



# ***City of Santa Fe Springs***

## **Planning Commission Meeting**

### **AGENDA**

#### **FOR THE REGULAR MEETING OF THE PLANNING COMMISSION**

**August 14, 2017**

**6:00 p.m.**

**Council Chambers  
11710 Telegraph Road  
Santa Fe Springs, CA 90670**

**Gabriel Jimenez, Chairperson  
Ralph Aranda, Vice Chairperson  
Ken Arnold, Commissioner  
John Mora, Commissioner  
Frank Ybarra, Commissioner**

**Public Comment:** The public is encouraged to address the Commission on any matter listed on the agenda or on any other matter within its jurisdiction. If you wish to address the Commission, please complete the card that is provided at the rear entrance to the Council Chambers and hand the card to the Secretary or a member of staff. The Commission will hear public comment on items listed on the agenda during discussion of the matter and prior to a vote. The Commission will hear public comment on matters not listed on the agenda during the Oral Communications period.

Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda or unless certain emergency or special circumstances exist. The Commission may direct staff to investigate and/or schedule certain matters for consideration at a future Commission meeting.

**Americans with Disabilities Act:** In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's Office. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

**Please Note:** Staff reports are available for inspection in the Planning & Development Department, City Hall, 11710 E. Telegraph Road, during regular business hours 7:30 a.m. – 5:30 p.m., Monday – Friday (closed every other Friday) Telephone (562) 868-0511.

**1. CALL TO ORDER****2. PLEDGE OF ALLEGIANCE****3. ROLL CALL**

Commissioners Aranda, Arnold, Jimenez, Mora, and Ybarra.

**4. ORAL COMMUNICATIONS**

*This is the time for public comment on any matter that is not on today's agenda. Anyone wishing to speak on an agenda item is asked to please comment at the time the item is considered by the Planning Commission.*

**5. MINUTES**

Approval of the minutes of the June 12, 2017 and July 10, 2017 Planning Commission meetings

**6. PUBLIC HEARING**

General Rule Exemption – CEAQ Guidelines § 15061 (b)(3)

Zoning Text Amendment – Mini-warehouses Ordinance No. 1089: An Ordinance of the City Council of the City of Santa Fe Springs, California, Amending Santa Fe Springs Municipal Code, Chapter 15 (Land Use), Title 155 (Zoning), Section 155.003 (Definitions), Section 155.481 (Require Parking), and Section 155.637 (Mini-warehouses) of the City Zoning Regulations.

**7. PUBLIC HEARING**

General Rule Exemption - CEQA Guidelines §15061(b)(3)

Zoning Text Amendment – Wireless Telecommunications Facilities

Ordinance No. 1090: An ordinance of the City Council of the City of Santa Fe Springs, California, amending Santa Fe Springs Municipal Code Title 15 (Land Usage), Section 155 (Zoning), Sections 155.377 (Permitted, Accessory and Conditional Uses Freeway Overlay Zone) and 155.381 (Design Standards Freeway Overlay Zone), and adding Chapter 157 to Santa Fe Springs Municipal Code Title 15 (Land Usage) to establish a comprehensive set of regulations and standards for the permitting, placement, design, installation, operation and maintenance of wireless telecommunications facilities in all areas of the city.

**8. CONSENT ITEMS**

Consent Agenda items are considered routine matters which may be enacted by one motion and roll call vote. Any item may be removed from the Consent Agenda and considered separately by the Planning Commission.

**A. CONSENT ITEM**

Alcohol Sales Conditional Use Permit Case No. 66

Request for a time extension of Conditional Use Permit Case No. 66 to allow the operation and maintenance of an alcoholic beverage use involving the sale of alcoholic beverages for on-site consumption at Salt and Pepper Restaurant



located at 13225 Telegraph Road, in the Community Commercial (C-4) Zone and in the Telegraph Road Corridor Zone, within the Consolidated Redevelopment Project Area. (Salt and Pepper Restaurant)

**B. CONSENT ITEM**Alcohol Sales Conditional Use Permit Case No. 68

Request for a time extension of Conditional Use Permit Case No. 68 to allow the operation and maintenance of an alcoholic beverage use involving the sale and storage of alcoholic beverages for on-site consumption at a banquet hall facility under the name of Azar Event Center located at 12215 Slauson Avenue, within the Light Manufacturing (M-1) Zone. (Ebriham Fassal for Azar Event Center)

**C. CONSENT ITEM**Conditional Use Permit Case No. 730-2

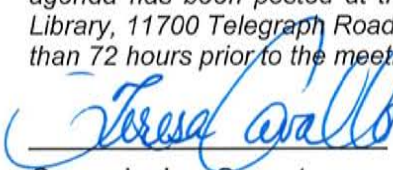
A compliance review to allow the continued operation and maintenance of a residential-treatment facility located at 11121 Bloomfield Avenue (APN: 8025-002-900), within the M-2-BP, Heavy Manufacturing – Buffer Parking, Zone. (LA CADA)

**9. ANNOUNCEMENTS**

- ♦ Commissioners
- ♦ Staff

**10. ADJOURNMENT**

*I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda has been posted at the following locations; 1) City Hall, 11710 Telegraph Road; 2) City Library, 11700 Telegraph Road; and 3) Town Center Plaza (Kiosk), 11740 Telegraph Road, not less than 72 hours prior to the meeting.*

  
Commission Secretary

August 10, 2017  
Date



## *City of Santa Fe Springs*

Planning Commission Meeting

August 14, 2017

### **APPROVAL OF MINUTES**

Minutes of the June 12, 2017 and July 10, 2017 Planning Commission Meetings

RECOMMENDATION: That the Planning Commission:

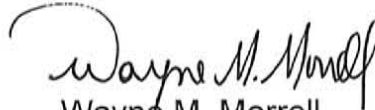
- Approve the minutes as submitted.

### **BACKGROUND**

Staff has prepared minutes for the following meetings:

- June 12, 2017
- July 10, 2017

Staff hereby submits the minutes for Planning Commissioner's approval.

  
Wayne M. Morrell  
Director of Planning

### Attachment:

Minutes for June 12, 2017

Minutes for July 10, 2017





APPROVED:

## MINUTES OF THE REGULAR MEETING OF THE SANTA FE SPRINGS PLANNING COMMISSION

June 12, 2017

1. **CALL TO ORDER**

Chair Arnold called the meeting to order at 6:00 p.m.

2. **PLEDGE OF ALLEGIANCE**

Chair Arnold called upon Commissioner Ralph Aranda to lead everyone in the Pledge of Allegiance.

3. **ROLL CALL**

**Members present:**

Chairperson Arnold  
Vice Chairperson Jimenez  
Commissioner Aranda  
Commissioner Mora  
Commissioner Ybarra

**Staff:**

Yolanda Summerhill, City Attorney  
Wayne M. Morrell, Director of Planning  
Noe Negrete, Director of Public Works  
Cuong Nguyen, Senior Planner  
Luis Collazo, Code Enforcement Officer  
Laurel Reimer, Planning Consultant  
Teresa Cavallo, Planning Secretary  
Eric Borunda, Streets and Grounds Supervisor

**Members absent:**

None

4. **ORAL COMMUNICATIONS**

No speakers.

5. **MINUTES**

**Approval of Minutes**

Approval of the minutes of the May 8, 2017 Planning Commission

**Recommendation:** That the Planning Commission approve the minutes as submitted.

It was moved by Commissioner Aranda, seconded by Vice Chair Jimenez to approve the minutes, by the following vote:

**Ayes:** Arnold, Aranda, Jimenez, Mora and Ybarra

**Nayes:** None

**Absent:** None

## NEW BUSINESS

### NEW BUSINESS

10. Appeal of Parkway Tree Removal Decision

Resident Requests Removal of Parkway Tree at 11025 Davenrich Street

**Recommendation:** That the Planning Commission:

- Reaffirm the decision of the Director of Public Works to deny the request by the property owner to have the City remove the parkway tree in front of 11025 Davenrich Street; and
- Deny the property owner at 11025 Davenrich Street a permit to remove the parkway tree at their own expense.

Chair Arnold called upon Director of Public Works Noe Negrete who presented Item No. 10 before the Planning Commission. Mr. Negrete wanted to reflect on the minutes that the property address is 11031 Davenrich Street. Mr. Negrete proceeded to explain that, per the City Manager's request, the City's pine trees are on a two (2) year trim cycle to maintain the sap and the pinecones. A discussion ensued regarding the pine tree maintenance, etc.

Present in the audience and addressing the Planning Commission was Appellant Irma Miller who indicated that the trees roots have lifted the sidewalk, the pinecones have cracked the windshield to her daughter's vehicle (no proof was provided) and the pinecones create a mess.

Having no further questions or comments, Chair Arnold requested a motion. It was moved by Commissioner Aranda, seconded by Commissioner Ybarra to reaffirm the decision of the Director of Public Works, and the recommendations regarding this matter, by the following vote:

**Ayes:** Arnold, Aranda, Jimenez, Mora and Ybarra  
**Nayes:** None  
**Absent:** None

## PUBLIC HEARINGS

**PUBLIC HEARING** – Continued from the May 8, 2017 Planning Commission Meeting

6. Amendment to Development Plan Approval Case No. 911 and Environmental Document

**Recommendation:** That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Amendment to Development Plan Approval Case No. 911 and thereafter close the Public Hearing; and
- Find that Amendment to Development Plan Approval Case No. 911 is consistent with the purpose, intent, goals and policies set forth in the City's General Plan; and
- Find that approval to Amendment to Development Plan Approval Case No. 911 is consistent with the previously-adopted Initial Study/Mitigated Negative Declaration/Mitigation Monitoring and Reporting Program (IS/MND/MMRP) for DPA 911, which, based on the findings of the Initial Study and the proposed mitigation measures,



indicates that there is no substantial evidence that the approval of Development Plan Approval Case No. 911, will have significant adverse effects that cannot be mitigated to levels of insignificance and therefore, no additional environmental studies are needed for the approval of Amendment to Development Plan Approval Case No. 911; and

- Approve Amendment to Development Plan Approval Case No. 911, subject to the conditions of approval contained within this Staff Report.

\*\*\* SEE ITEM NO. 7 \*\*\*

**PUBLIC HEARING** - Continued from the May 8, 2017 Planning Commission Meeting  
**7. Development Plan Approval Case No. 924 and Environmental Documents**

**Recommendation:** That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Amendment to Development Plan Approval Case No. 924 and thereafter close the Public Hearing; and
- Find that Development Plan Approval Case Nos. 924 is consistent with the purpose, intent, goals and policies set forth in the City's General Plan; and
- Find that approval of Development Plan Approval Case No. 924 is consistent with the previously-adopted Initial Study/Mitigated Negative Declaration/ Mitigation Monitoring and Reporting Program (IS/MND/MMRP) for DPA 911, which, based on the findings of the Initial Study and the proposed mitigation measures, indicates that there is no substantial evidence that the approval of Development Plan Approval Case No. 911, will have significant adverse effects that cannot be mitigated to levels of insignificance and therefore, no additional environmental documents are required for Development Plan Approval 924; and
- Approve Development Plan Approval Case No. 924, subject to the conditions of approval contained within this Staff Report.

Chair Arnold opened the Public Hearing at 6:29 p.m. and called upon the Director of Planning Wayne Morrell to present Item Nos. 6 and 7. Present in the audience was Michael Johnson, Development Manager for Overton Moore Properties.

The Planning Commissioners had various questions with regard to the silo and screening along the eastside of the property. Mr. Johnson indicated that although the wall belongs to Wal-Mart he would work with City staff on landscaping and screening in that side of the property.

Having no further questions or comments, Chair Arnold closed the Public Hearing at 6:53 p.m. and requested a motion. It was moved by Commissioner Ybarra, seconded by Commissioner Mora to approve Item Amendment to Development Plan Approval Case No. 911 and Amendment to Development Plan Approval Case No. 924, and the recommendations regarding this matter, by the following vote:

**Ayes:** Arnold, Aranda, Jimenez, Mora and Ybarra

**Nayes:** None

**Absent:** None



## **PUBLIC HEARING**

### **8. Amendment to Alcohol Sales Conditional Use Permit Case No. 60**

**Recommendation:** That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding the Amendment of Alcohol Sales Conditional Use Permit Case No. 60 and thereafter, close the Public Hearing; and
- Find that Amendment of Alcohol Sales Conditional Use Permit Case No. 60 meets the criteria for "Existing Facilities" pursuant to the California Environmental Quality Act (CEQA); therefore, the proposed project is determined to be a categorically-exempt project pursuant to Section 15301-Class 1 of CEQA; consequently, no other environmental documents are required by law; and
- Approve the Amendment to Alcohol Sales Conditional Use Permit Case No. 60 subject to the conditions of approval and subject to a compliance review report within one-year, no later than June 12, 2018, to determine if the business is being conducted in compliance with the conditions of approval.

Chair Arnold opened the Public Hearing at 6:56 p.m. and called upon the Code Enforcement Officer Luis Collazo to present Item No. 8.

Chair Arnold inquired as to the type of ABC License that Koya Sushi was requesting. Mr. Collazo indicated the ABC License was for beer and wine only.

Having no one wishing to speak, Chair Arnold closed the Public Hearing at 7:01 p.m. and requested a motion. It was moved by Vice Chair Jimenez, seconded by Commissioner Ybarra to approve Amendment of Alcohol Sales Conditional Use Permit Case No. 60, and the recommendations regarding this matter, by the following vote:

**Ayes:** Arnold, Aranda, Jimenez, Mora and Ybarra

**Nays:** None

**Absent:** None

## **PUBLIC HEARING**

### **9. Conditional Use Permit Case No. 687 and Modification Permit Case No. 1277**

**Recommendation:** That the Planning Commission:

- Open the public hearing and receive any comments from the public regarding Conditional Use Permit Case No. 687 and Modification Permit Case No. 1277, and thereafter, close the public hearing; and
- Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan; and
- Find that the applicant's request meets the criteria set forth in §155.716 of the City's Zoning Regulations, for the granting of a Conditional Use Permit; and
- Find that the applicant's request meets the criteria set forth in §155.697 of the City's Zoning Regulation, for the granting of a Temporary Modification Permit; and

- Find and determine that the project is categorically exempt pursuant to Section 15301, Class 1 (Existing Facilities), of the California Environmental Quality Act (CEQA), therefore, the proposed project is determined to be a categorically-exempt project, and no additional environmental analysis is required by law; and
- Approve Conditional Use Permit Case No. 687 and Modification Permit Case No. 1277, subject to the conditions of approval as contained with the staff report.

Chair Arnold opened the Public Hearing meeting at 7:01 a.m. and called upon Planning Consultant Jimmy Wong to present Item No. 9 before the Planning Commission. Present in the audience was Tammy Asam, Owner of Spirit Gymnastics, LLC.

Commissioner Aranda inquired about the parking within the facility and the type of business between the gymnastic locations. Staff replied parking was suffice and that the business between the gymnastic locations was primarily an administrative use.

Having no one wishing to speak, Chair Arnold closed the Public Hearing at 7:15 p.m. and requested a motion. It was moved by Commissioner Mora, seconded by Chair Arnold to approve Conditional Use Permit Case No. 687 and Modification Permit Case No. 1277, and the recommendations regarding this matter, by the following vote:

**Ayes:** Arnold, Aranda, Jimenez, Mora and Ybarra

**Nays:** None

**Absent:** None

## NEW BUSINESS

### NEW BUSINESS

#### 11. Modification Permit Case No. 1278

**Recommendation:** That the Planning Commission:

- Find that the proposed project, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Regulations and consistent with the goals, policies and programs of the City's General Plan.
- Find that the applicant's Modification Permit request meets the criteria set forth in Section 155.695 of the City's Zoning Regulation for the granting of a Modification in nonresidential zones.
- Find that pursuant to Section 15311, Class 11 (Construction or placement of minor structures accessory to existing facilities), of the California Environmental Quality Act (CEQA), this project is, therefore, considered to be Categorical Exempt.
- Approve Modification Permit Case No. 1278, subject to the conditions of approval as contained within this staff report.

Chair Arnold called upon Planning Intern Camilla Martinez to present Item No. 11 before the Planning Commission.



Having no questions or comments, Chair Arnold requested a motion on this matter. It was moved by Commissioner Aranda, seconded by Commissioner Ybarra to approve Modification Permit Case No. 1278, and the recommendations regarding this matter, by the following vote:

**Ayes:** Arnold, Aranda, Jimenez, Mora and Ybarra  
**Nays:** None  
**Absent:** None

## CONSENT ITEMS

### 12. CONSENT ITEM

#### A. Development Plan Approval Case No. 917 & Modification Permit Case No. 1270

**Recommendation:** That the Planning Commission:

- Approve a one (1) year extension of time for DPA Case No. 917 and MOD Case No. 1270 until July 11, 2018, subject to the conditions of approvals as contained within this staff report.

Having no requests from the Planning Commissioners for a presentation, Chair Arnold requested a motion on this matter.

It was moved by Commissioner Ybarra, seconded by Vice Chair Jimenez to approve Consent Item Nos. 12A and the recommendations regarding these items, which passed by the following vote:

**Ayes:** Arnold, Aranda, Jimenez, Mora and Ybarra  
**Nays:** None  
**Absent:** None

## ANNOUNCEMENTS

### 13. The following announcements were made:

Commissioners made the following announcements:

- All the Planning Commissioners wished everyone a Happy 4<sup>th</sup> of July.
- Commissioner Ybarra welcomed the new City Attorney Yolanda Summerhill.
- Chair Ken Arnold announced that he had three grandchildren graduating from three different grades.
- Planning Commissioner Aranda announced that he will be on vacation for the next Planning Commission meeting.

Staff made the following announcements:

- Planning Intern Vince Velasco wished all the fathers a Happy Father's Day.

**ADJOURNMENT**

Chair Arnold adjourned the meeting at 7:24 p.m.

\_\_\_\_\_  
Gabriel Jimenez  
Chairperson

**ATTEST:**

\_\_\_\_\_  
Teresa Cavallo  
Planning Secretary

\_\_\_\_\_  
Date





APPROVED:

## MINUTES OF THE REGULAR MEETING OF THE SANTA FE SPRINGS PLANNING COMMISSION

July 10, 2017

**1. CALL TO ORDER**

Chair Arnold called the meeting to order at 6:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

Chair Arnold called upon Commissioner John Mora to lead everyone in the Pledge of Allegiance.

**3. ROLL CALL**

**Members present:**

Chairperson Arnold  
Vice Chairperson Jimenez  
Commissioner Aranda  
Commissioner Mora  
Commissioner Ybarra

**Staff:**

Yolanda Summerhill, City Attorney  
Wayne M. Morrell, Director of Planning  
Cuong Nguyen, Senior Planner  
Luis Collazo, Code Enforcement Officer  
Teresa Cavallo, Planning Secretary  
Jimmy Wong, Planning Consultant  
Vince Velasco, Planning Intern  
Camilla Martinez, Planning Intern  
Mike Crook, Fire Chief  
Christa King, Fire and Environmental Safety Inspector II

**Members absent:**

None

**4. ORAL COMMUNICATIONS**

No speakers.

**5. ELECTION OF OFFICERS FOR 2017-2018**

The bylaws require the election of Planning Commission Officers.

Chair Arnold announced his intention to vacate the office of Chairman effective immediately and called for nominations for the office of Chairperson. Commissioner Mora nominated Commissioner Aranda; a second was not received. The nomination

was not confirmed. Vice Chair Jimenez nominated Commissioner Mora, a second was not received. Therefore, the nomination was not confirmed. Former Chair Arnold nominated Vice Chair Jimenez; Commissioner Ybarra seconded the nomination, which was approved by the following vote:

**Ayes:** Arnold, Aranda, Mora, Jimenez, and Ybarra

**Nays:** None

Chair Jimenez vacated his office of the Vice Chair effective immediately and opened the nominations for Vice Chair. Commissioner Arnold nominated Commissioner Aranda; Commissioner Ybarra seconded the nomination. No other nominations were received. The nomination for Commissioner Aranda as the new Vice Chair was approved by the following vote:

**Ayes:** Arnold, Aranda, Mora, Jimenez, and Ybarra

**Nays:** None

## PUBLIC HEARINGS

### PUBLIC HEARING

#### 6. Conditional Use Permit Case No. 783

**Recommendation:** That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Conditional Use Permit Case No. 783, and thereafter close the Public Hearing; and
- Find and determine that the proposed project is a categorically-exempt project pursuant to Section 15301 (Class 1, Existing Facilities) of the California Environmental Quality Act (CEQA); consequently, no other environmental documents are required by law; and
- Deny the request for Conditional Use Permit Case No. 783 based on the findings within this report in accordance with Section 155.724 (E) of the Santa Fe Springs Zoning Code.

Chair Jimenez opened the Public Hearing at 6:08 p.m. and called upon Code Enforcement Officer Luis Collazo to present Conditional Use Permit Case No. 783 before the Planning Commission. Present in the audience was the applicant and owner Garrett Biggs for Mi Amor Massage. Also, present were Detectives John Draper and Jess Bonavente from the Whittier Police Department.

Commissioner Ybarra commented that the findings in the Staff report were disturbing. Commissioner Ybarra further inquired if any complaints had been received. Mr. Collazo indicated that the surrounding businesses did not have any idea what was going on within the property location.

Commissioner Aranda inquired as to the validity of the massage certifications, which Mr. Collazo replied when he verified the validity of the massage certifications came back as invalid.

Commissioner Arnold inquired about Exhibit A and if a business license was issued the same day that the applicant applied for such license and why a CUP was not required at the time. Mr. Collazo replied that a business license was issued the very same day;



however, very specific wording was written on the business license that stated that all therapist must be certified by the California Massage Therapy Council.

Chair Jimenez invited anyone from the audience to speak on this matter. Mr. Garrett Biggs, the owner and applicant of Mi Amor, addressed the Planning Commission. Mr. Garrett Biggs provided a brief history of his business and the continued contact with City Staff. Mr. Biggs also indicated that the events described in the staff report occurred while Mr. Biggs was out of the country on vacation. Mr. Biggs further acknowledged that he has mismanaged his business and apologized for his employees' actions.

Commissioner Ybarra inquired about the number of employees that are employed. Mr. Biggs replied that he currently employees two (2) licensed therapist and hopes that they are willing to return to work since he has been closed.

Mr. Biggs further stated that he received a voicemail from Mr. Collazo congratulating him about his business and played it for the Planning Commission. It was confirmed by the Planning Commissioners that no such congratulations could be heard on the recording.

A discussion ensued regarding the CUP process.

Commissioner Aranda commented that a CUP would not do Mi Amor any good since the business license specifically states that Mi Amor was to have certified staff on the premises to conduct business. Mr. Biggs replied that both he and his wife are both certified and he has two other certified employees.

Commissioner Aranda further inquired if Mr. Biggs' manager was on the premises during the different site inspections. Mr. Biggs replied that he takes responsibility for the mismanagement of his business and will make sure that moving forward his business is operating in strict accordance with the City's rules and regulations.

Commissioner Aranda inquired how would a Conditional Use Permit allow this business to operate moving forward. Mr. Collazo indicated that Conditions of Approval would be implemented and part of those conditions would require Mr. Biggs's employees to be certified therapist.

Commissioner Arnold inquired about licensing requirements and if a license is required to be posted and visible for the public to see. Mr. Collazo indicated that yes the license is required to be posted and visible. Mr. Collazo further stated that the business was open to the public and that the person on the premises was not certified. Mr. Collazo stated that anytime a massage business is open for business must have a certified staff person on the premises.

Commissioner Ybarra commented that based on staff's findings and what has been presented before the Planning Commission is very concerning and cannot move forward with approving the Conditional Use Permit at this time. Commissioner Ybarra would entertain hearing the CUP again once the business owner can prove to City Staff that they can operate the business with proper management and with certified therapist.



Commissioner Aranda commented that Staff is requesting denial of the CUP in its entirety based on the facts of what has occurred and requested what the process is for denial.

Code Enforcement Officer Luis Collazo explained the Appeal Process to both the Planning Commissioners and the applicant.

Director of Planning Wayne Morrell explained the three decision options that City Council can take as well.

A discussion ensued regarding the appeal process and the reason why a CUP is required for such a use.

Having no further questions or comments, Chair Jimenez closed the Public Hearing at 6:46 p.m. and requested a motion on this matter. It was moved by Commissioner Ybarra, seconded by Commissioner Arnold to deny Conditional Use Permit Case No. 783, and the recommendations regarding this matter, which passed by the following vote:

**Ayes:** Arnold, Aranda, Jimenez, Mora and Ybarra

**Nays:** None

#### **PUBLIC HEARING**

**7. Development Plan Approval Case No. 923 and Lot Line Adjustment Case No. 2017-01**

**Recommendation:** That the Planning Commission:

- Open the public hearing and receive any comments from the public regarding Development Plan Approval Case No. 923, Lot Line Adjustment Case No. 2017-01, and thereafter, close the public hearing; and
- Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan; and
- Find that the applicant's request meets the criteria set forth in §155.739 of the City's Zoning Regulations, for the granting of Development Plan Approval; and
- Find that Lot Line Adjustment No. 2017-01 is consistent with the City's General Plan, Zoning Regulations and Building Code, and will not create a greater number of parcels than originally existed; and
- Find and determine that the project is categorically exempt pursuant to Section 15332, Class 32 (In-Fill Development Projects), of the California Environmental Quality Act (CEQA); therefore, no additional environmental analysis is required by law; and
- Find that Lot Line Adjustment No. 2017-01 meets the criteria for "Minor Alterations to Land Use Limitations", pursuant to the California Environmental Quality Act (CEQA). Specifically, the proposed project is a categorically-exempt project, pursuant to Section 15305, Class 5, of CEQA; consequently, no other environmental documents are required by law; and
- Approve Development Plan Approval Case No. 923 and Lot Line Adjustment Case No. 2017-01, subject to the conditions of approval as contained within the staff report.

Chair Jimenez opened the Public Hearing at 6:56 p.m. and called upon Planning



Consultant Jimmy Wong to present Item No. 7 before the Planning Commission.

Commissioner Aranda inquired about the truck flow and truck circulation access within the parking lot. Director of Planning Wayne Morrell replied that there is an existing condition allowing the current truck circulation that shows parking within that area. The City does not have that practice anymore; however, because it was existing the City continued to allow it under this DPA.

Commissioner Arnold inquired about complaints regarding truck flow and circulation. Code Enforcement Officer Luis Collazo indicated that he periodically drives within that area and does not see any violations nor has he received any complaints.

Having no one wishing to speak on this matter, Chair Jimenez closed the Public Hearing at 7:06 p.m. and requested a motion on this matter. It was moved by Commissioner Aranda, seconded by Commissioner Arnold to approve Conditional Use Permit Case No. 923 and Lot Line Adjustment Case No. 2017-01, and the recommendations regarding this matter, which passed by the following vote:

**Ayes:** Arnold, Aranda, Jimenez, Mora and Ybarra

**Nayes:** None

## CONSENT ITEMS

### 8. CONSENT ITEM

#### A. Conditional Use Permit Case No. 641-3 & Zone Variance Case No. 68-3

**Recommendation:** That the Planning Commission:

- Approve a five (5) year extension of time for CUP Case No. 641 and ZV Case No. 68 until July 10, 2022, subject to the conditions of approvals as contained within the latest approval dated July 24, 2012.

#### B. Conditional Use Permit Case No. 770-1 & Modification Case No. 1265

**Recommendation:** That the Planning Commission:

- Find and determine that granting a one (1) year time extension of Conditional Use Permit Case No. 770, will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan.
- Approve a one (1) year time extension of Conditional Use Permit Case No. 770 (until July 10, 2018), subject to the conditions of approval as contained within this staff report.

It was moved by Commissioner Ybarra, seconded by Commissioner Mora to approve Consent Item Nos. 8A and 8B and the recommendations regarding these items, which passed by the following vote:

**Ayes:** Arnold, Aranda, Jimenez, Mora and Ybarra

**Nayes:** None

## ANNOUNCEMENTS

9. The following announcements were made:

Commissioners made the following announcements:

- Vice Chair Aranda thanked Commissioner Arnold for his service as Chairman this past year and the great job he has done. Commissioner Aranda also requested if Staff could label the attached Exhibits with a description within their staff reports.
- Commissioner Arnold thanked staff and everyone for all of their help and making things run so smoothly for him. He also comments that he knows Chair Gabriel will do a great job.
- Commissioner Ybarra inquired about the trees planted along Parkmead Street and the contract that the City holds with the contractor. Code Enforcement Officer Luis Collazo replied that both the City Manager and the Public Works Director are aware of the conditions of the trees along that street.
- Chair Jimenez thanked everyone and to bear with him as he becomes acclimated to his new position.

Staff made the following announcements:

- Senior Planner Cuong Nguyen announced that a third Poke place has opened within the City. This Poke place is located next the Starbucks on Telegraph Road and Gunn Avenue.

**ADJOURNMENT**

Chair Arnold adjourned the meeting at 7:15 p.m.

\_\_\_\_\_  
Ken Arnold  
Chairperson

**ATTEST:**

\_\_\_\_\_  
Teresa Cavallo  
Planning Secretary

\_\_\_\_\_  
Date





## **PUBLIC HEARING**

General Rule Exemption – Section 15061 (b)(3)

Zoning Text Amendment – Mini-warehouses Ordinance No. 1089: An Ordinance of the City Council of the City of Santa Fe Springs, California, Amending Santa Fe Springs Municipal Code, Chapter 15 (Land Use), Title 155 (Zoning), Section 155.003 (Definitions), Section 155.481 (Require Parking), and Section 155.637 (Mini-warehouses) of the City Zoning Regulations.

### **RECOMMENDATIONS:** That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding proposed Ordinance No. 1089, and thereafter close the Public Hearing.
- Find that the proposed amendment to the text of the City's Zoning Regulations relating to mini-warehouses is consistent with the purpose as describe within the Zoning Regulation.
- Find that the proposed amendment to the text of the City's Zoning Regulations relating to mini-warehouses is in compliance with the City's General Plan.
- Find that the proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15061(b)(3) (the activity can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because the adoption of this ordinance will have no physical changes to the environment. Recommend that the City Council adopt Ordinance No. 1089 which establishes standards and processing procedures to encourage accessory dwelling units.
- Adopt Resolution No. 63-2017, which incorporates the Commission's findings and recommendation regarding this matter.
- Recommend that the City Council approve and adopt Ordinance No. 1089, to effectuate the proposed amendments to the text of the City's Zoning Regulations.

**BACKGROUND/DESCRIPTION**

The proposed Zoning Text Amendment was submitted by applicant Simply Self Storage. Simply Self Storage is one of the largest privately owned self-storage management company in the United States. As part of the proposed Zoning Text Amendment the applicant, Simply Self Storage, is seeking to amend the City's Zoning Regulations to allow for mini-warehouses to be (1) located on property adjoining a major or secondary highway, or a street adjoining a freeway; (2) within parcel larger than two acres; and (3) within 1,000 feet of a residential zone, commercial zone, school or park.

Prior to 1974, "mini-warehouses" was not defined in the City's Zoning Regulations. On July, 1974 the City Council adopted an interim ordinance, Ordinance No. 461, which temporarily prohibited the construction of mini-warehouse facilities; and directed staff to initiate an amendment to the Zoning Regulation which would require Conditional Use Permit approval prior to construction of a mini-warehouse within the M-1 and M-2 zone, and that site development standards be developed for these facilities.

On October, 1974 the City Council adopted Ordinance No. 468 which amended the text of the Zoning Regulations regarding mini-warehouse facilities. Adopted changes include the following: (1) new definition of mini-warehouse to distinguish the difference between regular warehouse and mini-warehouse use; (2) require Conditional Use Permit approval prior to establishment of a mini-warehouse within M-1 and M-2 zone; and (3) special provisions, § 155.637 (B), that restrict the size, location, and function of a mini-warehouse.

**§ 155.637 MINI-WAREHOUSES.**

(B) In addition to any other conditions which may be imposed on the granting of such conditional use permit, the following conditions shall apply:

- (1) Mini-warehouses shall not occupy frontage on a freeway, major or secondary highway.
- (2) Mini-warehouses shall not be located within 1,000 feet of a residential zone, commercial zone, school or park.
- (3) Mini-warehouses shall not exceed two acres in size.
- (4) The exterior walls of all mini-warehouses shall be constructed of masonry or concrete.
- (5) Setbacks and landscaping greater than that required by other provisions of this chapter may be required if deemed necessary by the Planning Commission to make such facilities compatible with existing or prospective developments in the area.



(6) No part of the facility shall be converted to other usage unless and until proper approval has been given by the Planning Commission and by the City Council.

(7) There shall be no outdoor storage unless it is completely screened from view from adjoining streets or adjoining properties.

(8) Plans shall meet the requirements of the Fire Department as to adequate fire protection.

(9) There shall be no uses or storage of materials not permitted by the type of structure or classification of occupancy as specified in the Building Code and Fire Code.

(10) The required access aisles shall not be used for storage purposes.

(11) No areas designated for off-street parking shall be used for storage of vehicles or other material unless an agreement acceptable to the city has first been filed with the city. The city may require that such agreement be recorded in the office of the County Recorder.

#### **PROPOSED ZONING TEXT AMENDMENT**

The proposed text changes are shown underlined and the existing text that is being replaced is shown as a ~~strike-through~~.

#### **§ 155.003 DEFINITIONS.**

**MINI-WAREHOUSES.** ~~Warehouse buildings~~ Buildings which are divided into small individual storage ~~spaces~~ units, including buildings which house portable storage units, which are individually leased, rented, sold or otherwise contracted to persons or companies for storage purposes. For the purpose of this Section, "mini-warehouses" shall be considered synonymous with "self-storage facility", "self-storage warehouse" or "mini-storage."

**PORTABLE STORAGE UNIT.** An individual storage units that is individually rented and delivered to persons or companies for storage purposes and later picked up from persons or companies and stored off-site.

#### **§ 155.481 REQUIRED PARKING.**

(E) Other uses.

(10) Mini-warehouse. One space for every 10,000 square feet of storage area; plus one covered spaces for on-site caretaker's unit. Additionally, incidental office area exceeding 10% of the gross building area shall require one parking space for each 300 square feet of floor area and one parking space shall be provided for each vehicle used in connection with the use.

~~(10)~~ (11) Nursing home. One parking space for each three patient beds.

~~(11)~~ (12) Public utility facilities including electrical substations, telephone exchanges, maintenance and storage facilities. One parking space for each 500 square feet of office space or work area within a structure or one parking space for each two employees on the largest shift, whichever is greater. Also, one parking space for each vehicle used in connection with the use. No requirements for facilities which are normally unattended by employees except for occasional maintenance.

~~(12)~~ (13) Schools, elementary and junior high schools having an accredited general curriculum. One and one-half parking spaces for each classroom and lecture hall.

~~(13)~~ (14) Schools, high schools having an accredited general curriculum. One and one-half parking spaces for each classroom and lecture hall and one parking space for each 10 students the school is designed to accommodate. Additional parking spaces for stadiums shall be provided based on one parking space for each 10 fixed seats.

#### § 155.637 MINI-WAREHOUSES.

(A) Mini-warehouses shall be permitted in the M-1 and M-2 Zones only after a valid conditional use permit and development plan approval have ~~has~~ first been issued granted. Notwithstanding, no conditional use permit shall be granted for any mini-warehouse facility along the Telegraph Road Corridor.

(B) Individual storage units shall only be used for the pick-up and deposit of goods and/or property within the storage unit. Storage units shall not be used for any other activities, including, but not limited to:

(1) Residences, with the exception of the manager's residential unit;

(2) Offices, workshops, studios, hobby or rehearsal areas;



(3) Manufacturing, fabrication, or processing of goods, service or repair of vehicles, engines, appliances or other electrical equipment, or any other industrial activity;

(4) Conducting retail sales of any kind including garage or estate sales or auctions or to conduct any other commercial activity;

(5) Storage of flammable, perishable or hazardous materials or the keeping of animals.

(6) Truck or vehicle rental without obtaining all necessary approvals.

~~(B)~~ (C) In addition to any other conditions which may be imposed on the granting of such conditional use permit and development plan approval, the following conditions shall apply:

~~(1) Mini-warehouses shall not occupy frontage on a freeway, major or secondary highway.~~

~~(2) Mini-warehouses shall not be located within 1,000 feet of a residential zone, commercial zone, school or park.~~

~~(3)~~ (1) Mini-warehouses shall not be located on parcels ~~exceed two~~ exceeding 3 acres in size.

~~(4)~~ (2) The exterior walls of all mini-warehouses shall be constructed of masonry or concrete. Other materials may be acceptable for exterior walls if the Planning Commission determines that visual compatibility with the surrounding development can be achieved with the use of such materials. The use of prefabricated structures is prohibited.

~~(5)~~ (3) Setbacks and landscaping greater than ~~that~~ those required by other provisions of this chapter may be required if deemed necessary by the Planning Commission to make such facilities compatible with existing or prospective developments in the area.

~~(6)~~ (4) No part of the facility shall be converted to another use ~~usage~~ unless and until proper approval has been ~~given~~ granted by the Planning Commission and by the City Council.

~~(7)~~ (5) ~~There shall be no outdoor storage unless it is completely screened from view from adjoining streets or adjoining properties.~~ Outdoor storage is prohibited.

~~(8)~~ (6) ~~Plans~~ The development shall meet the requirements of the Fire Department as to adequate fire protection.

~~(9)~~ (7) There shall be no uses or storage of materials not permitted by the type of structure or classification of occupancy as specified in the Building Code and Fire Code.

~~(10)~~ (8) ~~The required access~~ Access aisles shall not be used for storage purposes.

~~(11)~~ (9) ~~No areas~~ Area designated for off-street parking shall not be used for storage of vehicles or other materials ~~unless an agreement acceptable to the city has first been filed approved by the city. The city may require that such agreement be recorded in the office of the County Recorder.~~

(10) Chain-link (or similar), barbed or razor wire fences are prohibited.

(11) A maximum of one manager's residential unit may be provide, but is not required.

(12) Access doors to individual storage units shall be located within a building or shall be screened from adjacent property and public rights-of-way.

(13) Mini-warehouse buildings shall incorporate architectural and design features common to contemporary industrial development. Examples of such architectural and design features include: massing; proportion; façade modulation; exterior building materials and detailing; varied roof-line; varied recessed and projection; pedestrian scale; fenestration; etc.

(D) Notwithstanding the foregoing, any mini warehouse facility which existed in compliance with the existing code as of the effective date of Ordinance 1089 shall be deemed legally nonconforming and subject to the requirements set forth in Sections 155.385 through 155.398.

### **SUMMARY**

The City's current mini-warehouses regulations were written to meet the goals in 1974 by creating a list of strong and clear requirements geared towards mini-warehouse facilities at that time. Since then, changes in the housing development have led to a different market for mini-warehouses. In addition modern mini-warehouse architecture is very different from the earlier style of mini-warehouses. Modern mini-warehouses



consist of multi-story building with an attractive entrance, contemporary appearance, and architectural features that resembling a multi-story office building. The proposed zoning text amendment will provide an update to the City's current mini-warehouses regulations to better meet the current market.

#### **COMPLIANCE WITH CITY'S GENERAL PLAN**

The General Plan is a comprehensive planning document that addresses the many aspects of community life in the City of Santa Fe Springs. The General Plan document consisting of text, maps and exhibits that describe goals, objectives and policies for future development. The proposed Zoning Text Amendment is in compliance with the following goals and policies:

**General Land Use Goal 3:** Emphasize managed and reasonable growth through City policies and market forces that result in a pattern of land uses which will tend to maintain or reduce travel times and distance required for daily activities.

The City's current Zoning Regulations allows mini-warehouse facilities to be located within the M-1 and M-2 zone with a valid Conditional Use Permit. In addition, the mini-warehouse facilities cannot be located within 1,000 feet of residential zone, commercial zone, school or park, or parcel larger than two (2) acres. The proposed Zoning Text Amendment will allows mini-warehouses facilities to be located within 1,000 feet from residential zone. Due to changes to the housing market many residents are utilizing mini-warehouse facilities to storage their belonging. The proposed amendment will reduce the travel times and distance between the resident and mini-warehouse facilities.

**Industrial and Commercial Development Goals 9:** Provide for growth and diversification of industry and industrial related activities within The Santa Fe Springs industrial Area

**Policy 9.3:** Assist, to the greatest extent possible, the transition of existing buildings to contemporary building standard.

**Industrial and Commercial Development Goals 10:** Protect all land suitable for industrial use from encroachment by nonindustrial use.

The proposed Zoning Text Amendment will continue to only allow mini-storage facilities to be located within the M-1 and M-2 zone with a valid Conditional Use Permit. The proposed amendment will also require all new mini-warehouses facilities to obtain a Development Plan Approval to ensure the applicant is providing a high quality contemporary development.

#### **LEGAL NOTICE OF PUBLIC HEARING**

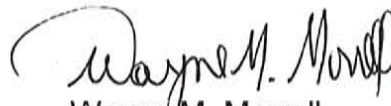
This matter was set for Public Hearing in accordance with the requirements of Sections 65090 and 65091 of the State Planning, Zoning and Development Laws and the

requirements of Sections 155.860 through 155.864 of the City's Municipal Code.

Legal notice of the Public Hearing was posted in Santa Fe Springs City Hall, the City Library and Town Center on August 1, 2017, and published in a newspaper of general circulation (Whittier Daily News) on August 1, 2017, as required by the State Zoning and Development Laws and by the City's Zoning Regulations. The Notice was also placed on the City's website.

**ENVIRONMENTAL DOCUMENT-**

The proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Article 5, Preliminary Review of Projects and Conduct of Initial Study, Section 15061(b)(3) (the activity can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because the adoption of this ordinance will have no physical changes to the environment.



Wayne M. Morrell  
Director of Planning

**Attachments:**

1. Zoning Text Amendment Application
2. Resolution No. 63-2017
3. Exhibit A – Ordinance 1089





# City of Santa Fe Springs

Application for

## Zoning Text Amendment

The undersigned hereby petitions that the Zoning Code be amended by changing the written provision of the ordinances contained in the Zoning Code as outlined in this application.

If a specific property is involved, please provide the address, zoning, and usage:

Record Owner of the property: 1) Memo Properties, LLC (2) Benito & Elisa Amaya  
 10015 La Reina Ave. 19832 E. Vista Hermosa Dr.  
 Downey, CA 90240 Walnut, CA 91789  
 Name: 1) Brian at Memo Properties 562-822-9481 Phone No.: 2) Benito & Elisa Amaya 949-235-4889  
 Mailing Address: \_\_\_\_\_  
 Fax No.: \_\_\_\_\_ E-mail: 1) Brian@pentapacific.com;  
 Is this application being filed by the Record Owner? No 2) selfstoragebrokerage@gmail.com  
*(If filed by anyone other than the Record Owner, written authorization signed by the Owner must be attached to the application.)*

Representative authorized by the Record Owner to file this application:  
 Name: Simply Self Storage - Brandon Dickens Phone No.: (714) 915-7678  
 Mailing Address: 7505 W. Sand Lake, Orlando, FL 32819  
 Fax No.: \_\_\_\_\_ E-mail: bdickens@simplyss.com

**Purpose for which the Zoning Code Amendment is requested. Explain the following:**

1. List all Zones that will be affected by the proposed amendment:

M-1 Zone (Light Manufacturing Zone)

2. Provide excerpt from the existing Zoning Code which identifies the proposed Zoning Text Amendment. Added text shall be identified by ***bold italics***; text to be deleted shall be identified by ~~***bold strike through***~~ (Attach a separate sheet if necessary)

155.637 MINI-WAREHOUSES.

(B) In addition to any other conditions which may be imposed on the granting of such conditional use permit, the following conditions shall apply:

(1) Mini-warehouses shall ~~not~~ occupy frontage on a freeway, major or secondary highway.

***be permitted to***

3. That there is a need in the community for more of the type of use(s) expressly or conditionally permitted by the proposed Zoning Text Amendment.

Yes, the surrounding residential areas further down Rosecrans and the businesses adjacent to the site would benefit from this type of use.

4. That the Zone(s) involved in the proposed Zoning Text Amendment are suitable for the type of use(s) expressly or conditionally permitted by the proposed Zoning Text Amendment:

Per Zoning Code Section 155.637, mini-warehouses are permitted in the M-1 Zone after a Conditional Use Permit has been issued.

5. That the proposed Zoning Text Amendment would not be detrimental in any way to persons or property in the surrounding area, nor the community in general:

There is an existing Self Storage facility to the north of the proposed site. The proposed text amendment would not be detrimental in any way.

6. That the proposed Zoning Text Amendment will not adversely affect the master plan (General Plan) of the City and will be consistent with the goals and objectives of the General Plan.

The Zoning Text Amendment will not conflict with the General Plan of the city nor the Zoning Code Section 155.637.

7. State how this proposed amendment will better meet the public interest(s):

It will clear up confusion in the code, as existing self-storage facilities within the city (that we approved after this portion of the code was written) are located on major and/or secondary highways.

**NOTE**

This application must be accompanied by the required filing fees, completed Zoning Text Amendment Application, and any other data specified in the "Application Checklist for Zoning Text Amendment"



## PROPERTY OWNERS STATEMENT

We, the undersigned, state that we are the owners of all of the property involved in this petition  
(Attach a supplemental sheet if necessary):

Name (please print): Memo Properties, LLC  
 Mailing Address: 10015 La Reina Ave. Downey, CA 90240  
 Phone No: 562-822-9481  
 Fax No: \_\_\_\_\_ E-mail: Brian@pentapacific.com  
 Signature: \_\_\_\_\_

Name (please print): Benito & Elisa Amaya  
 Mailing Address: 19832 E. Vista Hermosa Dr. Walnut, CA 91789  
 Phone No: 949-235-4889  
 Fax No: \_\_\_\_\_ E-mail: selfstoragebrokerage@gmail.com  
 Signature: Elisa F. Amaya

## CERTIFICATION

I, ELISA F. AMAYA, being duly sworn, depose and say that I am  
 the petitioner in this application for a Zoning Text Amendment, and I hereby certify under penalty  
 of law that the foregoing statements and all statements, maps, plans, drawings and other data  
 made a part of this application are in all respects true and correct to the best of my knowledge  
 and belief.

Signed: Elisa F. Amaya  
 (If signed by other than the Record Owner, written  
 authorization must be attached to this application)

STATE OF CALIFORNIA  
 COUNTY OF ORANGE

On May 7 2017 before me MONICA C. ALBRIGHT  
 personally appeared ELISA F. AMAYA,  
 who proved to me on the basis of satisfactory evidence to  
 be the person(s) whose name(s) is/are subscribed to the  
 within instrument and acknowledged to me that he/she/they  
 executed the same in his/her/their authorized capacity(ies),  
 and that by his/her/their signature(s) on the instrument the  
 person(s), or the entity upon behalf of which the person(s)  
 acted, executed the instrument. I certify under PENALTY  
 OF PERJURY under the laws of the State of California that  
 the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Monica C. Albright

| FOR DEPARTMENT USE ONLY |       |
|-------------------------|-------|
| CASE NO:                | _____ |
| DATE FILED:             | _____ |
| FILING FEE:             | _____ |
| RECEIPT NO:             | _____ |
| APPLICATION COMPLETE?   | _____ |



(Seal)

**ZTA**  
 CUP Application  
 Page 3 of 3

### PROPERTY OWNERS STATEMENT

We, the undersigned, state that we are the owners of all of the property involved in this petition (Attach a supplemental sheet if necessary):

Name (please print): Memo Properties, LLC  
 Mailing Address: 10015 La Reina Ave, Downey, CA 90240  
 Phone No: 562-822-9481  
 Fax No: \_\_\_\_\_ E-mail: Brian@pentapacific.com  
 Signature: *José G. Santos*

Name (please print): Benito & Elisa Amaya  
 Mailing Address: 19832 E. Vista Hermosa Dr. Walnut, CA 91789  
 Phone No: 949-235-4889  
 Fax No: \_\_\_\_\_ E-mail: selfstoragebrokerage@gmail.com  
 Signature: \_\_\_\_\_

### CERTIFICATION

STATE OF CALIFORNIA )  
 COUNTY OF LOS ANGELES ) ss.

I, José G. Santos, being duly sworn, depose and say that I am the petitioner in this application for a Conditional Use Permit, and I hereby certify under penalty of law that the foregoing statements and all statements, maps, plans, drawings and other data made a part of this application are in all respects true and correct to the best of my knowledge and belief.

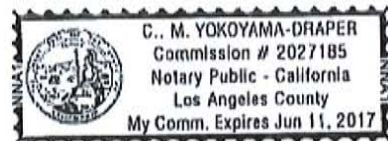
Signed: *José G. Santos*  
 (If signed by other than the Record Owner, written authorization must be attached to this application)

{seal}

On 5/5/17 before me, C.M. Yokoyama-Draper,  
 Personally appeared José G. Santos  
 personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

*[Signature]*  
 Notary Public



#### FOR DEPARTMENT USE ONLY

CASE NO: \_\_\_\_\_  
 DATE FILED: \_\_\_\_\_  
 FILING FEE: \_\_\_\_\_  
 RECEIPT NO: \_\_\_\_\_  
 APPLICATION COMPLETE? \_\_\_\_\_



**CITY OF SANTA FE SPRINGS**

**RESOLUTION NO. 63-2017**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS ADOPT AN ORDINANCE AMENDING SANTA FE SPRINGS MUNICIPAL CODE, TITLE 15, CHAPTER 155, SECTION 155.003, SECTION 155.481 AND SECTION 155.637 OF THE CITY ZONING REGULATIONS REGARDING REQUIREMENTS AND DEVELOPMENT STANDARDS FOR MINI-WAREHOUSES.**

**WHEREAS**, the City of Santa Fe Springs has reviewed and considered the proposed amendments to the text of the City's Zoning Regulations with the intention of amending Sections 155.003, Section 155.481, and 155.637 of Title 15, Chapter 155 of the Santa Fe Springs Municipal Code regarding requirements and development standards for mini-warehouses; and

**WHEREAS**, after study and deliberations by the Department of Planning and Development, the City has prepared for adoption of these amendments to the text of the City's Zoning Regulations; and

**WHEREAS**, notice of the public hearing was given as required by law; and

**WHEREAS**, the Planning Commission held a Public Hearing on August 14, 2017 in regards to the proposed amendments to the text of the City's Zoning Regulations; and

**NOW, THEREFORE, IT BE RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:**

**SECTION 1:** Following a public hearing noticed and conducted in compliance with all applicable law, and pursuant to all laws applicable to the responsibilities of the Planning Commission with respect to the subject matter hereof, the Planning Commission recommends that the City Council adopt Ordinance 1089 attached here to as Exhibit A.

**SECTION 2:** Based on the oral and written evidence present in such hearing, the Planning Commission hereby find and determine that the adoption of such Ordinance is in the public convenience, interest, and necessity.

**SECTION 4:** The Planning Commission finds that the proposed amendments to the text of the City's Zoning Regulation are consistent with the City's adopted General Plan.

**SECTION 3:** The Planning Commission find that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15061(b)(3) (the activity can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because the adoption of this ordinance will have no physical changes to the environment.

**SECTION 5:** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 6:** The Commission Secretary shall certify to the adoption of this Resolution.

**PASSED and ADOPTED** this 14th day of August, 2017.

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Gabriel Jimenez, Chairperson

**ATTEST:**

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Teresa Cavallo, Planning Secretary



## EXHIBIT A

### ORDINANCE NO. 1089

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS AMENDING SANTA FE SPRINGS MUNICIPAL CODE, TITLE 15 (LAND USE), CHAPTER 155 (ZONING), SECTION 155.003 (DEFINITIONS), SECTION 155.481 (REQUIRED PARKING), and SECTION 155.637 (MINI-WAREHOUSES), REGARDING REQUIREMENTS AND DEVELOPMENT STANDARDS FOR MINI-WAREHOUSES.

THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1.** Section 155.003 (Definitions) of Title 15, Chapter 155 of the Santa Fe Springs Municipal Code is hereby amended by adding the following definitions; with all other definitions in that section to remain unchanged:

#### **§ 155.003 DEFINITIONS**

**MINI-WAREHOUSES.** Buildings which are divided into small individual storage units, including buildings which house portable storage units, which are individually leased, rented, sold or otherwise contracted to persons or companies for storage purposes. For the purpose of this Section, "mini-warehouses" shall be considered synonymous with "self-storage facility", "self-storage warehouse" or "mini-storage".

**PORTABLE STORAGE UNIT.** An individual storage unit that is individually rented and delivered to persons or companies for storage purposes and later picked up from persons or companies and stored off-site.

**SECTION 2.** Section 155.481 REQUIRED PARKING is hereby amended to subsection (E) so that subsection (E) reads as follows:

#### **§ 155.481 REQUIRED PARKING.**

(E) Other uses.

(10) Mini-warehouse. One space for every 10,000 square feet of storage area; plus one covered spaces for on-site caretaker's unit. Additionally, incidental office area exceeding 10% of the gross building area shall require one parking space for each 300 square feet of floor area and one parking space shall be provided for each vehicle used in connection with the use.

**SECTION 3.** Section 155.637 (MINI-WAREHOUSES) is hereby revised in its entirety to reads as follows:

#### **§ 155.637 MINI-WAREHOUSES.**

(A) Mini-warehouses shall be permitted in the M-1 and M-2 Zones only after a valid conditional use permit and development plan approval have been granted. Notwithstanding, no conditional use permit shall be granted for a mini-warehouse facility along the Telegraph Road Corridor.

(B) Individual storage units shall only be used for the pick-up and deposit of goods and/or property within the storage unit. Storage units shall not be used for any other activities, including, but not limited to:

- (1) Residences, with the exception of the manager's residential unit;
- (2) Offices, workshops, studios, hobby or rehearsal areas;
- (3) Manufacturing, fabrication, or processing of goods, service or repair of vehicles, engines, appliances or other electrical equipment, or any other industrial activity;
- (4) Conducting retail sales of any kind including garage or estate sales or auctions or to conduct any other commercial activity;
- (5) Storage of flammable, perishable or hazardous materials or the keeping of animals.
- (6) Truck or vehicle rental without obtaining all necessary approvals.

(C) In addition to any other conditions which may be imposed on the granting of such conditional use permit and development plan approval, the following conditions shall apply:

- (1) Mini-warehouses shall not be located on parcels exceeding 3 acres in size.
- (2) The exterior walls of all mini-warehouses shall be constructed of masonry or concrete. Other materials may be acceptable for exterior walls if the Planning Commission determines that visual compatibility with the surrounding development can be achieved with the use of such materials. The use of prefabricated structures is prohibited.
- (3) Setbacks and landscaping greater than those required by other provisions of this chapter may be required if deemed necessary by the Planning Commission to make such facilities compatible with existing or prospective developments in the area.
- (4) No part of the facility shall be converted to another use unless and until proper approval has been granted by the Planning Commission and by the City Council.
- (5) Outdoor storage is prohibited.
- (6) The development shall meet the requirements of the Fire Department as to adequate fire protection.



(7) There shall be no uses or storage of materials not permitted by the type of structure or classification of occupancy as specified in the Building Code and Fire Code.

(8) Access aisles shall not be used for storage purposes.

(9) Area designated for off-street parking shall not be used for storage of vehicles or other materials.

(10) Chain-link (or similar), barbed or razor wire fences are prohibited.

(11) A maximum of one manager's residential unit may be provided, but is not required.

(12) Access doors to individual storage units shall be located within a building or shall be screened from adjacent property and public rights-of-way.

(13) Mini-warehouse buildings shall incorporate architectural and design features common to contemporary industrial development. Examples of such architectural and design features include: massing; proportion; façade modulation; exterior building materials and detailing; varied roof-line; varied recessed and projection; pedestrian scale; fenestration; etc.

(D) Notwithstanding the foregoing, any mini warehouse facility which existed in compliance with the existing code as of the effective date of Ordinance 1089 shall be deemed legally nonconforming and subject to the requirements set forth in Sections 155.385 through 155.398.

**SECTION 4.** If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 5.** Except as amended above, all other provisions of the Zoning Regulations in the City Code shall remain in full force and effect.

**SECTION 6.** The City Clerk shall certify to the adoption of this Ordinance, including the vote for and against and shall post a certified copy of this Ordinance, within 15 days after its passage to be posted in at least three (3) public places within the City as established by ordinance, and, in compliance with Section 36933 of the Government Code.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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William K. Rounds  
MAYOR

ATTEST:

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Janet Martinez  
CITY CLERK





## PUBLIC HEARING

### General Rule Exemption - CEQA Guidelines §15061(b)(3)

### Zoning Text Amendment – Wireless Telecommunications Facilities

Ordinance No. 1090: An ordinance of the City Council of the City of Santa Fe Springs, California, amending Santa Fe Springs Municipal Code Title 15 (Land Usage), Section 155 (Zoning), Sections 155.377 (Permitted, Accessory and Conditional Uses Freeway Overlay Zone) and 155.381 (Design Standards Freeway Overlay Zone), and adding Chapter 157 to Santa Fe Springs Municipal Code Title 15 (Land Usage) to establish a comprehensive set of regulations and standards for the permitting, placement, design, installation, operation and maintenance of wireless telecommunications facilities in all areas of the city.

### **RECOMMENDATIONS:** That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding proposed Ordinance No. 1090 and, thereafter, close the Public Hearing; and
- Find that the proposed amendments to the text of the City's Land Use Regulations are consistent with the City's General Plan; and
- Find that the proposed Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA), per Section 15061(b)(3) of the CEQA Guidelines; and
- Recommend that the City Council adopt Ordinance No. 1090, to effectuate the proposed zoning text amendments to the FOZ, Freeway Overlay Zone of the City's Zoning Regulations and add Chapter 157 to Title 15 (Land Usage) of the City's Municipal Code, to establish a comprehensive set of regulations and standards for the permitting, placement, design, installation, operation and maintenance of wireless telecommunications facilities in all areas of the city; and
- Adopt Resolution No. 64-2017, which incorporates the Commission's findings and recommendation regarding this matter.

### **BACKGROUND**

The tremendous growth in personal wireless services has increased demand for new infrastructure. The public's increasing consumption of data is pushing wireless carriers to invest billions of dollars to purchase spectrum bandwidth and build new wireless



telecommunications facilities and fiber optic networks. Carriers will continue to construct new wireless telecommunications facilities in Santa Fe Springs in order to accommodate the rapidly growing need for increased capacity and speed.

The majority of the planned expansion of wireless infrastructure will be constructed in the public rights-of-way since new locations for installations on private property are limited and more difficult to negotiate and permit. The California Public Utilities Commission has determined that wireless carriers are public utilities, therefore they have the same rights to use the public rights-of-way as any other utility provider. The public rights-of-way also have existing infrastructure in the forms of utility poles, traffic signals and street lights that may support wireless infrastructure. The City's current lack of a comprehensive wireless telecommunications ordinance leaves the city unprepared for the large scale expansion of wireless infrastructure on the horizon. Due to changes in technology and the law, the City's Municipal Code needs to be amended to include a chapter that will reasonably regulate the permitting, placement, design, installation, operation and maintenance of wireless telecommunications facilities in Santa Fe Springs.

Wireless telecommunications facilities are regulated by federal, state and local laws. Under federal law, a local agency's decisions cannot prohibit the provision of personal wireless service or unreasonably discriminate amongst wireless service providers. Also, under federal law, the City may not regulate the placement, construction or modification of wireless telecommunications facilities on the basis of the environmental effects of radio frequency (RF) emissions, so long as the facilities comply with the Federal Communications Commission (FCC) regulations concerning such emissions.

State and federal laws also prescribe certain limitations on the city's application review process (such as application content and timelines for review) and the city's discretion to approve, disapprove or conditionally approve certain facilities. In some cases, failure to adhere to these laws may result in an automatic permit approval under special remedies available to wireless service providers.

Section 6409(a) of the Federal Middle Class Tax Relief and Job Creation Act of 2012, also known as the Spectrum Act, generally requires that a local agency "may not deny, and shall approve any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station" (known as "eligible facilities requests"). The FCC has defined the phrase "substantial change" to consider changes in height, width, equipment cabinets, footprint, concealment and compliance with prior conditions of approval associated with the underlying facility. The definition has different thresholds for "towers" than for equipment mounted on buildings or utility infrastructure ("base stations"), with the former generally being more generous than the latter.

Since strict and different federal rules apply to eligible facilities requests, the requests



are reviewed using an expedited process. Federal law requires tracking the time it takes to process each wireless application, using a so called "shot clock." The purpose of the shot clock is to ensure that local governments do not take an unnecessarily long time to review a wireless application. The review must be completed before time expires or the application will be deemed approved.

The shot clock begins to run when a wireless application is submitted, whether or not the application is complete. The City has up to 30 days to review the application and either deem it complete or incomplete. The clock stops when the City notifies the applicant that the application is incomplete, or if the City and the applicant mutually reach a time tolling agreement. The clock starts again when the applicant re-submits material, and the City then has 10 days to respond to the re-submitted material. This process may continue to go back and forth until the applicant submits a complete application and the project is approved, the City misses the deadline to issue a notice that the application is incomplete, or the shot clock runs out. Failure of the City to act within the allowed timeframe results in the automatic approval of such applications. The table below shows the shot clock limits for the three types of applications:

| Type of Application                                                                                           | Length of Shot Clock |
|---------------------------------------------------------------------------------------------------------------|----------------------|
| Collocation/modification to an existing wireless tower or base station not involving a substantial change     | 60 Days              |
| Collocation/modification to an existing wireless tower or base station that does involve a substantial change | 90 Days              |
| New wireless telecommunications facility                                                                      | 150 Days             |

### **PROPOSED ORDINANCE**

The proposed ordinance implements regulations and standards for the permitting, placement, design, installation, operation and maintenance of all wireless telecommunications facilities in Santa Fe Springs. It ensures that wireless telecommunications facilities will conform to all applicable health and safety regulations and will blend into their environment to the greatest extent possible. Below is a summary of the primary components of the proposed ordinance.

Applicability: The chapter applies to all wireless telecommunications facilities in the City, whether on private or public property or within the public rights-of-way. The chapter excludes other "wireless" uses, such as amateur radio antennas and satellite dishes, which are subject to different federal and state laws.

Permit Requirements: The chapter requires all wireless telecommunications facilities within the city to obtain either a Wireless Telecommunications Facilities Conditional Use Permit or an Administrative Wireless Telecommunications Permit. An application



is required for all projects, and specific requirements regarding application filing are provided.

Findings, Limited Exceptions: Certain findings must be made before a wireless telecommunications facility can be approved. If the findings cannot be made, an applicant may apply for an exception to prove that strict compliance with the chapter would effectively prohibit the provision of personal wireless services. The city may hire an outside consultant, at the applicant's expense, to evaluate exceptions.

Requirements for Facilities Outside the Public Right-of Way: This section identifies preferred locations, discouraged locations, and preferred support structures. Preferred locations are listed in order from most preferred to least preferred, with manufacturing and commercial districts being most preferred and residential districts being least preferred. Preferred support structures detail the types of wireless telecommunications installations that are preferred over others. Collocations with existing wireless telecommunications facilities on non-tower structures are most preferred, and new freestanding towers are least preferred.

Requirements for Facilities Within the Public Right-of Way: This section identifies preferred locations, discouraged locations, and preferred support structures for projects within the public rights-of-way. Preferred locations are listed in order, from most preferred to least preferred. Areas within or abutting manufacturing and commercial districts are most preferred and areas within or abutting residential districts are least preferred. This section also ranks the most preferred locations for antenna and equipment installations. The most preferred antenna location is on an existing utility pole, the least preferred antenna location is on a new pole placed within the right-of-way. The most preferred equipment location is within a below-grade equipment vault, and least preferred equipment location is within a new equipment cabinet placed at grade.

Design and Development Standards: This section provides general guidelines regarding the design and location of wireless telecommunications facilities, and authorizes the Planning Commission to adopt more detailed "Design Guidelines." Small updates to the Design Guidelines can be made by the Director of Planning without Planning Commission approval, but revisions that would make wireless telecommunications facilities more visually obtrusive or modify the preferred locations must be brought before the Planning Commission for approval.

Operation and Maintenance Standards: All wireless telecommunications facilities must comply with the operation and maintenance standards detailed in this section. Specific standards include providing the city with an updated facility contact at all times, making necessary repairs within 48 hours, replacing damaged or faded materials, and more.



Standard Conditions of Approval: Staff has developed a list of standard conditions that are typically imposed on wireless telecommunications facilities. The City's standard conditions have been incorporated into the ordinance. Standard conditions address the following criteria: permit term, build-out period, approved plans, inspections, maintenance obligations, compliance with laws, impacts on other properties, back-up power, inspections, contact information, indemnification, transfer of use, and discontinuation of use. These conditions are a safeguard against applications that may be potentially deemed-approved pursuant to federal or state law, and ensure that all facilities are held to the same high standard. Additional conditions of approval specific to each site may be added through the wireless telecommunications facility permit application process.

### **PROPOSED ZONING TEXT AMENDMENT**

To avoid conflicts between the proposed chapter and existing zoning regulations, Section 155.377(E)(6) would be amended and Section 155.381(I) would be removed from the City's Zoning Regulations. Both sections pertain to the FOZ, Freeway Overlay Zone.

The proposed text changes are shown underlined and the existing text that is being removed is shown as a ~~strike-through~~.

#### **§ 155.377 PERMITTED, ACCESSORY AND CONDITIONAL USES.**

(E) *Conditionally permitted uses.*

- (1) Transit stations and transportation facilities.
- (2) Hospitals and ambulance services.
- (3) Business, technical, trade or professional schools (50 students or more).
- (4) Drive in theatres and swap meets conducted in connection with a drive in theatre operation.
- (5) Hotels and motels.
- (6) Cellular, digital, rRadio and television transmitter towers higher than 50 feet above ground level.
- (7) Service stations.
- (8) Public, private or quasi- public uses of an educational or recreational nature.
- (9) Towing services.
- (10) Regional commercial and retail uses five acres or more in size.
- (11) Billboards, including but not limited to electronic and digital billboards.

#### **§ 155.381 DESIGN STANDARDS**

~~(I) Wireless facilities.~~

- ~~(1) Roof mounted wireless facilities shall be screened from view within the Freeway Overlay Zone. No antennas shall be mounted to the exterior of a building unless they are completely screened in a manner that is architecturally integrated into, and compatible with, the design of the existing structure.~~



~~(2) Any freestanding wireless facilities shall be constructed using stealth methods such as a monopine, monopalm, monolith, or other architectural feature as approved by the Director of Planning and Development or his or her designee.~~

### **LEGAL NOTICE OF PUBLIC HEARING**

This matter was set for Public Hearing in accordance with the requirements of Sections 65090 and 65091 of the State Planning, Zoning and Development Laws and the requirements of Sections 155.860 through 155.864 of the City's Municipal Code.

Legal notice of the Public Hearing was posted in Santa Fe Springs City Hall, the City Library and Town Center on August 4, 2017, and published in a newspaper of general circulation (Whittier Daily News) on August 4, 2017, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.

### **ENVIRONMENTAL DOCUMENT**

The proposed Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA), Section 15061(b)(3) of the CEQA Guidelines, because it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The adoption of a wireless telecommunications facilities ordinance would not create any significant environmental impacts. The ordinance would not create public health or safety hazards and would not have a significant impact on the resources or services within the city, such as water, sanitary services, surrounding roadways and intersections, schools, and existing agricultural uses. Any future development of wireless telecommunications facilities would be subject to additional environmental review to address site-specific details, such as traffic, use of public facilities, archaeological issues and biological issues, etc. The adoption of an ordinance, in and of itself, will not have a significant effect on the environment.

### **CONSISTENCY WITH GENERAL PLAN GOALS AND POLICIES**

The fundamental goal of the City of Santa Fe Springs is to provide a high quality of life for all people residing in, working in, or frequenting the City. Subsidiary goals are intended to provide for individual well-being, economic well-being, social well-being, and environmental well-being. The proposed amendments to the Municipal Code address the following goals and policies:

***Land Use Goal 1: Provide for attractive, efficient and productive use of land in Santa Fe Springs by maintaining a balance within the City to emphasize local identity, preserve the single family nature of the community, maintain a high quality of life, and create an efficient yet pleasing environment.***



**Land Use Goal 4:** *Where incompatible land uses are in proximity to one another, provide for buffering, transitional uses or other controls which will reduce the conflict to the maximum extent possible.*

**Land Use Goal 7:** *Sites of historical or cultural interest should be preserved and enhanced.*

**Land Use Goal 17:** *Improve the appearance and attractiveness of the residential areas of the community.*

The proposed ordinance address the four land use goals above since it establishes criteria for the placement, development and design of wireless telecommunications facilities in order to create attractive and efficient facilities. The proposed amendment prescribes the location and design of wireless facilities to minimize the impacts of the use on neighbors. The new wireless telecommunications facilities ordinance promotes stealth facilities, minimizing the size of facilities, collocation with existing facilities, and siting in manufacturing and commercial zones. Siting on an historical or cultural site may only occur when an applicant has demonstrated that no manufacturing or commercial property is available, and siting in residential zones may only occur when an applicant has demonstrated that no other feasible options are available. In cases where an applicant must deploy a new facility in a residential or historic area, the new ordinance requires an applicant to provide detailed and fact-specific explanations as to why the proposed wireless telecommunications facility cannot be deployed in a more preferred location.

**Land Use Goal 8:** *Ensure that all utilities are put underground to the greatest extent possible throughout the City with special emphasis on corridors.*

The new ordinance requires applicants to employ undergrounding to the maximum extent feasible in order to minimize a facility's visual intrusiveness and negative aesthetic impact. It also limits the installation of new facilities when collocating or attaching to existing vertical infrastructure would sufficiently meet the applicant's coverage objectives.

**Safety Policy 9.1:** *City land use planning policies and decisions will take into consideration the crime and traffic safety impacts of the uses.*

**Safety Goal 10.1:** *Continue to protect the Santa Fe Springs community from the loss of life and property from crime or traffic hazards.*

**Safety Policy 12.1:** *Continue to be proactive in the development, administration and enforcement of standards which will protect the community from serious public safety hazards.*

The ordinance satisfies the three safety goals and policies above by including standard conditions of approval that require applicants to keep wireless telecommunications facilities in a neat, clean and safe condition at all times. Any graffiti or vandalism must be remediated within 48 hours. Additionally, if the city determines a wireless telecommunications facility constitutes a dangerous condition, obstruction of the public right-of-way, or an imminent threat to public safety, the city may cause the facility to be removed.

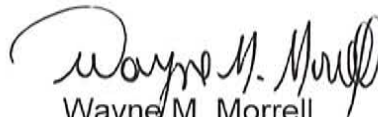
***Circulation Policy 6.2:*** *Maintain existing pedestrian facilities and support the inclusion of pedestrian facilities in new development.*

***Circulation Policy 6.8:*** *Ensure accessibility of pedestrian facilities to the elderly and mobility impaired.*

The new ordinance prohibits wireless telecommunications facilities from interfering with the public rights-of-way. Wireless telecommunications facilities cannot alter vehicular circulation or parking within the public rights-of-way, nor impede vehicular and/or pedestrian access or visibility along any public right-of-way. Interference includes any activities that will present a hazard to public health, safety or welfare.

**SUMMARY:**

Ordinance No. 1090 would establish a comprehensive set of regulations and standards for the permitting, placement, design, installation, operation and maintenance of wireless telecommunications facilities in all areas within the city. It will bring the city's regulations for wireless telecommunications facilities into conformity with current state and federal requirements. The ordinance balances the community's need for services, the industry's need to deploy quickly, and the City's obligation to maintain public health and safety and protect the aesthetic qualities of our neighborhoods.

  
Wayne M. Morrell  
Director of Planning

**Attachments:**

1. Resolution No. 64-2017
2. Ordinance No. 1090 – Wireless Telecommunications Facilities



## **RESOLUTION NO. 64-2017**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 1090 AMENDING SANTA FE SPRINGS MUNICIPAL CODE, TITLE 15, CHAPTER 155, SECTION 155.377 AND SECTION 155.381 OF THE CITY ZONING REGULATIONS REGARDING WIRELESS TELECOMMUNICATIONS FACILITIES IN THE FOZ, FREEWAY OVERLAY ZONE, AND ADDING CHAPTER 157 TO TITLE 15 OF THE CITY'S MUNICIPAL CODE, TO ESTABLISH A COMPREHENSIVE SET OF REGULATIONS AND STANDARDS FOR THE PERMITTING, PLACEMENT, DESIGN, INSTALLATION, OPERATION AND MAINTENANCE OF WIRELESS TELECOMMUNICATIONS FACILITIES IN ALL AREAS OF THE CITY.**

**WHEREAS**, the City of Santa Fe Springs has reviewed and considered the proposed amendments to the text of the City's Zoning Regulations with the intention of amending Sections 155.377 and 155.381 of Title 15, Chapter 155 of the Santa Fe Springs Municipal Code relating to wireless telecommunications facilities in the FOZ, Freeway Overlay Zone; and

**WHEREAS**, the City of Santa Fe Springs has reviewed and considered the proposed addition to the text of the City's Municipal Code with the intention of adding Chapter 157 to Title 15, Chapter 155 of the Santa Fe Springs Municipal Code relating to wireless telecommunications facilities in all areas of the city; and

**WHEREAS**, after study and deliberations by the Department of Planning and Development, the City has prepared for adoption of these amendments to the text of the Santa Fe Springs Municipal Code; and

**WHEREAS**, notice of the public hearing was given as required by law; and

**WHEREAS**, the Planning Commission conducted a Public Hearing on August 14, 2017 to make recommendations to the City Council in regards to the proposed amendments to the text of the City's Land Use Regulations, and to establish a comprehensive set of regulations and standards for the permitting, placement, design, installation, operation and maintenance of wireless telecommunications facilities in all areas within the city; and

**WHEREAS**, a Notice of Exemption has been prepared pursuant to CEQA Guidelines section 15061(b)(3), which provides that CEQA applies only to projects that have the potential to cause a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

**NOW, THEREFORE, IT BE RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:**

**SECTION 1:** The Planning Commission finds that the facts in this matter are as follows:

1. That the facts in this matter are as stated in the staff report regarding the proposed amendments to the text of the Santa Fe Springs Municipal Code.
2. That the Planning Commission finds that pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA), which provides that CEQA applies only to projects that have the potential to cause a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the draft Ordinance will have no effect on the environment.
3. That the Planning Commission finds that the proposed amendments to the text of the City's Municipal Code are consistent with the City's General Plan.
4. That the Planning Commission recommends that the City Council approve and adopt Ordinance No. 1090, to effectuate the proposed amendments to the text of the City's Municipal Code.

**PASSED and ADOPTED** this 14th day of August, 2017.

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Gabriel Jimenez, Chairperson

ATTEST:

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Teresa Cavallo, Planning Secretary



## ORDINANCE NO. 1090

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS, CALIFORNIA, AMENDING SANTA FE SPRINGS MUNICIPAL CODE, TITLE 15, CHAPTER 155, SECTION 155.377 AND SECTION 155.381 OF THE CITY ZONING REGULATIONS REGARDING WIRELESS TELECOMMUNICATIONS FACILITIES IN THE FOZ, FREEWAY OVERLAY ZONE, AND ADDING CHAPTER 157 TO TITLE 15 OF THE CITY'S MUNICIPAL CODE, TO ESTABLISH A COMPREHENSIVE SET OF REGULATIONS AND STANDARDS FOR THE PERMITTING, PLACEMENT, DESIGN, INSTALLATION, OPERATION AND MAINTENANCE OF WIRELESS TELECOMMUNICATIONS FACILITIES IN ALL AREAS OF THE CITY.

THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1.** Section 155.377(E)(6) of Chapter 155 of the Santa Fe Springs Municipal Code is hereby amended to read as follows:

### § 155.377(E)(6) PERMITTED, ACCESSORY AND CONDITIONAL USES

(E) *Conditionally permitted uses.*

(6) Radio and television transmitter towers higher than 50 feet above ground level.

**SECTION 2.** Section 155.381 of Chapter 155 of the Santa Fe Springs Municipal Code is hereby revised to remove § 155.381(I) so that said subsection reads as follows:

### § 155.381 DESIGN STANDARDS

(A) *Application.* The following design standards shall apply to all properties located within the Freeway Overlay Zone. The standards will be used during the project review process to ensure the highest level of quality and architecture is applied within the Freeway Overlay Zone. These design standards shall apply to new construction, exterior building or landscaping alterations, and to any modification to an approved landscaping plan.

(B) *Exemptions.* When in compliance with all other city ordinances, the following projects are exempt from the provisions of this section:

(1) Underground construction that will not leave any significant, permanent marks on the surface after completion. Utility boxes, piping and appurtenances are not exempted from these provisions;

(2) Interior remodeling; and

(3) Maintenance work on buildings, landscaping, or grounds (including parking lots) that does not significantly alter the appearance or function of the building, landscaping, or site.

(C) *Metal buildings.*

(1) Metal buildings are prohibited within the Freeway Overlay Zone, with the exception of those that are permitted in accordance with § 155.461.

(2) All metal buildings within the Freeway Overlay Zone shall comply with the provisions identified in Ordinance 822.

(3) Existing buildings or structures having exterior walls and roofs comprised substantially of metal frames or sheet metal shall be refaced and constructed with walls comprised of a non-metallic material. The material used to reface the structure shall be properly integrated into the existing architecture to provide a pleasing, attractive appearance and contemporary architectural design.

(D) *Roofscapes.* Due to the high level of visibility of buildings adjacent to the freeway, special emphasis shall be given to the visual appearance of the roof as viewed from the freeway and frontage roads. Roofscapes shall be carefully evaluated during the entitlement review process. Roof materials and design shall be integrated into building design to meet the requirements and characteristics of the Freeway Overlay Zone.

(1) No equipment or ductwork shall be allowed on the roof of any structure within view from any freeway, bridge or frontage street.

(2) All mechanical equipment and ductwork shall be constructed within a building structure or completely screened from view.

(3) The following roof materials may not be used on commercial and industrial buildings visible from the freeway: corrugated metal, highly reflective surfaces and illuminated roofing.

(4) The roofline at the top of the structure shall not run in a continuous plane for more than one 100 feet without offsetting or jogging the roof plane.

(E) *Architectural treatments.*

(1) Architectural treatments of commercial and industrial buildings located in the Freeway Overlay Zone must be of superior quality and design because of their visibility from the freeway.

(2) Building design shall be subject to the following requirements:

(a) All buildings must be constructed of durable, maintenance-free materials;

(b) Various building materials and colors shall be used to create visual interest. Color bands shall also be used to break up monochromatic walls;

(c) Architectural treatments shall include variations of mass, height, materials, colors, and textures to maintain a visually appealing appearance along the freeway corridor;

(d) Reflective windows shall be used at building entryways and "false" reflective windows shall be used to break up monotonous building walls;

(e) Various types of building cladding shall be used to produce different texture, shade, and shadow effects;

(f) All buildings should feature a dominant (main) color on all elevations. Light colors in the white, cream and tan ranges are preferred;



(g) Buildings may use up to three contrasting colors that complement the building's dominant color. Use of more than three contrasting colors is subject to approval by the Planning Director. Contrasting materials, textures, and colors shall be used to add emphasis to building entrances and to articulate long expanses of building walls;

(h) Facades fronting or clearly visible from the key streets shall be especially attractive. Long, unarticulated facades are prohibited and wall shall not run for more than 50 feet in one continuous plane without significant enhancements. Enhancement features include: entry augmentations, horizontal offsets, change in roofline, unique corner treatment, reveal lines, building offsets, facade pop-outs, offset bricks, window frames, glass treatments and changes in materials (tile or masonry materials), colors, texture and finishing. Public art, murals (does not include signage and advertisements), and rich landscaping are also an acceptable option to enhance building facades. Windows and doors are key elements of any structure's form and shall relate to the scale of the elevation on which they appear. Recessed openings help to provide depth and contrast on elevation planes. Approximately one-third of the building frontage shall incorporate window treatments for any structure located within the Freeway Overlay Zone;

(i) Blank front and side wall elevations shall be prohibited on street frontages;

(j) Buildings and main business entrances shall be oriented toward key streets. Other entryways may be used on other sides of properties to allow passage from parking areas;

(k) The Director of Planning and Development may grant exceptions or modifications to the aforementioned design standards for building facades or elevations that are not visible from the freeway, freeway on or off ramps, bridges, or local roads as determined by the Department of Planning and Development; and

(l) Projects within the Freeway Overlay Zone are subject to the Art in Public Places Ordinance (Title III, Chapter 38).

(F) *Soundwalls.*

(1) Soundwalls shall be used to minimize the visual, acoustic, and physical impacts generated by vehicles traveling along the freeways.

(2) Soundwalls shall be designed with a unifying theme to increase the visual continuity of the corridors and establish visual links with other aesthetic components in the corridors.

(3) Long expanses of blank walls shall be prohibited. Such walls are more susceptible to graffiti, leading to higher maintenance costs and unnecessary visual blight.

(4) Use of undecorated block walls is prohibited within freeway corridors.

- (5) Soundwall base colors shall consist of natural earth tones such as tan, rust, brown, or gray. Additional accent colors and patterns may be used to enhance the appearance of the soundwalls subject to approval by the Planning Director or his or her designee.
- (6) The following design features shall be incorporated into all soundwalls:
  - (a) An architecturally appealing relief or scoring combined with climbing vines;
  - (b) Variations in texture and color;
  - (c) Use of multiple building materials or their likeness; and
  - (d) A tiered or "step-down" treatment to transition the wall back to landscape areas.
- (G) *Bridge and overpass treatment.*
  - (1) Bridges and overpasses shall be heavily landscaped, integrate interesting architectural features, and/or incorporate public art.
  - (2) Landscaping treatments shall use creeping vines, trees, or other plants suitable to the local environment.
  - (3) Landscaping shall be used so that at least 50% of the blank portions of a bridge or overpass wall shall be screened. Screening options shall include public art, attractive architectural features, or unique building materials.
  - (4) Sufficient lighting shall be included on, underneath, and around bridges and overpasses to enhance safety for pedestrians and vehicles.
  - (5) Architectural features shall be incorporated into all overpasses and bridges to enhance the appearance of the functional elements.
  - (6) Public art used on bridges and overpasses shall portray images unique to the city and shall be commissioned by local artists when possible.
- (H) *On and off ramp treatment.*
  - (1) On and off ramps represent the area of transition for motorists between the local street network and the freeway.
  - (2) Ramps shall be heavily landscaped and contain attractive, high quality fencing or soundwall materials.
  - (3) Non-plant materials shall be arranged in an attractive manner and be consistent with design themes present throughout the corridors.

**SECTION 3.** Chapter 157 of the City Code is hereby added in its entirety to read as follows:

#### Chapter 157: Wireless Telecommunications Facilities

##### SECTION 157.01 - Purpose

The purpose and intent of this chapter is to establish a comprehensive set of regulations and standards for the permitting, placement, design, installation, operation and maintenance of wireless telecommunications facilities in all areas within the city. These regulations are intended to prescribe clear and reasonable criteria to assess and



process applications in a consistent and expeditious manner, while reducing the impacts associated with wireless telecommunications facilities. These regulations are intended to protect the health, safety and welfare of persons living and working in the city, preserve the aesthetic values of the city, and allow for the orderly, managed and efficient deployment of wireless telecommunications facilities in accordance with state and federal laws, rules and regulations.

## SECTION 157.02 – Definitions

“Agent” means a person authorized to act on behalf of a permittee or other person or entity in matters pertaining to the processing of a wireless telecommunications facility as outlined in this chapter.

“Amateur radio antenna” means an antenna constructed and operated for transmitting and receiving radio signals for noncommercial purposes, usually in relation to a person’s hobby.

“Antenna” means that part of a wireless telecommunications facility designed to radiate or receive radio frequency signals.

“Applicant” means any person that submits an application to the city to site, install, construct, modify, and/or operate a Wireless Telecommunications Facility.

“Base station” means the same as defined by the FCC in 47 C.F.R. § 1.40001(b)(1), as may be amended, which defines that term as follows:

A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in 47 C.F.R. § 1.40001(b)(9) or any equipment associated with a tower.

(i) The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(ii) The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems and small-cell networks).

(iii) The term includes any structure other than a tower that, at the time the relevant application is filed with the City under this section, supports or houses equipment described in paragraphs (b)(1)(i) through (ii) of this section that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.

(iv) The term does not include any structure that, at the time the relevant application is filed with the City under this section, does not support or house equipment described in paragraphs (b)(1)(i)-(ii) of this section.

"Cable" means any wire typically consisting of copper, coax or fiber used for utility service purposes.

"Camouflaged" or "camouflaging" means concealment techniques that integrate the transmission equipment into the surrounding natural and/or built environment such that the average, untrained observer cannot directly view the equipment but would likely recognize the existence of the wireless facility or concealment technique. Camouflaging concealment techniques include, but are not limited to: (1) façade or rooftop mounted pop-out screen boxes; (2) antennas mounted within a radome above a streetlight; (3) equipment cabinets in the public rights-of-way painted or wrapped to match the background; and (4) an isolated or standalone faux-tree.

"Code" means the City of Santa Fe Springs Municipal Code.

"Collocation" means the same as defined by the FCC in 47 C.F.R. § 1.40001(b)(2), as may be amended, which defines that term as the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

"Collocation facility" means a wireless telecommunications facility that has been collocated consistent with the meaning of "collocation" as defined above. It does not include the initial installation of a new wireless telecommunications facility where previously there was none, nor the construction of an additional tower on a site with an existing tower.

"CPCN" means a "Certificate of Public Convenience and Necessity" granted by the CPUC.

"CPUC" means the California Public Utilities Commission.

"Director" means the Director of Planning, or his or her designee.

"Eligible facilities request" means the same as defined by the FCC in 47 C.F.R. § 1.40001(b)(3), as may be amended, which defines that term as a request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving: (a) collocation of new transmission equipment, (b) removal of transmission equipment, or (c) replacement of transmission equipment.

"Eligible support structure" means the same as defined by the FCC in 47 C.F.R. § 1.40001(b)(4), as may be amended, which defines that term as any tower or base station



as defined in this section, provided that it is existing at the time the relevant application is filed with the City.

"Existing" means the same as defined by the FCC in 47 C.F.R. § 1.40001(b)(5), as may be amended, states a constructed tower or base station is existing for purposes of this section if it has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

"Federal Communications Commission (FCC)" means the independent U.S. governmental agency charged with regulating interstate and international communications by radio, television, wire, satellite and cable.

"Height" means the vertical distance from any point at the top of an antenna and/or ancillary wireless telecommunications structure to the finished or natural surface, whichever is more restrictive or lower, measured directly adjacent to the existing building or new structure.

"Modification" means a change to an existing wireless telecommunications facility that involves any of the following: collocation, expansion, alteration, enlargement, intensification, reduction, or augmentation, including, but not limited to, changes in size, shape, color, visual design, exterior material, or equipment model.

"OTARD" means any over-the-air reception device subject to 47 C.F.R. § 1.4000 et seq., as may be amended, and which includes satellite television dishes not greater than one meter in diameter.

"Pole" means a single shaft of wood, steel, concrete or other material capable of supporting the equipment mounted thereon in a safe and adequate manner and as required by the provisions of this Code.

"Public right-of-way" means any public highway, street, alley, sidewalk, parkway which is either owned, operated or controlled by the city, or is subject to an easement or dedication to the city, or is a privately owned area with the city's jurisdiction which is not yet, but is designated as a proposed public right-of-way on a tentative subdivision map approved by the city.

"RF" means radio frequency or electromagnetic waves generally between 30 kHz and 300 GHz.

"Site" means the same as defined by the FCC in 47 C.F.R. § 1.40001(b)(6), as may be amended, which defines that term as for towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other

eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.

“Stealth” means concealment techniques that completely screen all transmission equipment from public view and integrate the transmission equipment with the surrounding natural and/or built environment such that, given the particular context, the average, untrained observer does not recognize the existence of the wireless telecommunications facility or concealment technique. These facilities are so integrated and well-hidden that the average, untrained observer would need special knowledge to recognize their existence. Stealth concealment techniques include, but are not limited to: (1) transmission equipment placed completely within existing architectural features such that the installation causes no visible change to the underlying structure and (2) new architectural features that mimic the underlying building in architectural style, physical proportion and quality of construction materials. Architectural features commonly used as stealth concealment include, but are not limited to, church steeples, cupolas, bell towers, clock towers, pitched faux-roofs, water tanks and flagpoles. Further, whether a wireless facility qualifies as a stealth facility depends on the context that exists at a given location and is evaluated on a case-by-case basis.

“Substantial change” means the same as defined by the FCC in 47 C.F.R. § 1.40001(b)(7), as may be amended, which states a modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

- (i) For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;

- (A) Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to February 22, 2012, the date that Congress passed Section 6409(a) of the Middle Class Tax Relief and Job Creation Act (aka the Spectrum Act).

- (ii) For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

- (iii) For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations,



it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

(iv) It entails any excavation or deployment outside the current site;

(v) It would defeat the concealment elements of the eligible support structure as determined by the city; or

(vi) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in (i) through (iv) in this definition.

“Transmission equipment” means the same as defined by the FCC in 47 C.F.R. § 1.40001(b)(8), as may be amended, which defines that term as equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

“Tower” means the same as defined by the FCC in 47 C.F.R. § 1.40001(b)(9), as may be amended, which defines that term as any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. Examples include, but are not limited to, freestanding mast, pole, monopole, guyed tower, lattice tower, freestanding tower, or other structure designed and primarily used to support wireless telecommunications facility antennas.

“Utility pole” means any pole or tower owned by any utility company that is primarily used to support wires or cables necessary to the provision of electrical or other utility services regulated by the California Public Utilities Commission.

“Vertical infrastructure” means all poles or similar facilities in the public rights-of-way meant for, or used in whole or in part for, communications services, electrical service, lighting, traffic control or similar functions.

“Wireless telecommunications facility” means equipment installed for the purpose of providing wireless transmission of voice, data, images, or other information including, but not limited to, cellular telephone service, personal communications services, and paging services, consisting of equipment and network components such as towers, utility poles, transmitters, base stations, and emergency power systems. It includes, but is not



limited to, antennas and/or other types of equipment for the transmission or receipt of such signals, telecommunications towers or similar structures supporting such equipment, equipment cabinets, pedestals, meters, tunnels, vaults, splice boxes, surface location markers, related transmission equipment, equipment buildings, parking areas, and other accessory development.

#### SECTION 157.03 – Applicability

- A. This chapter applies to the design, siting, construction, or modification of any and all wireless telecommunications facilities as follows:
  - 1. All facilities for which applications were not approved prior to [date passed by CC], 2017 shall be subject to and comply with all provisions of this chapter.
  - 2. All facilities for which applications were approved by the City prior to [date passed by CC], 2017 shall not be required to obtain a new or amended permit until such time as a provision of this code so requires. Any wireless telecommunications facility that was lawfully constructed prior to [date passed by CC], 2017 that does not comply with the standards, regulations, and/or requirements of this division shall be deemed a nonconforming use and shall also be subject to the provisions of sections 155.385 through 155.404.
  - 3. All facilities for which applications have been previously approved, but are now or hereafter: (a) expanded or (b) modified by the installation of additional antennas, larger antennas or more powerful antennas, or (c) when one or more bands of service are activated shall comply with this chapter.
- B. All facilities, notwithstanding the date approved, shall be subject immediately to the provisions of this chapter governing the operation and maintenance (Section 157.09), cessation of use and abandonment (Section 157.11), and removal and restoration (Section 157.12) of wireless telecommunications facilities; provided, however, that in the event a condition of approval conflicts with a provision of this division, the condition of approval shall control until the permit is amended, expired, or revoked.
- C. This chapter does not apply to the following:
  - 1. Facilities owned and operated by the city for its use;
  - 2. Amateur radio facilities;
  - 3. Over the Air Reception Devices (“OTARD”) antennas;
  - 4. Wireless facilities installed completely indoors and intended to extend signals for personal wireless services in a personal residence or a business (such as femtocell or indoor distributed antenna system);
  - 5. Wireless facilities or equipment owned and operated by CPUC-regulated electric companies for use in connection with electrical power generation, transmission and distribution facilities subject to CPUC General Order 131-D.
  - 6. Any entity legally entitled to an exemption pursuant to state or federal law or governing franchise agreement.
- D. Relationship to other chapters. This chapter shall supersede all conflicting requirements of other titles and chapters of this Code regarding the locating and permitting of wireless telecommunications facilities.



## SECTION 157.04 – Wireless Telecommunications Facility Permit Requirements

- A. *Wireless Telecommunications Facility Conditional Use Permit.* All wireless telecommunications facilities are subject to the granting of a conditional use permit. Wireless Telecommunications Facility Conditional Use Permits are subject to Planning Commission approval unless otherwise provided for in this chapter.
- B. *Administrative Wireless Telecommunications Facility Permit.* An Administrative Wireless Telecommunications Facility Permit, subject to the Director's approval, may be issued for new facilities or collocations or modifications to existing facilities that meet the following criteria:
  - 1. The facility is located within the public right-of-way.
  - 2. The facility qualifies as an eligible facilities request as defined in this chapter.
- C. In the event that the Director determines that any application submitted for an Administrative Wireless Telecommunications Facility Permit does not meet the criteria of this Code, the Director shall convert the application to a Wireless Telecommunications Facility Conditional Use Permit application and refer it to the Planning Commission. Additional submittal materials may be required.
- D. *Other Permits Required.* In addition to any permit that may be required under this chapter, the applicant must obtain all other required prior permits or other approvals from other city departments, or state or federal agencies. Any permit granted under this chapter is subject to the conditions and/or requirements of other required prior permits or other approvals from other city departments, state or federal agencies.
- E. *Procedures for a Duly Filed Application.* Any application for a Wireless Telecommunications Facility will not be considered duly filed unless submitted in accordance with the procedures in this Section 157.04(E).
  - 1. *Pre-Submittal Conference.* Before application submittal, the applicant must schedule and attend a pre-submittal conference with the Director for all proposed projects on new support structures in the public rights-of-way. Pre-submittal conferences for all other proposed projects are strongly encouraged but not required. The pre-submittal conference is intended to streamline the review process through informal discussion that includes, without limitation, the appropriate project classification and review process, any latent issues in connection with the proposed or existing wireless tower or base station, including compliance with generally applicable rules for public health and safety; potential concealment issues or concerns (if applicable); coordination with other city departments responsible for application review; and application completeness issues. To mitigate unnecessary delays due to application incompleteness, applicants are encouraged (but not required) to provide draft applications or other materials so that city staff may provide informal feedback and guidance about whether such applications or other materials may be incomplete or unacceptable. The Director shall use reasonable efforts to provide the



applicant with an appointment within five working days after the Director receives a written request and any applicable fee or deposit to reimburse the city for its reasonable costs to provide the services rendered in the pre-submittal conference.

2. *Appointment Required.* All applications for a Wireless Telecommunications Facility shall be submitted to the city at a pre-scheduled appointment with the Director. Applicants may submit one application per appointment, but may schedule successive appointments for multiple applications whenever feasible and not prejudicial to other applicants. Any application received without an appointment or a pre-submittal conference, whether delivered in-person, by mail or through any other means, will not be considered duly filed.
- F. *Applications Deemed Withdrawn.* To promote efficient review and timely decisions, any application governed under this chapter will be automatically deemed withdrawn by the applicant when the applicant fails to tender a substantive response to the Director within 90 calendar days after the Director deems the application incomplete in a written notice to the applicant. The Director may, in the Director's discretion, grant a written extension for up to an additional 30 calendar days when the applicant submits a written request prior to the 90th day that shows good cause to grant the extension. Delays due to circumstances outside the applicant's reasonable control will be considered good cause to grant the extension.
- G. *Application Requirements.* All applicants for a Wireless Telecommunications Facility shall submit all the content, information, materials and fees required by the Director for the application. The Planning Commission authorizes the Director to develop, publish and from time-to-time update or amend permit application forms, checklists, informational handouts and other related materials that the Director finds necessary, appropriate or useful for processing any application governed under this Section. The Planning Commission further authorizes the Director to establish other reasonable rules and regulations, which may include regular hours for appointments with applicants, as the Director deems necessary or appropriate to organize, document and manage the application intake process. All such permit application forms, checklists, informational handouts, rules and regulations must be in written form and made available on the city's website and/or in-person at the Planning and Development Department to provide applicants with prior notice.

#### SECTION 157.05 – Findings; Limited Exceptions

- A. *Required Findings for Approval.* The approval authority may approve or conditionally approve any application for a Wireless Telecommunications Facility Conditional Use Permit or Administrative Wireless Telecommunications Facility Permit when the approval authority finds that:
  1. The proposed wireless telecommunications facility will not be detrimental to persons or property in the immediate vicinity and will not adversely affect the city in general.



2. The proposed wireless telecommunications facility has been designed to achieve compatibility with the community to the maximum extent reasonably feasible.
3. The location of the wireless telecommunications facility on alternative sites will not increase community compatibility or is not reasonably feasible.
4. The proposed wireless telecommunications facility is necessary to close a significant gap in coverage, increase network capacity, or maintain service quality, and is the least intrusive means of doing so.

B. *Limited Exception.* The city recognizes that federal law prohibits a permit denial when it would effectively prohibit the provision of personal wireless services and the applicant proposes the least intrusive means to provide such services. In the event that an applicant asserts that strict compliance with any provision in this chapter, as applied to a specific proposed wireless facility, would effectively prohibit the provision of personal wireless services, the approval authority may grant a limited, one-time exception from strict compliance subject to the provisions in this chapter. The approval authority shall not grant any exception unless the applicant demonstrates all of the following with clear and convincing evidence:

1. The proposed wireless facility qualifies as a "personal wireless services facility" as defined by the United States Code, Title 47, section 332(C)(7)(C)(ii), as may be amended or superseded;
2. The applicant has provided the city with a reasonable and clearly defined technical service objective to be achieved by the proposed wireless telecommunications facility;
3. The applicant has provided the city with a written statement that contains a detailed and fact-specific explanation as to why the proposed wireless telecommunications facility cannot be deployed in compliance with the applicable provisions in this chapter;
4. The applicant has provided the city with a meaningful comparative analysis with the factual reasons why all alternative location(s) and/or design(s) identified by the city or otherwise identified in the administrative record, including but not limited to potential alternatives identified at any public meeting or hearing, are not technically feasible or potentially available to reasonably achieve the applicant's reasonable and clearly defined technical service objective to be achieved by the proposed wireless telecommunications facility; and
5. The applicant has demonstrated to the city that the proposed location and design is the least non-compliant configuration that will reasonably achieve the applicant's reasonable and clearly defined technical service objective to be achieved by the proposed wireless telecommunications facility, which includes without limitation a meaningful comparative analysis into multiple smaller or less intrusive wireless telecommunications facilities dispersed throughout the intended service area.

C. *Independent Consultant for Limited Exceptions.* The city shall have the right to hire, at the applicant's expense, an independent consultant to evaluate issues

raised by the exception and to submit recommendations and evidence in response to the application.

#### Section 157.06 – Requirements for Facilities Outside the Public Right-of-Way

The City desires to promote cleanly organized and streamlined facilities using the smallest and least intrusive means available to provide wireless services to the community. All wireless telecommunications facilities located outside the public rights-of-way must comply with all applicable provisions in this section. In the event that any other law, regulation or code requires any more restrictive design and/or construction requirements, the most restrictive requirement will control.

A. *Preferred locations.* All applicants must, to the extent feasible, propose new wireless telecommunications facilities in locations according to the following preferences, ordered from most preferred to least preferred:

1. Manufacturing zones;
2. Commercial zones;
3. Agricultural zones;
4. Public Facilities zones;
5. Multiple Family zones;
6. Single Family zones.

No new facility may be placed in a less appropriate area unless the applicant demonstrates that no more appropriate location can feasibly serve the area the facility is intended to serve, provided that the city may authorize a facility to be established in a less appropriate location if doing so is necessary to prevent substantial aesthetic impacts.

B. *Preferred Support Structures.* In addition to the preferred locations described in Section 157.06(A), the City also expresses its preference for installations on certain support structures. The approval authority will take into account whether a more preferred support structure is technically feasible and potentially available. The City's preferred support structures are as follows, ordered from most preferred to least preferred:

1. Collocation on an existing non-tower structure;
2. Collocation on an existing tower;
3. New installations on existing buildings, utility structures, and other non-tower structures;
4. New freestanding towers.

#### Section 157.07 – Requirements for Facilities Within the Public Right-of-Way

The City desires to promote cleanly organized and streamlined facilities using the smallest and least intrusive means available to provide wireless telecommunications services to the community. All wireless telecommunications facilities in the public rights-of-way must comply with all applicable provisions in this chapter. In the event that any other law, regulation or code requires any more restrictive design and/or construction requirements, the most restrictive requirement will control.



- A. *Preferred facility location.* All applicants must, to the extent feasible, propose new wireless telecommunications facilities in locations according to the following preferences, ordered from most preferred to least preferred:
1. Within or abutting commercial or manufacturing zones not requiring any modifications to the existing location of any infrastructure or landscaping;
  2. Within or abutting commercial or manufacturing zones requiring only minor alterations to the existing infrastructure or landscaping (including planter size);
  3. Alleyways within or abutting commercial or manufacturing zones;
  4. Within or abutting an agricultural zone;
  5. Within or abutting a Public Facilities zone;
  6. Abutting sensitive uses, such as historical sites, schools, daycare facilities, etc.
  7. Within or abutting residential zones;
- B. *Preferred Antenna location.* All applicants must, to the extent feasible, propose antennas in locations according to the following preferences, ordered from most preferred to least preferred:
1. On an existing utility pole;
  2. On an existing street light;
  3. On new vertical infrastructure, but only if the applicant shows that it cannot otherwise close a significant gap in its service coverage, and that the proposal is the least intrusive means of doing so.
- C. *Preferred Equipment location.* All applicants must, to the extent feasible, propose equipment in locations according to the following preferences, ordered from most preferred to least preferred:
1. Within a below-grade equipment vault, vault must be flush with grade;
  2. Mounted on the subject vertical infrastructure;
  3. In an existing ground-mounted (grade-level) equipment cabinet or enclosure, with no expansion or additional cabinets to be added;
  4. Within a new equipment cabinet or enclosure mounted at grade. An exception shall be required to place a new equipment cabinet or enclosure mounted at grade.
- D. *Exception required.* Wireless telecommunications facilities are strongly disfavored in certain areas of the public rights-of-way. Therefore, the following locations are permitted only when an exception has been granted pursuant to Section 157.05 (B).
1. Mounted on new vertical infrastructure that is not replacing existing vertical infrastructure;
  2. Within center medians;
  3. Along Telegraph Road;
  4. Mounted on bridges;
  5. Mounted on traffic signals.
- E. *No interference with public rights-of-way.* In no case shall any part of a wireless telecommunications facility alter vehicular circulation or parking within the public rights-of-way, nor shall it impede vehicular and/or pedestrian access or visibility

along any public right-of-way. No permittee shall locate or maintain wireless telecommunications facilities to unreasonably interfere with the use of city property or the public rights-of-way by the city, by the general public or by other persons authorized to use or be present in or upon the public rights-of-way. Unreasonable interference includes disruption to vehicular, bicycle, or pedestrian traffic on city property or the public rights-of-way, interference with public utilities, and any such other activities that will present a hazard to public health, safety or welfare when alternative methods of construction would result in less disruption. All such facilities shall be moved by the permittee, at the permittee's cost, temporarily or permanently, as determined by the Director of Public Works or Director of Planning.

## SECTION 157.08 – Design and Development Standards

All wireless telecommunications facilities shall be designed, located and maintained to minimize visual, aesthetic, noise, and other impacts on the surrounding community. They shall be planned, designed, located, and erected in accordance with the following:

### A. *General Guidelines*

1. No new wireless telecommunications facility may be located in areas where collocation on existing facilities would provide equivalent coverage, new capacity, and service quality with less environmental or aesthetic impact.
2. The overall development footprint of a wireless telecommunications facility shall be as small as technically feasible.
3. There may be no net loss of required parking or landscaping when siting a wireless telecommunications facility.
4. The applicant shall employ screening, undergrounding, and stealth design techniques in the design and placement of a wireless telecommunications facility in order to minimize its visual intrusiveness and negative aesthetic impact.
5. Screening shall be designed to be architecturally compatible with surrounding structures using appropriate techniques to camouflage, disguise, and/or blend into the environment, including landscaping, color, and other techniques to minimize the facility's visual impact, as well as be compatible with the architectural character of the surrounding buildings or structures in terms of color, size, proportion, style and quality.
6. All facilities shall have subdued colors and non-reflective materials that blend with the materials and colors of the surrounding area and structures.

- B. *Design Guidelines.* The city shall promulgate additional detailed Design Guidelines for the design and installation of wireless telecommunications facilities, which the city shall consider in reviewing an application. The Design Guidelines will accord with this chapter but will provide greater detail, description, and examples of acceptable wireless facilities. In addition, the Design Guidelines shall provide administrative and procedural guidance to applicants such as a list of minimum application requirements. The provisions in this section shall not limit or prohibit the city's discretion to promulgate and make publicly available other information,



materials, or requirements in addition to, and separate from, the Design Guidelines.

- C. The Design Guidelines shall be reviewed and approved by the Planning Commission before being finalized. The Director shall have authority to update or supplement the Design Guidelines to address relevant changes in law, technology, or administrative processes. Any revisions to the Design Guidelines that would materially modify the physical design requirements for wireless telecommunications facilities to make them more obtrusive or materially modify the standards and locations for wireless telecommunications facilities shall be presented to the Planning Commission for review and approval. In the event of any conflict between the Design Guidelines and the standards articulated in this chapter of the Santa Fe Springs Municipal Code, the language of this chapter takes precedence over the language of the Design Guidelines.

#### Section 157.09 – Operation and Maintenance Standards.

All wireless telecommunications facilities must comply at all times with the following operation and maintenance standards.

- A. *Repairs.* Unless otherwise provided herein, all necessary repairs and restoration shall be completed by the permittee, owner, operator or any designated maintenance agent within forty-eight (48) hours:
  - 1. After discovery of the need by the permittee, owner, operator or any designated maintenance agent;
  - 2. After permittee, owner, operator or any designated maintenance agent receives notification from the city.
- B. *Contact information.* Each permittee of a wireless telecommunications facility shall provide the city with the name, title, direct phone number, mailing address, email address and 24-hour local or toll free contact phone number of the permittee, the owner, the operator and the agent responsible for the maintenance of the facility ("contact information"). Contact information shall be updated within seven (7) days of any change.
- C. All facilities, including, but not limited to, telecommunications towers, poles, accessory equipment, lighting, fences, walls, shields, cabinets, artificial foliage or camouflage, and the facility site shall be maintained in good condition, including ensuring the facilities are reasonably free of:
  - 1. General dirt and grease;
  - 2. Chipped, faded, peeling, and cracked paint;
  - 3. Rust and corrosion;
  - 4. Cracks, dents, and discoloration;
  - 5. Missing, discolored or damaged artificial foliage or other camouflage;
  - 6. Graffiti, bills, stickers, advertisements, litter and debris;
  - 7. Broken and misshapen structural parts; and
  - 8. Any damage from any cause.
- D. All trees, foliage or other landscaping elements approved as part of the facility shall be maintained in good condition at all times. The permittee, owner and operator of

the facility shall be responsible for replacing any damaged, dead or decayed landscaping within five (5) calendar days after written notice from the City. No amendment to any approved landscaping plan may be made until it is submitted to and approved by the Director.

- E. The permittee shall replace its facilities, after obtaining all required permits, if maintenance or repair is not sufficient to return the facility to the condition it was in at the time of installation.
- F. Each facility shall be operated and maintained to comply with all conditions of approval. Each owner or operator of a facility shall routinely inspect each site to ensure compliance with the same and the standards set forth in this chapter.

#### SECTION 157.10 – Permit Expiration

- A. Unless California Government Code § 65964(b), as may be amended, authorizes the city to issue a permit with a shorter term, a permit for any wireless telecommunications facility shall be valid for a period of ten (10) years, unless pursuant to another provision of this Code it lapses sooner or is revoked. At the end of ten (10) years from the date of issuance, such permit shall automatically expire.
- B. The city's approval of an Administrative Wireless Telecommunications Permit constitutes a federally-mandated modification to the underlying permit or approval of the tower or base station. The city's approval of an Administrative Wireless Telecommunications Permit will not extend the permit term for any underlying permit or other regulatory approval, and its term shall be coterminous with the underlying permit or other regulatory approval for the subject tower or base station.
- C. A permittee may apply for a new permit within one hundred and eighty (180) days prior to expiration. Said application and proposal shall comply with the city's current code requirements for wireless telecommunications facilities.

#### SECTION 157.11 - Cessation of Use or Abandonment

- A. A wireless telecommunications facility is considered abandoned and shall be promptly removed as provided herein if it ceases to provide wireless telecommunications services for ninety (90) or more consecutive days unless the permittee has obtained prior written approval from the city which shall not be unreasonably denied.
- B. The operator of a facility shall notify the city of its intent to abandon or cease use of a permitted site or a nonconforming site (including unpermitted sites) sixty (60) days prior to the final day of use. Said notification shall be in writing, shall specify the date of termination and shall include reference to the applicable permit number.

#### SECTION 157.12 – Removal and Restoration – Permit Expiration, Revocation or Abandonment



- A. Upon the expiration date of the permit, including any extensions, earlier termination or revocation of the permit or abandonment of the facility, the permittee, owner or operator shall remove its wireless telecommunications facility and restore the site to the condition that existing prior to the installation of the wireless telecommunications facility, or collocated portion thereof, except for retaining landscaping improvements or any other improvements at the discretion of the city. Removal shall be in accordance with applicable health and safety requirements and all ordinances, rules, and regulations of the city. The facility shall be removed from the property, at no cost or expense to the city.
- B. Failure of the permittee, owner or operator to promptly remove its facility and restore the property within six (6) months after expiration, earlier termination or revocation of the permit, or abandonment of the facility, shall be a violation of this Code. Upon a showing of good cause, an extension may be granted by the city where circumstances are beyond the control of the permittee after expiration.
- C. *Summary Removal.* In the event the city determines that the condition or placement of a wireless telecommunications facility located in the public right-of-way constitutes a dangerous condition, obstruction of the public right-of-way, or an imminent threat to public safety, or determines other exigent circumstances require immediate corrective action, the city may cause the facility to be removed summarily and immediately without advance notice or hearing. Written notice of the removal shall include the basis for the removal and shall be served upon the permittee and person who owns the facility within five (5) business days of removal and all property removed shall be preserved for the owner's pick-up as feasible. If the owner cannot be identified following reasonable effort or if the owner fails to pick-up the property within sixty (60) days, the facility shall be treated as abandoned property.
- D. *Removal of Facilities by City.* In the event the city removes a facility in accordance with nuisance abatement procedures or summary removal, any such removal shall be without any liability to the city for any damage to such facility that may result from reasonable efforts of removal. Unless otherwise provided herein, the city has no obligation to store such facility. Neither the permittee, owner nor operator shall have any claim if the city destroys any facility not timely removed by the permittee, owner or operator after notice, or removed by the city due to exigent circumstances.

#### Section 157.13 – Standard Conditions of Approval

The City may add or modify conditions of approval as necessary or appropriate to protect and promote the public health, safety, and welfare. All facilities approved under this chapter shall be subject to the following conditions:

- A. *Permit Term.* This permit will automatically expire 10 years and one day from its issuance, except when California Government Code § 65964(b), as may be amended or superseded in the future, authorizes the City to establish a shorter term for public safety or substantial land use reasons. Any other permits or approvals issued pursuant to Section 6409(a) in connection with any collocation,



modification or other change to this wireless facility, which includes without limitation any permits or other approvals deemed-granted under federal law, will not extend this term limit unless expressly provided otherwise in such permit or approval or required under federal or state law. Upon a written application from the applicant, the approval authority shall renew this permit for an additional 10-year term if the facility is in compliance with all local, state and federal laws at the time the permit expires.

- B. *Build-Out Period.* This permit will automatically expire one year from the approval or deemed-granted date unless the permittee obtains all other permits and approvals required to install, construct and/or operate the approved wireless telecommunications facility, which includes without limitation any permits or approvals required by the any federal, state or local public agencies with jurisdiction over the subject property, the wireless telecommunications facility or its use. The Director may grant one written extension to a date certain when the permittee shows good cause to extend the limitations period in a written request for an extension submitted at least 30 days prior to the automatic expiration date in this condition.
- C. *Compliance with Approved Plans.* Before the permittee submits any applications to the Building Department, the permittee must incorporate this permit, all conditions associated with this permit and the approved photo simulations into the project plans (the "Approved Plans"). The permittee must construct, install and operate the wireless facility in substantial compliance with the Approved Plans. Any alterations, modifications or other changes to the Approved Plans, whether requested by the permittee or required by other departments or public agencies with jurisdiction over the wireless facility, are subject to the Director's prior review and approval, who may refer the request to the original approval authority if the Director finds that the requested alteration, modification or other change substantially deviates from the Approved Plans or implicates a significant or substantial land-use concern.
- D. *Post-Installation Final Inspection.* The permittee shall obtain a final inspection by the Director to ensure the facility is built in accordance with the Approved Plans. If the facility is not constructed as conditioned, the Director reserves the right to withhold finalizing the Building Permit until the facility is modified to comply with all plans and conditions.
- E. *Maintenance Obligations; Vandalism.* The permittee shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean and safe condition in accordance with the Approved Plans and all conditions in this permit. Any concealment elements shall be kept in "like new" condition at all times. The permittee shall keep the site area free from all litter and debris at all times. The permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after the permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred. The permittee and property owner shall maintain any and all landscape features in accordance with an approved landscape plan, if any, and shall replace dying or



dead trees, foliage or other landscape elements shown on the Approved Plans within five (5) calendar days after written notice from the City.

- F. *Compliance with Laws.* The permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law ("Laws") applicable to the permittee, the subject property, the wireless telecommunications facility or any use or activities in connection with the use authorized in this permit, which includes without limitation any Laws applicable to human exposure to RF emissions. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee's obligations to maintain compliance with all Laws. In the event that the City fails to timely notice, prompt or enforce compliance with any applicable provision in the California Building Code, Santa Fe Springs Municipal Code, Fire Code, any permit, any permit condition, or any applicable law or regulation, the applicant or permittee will not be relieved from its obligation to comply in all respects with all applicable provisions in any such permit, permit condition or any applicable law or regulation.
- G. *Adverse Impacts on Other Properties.* The permittee shall use all reasonable efforts to avoid any and all undue or unnecessary adverse impacts on nearby properties that may arise from the permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal and/or other activities at the site. The permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction hours in accordance with Santa Fe Springs Municipal Code Sections 155.424 and 155.425. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City. The Director or the Director's designee may issue a stop work order for any activity that violates this condition.
- H. *Backup Power; Generators.* After obtaining all necessary permits, the permittee may operate backup power generators only during (1) commercial power outages or (2) for maintenance purposes during normal construction hours in accordance with Santa Fe Springs Municipal Code Sections 155.424 and 155.425. The Director may approve a temporary power source and/or generator in connection with initial construction or major repairs.
- I. *Inspections; Emergencies.* The permittee expressly acknowledges and agrees that the City's officers, officials, staff or other designee may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to the permittee, or at any time during an emergency. The City's officers, officials, staff or other designee may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons; provided, however, that even in such emergency circumstances, the City shall use reasonable efforts to notify the



permittee prior to such entry to the extent practicable under the circumstances. The permittee, if present, may observe the City's officers, officials, staff or other designee while any such inspection or emergency access occurs.

- J. *Permittee's Contact Information.* The permittee shall provide the city with the name, title, direct phone number, mailing address, email address and 24-hour local or toll free contact phone number of the permittee, the owner, the operator and the agent responsible for the maintenance of the facility. Contact information shall be updated within seven (7) days of any change.
- K. *Indemnification.* The applicant, permittee, operator of a facility, and property owner (when applicable) agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards arising from or in any way related to the wireless telecommunications facility, or any actions or operations conducted pursuant thereto. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the applicant, permittee, operator of a facility, and property owner of such claim, action or proceeding, and shall cooperate fully in the defense thereof.
- L. *Transfer of Use.* The Department of Planning and Development shall be notified in writing of any transfer or lease of the wireless telecommunications facility. The permittee shall promptly provide a copy of the conditional use permit to the transferee or lessee and shall insure that lessee or other user(s) understands and agrees to comply with the terms and conditions of this permit.
- M. *Removal of Discontinued Use.* In the event that the use of a Wireless Telecommunications Facility is discontinued, the permittee shall provide written notice to the Director of its intent to discontinue use sixty (60) days prior to the final day of use. The permittee shall promptly remove the facility, repair any damage to the premises caused by such removal, and restore the premises to its pre-facility condition so as to be in conformance with all applicable zoning codes at the permittee's expense. All such removal, repair and restoration shall be completed within six (6) months after the use is discontinued, and shall be performed in accordance with all applicable health and safety code requirements.

Additional conditions for wireless telecommunications facilities within the rights-of-way:

- N. *Taxes and assessments.* To the extent taxes or other assessments are imposed by taxing authorities on the use of city property as a result of an applicant's use or occupation of the rights-of-way, the applicant shall be responsible for payment of such taxes, payable annually unless otherwise required by the taxing authority.
- O. *Undergrounded Utilities.* In the event that other public utilities or cable television operators in the public rights-of-way where the permittee's wireless facility is located underground their facilities, the permittee must underground its equipment except the antennas and antenna supports. Such undergrounding shall occur at the permittee's sole cost and expense except as reimbursed pursuant to law.



P. *Electric Meter Removal.* In the event that the commercial electric utility provider adopts or changes its rules obviating the need for a separate electric meter and enclosure, the permittee on its own initiative and at its sole cost and expense shall apply to the City for permission to remove the separate electric meter and enclosure and restore the affected area to its original condition.

Q. *Existing infrastructure restoration.*

1. Upon installation of the new work, the contractor shall restore the street and/or alley pavement as required in full and complete compliance with the approved Encroachment Permit and Wireless Telecommunications Facility Permit for use of the public right-of-way, and to the satisfaction of the Director of Public Works.
2. Upon installation of the new work, the contractor shall restore all concrete walks, driveway aprons, and "collector strips" as required in full and complete compliance to the satisfaction of the Director of Public Works.
3. Upon installation of the new work, the contractor shall restore all trees, landscaping, lawns and/or sod strips to the satisfaction of the Director of Public Works.

**SECTION 4.** Except as amended above, all other provisions of the Land Use Regulations in the Santa Fe Springs Municipal Code shall remain in full force and effect.

**SECTION 5.** Nothing in this ordinance shall be interpreted to mean that the City's permissive zoning scheme allows any other use not specifically listed therein.

**SECTION 6.** This Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it can be seen with certainty that there is no possibility that the adoption of an ordinance, in and of itself, will have a significant effect on the environment.

**SECTION 7.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections or portions of this Ordinance, or any part thereof. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

**SECTION 8.** To the extent the provisions of the Santa Fe Springs Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

**SECTION 9.** The City Clerk shall certify to the adoption of this Ordinance, including the vote for and against and shall post a certified copy of this Ordinance, within 15 days after its passage to be posted in at least three (3) public places within the City as established by ordinance, and, in compliance with Section 36933 of the Government Code.

**SECTION 10.** This Ordinance is adopted pursuant to the authority granted by the California Constitution and State law, including but not limited to Article XI, Section 7 of the California Constitution.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

William K. Rounds  
Mayor

ATTEST:

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Janet Martinez, CMC  
City Clerk





**CONSENT ITEM**

**Alcohol Sales Conditional Use Permit Case No. 66**

Request for a time extension of Conditional Use Permit Case No. 66 to allow the operation and maintenance of an alcoholic beverage use involving the sale of alcoholic beverages for on-site consumption at Salt and Pepper Restaurant located at 13225 Telegraph Road, in the Community Commercial (C-4) Zone and in the Telegraph Road Corridor Zone, within the Consolidated Redevelopment Project Area. (Salt and Pepper Restaurant)

**RECOMMENDATION**

Staff recommends that the Planning Commission extend the time to present a compliance review no later than May 3, 2018.

**BACKGROUND**

The Planning Commission and the City Council at their respective meetings of June 13, and June 23, 2016, approved Conditional Use Permit Case No. 66 to allow the sale of alcoholic beverages in conjunction with the operation of a family restaurant commonly known as Salt and Pepper. As part of the conditions of approval, a compliance review of the premises was required by June 23, 2017. However, the restaurant had some construction delays and their grand opening did not occur until May 2017. Consequently, the Applicant has not enjoyed a full-year of the privileges granted under the alcohol sales conditional use permit. Given the circumstances, Staff is recommending that a compliance review be conducted one-year from the grand opening date, and no later than May 3, 2018.

For the exception of the date of the compliance review (Condition No. 28), the conditions of approval have not changed, and are attached to this report.

A handwritten signature in black ink, appearing to read "Dino Torres".

Dino Torres  
Director of Police Services

**Attachment(s)**

1. Conditions of Approval
2. Location Map
3. Location Pictures

**CONDITIONS OF APPROVAL**

1. That the Applicant understands and accepts that this Permit is solely for the sale of alcoholic beverages in relationship with a bona-fide restaurant use and that this Permit shall become void and terminated if the restaurant use is terminated, closed, or modified to another type of use.
2. That the Applicant shall install a video recording surveillance system with the following minimum configuration: Cameras capable of recording in HD at 5Mbps to capture 1080P video at 30 FPS, and a Network Video Recorder (NVR) which can record at 1080P video per channel. The Applicant shall maintain the video cameras and shall allow the Director of Police Services, Whittier Police Officers, and any of their representatives to view the security surveillance video footage immediately upon their request.
3. That the Applicant shall obtain a Business Operations Tax Certificate (BOTC), commonly known as a business license, prior to taking occupancy of the building.
4. That in order to facilitate the removal of unauthorized vehicles parked on the property, the Applicant shall post, in plain view and at each entry to the property, a sign not less than 17" wide by 22" long. The sign shall prohibit the public parking of unauthorized vehicles and indicate that unauthorized vehicles will be removed at the owner's expense and also contain the California Vehicle Code that permits this action. The sign shall also contain the telephone number of the local law enforcement agency (Police Services Center (562) 409-1850). The lettering within the sign shall not be less than one inch in height. The Applicant shall contact the Police Services Center for an inspection no later than 30 days after the project has been completed and prior to the occupancy permit being issued.
5. That the proposed buildings, including any lighting, fences, walls, cabinets, and poles shall be maintained in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired within 72 hours of occurrence, weather permitting, to minimize occurrences of dangerous conditions or visual blight. Paint utilized in covering graffiti shall be a color that matches, as closely possible, the color of the existing and/or adjacent surfaces.
6. That it shall be the responsibility of the Applicant and/or his employees to monitor outdoor consumption of alcoholic beverages; consumption of alcoholic beverages is not permitted within the outdoor eating area. Signs shall be placed in a conspicuous area to notify customers that consumption of alcoholic beverages is prohibited.



7. That the sale of alcoholic beverages shall only be permitted during the normal business hours of the week, or as required by the Alcohol Beverage Code.
8. That the Type 41 Alcoholic Beverage License, allowing the on-site sale of alcoholic beverages in connection with a public eating place, shall be restricted to the sale for consumption of alcohol beverages on the subject site only; the use shall not sell alcoholic beverages for transport and/or for consumption outside or off the subject premise.
9. That it shall be the responsibility of the ownership to ensure that all alcoholic beverages purchased on the subject site shall be consumed within the business establishment; all stored alcoholic beverages shall be kept in a locked and secured area that is not accessible to patrons.
10. That the Applicant shall be responsible for maintaining control of their litter/trash on the subject property and any that may migrate onto adjacent properties as a result of the business. This may be controlled by installing trash receptacles within strategic areas.
11. That the Applicant and/or his employees shall not allow any person who is intoxicated, or under the influence of any drug, to enter, be at, or remain upon the licensed premises, as set forth in Section 25602(a) of the Business and Professions Code.
12. That the Applicant and/or his employees shall not sell, furnish, or give any alcohol to any habitual drunkard or to any obviously intoxicated person, as set forth in Section 25602 (a) of the State Business and Professions Code.
13. That there will be a corporate officer or manager on the licensed premises during all public business hours, which will be responsible for the business operations. The general manager and any newly/subsequently hired manager(s), of the licensed premise shall comply with the minimum age requirements by ABC and obtain an ABC Manager's Permit within two-months of the hire date. The City of Santa Fe Springs' Director of Police Services shall be provided a copy of said Manager's Permit including the name, age, residential address, and related work experience of the intended Manager, prior to the Manager assuming the manager responsibilities.
14. That the Applicant shall not have upon the subject premises any alcoholic beverage(s) other than the alcoholic beverage(s) which the licensee is authorized to sell under the license, as set forth in Section 25607 (a) of the State Business and Professions Code.

15. That the Applicant and/or any of his employees shall not sell, furnish, or give any alcoholic beverage to any person under 21 years of age, as set forth in Section 25658 (a) of the State Business and Professions Code.
16. That solicitation of drinks is prohibited; that is, an employee of the licensed premises shall not solicit alcoholic beverages to its customers. Refer to Section 303 of the California Penal Code and Section 25657 of the Business and Professions Code.
17. That the Applicant and/or his employees shall not permit any person less than 18 years of age to sell alcoholic beverages.
18. That vending machines, water machines, pay telephones and other similar equipment shall not be placed outdoors whereby visible from the street or adjacent properties.
19. That all buildings, structures, walls, fences, and similar appurtenances shall be maintained in good appearance and condition at all times.
20. That streamers, pennants, whirling devices or other similar objects that wave, float, fly, rotate or move in the breeze shall be prohibited. Banners may be displayed with prior approval and permits; said permits are available through the Department of Planning.
21. That the façade windows shall be free of advertisements, marketing devices, beer logos, menus, signs, and/or any other displays. Upon approval by the Department of Planning, 25% of the window space area may be used for temporary displays.
22. That a copy of these conditions shall be posted and maintained with a copy of the City Business License, in a place conspicuous to all employees of the location.
23. That the Applicant and/or his employees shall not allow any person to loiter on the subject premises, shall report all such instances to the City's Police Services Center; and, shall post signs, as approved by the Department of Police Services, prohibiting loitering.
24. That the Applicant must receive approval from the Department of Police Services for any installation of pay telephones on the premises; and, such phones shall not be capable of receiving calls.
25. That security personnel, as well as the owner, corporate officers and managers, shall cooperate fully with all city officials, law enforcement personnel, and code



- enforcement inspectors; and, shall not obstruct or impede their entrance into the licensed premises while in the course of their official duties.
26. That in the event the applicant intends to sell, lease or sublease the subject business operation or transfer the subject Permit to another owner/applicant or licensee, the Director of Police Services shall be notified in writing of said intention within a reasonable time of the intent of signing an agreement to sell lease or sublease.
27. That this permit is contingent upon the approval by the Department of Police Services of an updated security plan which shall address the following for the purposes of minimizing risks to the public health, welfare, and safety. The Security Plan shall be submitted to the Department of Police Services within 60 days from the approval of this permit with the following information:
- (A) A description of the storage and accessibility of alcoholic beverages on display, as well as surplus alcoholic beverages in storage;
  - (B) A description of crime prevention barriers in place at the subject premises, including, but not limited to: placement of signage, landscaping, ingress and egress controls, security systems, and site plan layouts;
  - (C) A description of how the Applicant plans to educate employees on their responsibilities; actions required of them with respect to enforcement of laws dealing with the sale of alcohol to minors; and, the conditions of approval set forth herein;
  - (D) A business policy requiring employees to notify the Police Services Center of any potential violations of law or this Conditional Use Permit, occurring on the subject premises, and the procedures for such notifications.
  - (E) The City's Director of Police Services may, at his discretion, require amendments to the Security Plan to assure the protection of the public's health, welfare, and safety.
28. That ASCUP Case No. 66 shall be subject to a compliance review no later than May 3, 2018, to ensure the premises is still operating in strict compliance with the original conditions of approval. At which time the applicant may request an extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval.

29. That all other applicable requirements of the City Zoning Ordinance, Uniform Building Code, Uniform Fire Code, the determinations of the City and State Fire Marshall, the security plan and all other applicable regulations shall be strictly complied with.
30. It is hereby declared to be the intent, that if any provision of this permit is violated or held to be invalid, or if any law, statute, or ordinance is violated, this Permit shall be subject to the revocation process at which time, the Permit may become terminated and the privileges granted hereunder shall lapse.



**AERIAL PHOTOGRAPH**



**Alcohol Sales Conditional Use Permit Case No. 66  
Salt & Pepper Restaurant  
13225 Telegraph Road**



## Location Pictures



View from Telegraph Road



Interior View





**CONSENT ITEM**

**Alcohol Sales Conditional Use Permit Case No. 68**

Request for a time extension of Conditional Use Permit Case No. 68 to allow the operation and maintenance of an alcoholic beverage use involving the sale and storage of alcoholic beverages for on-site consumption at a banquet hall facility under the name of Azar Event Center located at 12215 Slauson Avenue, within the Light Manufacturing (M-1) Zone. (Ebriham Fassal for Azar Event Center)

**RECOMMENDATION**

Staff recommends that the Planning Commission extend the time to present a compliance review to one-year from the date that the Applicant obtains a completed final building permit.

**BACKGROUND**

The Planning Commission and the City Council at their respective meetings of July 11, and July 28, 2016, approved Alcohol Sales Conditional Use Permit Case No. 68 to allow the sale of alcoholic beverages during scheduled private events at the subject banquet hall/event center. The Applicant and owner, Mr. Ebriham Fassal, has not started the interior improvements to the approved banquet hall, and therefore has not enjoyed the privileges granted under the alcohol sales conditional use permit. Considering the circumstances, Staff is recommending a time extension of Alcohol Sales Conditional Use Permit Case No. 68 to start at the time the Applicant obtains a completed final building permit, and that a compliance review report be submitted to the Planning Commission within a year thereafter.

It should be noted that the conditions of approval have not changed and are attached to this report.

A handwritten signature in black ink, appearing to read "Dino Torres", is written over a horizontal line.

Dino Torres  
Director of Police Services

**Attachments**

Conditions of Approval  
Location Map  
Site Plan  
Location Picture

CONDITIONS OF APPROVAL

1. That the Applicant understands and accepts that this Permit is solely for the sale of alcoholic beverages in relationship with a bona-fide banquet hall/event use and that this Permit shall become void and terminated if the banquet hall/event use is terminated, closed, or modified to another type of use.
2. That the Applicant shall comply with the Conditions of Approval set forth in Conditional Use Permit (CUP) Case No. 770 and Modification Permit (MOD) Case No. 1265 (attached), and that if CUP Case No. 770 and/or MOD Case No. 1265 are revoked or terminated, this Permit is also subject to termination unless the Applicant can show that the replacing use can legally permit the sale of alcohol.
3. That it shall be the responsibility of the Applicant and/or his employees to monitor outdoor consumption of alcoholic beverages; consumption of alcoholic beverages is not permitted outside. Signs shall be placed in a conspicuous area to notify customers that consumption of alcoholic beverages within the parking area is prohibited at all times.
4. That the sale of alcoholic beverages shall only be permitted during the normal business hours of the week, or as required by the Alcohol Beverage Code.
5. That the Type 41 Alcoholic Beverage License, allowing the on-site sale of alcoholic beverages in connection with a public eating establishment shall be restricted to the sale for consumption of alcohol beverages on the subject site only; the use shall not sell alcoholic beverages for transport and/or for consumption outside or off the subject premise.
6. That it shall be the responsibility of the ownership to ensure that all alcoholic beverages purchased on the subject site shall be consumed within the business establishment; all stored alcoholic beverages shall be kept in a locked and secured area that is not accessible to patrons.
7. That the Applicant shall be responsible for maintaining control of their litter/trash on the subject property and gather any that may migrate onto adjacent properties as a result of the business. This may be controlled by installing trash receptacles within strategic areas.
8. That the Applicant and/or his employees shall not allow any person who is intoxicated, or under the influence of any drug, to enter, be at, or remain upon the licensed premises, as set forth in Section 25602(a) of the Business and Professions Code.



9. That the Applicant and/or his employees shall not sell, furnish, or give any alcohol to any habitual drunkard or to any obviously intoxicated person, as set forth in Section 25602 (a) of the State Business and Professions Code.
10. That the Applicant shall not have upon the subject premises any alcoholic beverage(s) other than the alcoholic beverage(s) which the licensee is authorized to sell under the license, as set forth in Section 25607 (a) of the State Business and Professions Code.
11. That the Applicant and/or any of his employees shall not sell, furnish, or give any alcoholic beverage to any person under 21 years of age, as set forth in Section 25658 (a) of the State Business and Professions Code.
12. That solicitation of drinks is prohibited; that is, an employee of the licensed premises shall not solicit alcoholic beverages to its customers. Refer to Section 303 of the California Penal Code and Section 25657 of the Business and Professions Code.
13. That the Applicant and/or his employees shall not permit any person less than 18 years of age to sell alcoholic beverages.
14. That vending machines, water machines, pay telephones and other similar equipment shall not be placed outdoors whereby visible from the street or adjacent properties.
15. That all buildings, structures, walls, fences, and similar appurtenances shall be maintained in good appearance and condition at all times.
16. That streamers, pennants, whirling devices or other similar objects that wave, float, fly, rotate or move in the breeze shall be prohibited. Banners may be displayed with prior approval and permits; said permits are available through the Department of Planning.
17. That the façade windows shall be free of advertisements, marketing devices, beer logos, menus, signs, and/or any other displays. Upon approval by the Department of Planning, 25% of the window space area may be used for temporary displays.
18. That a copy of these conditions shall be posted and maintained with a copy of the City Business License, in a place conspicuous to all employees of the location.

19. That the Applicant shall install and maintain a video recording surveillance system with the following minimum configuration: Cameras capable of recording in HD at 5Mbps to capture 1080P video at 30 FPS, and a Network Video Recorder (NVR) which can record at 1080P video per channel. The Applicant shall maintain the video cameras and shall allow the Director of Police Services, Whittier Police Officers, and any of their representatives to view the security surveillance video footage immediately upon their request.
20. That the Applicant and/or his employees shall not allow any person to loiter on the subject premises, shall report all such instances to the City's Police Services Center; and, shall post signs, as approved by the Department of Police Services, prohibiting loitering.
21. That the Applicant must receive approval from the Department of Police Services for any installation of pay telephones on the premises; and, such phones shall not be capable of receiving calls.
22. That security personnel, as well as the owner, corporate officers and managers, shall cooperate fully with all city officials, law enforcement personnel, and code enforcement personnel, and shall not obstruct or impede their entrance into the licensed premises while in the course of their official duties.
23. That in the event the Applicant intends to sell, lease or sublease the subject business operation or transfer the subject Permit to another owner/applicant or licensee, the Director of Police Services shall be notified in writing of said intention within a reasonable time of the intent of signing an agreement to sell lease or sublease.
24. That this permit is contingent upon the approval by the Department of Police Services of an updated security plan which shall address the following for the purposes of minimizing risks to the public health, welfare, and safety. The Security Plan shall be submitted to the Department of Police Services within 60 days from the approval of this permit with the following information:
  - (A) A description of the storage and accessibility of alcoholic beverages on display, as well as surplus alcoholic beverages in storage;
  - (B) A description of crime prevention barriers in place at the subject premises, including, but not limited to: placement of signage, landscaping, ingress and egress controls, security systems, and site plan layouts;



- (C) A description of how the applicant plans to educate employees on their responsibilities; actions required of them with respect to enforcement of laws dealing with the sale of alcohol to minors; and, the conditions of approval set forth herein;
  - (D) A business policy requiring employees to notify the Police Services Center of any potential violations of law or this Conditional Use Permit, occurring on the subject premises, and the procedures for such notifications.
  - (E) The City's Director of Police Services may, at his discretion, require amendments to the Security Plan to assure the protection of the public's health, welfare, and safety.
25. That ASCUP Case No. 68 shall be subject to a compliance review in one (1) year from the date of the Building Permit final approval to ensure the premise is still operating in strict compliance with the original conditions of approval. At which time the Applicant may request an extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval.
26. That all other applicable requirements of the City Zoning Ordinance, Uniform Building Code, Uniform Fire Code, the determinations of the City and State Fire Marshall, the security plan and all other applicable regulations shall be strictly complied with.
27. It is hereby declared to be the intent, that if any provision of this permit is violated or held to be invalid, or if any law, statute, or ordinance is violated, this Permit shall be subject to the revocation process at which time, the Permit may become terminated and the privileges granted hereunder shall lapse.

Location Map



**Alcohol Sales Conditional Use Permit Case No. 68**  
**12215 Slauson Avenue**  
**Azar Event Center**



[illegible]

Location Picture



View from Slauson Avenue





## CONSENT ITEM

### Conditional Use Permit Case No. 730-2

A compliance review to allow the continued operation and maintenance of a residential-treatment facility located at 11121 Bloomfield Avenue (APN: 8025-002-900), within the M-2-BP, Heavy Manufacturing – Buffer Parking, Zone. (LA CADA)

### **RECOMMENDATION:** That the Planning Commission:

- Find that the continued operation and maintenance of a residential-treatment facility, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Regulations and consistent with the goals, policies, and programs of the City's General Plan.
- Require that Conditional Use Permit Case No. 730, be subject to a compliance review in five (5) years, on or before, August 14, 2022, to ensure that the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

### **BACKGROUND**

The subject property is located at 11121 Bloomfield Avenue (APN: 8025-002-900), in the M-2-BP, Heavy Manufacturing – Buffer Parking, Zone. The site is owned by the State of California and is generally located on the west side of Bloomfield Avenue.

In April 2012, the Planning Commission initially approved Conditional Use Permit (CUP) Case No.730, a request by the Los Angeles Center for Alcohol and Drug Abuse (LA CADA), to establish, operate, and maintain a residential-treatment facility on the subject property. Since the original approval in 2012, the Conditional Use Permit has been granted one (1) extension by the Planning Commission. Therefore, this is the second compliance review.

### **ZONING CODE REQUIREMENT**

Pursuant to the procedures set forth in Section 155.243 (L) of the Zoning Regulations, a Conditional Use Permit (CUP) is required for the establishment of public, private, or quasi-public uses of an educational or recreation nature for properties within the M-2, Heavy Manufacturing, Zone.

**City of Santa Fe Springs – Zoning Regulations**  
Section 155.243 – CONDITIONAL USES (L)

The following uses shall be permitted in the M-2 Zone only after a valid conditional use permit has first been issued:

(L) Public, private, or quasi-public uses of an educational or recreation nature.

**STAFF CONSIDERATIONS**

As standard practice for all CUP compliance reviews, an inspection of the subject property was performed by City staff to ensure continued compliance with the conditions of approval prior to bringing the matter back to the Planning Commission.

An initial inspection of the property, conducted on March 16, 2017, revealed that the business was in violation of Conditions of approval #2, #5, #12, and #16. During our inspection, Staff explained the violations to the applicant and requested that the violations be corrected immediately. Specifically, the applicant was directed to comply with the following:

- Provide keys for padlocks on north and south gates to be placed in Knox boxes or install a Knox padlock in addition to the Master padlocks.
- Have licensed technician service private hydrants.
- Provide a copy of applicant's current license and/or permit issued by the State.
- Obtain a valid business license aka Business Operation Tax Certificate and accompanying forms.

A follow-up inspection, conducted on July 21, 2017, revealed that the violations have been corrected. With the business now in full compliance with the existing conditions of approval, staff finds that if the residential-treatment facility continues to operate in strict compliance with the required conditions of approval, the use will continue to be compatible with the surrounding developments and will not pose a nuisance risk to the public or environment. Staff is, therefore, recommending that CUP 730 be subject to a compliance review in five (5) years, on or before, August 14, 2022, to ensure the use is still operating in compliance with the conditions of approval as contained in this staff report.



**CONDITIONS OF APPROVAL**

**NOTE: Changes to existing conditions are provided as a strike-through or bold.**

**FIRE DEPARTMENT – FIRE PREVENTION DIVISION:**

**(Contact: Tom Hall 562.868-0511 x3715)**

1. That interior gates or fences are not permitted across required Fire Department access roadways unless otherwise granted prior approval by the City Fire Department. **(ongoing)**
2. That if on-site fire hydrants are required by the Fire Department, a minimum flow must be provided at 2,500 gpm with 1,500 gpm flowing from the most remote hydrant. In addition, on-site hydrants must have current testing, inspection and maintenance per California Title 19 and NFPA 25. **(ongoing)**
3. That the standard aisle width for onsite emergency vehicle maneuvering shall be 26 feet with a minimum clear height of 13 feet 6 inches. Internal driveways shall have a turning radius of not less than 52 feet. The final location and design of this 26 feet shall be subject to the approval of the City's Fire Chief as established by the Uniform Fire Code. A request to provide emergency vehicle aisle width less than 26 feet shall be considered upon the installation/provision of mitigation improvements approved by the City's Fire Chief. **(ongoing)**
4. That prior to submitting plans to the Building Department or Planning Commission, a preliminary site plan shall be approved by the Fire Department for required access roadways and on-site fire hydrant locations. The site plan shall be drawn at a scale between 20 to 40 feet per inch. Include on scale between 20 to 40 feet per inch. Include on plan all entrance gates that will be installed. **(ongoing)**
5. That Knox boxes are required on all new construction. All entry gates shall also be equipped with Knox boxes or Knox key switches for power-activated gates. **(ongoing)**
6. That signs and markings required by the Fire Department shall be installed along the required Fire Department access roadways. **(ongoing)**

**POLICE SERVICES DEPARTMENT:**

**(Contact: Margarita Munoz 562.868-0511 x3319)**

7. That the applicant shall provide **an updated** emergency phone number and a contact person to the Department of Police Services and the Fire Department. The name, telephone number, fax number and e-mail address of that person

shall be provided to the Director of Police Services and the Fire Chief no later than 60 days from the date of approval by the Planning Commission. Emergency information shall allow emergency service to reach the applicant or their representative any time, 24 hours a day. **(revised wording - ongoing)**

8. That the proposed buildings, including any lighting, fences, walls, cabinets, and poles shall be maintained in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired within 72 hours of occurrence, weather permitting, to minimize occurrences of dangerous conditions or visual blight. Paint utilized in covering graffiti shall be a color that matches, as closely possible, the color of the existing and/or adjacent surfaces. **(ongoing)**

**WASTE MANAGEMENT:**

**(Contact: Teresa Cavallo 562.868-0511 x7309)**

9. That the applicant shall comply with Section 50.51 of the Municipal Code which prohibits any business or residents from contracting any solid waste disposal company that does not hold a current permit from the City. **(ongoing)**

**PLANNING AND DEVELOPMENT DEPARTMENT:**

**(Contact: Vince Velasco 562.868-0511 x7353)**

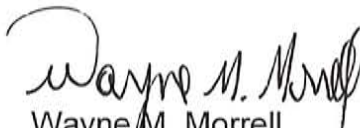
10. That the applicant acknowledges that the City is granting this Permit for the sole benefit of LA CADA. If the property changes ownership or is subleased, sublet or otherwise assigned for use by an entity other than LA CADA, the new or additional operator shall obtain an amendment to CUP 730. **(ongoing)**
11. ~~That the applicant shall maintain a valid license or permit issued by the State authorizing Los Angeles Centers for Drug and Alcohol Abuse (LA CADA) to operate the subject residential treatment facility.~~ **(condition satisfied)**
12. That the proposed use shall be established and operated in substantial conformance with the project plans and written narrative dated "January 31, 2012" unless otherwise amended by the conditions of approval contained herein. Minor changes to the plans and operation may be allowed subject to the approval of the Director of Planning and Development or designee if found to be in substantial conformance with the approved plans. **(ongoing)**
13. That in the event that the Applicant proposes to modify the hours of operation, other aspects of the business, or to modify the exterior of the building or site, the modification shall be subject to the review of Director of Planning and



Development or designee. The Director or designee may approve the modifications or refer it back to the Planning Commission. **(ongoing)**

14. That the Department of Planning and Development shall first review and approve all new sign proposals for the development. The sign proposal (plan) shall include a site plan, building elevation on which the sign will be located, size, style and color of the proposed sign. All drawings shall be properly dimensioned and drawn to scale on 24" x 36" maximum-size paper. All signs shall be installed in accordance with the sign standards of the Zoning Ordinance and the Sign Guidelines of the City. **(ongoing)**
15. ~~That prior to occupancy of the property/building, the Applicant, and/or his tenant(s), shall obtain a valid business license (AKA Business Operation Tax Certificate), and submit a Statement of Intended Use. Both forms, and other required accompanying forms, may be obtained at City Hall by contacting Cecilia Pases at (562) 868-0511, extension 7527, or through the City's web site ([www.santafesprings.org](http://www.santafesprings.org)).~~ **(condition satisfied)**
16. **That any modification to the occupancy shall be subject to review and approval of the Planning Commission. (New Condition)**
17. That all other requirements of the City's Zoning Regulations, Building Code, Property Maintenance Ordinance, State and City Fire Code and all other applicable County, State and Federal regulations and codes shall be complied with. **(ongoing)**
18. That if there is evidence that any of the conditions of approval have not been fulfilled or the use has or have resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Director of Planning and Development may refer the use permit to the Planning Commission for review. If upon such review, the Commission finds that any of the results above have occurred, the Commission may modify or revoke the use permit. **(ongoing)**
19. That if the operations of this facility results in conflicts pertaining to parking, noise, traffic, or other impacts, at the discretion of the Director of Planning and Development or designee, this conditional use permit may be referred to the Planning Commission for subsequent review at a public hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said conditional use permit bound upon applicable findings. **(ongoing)**

20. That Conditional Use Permit Case No. 730 shall be subject to a compliance review in ~~three (3)~~ **five (5)** years, on or before ~~January 21, 2017~~ **August 14, 2022** to ensure the residential-treatment facility use is still operating in strict compliance with the attached conditions of approval. **(revised - ongoing)**
21. That unless otherwise specified in the action granting a conditional use permit, said conditional use permit which has not been utilized within 12 months from the effective date shall become null and void. Also the abandonment or non-use of a conditional use permit for a period of 12 consecutive months shall terminate said conditional use permit and any privileges granted there under shall become null and void. However, an extension of time may be granted by Planning Commission or Council action. **(ongoing)**
22. That the applicant, LA CADA, agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards concerning CUP Case Permit No. 730, when action is brought within the time period provided for in the City's Zoning Ordinance, Section 155.865. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the Applicant of such claim, action or proceeding, and shall cooperate fully in the defense thereof. **(ongoing)**
23. That it is hereby declare to be the intent that if any provision of this Approval is violated or held to be invalid, or if any law, statute or ordinance is violated, this Approval shall be void and the privileges granted hereunder shall lapse. **(ongoing)**

  
Wayne M. Morrell  
Director of Planning

Attachments:

1. Aerial Photo
2. CUP Compliance Review Request/ Receipt
3. Current Site Photo (August 8, 2017)



Aerial Photograph



CITY OF SANTA FE SPRINGS



AERIAL PHOTOGRAPH

CONDITIONAL USE PERMIT CASE NO. 730



NORTH

11121 Bloomfield Avenue  
(Applicant: LA CADA)

CUP Compliance Review Request Letter/ Receipt



L.A. CADA  
Administrative  
Headquarters and  
Outpatient Services  
1055 Moorpark Avenue  
Santa Fe Springs, CA 90670  
562-906-2676  
www.lacada.com

January 20, 2017

Vince Velasco, Planning Intern  
City of Santa Fe Springs  
11710 Telegraph Rd.  
Santa Fe Springs, CA 90670

**RE: Conditional Use Permit Case No. 730 Review for  
Compliance Request Los Angeles Centers for Alcohol and Drug  
Abuse**

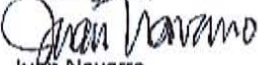
Dear Mr. Velasco:

On behalf of Los Angeles Centers for Alcohol and Drug Abuse (L.A. CADA), I would like to request a review for compliance of the subject permit for our facility at 11121 Bloomfield Ave., Santa Fe Springs. This facility was leased in 2012 from the State of California Department of Corrections and Rehabilitation by L.A. CADA in order to operate a substance abuse treatment facility.

Residential treatment beds for women continue to be in high demand and we are excited to continue to offer comprehensive recovery to our community. Please note there have been no changes or alterations to the use since the last review of this permit.

I appreciate your attention to this request. Please feel free to contact me at (562) 906-2686 112 for any questions.

Best Regards,

  
Juan Navarro  
Executive Director

|      |     | DISTRIBUTION |        |         |          |
|------|-----|--------------|--------|---------|----------|
| FUND | Q/L | ACTIVITY     | OBJECT | PROJECT | AMOUNT   |
| 110  | 397 | 4110         | 2000   |         | 8,563.00 |
|      |     |              |        |         |          |
|      |     |              |        |         |          |
|      |     |              |        |         |          |

City of Santa Fe Springs

Los Angeles Centers for Alcohol & Drug Abuse  
(NAME)  
10015 Bloomfield Avenue  
(ADDRESS)  
SFS CA 90670  
(CITY AND STATE)  
CUP Extension (#730)  
(DESCRIPTION)

**RECEIPT**

44-3-12 101 8573 562.00



**Current Site Photo (August 8, 2017)**

