounding areas.

MOTION: Commissioner Ramirez motions to approve a Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery, within a proposed commercial building on the property located at 1701 Aeros Way, APN 6354-028-021.
SECOND: Commissioner Lomeli
ACTION: 4-0-0-1

9. CONSENT ITEM (S)
None

10. STAFF COMMUNICATIONS TO THE PLANNING COMMISSION
Sending condolences to victims over the past week and take a moment of silence.

11. ORAL COMMUNICATIONS –CONTINUED
None

12. PLANNING COMMISSION ORALS
Chair Mooradian
Vice Chair Aliksanian
Commissioner Briseno
Commissioner Lomeli
Commissioner Ramirez

13. ADJOURNMENT
The meeting adjourned at 7:55p.m.

________________________________________
Matthew Feske, Planning Commission Secretary
CITY OF MONTEBELLO
PLANNING COMMISSION
MINUTES

August 20, 2019

Planning Commission meets at 6:30 p.m., on the day scheduled in City Hall Council Chambers

MEETING CANCELLED

Matthew Feske, Planning Commission Secretary
Planning Commission meets at 6:30 p.m., on the day scheduled in City Hall Council Chambers

MEETING CANCELLED

Matthew Feske, Planning Commission Secretary
City of Montebello

Planning Commission Agenda Staff Report

TO: Honorable Chair and Members of the Planning Commission

FROM: Matthew Feske, Planning Manager

SUBJECT: CONTINUED - Zone Code Amendment (ZCA07-19) to amend Title 17 of the Montebello Municipal Code to add electric fence as an allowed fence material.

DATE: September 17, 2019

RECOMMENDATION

Adopt Planning Commission Resolution denying Zone Code Amendment (ZCA07-19) to amend Title 17 of the Montebello Municipal Code to add electric fence as an allowed fence material.

SUMMARY FROM PREVIOUS STAFF REPORT

Staff and the Planning Commissions have been consistent in not allowing razor wire or barb wire due to safety concerns and liability concerns to the City. Electric fence material would be the same as razor wire or barb wire. Electric fences produce an electrical current that when in contact creates an electrical shock with the purpose to cause enough harm or discomfort to prevent additional contact.

Staff has expressed concern of the safety and liability issues with the applicant and at a previous Planning Commission meeting, where the Planning Commission denied the electric fence material.

ATTACHMENT(S)

- July 16, 2019 Staff Report, Resolution, and Survey
- August 6, 2019 Staff Report - Continuation
September 10, 2019

City of Montebello
Attn: Planning Commission

RE: Request to Continue

Dear Planning Commissioners:

Due to unforeseen and multiple conflicts with scheduling, Electric Guard Dog LLC is respectfully requesting a second and final continuance for ZCA07-19. Please continue the case to the next regularly scheduled meeting on 10/1/19.

Electric Guard Dog regrets the need to continue and appreciates your understanding. I will see you on 10/1/19.

Sincerely,

Keith Kaneko
Director of Business Development
Electric Guard Dog, LLC
916-532-6012
kkaneko@electricguarddog.com
electricguarddog.com
Follow us:

#RelentlesslyProtecting

The Electric Guard Dog
The #1 Theft Deterrent Service in the U.S.
550 Assembly St., 5th Floor
Columbia, SC 29201
City of Montebello

Planning Commission Agenda Staff Report

TO: Honorable Chair and Members of the Planning Commission

FROM: Matthew Feske, Planning Manager

SUBJECT: CONTINUED - Zone Code Amendment (ZCA07-19) to amend Title 17 of the Montebello Municipal Code to add electric fence as an allowed fence material.

DATE: August 6, 2019

RECOMMENDATION

Adopt Planning Commission Resolution denying Zone Code Amendment (ZCA07-19) to amend Title 17 of the Montebello Municipal Code to add electric fence as an allowed fence material.

SUMMARY FROM PREVIOUS STAFF REPORT

Staff and the Planning Commissions have been consistent in not allowing razor wire or barb wire due to safety concerns and liability concerns to the City. Electric fence material would be the same as razor wire or barb wire. Electric fences produce an electrical current that when in contact creates an electrical shock with the purpose to cause enough harm or discomfort to prevent additional contact.

Staff has expressed concern of the safety and liability issues with the applicant and at a previous Planning Commission meeting, where the Planning Commission denied the electric fence material.

ATTACHMENT(S)

- July 16, 2019 Staff Report, Resolution, and Survey
City of Montebello

Planning Commission Agenda Staff Report

TO: Honorable Chair and Members of the Planning Commission

FROM: Matthew Feske, Planning Manager

SUBJECT: Zone Code Amendment (ZCA07-19) to amend Title 17 of the Montebello Municipal Code to add electric fence as an allowed fence material.

DATE: July 16, 2019

RECOMMENDATION

Adopt Planning Commission Resolution denying Zone Code Amendment (ZCA07-19) to amend Title 17 of the Montebello Municipal Code to add electric fence as an allowed fence material.

PROJECT DESCRIPTION

The Zone Code Amendment would amend the Montebello Municipal Code, Title 17, Section 17.10.130 to add electric fence as an allowed fence material.

17.10.130 - Development standards—Walls, fences and hedges.
D. All screening or fencing visible from the public rights-of-way shall be composed of:
   1. Decorative masonry walls (slumpstone, stuccoed, split-face or similar);
   2. Evergreen shrubs closed spaced and maintained in a healthy and attractive state;
   3. Wooden fencing of adequate aesthetic and structural quality (no plywood sheeting);
   4. Decorative wrought iron, or
   5. Other materials if found by the planning commission to be architecturally or aesthetically in keeping with the building and the neighborhood.

However, in no event shall corrugated or sheet metal, fiberglass or any plastic material...

17.10.130 - Development standards—Walls, fences and hedges.
D. All screening or fencing visible from the public rights-of-way shall be composed of:
   1. Decorative masonry walls (slumpstone, stuccoed, split-face or similar);
   2. Evergreen shrubs closed spaced and maintained in a healthy and attractive state;
   3. Wooden fencing of adequate aesthetic and structural quality (no plywood sheeting);
   4. Decorative wrought iron, or
5. Electric Fence, or
6. Other materials if found by the planning commission to be architecturally or aesthetically in keeping with the building and the neighborhood.

However, in no event shall corrugated or sheet metal, fiberglass or any plastic material...

ANALYSIS

Zone Code Amendment is being requested by the applicant so that additional security options can be installed. In addition, the applicant has stated that the electric fence is safe in that the electric fence can be grabbed and the electricity goes in pulses, but does not generate enough electricity to do bodily harm or damage.

Property owners have requested previously for razor wire or barb wire stating security reasons and that these types of fence material will only cause minimal damage. The same type of statements as the electric fence. Staff and the Planning Commission have been consistent in not allowing razor wire or barb wire due to safety concerns and liability concerns to the City.

Electric fence material would be the same as razor wire or barb wire. Electric fences produce an electrical current that when in contact creates an electrical shock with the purpose to cause enough harm or discomfort to prevent additional contact. There are many advances and safety elements that have been introduced over the years for electric fences, however the main function of electric fences remains the same – produce an electrical current and when contacted discharge an electric current.

Staff has expressed concern, with the applicant and at a previous Planning Commission meeting, the safety and liability with electric fences. The safety concerns are: (i) injury to person(s) or animal(s) who come in contact with the electric fence; (ii) electrical arches to nearby person(s), animal(s), and/or material(s); and (iii) potential fire hazard. The liability concerns placed with the City for the electric fence that causes damage or harm or fire.

In addition, as the applicant previously stated, the electric fence produces electric pulses that are uncomfortable but not strong enough to do harm. If the purpose of the electric fence is to prevent intruders, being momentarily uncomfortable would not be much of a deterrent.

ENVIRONMENTAL

Zone Code Amendment (ZCA16-19) are not considered a "project", per the California Environmental Quality Act definition of a "project" and no further CEQA analysis is required.

FISCAL IMPACT

No fiscal impact.

ATTACHMENT(S)

- Resolution
- Public Hearing Notice
- Surrounding Cities Survey
RESOLUTION NO. ##-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO DENYING ZONE CODE AMENDMENT (ZCA07-19) TO THE MONTEBELLO MUNICIPAL CODE TO ADD ELECTRIC FENCE AS AN ALLOWED FENCE MATERIAL.

WHEREAS, the City of Montebello ("City") is a general law city, incorporated under the laws of the State of California, and has the power to make and enforce with its jurisdictional limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws of the state;

WHEREAS, the applicant, Electric Guard Dog, LLC has initiated a Zone Code Amendment (ZCA07-19) to add electric fence as an allowed fence material;

WHEREAS, the Planning Commission of the City of Montebello, after giving notice as required by law, held a public hearing concerning Zone Code Amendment (ZCA07-19) on July 16, 2019;

WHEREAS, the Zone Code Amendment (ZCA07-19) is not considered a "project", per the California Environmental Quality Act definition of a "project";

WHEREAS, a duty notice public hearing has been held, at which the Planning Commission received and considered testimony, all other matters presented at the public hearing, and included in the record for this matter; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the Planning Commission of the City of Montebello resolves that:

SECTION 1. The foregoing recitals are true and correct and are hereby incorporated as substantive findings in this Resolution.

SECTION 2. That the Planning Commission hereby finds that Zone Code Amendment (ZCA07-19) is denied because the proposed electric fence material poses a safety issue for the public, is not aesthetically in keeping with the surrounding neighborhood, and is not consistent with the objectives and policies General Plan.

PASSED, APPROVED AND ADOPTED this 16th day of July, 2019.

AYES:

NOES:
ABSENT:

ABSTAIN:

ATTEST:

Matthew Feske
Secretary to the Planning Commission

Sona Mooradian, Chair
NOTICE OF PUBLIC HEARING
CITY OF MONTEBELLO PLANNING COMMISSION

Zone Code Amendment (ZCA07-19)
Citywide

Project Description: A Zone Code Amendment by Electric Guard Dog, LLC to amend Title 17 of the Montebello Municipal Code to add electric fences as an allowed fence material.

Environmental: The proposal is not considered a "Project" under the California Environmental Act (CEQA).

NOTICE IS HEREBY GIVEN that the City of Montebello Planning Commission will hold a public hearing on the Conditional Use Permit application. The meeting is scheduled on:

Date: Tuesday, July 16, 2019
Time: 6:30 p.m.
Place: City Hall Council Chambers
1600 West Beverly Boulevard
Montebello, CA 90640

Any party interested in speaking may appear at the public hearing and comment on the project. Written comments may also be mailed or delivered to the City of Montebello Planning Commission at the Planning Division office address identified below. If you challenge the matter in court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City of Montebello at, or prior to, the public hearing.

For more information about the project and the related environmental documentation please contact:

Contact Person: Matthew Feske
Phone: 323.887.1200 Fax: 323.887.1488
Email: mifeske@cityofmontebello.com
Address: City of Montebello, City Hall, Planning Division, 1600 W. Beverly Blvd, Montebello, CA 90640
City Website: www.cityofmontebello.com
COPY OF NOTICE

Notice Type: HRG NOTICE OF HEARING
Ad Description: Zone Code Amendment (ZCA07-19) Citywide

To the right is a copy of the notice you sent to us for publication in the WHITTIER DAILY NEWS. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filled with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

07/03/2019

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an

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(510) 272-4747

Contact Person: Matthew Peske
Phone: 323.487.1300 Fax: 323.387.1488
Email: mpeske@cityofmontebello.com
Address: City of Montebello, City Hall
Planning Division, 1600 W. Beverly Blvd, Montebello CA 90640
Website: www.cityofmontebello.com

CNS: 3270914# WHITTIER DAILY NEWS
Electric Fencing Requirements Survey

Commerce
Prohibited

Pico Rivera
Prohibited

Rosemead
Prohibited

Downey
Prohibited

La Mirada
Prohibited

El Monte
Prohibited

South El Monte
Prohibited

Baldwin Park
Prohibited

Ontario
Allowed for commercial and industrial zones, prohibited for residential zones
City of Montebello

Planning Commission Agenda Staff Report

TO: Honorable Chair and Members of the Planning Commission

FROM: Matthew Feske, Planning Manager

SUBJECT: Zone Code Amendment (ZCA08-19), amending Title 17 of the Montebello Municipal Code to add Residential Overlay Zone and update the Zone Map

DATE: September 17, 2019

RECOMMENDATION

It is recommended that the Planning Commission adopt a Resolution recommending that the City Council approve Zone Code Amendment (ZCA08-19) amending Title 17 of the Montebello Municipal Code adding Residential Overlay Zone allowing high-density residential in certain commercial zoned areas within the City and update the Zone Map.

PROJECT DESCRIPTION

The proposed Amendment will allow the promotion of high-density residential development in certain commercial zoned areas, specifically Whittier Boulevard, Olympic Boulevard, and Washington Boulevard for the properties already zoned C-2 (Commercial), as stand alone residential projects or as a part of a mixed-use development. In addition, the proposed will allow for affordable housing projects to be proposed and constructed to meet housing needs and provide a diversity of housing options for the community.

ENVIRONMENTAL

The Zoning Code Amendment is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines. Sections 15060(c)(2) and 15060(c)(3) pertain to activities that will not result in a direct or reasonably foreseeable indirect change to the environment and that are not defined as a project under Section 15378.

PROPOSED ZONE CODE AMENDMENT

Chapter 17.45 - RESIDENTIAL OVERLAY ZONE

17.45.010 - Purpose.
The purpose of the use modifying zone shall be to promote the orderly, harmonious development of residential areas and to insure that densities are consistent with the city’s general plan.

17.45.020 - Modifying nature—Designation—Precedence.
The residential overlay zone shall be in the nature of a modifying zone. Land so classified shall
also be classified in one or more zones. Property so classified shall be delineated on the zoning map by a combination of the zone symbols. For example, C-2-RO means commercial zone that allows residential dwellings compliant with the R-4 zone district regulations for density and development standards. The regulations hereof on the modifying zone shall supersede the development standards in the underlying zone.

17.45.030 - Density regulations.
Whenever certain properties on the zoning map which is zoned commercial has in addition to its zone designation a symbol "RO", the provisions hereof shall apply regarding residential use, density, and development standards to be located on the property.

17.45.040 - Applicability.
The provisions hereof shall be made applicable to certain properties per the zone map, unless rescinded by the commission and council through conducted public hearings and findings.

ANALYSIS

The proposed zone code amendment allows for residential development in certain commercial zoned areas. The purpose is to allow for potential areas to include residential development along side and/or included in a commercial development, often known as mixed-use development. The areas identified are along Whittier Boulevard, Olympic Boulevard, and Washington Boulevard for the properties already zoned C-2 (Commercial).

Whittier Boulevard, Olympic Boulevard, and Washington Boulevard are major thoroughfares that have the capacity to handle an increase in potential traffic, although at the time of any proposed development a traffic study could be required to ensure capacity. Whittier Boulevard, Olympic Boulevard, and Washington Boulevard already have the infrastructure constructed to handle an increase in intensity of land use.

The proposed Residential Overlay has risks and benefits as outlined below:

<table>
<thead>
<tr>
<th>Benefit</th>
<th>Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Encourage redevelopment of the properties</td>
<td>Potential for increased traffic</td>
</tr>
<tr>
<td>which can increase revenues</td>
<td></td>
</tr>
<tr>
<td>Encourage development of a mixed-use to</td>
<td>Potential for increased parking demand</td>
</tr>
<tr>
<td>provide housing and commercial opportunities</td>
<td></td>
</tr>
<tr>
<td>Provide development standards that are</td>
<td></td>
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<tr>
<td>easily understood for potential redevelopment</td>
<td></td>
</tr>
<tr>
<td>Meets the goals and policies of the General</td>
<td></td>
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<tr>
<td>Plan</td>
<td></td>
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</tbody>
</table>

The benefits outweigh the risks because the risks can be mitigated through mitigation measures as provided from a traffic study and parking study. These mitigation measures can typically offset the impacts.

FISCAL IMPACT

Promote and encourage redevelopment of the properties to provide a mix of residential units and commercial spaces, thus has a potential to increase the revenue to the City through an increase in property taxes and business taxes. An increase in revenue allows the City to provide the services the community wants.
ATTACHMENTS

A. Resolution
B. Public Hearing Notice
C. Draft Ordinance
RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONE TEXT AMENDMENT (ZCA08-19) AMENDING TITLE 17 OF THE MONTEBELLO MUNICIPAL CODE TO ADD RESIDENTIAL OVERLAY ZONE AND UPDATE THE ZONE MAP.

WHEREAS, the City of Montebello ("City") is a general law city, incorporated under the laws of the State of California, and has the power to make and enforce with its jurisdictional limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws of the state;

WHEREAS, the Zone Code Amendment will amend Title 17 of the Montebello Municipal Code by adding a Residential Overlay Zone to certain commercial zoned areas within the City, specifically Whittier Boulevard, Olympic Boulevard, and Washington Boulevard for the properties already zoned C-2 (Commercial); and

WHEREAS, the Residential Overlay Zone will allow high-density residential development as a stand-alone project or as a part of a mixed-use project certain development standards.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO HEREBY DOES RESOLVE, DECLARE, AND DETERMINE AS FOLLOWS:

SECTION 1. That based on the entire record before it, the Planning Commission finds and declares that the foregoing recitals are true and correct, and incorporates said recitals fully into this Resolution as substantive findings.

SECTION 2. The City initiated a Zone Text Amendment to amend Title 17 adding Residential Overlay Zone allowing high-density residential in certain commercial zoned areas, specifically Whittier Boulevard, Olympic Boulevard, and Washington Boulevard for the properties already zoned C-2 (Commercial) and update of the Zone Map.

SECTION 3. CEQA. The Planning Commission hereby finds the adoption of this Ordinance would not have a potential for causing a significant effect on the environment, in that it is consistent with the community plan adopted under the General Plan. Consequently, this matter is exempt from the California Environmental Quality Act review pursuant to Section 15183 of the California Environmental Quality Act (CEQA) Guidelines.

SECTION 4. Pursuant to Municipal Code Section 17.10, on September 17, 2019, the Planning Commission held a duly noticed public hearing to consider the application. The Planning Commission carefully considered all relevant evidence, including public testimony and the staff report presented at the hearing.

SECTION 5. The Planning Commission finds that the proposed Zone Code Amendment (ZCA08-19) is in the public interest. Based on the evidence presented at the hearing, the Planning Commission finds as follows:

a) The proposed amendment provides flexibility of allowed uses and development standards to promote a variety of housing.
b) Substantial proof exists that the proposed change will promote the public health, safety, convenience and general welfare of the citizens of the city.

c) The proposed text amendment is consistent with the General Plan and in conformance with the Zoning Ordinance, in that the changes will ensure land use compatibility with surrounding properties and will promote various goals and policies of the City General Plan. Specifically, the proposed text amendment is consistent with the following goals and objectives of the General Plan:

- To provide opportunities for housing development at a range of densities and housing types that accommodate the varied interests and needs of present and future residents.

- To allow for the transition of mixed-density neighborhoods to higher density development consistent with underlying General Plan land use.

- To focus on new revenue-generating development in those areas of the City with high visibility.

- To accommodate new development that is compatible with and complements existing land uses.

- To provide for the revitalization of deteriorating land uses and properties.

SECTION 6. The Planning Commission hereby recommends the City Council approve Zone Code Amendment (ZCA08-19), as detailed in the attached Ordinance to adopt an amendment to Title 17 adding Residential Overlay Zone allowing high-density residential in certain commercial areas, specifically Whittier Boulevard, Olympic Boulevard, and Washington Boulevard for the properties already zoned C-2 (Commercial) and update the Zone Map.

PASSED, APPROVED AND ADOPTED this 17th day of September, 2019.

AYES:
NOES:
ABSENT:
ABSTAIN:

________________________________________
Sona Mooradian, Chair

ATTEST:

________________________________________
Matthew Feske
Secretary to the Planning Commission
NOTICE OF PUBLIC HEARING
CITY OF MONTEBELLO PLANNING COMMISSION

ZONING CODE AMENDMENT (ZCA08-19)

Project Description: The City has initiated a Zoning Code Amendment to the Montebello Municipal Code add residential use within the C-2 Zone.

Environmental: The Zoning Code Amendment is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines. Sections 15060(c)(2) and 15060(c)(3) pertain to activities that will not result in a direct or reasonably foreseeable indirect change to the environment and that are not defined as a project under Section 15378.

NOTICE IS HEREBY GIVEN that the City of Montebello Planning Commission will hold a public hearing on the said application. The meeting is scheduled on:

Date: Tuesday, September 17, 2019
Time: 6:30 p.m.
Place: City Hall Council Chambers
1600 W. Beverly Blvd.
Montebello, CA 90640

Any party interested in speaking may appear at the public hearing and comment on the project. Written comments may also be mailed or delivered to the City of Montebello Planning Commission via the Planning Commission Secretary, whose Office is located in the Planning Division of City Hall, or by email at mifeske@cityofmontebello.com. If you challenge the matter in court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City of Montebello at, or prior to, the public hearing.

Communications to the Planning Commission are public records and will become part of the City’s files and records.

Further information is available by contacting the Planning Manager Mathew Feske at mifeske@cityofmontebello.com.
COPY OF NOTICE

Notice Type: HRG NOTICE OF HEARING

ZONING CODE AMENDMENT (ZCA08-19)

To the right is a copy of the notice you sent to us for publication in the MONTEBELLO NEWS. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):
09/05/2019

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication $193.20
Total $193.20

Communications to the Planning Commission are public records and will become part of the City's files and records.

Further information is available by contacting the Planning Manager, Matthew Feske at mmfeske@cityofmontebello.com.

EWA# 3291053
NOTICE OF PUBLIC HEARING
CITY OF MONTEBELLO
Planning Commission

ZONING CODE AMENDMENT (ZCA08-19)

Project Description: The City has initiated a Zoning Code Amendment to the Montebello Municipal Code to add residential use within the C-2 Zone.

Environmental: The Zoning Code Amendment is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15065(c)(2) and 15065(c)(3) of the CEQA Guidelines. Sections 15065(c)(2) and 15065(c)(3) pertain to activities that will not result in a direct or reasonably foreseeable indirect change to the environment that are not defined as a project under Section 15378.

NOTICE IS HEREBY GIVEN that the City of Montebello Planning Commission will hold a public hearing on the said application. The hearing is scheduled on:
Date: Tuesday, September 17, 2019
Time: 6:30 p.m
Place: City Hall Council Chambers
1630 W. Beverly Blvd
Montebello, CA 90640

Any person interested in speaking may appear at the public hearing and comment on the project. Written comments may also be mailed or delivered to the City of Montebello Planning Commission via the Planning Commission Secretary, whose office is located in the Planning Division of City Hall or by email at mmfeske@cityofmontebello.com. If you challenge the matter in court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City of Montebello at, or prior to, the public hearing.
ORDIANCE NO. ___

AN ORDINANCE OF THE CITY OF MONTEBELLO, CALIFORNIA, FOR
A ZONE CODE AMENDMENT (ZCA08-19) TO AMEND TITLE 17 OF
THE MONTEBELLO MUNICIPAL CODE ADDING RESIDENTIAL
OVERLAY ZONE ALLOWING HIGH-DENSITY RESIDENTIAL IN
CERTAIN COMMERCIAL ZONED AREAS, SPECIFICALLY WHITTIER
BOULEVARD, OLIMPIC BOULEVARD, AND WASHINGTON
BOULEVARD FOR THE PROPERTIES ALREADY ZONED C-2
(COMMERCIAL). AND UPDATE THE ZONE MAP.

WHEREAS, the City of Montebello ("City") is a general law city,
incorporated under the laws of the State of California, and has the power to make and
enforce with its jurisdictional limits all local, police, sanitary, and other ordinances and
regulations not in conflict with general laws of the State;

WHEREAS, the City has initiated a Zone Code Amendment (ZCA08-19)
amending Title 17 of the Montebello Municipal Code adding Residential Overlay Zone
allowing high-density residential in certain commercial zoned areas, specifically Whittier
Boulevard, Olympic Boulevard, and Washington Boulevard for the properties already zoned C-2
(Commercial) and update the Zone Map;

WHEREAS, on September 17, 2019, the Planning Commission conducted
a duly noticed public hearing and adopted a Planning Commission Resolutions to
recommend that the City Council approve the Zone Code Amendments ZCA08-19; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance
have occurred.

NOW, THEREFORE, the City Council of the City of Montebello ordains as
follows:

SECTION 1. The foregoing recitals are true and correct and are hereby
incorporated as substantive findings in this Ordinance.

SECTION 2. The following Zone Code Amendments as follows:

- Zone Code Amendment to Montebello Municipal Code Title 17 as follows:

  Chapter 17.45 - RESIDENTIAL OVERLAY ZONE

17.45.010 - Purpose.
The purpose of the use modifying zone shall be to promote the orderly,
harmonious development of residential areas and to insure that densities
are consistent with the city's general plan.

17.45.020 - Modifying nature—Designation—Precedence.
The residential overlay zone shall be in the nature of a modifying zone.
Land so classified shall also be classified in one or more zones. Property
so classified shall be delineated on the zoning map by a combination of
the zone symbols. For example, C-2-RO means commercial zone that
allows residential dwellings compliant with the R-4 zone district regulations
for density and development standards. The regulations hereof on the
modifying zone shall supersede the development standards in the
underlying zone.

17.45.030 - Density regulations.
Whenever certain properties on the zoning map which is zoned
commercial has in addition to its zone designation a symbol "RO", the
provisions hereof shall apply regarding residential use, density, and
development standards to be located on the property.

17.45.040 - Applicability.
The provisions hereof shall be made applicable to certain properties per
the zone map, unless rescinded by the commission and council through
conducted public hearings and findings.

SECTION 3. CEQA. The Zoning Code Amendment is not subject to the
California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) and
15060(c)(3) of the CEQA Guidelines. Sections 15060(c)(2) and 15060(c)(3) pertain to
activities that will not result in a direct or reasonably foreseeable indirect change to the
environment and that are not defined as a project under Section 15378.

SECTION 4. SEVERABILITY. If any section, subsection, line, sentence,
clause, phrase, or word of this Ordinance is for any reason held to be invalid or
unconstitutional, either facially or as applied, by a decision of any court of competent
jurisdiction, such decision shall not affect the validity of the remaining portions of this
Ordinance. The City Council of the City of Montebello hereby declares that it would
have passed this Ordinance, and each and every individual section, subsection, line,
sentence, clause, phrase, or word without regard to any such decision.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective
thirty (30) days after approval by the City Council.

SECTION 6. PUBLICATION. The City Clerk shall certify to the adoption of
this Ordinance causing it to be posted as required by law.

PASSED AND ADOPTED this 25th day of September, 2019.

Jack Hadjinian, Mayor

APPROVED AS TO FORM: ATTEST:

2 of 4
CERTIFICATION

STATE OF CALIFORNIA  )
COUNTY OF LOS ANGELES  ) ss.
CITY OF MONTEBELLO  )

I, Irma Barajas, City Clerk of the City of Montebello, do hereby certify that the foregoing Ordinance No. ________ was introduced on ____________, 2019, and duly adopted by the City Council of the City of Montebello at their regular meeting on _____________, 2019, and carried by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City on this ____ day of ___________ 2019.

__________________________
Irma Barajas, City Clerk