



City of Santa Fe Springs

Planning Commission Meeting

AGENDA

MEETING OF THE SANTA FE SPRINGS PLANNING COMMISSION

September 11, 2023

6:00 p.m.

Joseph Flores, Commissioner
Gabriel Jimenez, Commissioner
John Mora, Commissioner
David Ayala, Vice Chairperson
Francis Carbajal, Chairperson

Council Chambers
11710 Telegraph Road
Santa Fe Springs, CA 90670

You may attend the Planning Commission meeting telephonically or electronically using the following means:

Electronically using Zoom: Go to Zoom.us and click on "Join A Meeting" or use the following link: <https://zoom.us/j/558333944?pwd=b0FqbKV2aDZneVRnQ3BjYU12SmJIQT09>

Zoom Meeting ID: 558 333 944

Password: 554545

Telephonically: Dial: 888-475-4499

Meeting ID: 558 333 944

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. All written comments received by 12:00 p.m. the day of the Planning Commission meeting will be distributed to the Planning Commissioners and made a part of the official record of the meeting. Written comments will not be read the meeting, only the name of the person submitting the comment will be announced.

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 Planning Department. 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.

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.

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 Ayala, Carbajal, Flores, Jimenez, and Mora

4. EX PARTE COMMUNICATIONS

This section is intended to allow all officials the opportunity to reveal any disclosure regarding site visits or ex parte communications about public hearings.

5. CONSENT ITEM

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**Compliance Review Report for Alcohol Sales Conditional Use Permit Case No. 11 A – SFS Swap Meet**

RECOMMENDATION: That the Planning Commission:

1. That the Planning Commission, based on staff's compliance review report, find that the subject use is in compliance with all of the conditions of approval set forth in the initial approval of Alcohol Conditional Use Permit Case No. 11-A; and
2. Request that this matter be brought back before September 11, 2028, for another compliance review report. The Planning Commission shall note that this matter may be brought back to the Commission at any time should the applicant violate any conditions of approval or any City Codes, or should there be a need to modify, add, or remove a condition of approval.

B. CONSENT ITEM**Compliance Review Report for Entertainment Conditional Use Permit Case No. 11 – SFS Swap Meet**

RECOMMENDATION: That the Planning Commission:

1. That the Planning Commission, based on staff's compliance review report, find that the subject use is in compliance with all of the conditions of approval set forth in the initial approval of Entertainment Conditional Use Permit Case No. 11; and
2. Request that this matter be brought back before September 11, 2028, for another compliance review report. The Planning Commission shall note that this matter may be brought back to the Commission at any time should the applicant violate any conditions of approval or any City Codes, or should there be a need to modify, add, or remove a condition of approval.

C. CONSENT ITEM**Compliance Review Report for Alcohol Sales Conditional Use Permit Case No. 69 – ALDI Food Market**

RECOMMENDATION: That the Planning Commission:

1. That the Planning Commission, based on staff's findings during an inspection of the location, find that the subject use is in compliance with all of the conditions of approval set forth in the initial approval of Alcohol Sales Conditional Use Permit Case No. 69; and
2. Request that this matter be brought back before September 11, 2028, for another compliance review report. The Planning Commission shall note that this matter may be brought back to the Commission at any time should the applicant violate any conditions of approval or any City Codes, or should there be a need to modify, add, or remove a condition of approval.

D. CONSENT ITEM**CONDITIONAL USE PERMIT ("CUP") CASE NO. 729-4 - A COMPLIANCE REVIEW OF A PRECIOUS METALS FOUNDRY FACILITY AT 8444 SECURA WAY, WITHIN THE M-1, LIGHT MANUFACTURING, ZONE. (THE BUYERS INC.)**

RECOMMENDATION: That the Planning Commission:

- 1) Find that the continued operation and maintenance of the subject precious metals foundry 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 City's Zoning Ordinance and consistent with the goals, policies, and programs of the City's General Plan; and
- 2) Require that CUP Case No. 729-4 be subject to a compliance review in ten (10) years on, or before, September 11, 2033, to ensure that the use is still operating in strict compliance with the conditions of approval as contained within this staff report.
- 3) Take such additional, relation action that may be desirable.

6.**PUBLIC HEARING****CONDITIONAL USE PERMIT ("CUP") CASE NO. 838 – TO ALLOW AN OUTPATIENT COUNSELING AND SUBSTANCE USE DISORDER ("SUD") TREATMENT CENTER AT 9300 SANTA FE SPRINGS ROAD, WITHIN THE M-2, HEAVY MANUFACTURING, ZONE AND ADOPTING A NOTICE OF EXEMPTION UNDER CEQA SECTION 15301 (EXISTING FACILITIES) (LA CADA)**

RECOMMENDATION: That the Planning Commission:

- 1) Open the Public Hearing and receive the written and oral staff report and any comments from the public regarding CUP Case No. 838, and thereafter, close the Public Hearing; and
- 2) Find and determine that the proposed use 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 Ordinance and consistent with the goals, policies and programs of the City's General Plan; and

- 3) Find that the applicant's CUP request meets the criteria set forth in §155.716 of the City's Zoning Ordinance, for the granting of a Conditional Use Permit; and
- 4) Find and determine that pursuant to Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA), the project is Categorically Exempt; and
- 5) Approve the CUP request No. 838, subject to the conditions of approval as contained within Resolution No. 249-2023; and
- 6) Adopt Resolution No. 249-2023, which incorporates the Planning Commission's findings and actions regarding this matter; and
- 7) Take such additional, related action that may be desirable.

7. **PUBLIC HEARING**

ZONE DETERMINATION ("ZD") CASE NO. 2023-01 – TO DETERMINE THAT A BATTERY ENERGY STORAGE SYSTEM WITH DIRECT CONNECTION TO A PUBLIC UTILITY GRID IS A SIMILAR AND COMPATIBLE USE WITH OTHER SIMILARLY PRINCIPALLY PERMITTED USES LISTED IN THE M-L, LIMITED MANUFACTURING, ZONE, AND ADOPTING A NOTICE OF EXEMPTION UNDER CEQA SECTION 15061(B)(3) (COMMON SENSE EXEMPTION). (GRIDSTOR LLC)

RECOMMENDATION: That the Planning Commission:

- 1) Open the public hearing, receive public testimony from anyone in the audience or on Zoom wishing to speak, thereafter continue this matter to the next regularly scheduled Planning Commission meeting on October 09, 2023.

8. **NEW BUSINESS**

PARKWAY TREE REMOVAL APPEAL DECISION - RESIDENT REQUEST FOR REMOVAL OF PARKWAY TREE AT 10318 HARVEST AVENUE

RECOMMENDATION:

1. 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 10318 Harvest Avenue; and
2. Deny the property owner at 10318 Harvest Avenue a permit to remove the parkway tree at his or her own expense.

9. **PUBLIC COMMENT**

This is the time when comments may be made by members of the public on matters within the jurisdiction of the Planning Commission, not on the agenda. The time limit for each speaker is three (3) minutes unless otherwise specified by the Chairperson.

10. **STAFF ANNOUNCEMENTS**

11. **COMMISSIONER ANNOUNCEMENTS/AB1234 COMMISSION CONFERENCE REPORTING**

12.

ADJOURNMENT

I, Teresa Cavallo, Planning Commission Secretary for the City of Santa Fe Springs, hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted at the following locations: City's website at www.santafesprings.org; City Hall, 11710 Telegraph Road; City Library, 11700 Telegraph Road, and the Town Center Plaza (Kiosk), 11740 Telegraph Road, not less than 72 hours prior to the meeting.



Teresa Cavallo
Planning Secretary

September 8, 2023

Date



CITY OF SANTA FE SPRINGS

PLANNING COMMISSION AGENDA STAFF REPORT

TO: Honorable Chairperson and Planning Commission Members

FROM: Dino Torres, Director of Police Services

BY: Lou Collazo, Code Enforcement Inspector

SUBJECT: **Compliance Review Report for Alcohol Sales Conditional Use Permit Case No. 11 A – SFS Swap Meet**

DATE: September 11, 2023

RECOMMENDATION(S):

1. That the Planning Commission, based on staff's compliance review report, find that the subject use is in compliance with all of the conditions of approval set forth in the initial approval of Alcohol Conditional Use Permit Case No. 11-A; and
2. Request that this matter be brought back before September 11, 2028, for another compliance review report. The Planning Commission shall note that this matter may be brought back to the Commission at any time should the applicant violate any conditions of approval or any City Codes, or should there be a need to modify, add, or remove a condition of approval.

BACKGROUND

The Santa Fe Springs Swap Meet is a movie drive-in that now operates an open air market and a concert-picnic area at 13963 Alondra Boulevard. In 1994, the Swap Meet management decided to provide the sale of beer within the picnic area to its adult guests for on-site consumption.

In accordance with Ordinance 834, the Santa Fe Springs Swap Meet management applied for an Alcohol Sales Conditional Use Permit. Subsequently, the City Council and the Planning Commission at their respective meetings of September 25 and 28, 2001, approved Alcohol Sales Conditional Use Permit Case No. 11-A to allow the on-site consumption of alcoholic beverages within the Swap Meet property subject to specific conditions of approval contained within this report (Attachment A).

Alcohol Sales Conditional Use Permit Case No. 11-A is before the Planning Commission because a new compliance review and report of the permitted activities is required pursuant to the last compliance review on August 13, 2018. Concurrent with this report,

Alcohol Sales Conditional Use Permit Case No. 11 A– Compliance Review

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a compliance report has also been submitted for Entertainment Conditional Use Permit Case No. 11, to allow the operation and maintenance of an entertainment use involving live performances and dancing activities.

DISCUSSION

Staff from the Department of Police Services conducted a walk-through inspection of the premises. Staff found that the Swap Meet activities continue to be conducted in accordance with the conditions of approval of this entitlement and all the other related entitlements. Staff further found that the sale of alcoholic beverages for on-site consumption on the property will not pose a significant risk or nuisance to patrons, neighboring businesses or the general public if the activities continue to operate in compliance with the conditions of approval and the regulations required by the California Department of Alcohol Beverage Control.

City Staff from the Department of Police Services, Whittier Police Department, and the swap meet management work together continuously to make sure that the ongoing Swap Meet's sale of alcohol and entertainment activities continue to occur in compliance with the conditions of approval. Based on staff's findings from an on-site inspection, and the fact that the applicant has complied with all of the conditions of approval, staff recommends another compliance review of Alcohol Sales Conditional Use Permit Case No. 11 in five years and before September 11, 2028.

SUMMARY/NEXT STEPS

Receive and file this compliance review report and request Staff to perform and provide another compliance review on or before September 11, 2028.

ATTACHMENT(S):

- A. Attachment A – Revised Conditions of Approval
- B. Attachment B – Location Map

<u>ITEM STATUS:</u>	
APPROVED:	☐
DENIED:	☐
TABLED:	☐
DIRECTION GIVEN:	☐

Attachment A

CONDITIONS OF APPROVAL

NOTE: The only change to the original condition is Item 6-D which reflects the new scheduled date for the next compliance review (provided with italic and bold font).

1. That the Applicant shall comply with all of the conditions of approval as required under Conditional Use Permit Case (CUP) No. 453, which grants the privileges to operate and maintain a swap meet. Should CUP Case No. 453 become null and void, or terminated, the privileges granted under ASCUP Case No. 11-A shall also become terminated.
2. That the Applicant shall continue to maintain and, when required or requested, submit an updated Security Plan to the Department of Police Services. The Security Plan shall be reviewed by the Director of Police Services, and shall include, at a minimum, the following:
 - a. The Applicant's plans for providing security in all owned, leased or rented parking lots, security within the interior of the swap meet, and the policy and procedures used by security personnel to deal with unruly patrons.
 - b. The Applicant shall provide specific details on how alcohol sales are being conducted. The specific details shall include security measures that will assure that patrons under 21 years of age or individuals who become intoxicated do not continue to consume alcoholic beverages. In addition, containers/cups used to serve alcoholic beverages shall not be larger than 32 ounces.
 - c. The Applicant shall require all in-house and contracted security personnel to wear distinctive security uniforms at all times of operation.
 - d. The Applicant shall provide specific descriptions of the roles of in-house employee security personnel and contracted security personnel. This includes a detailed description of the amount and type (armed/unarmed) of security and security supervisors (armed/unarmed) that are present and assigned to the picnic area when there is alcohol being served and/or entertainment.
 - e. That when alcoholic beverages are being served or sold on-site, the Applicant shall provide professional security personnel from a security company pre-approved by the Director of Police Services. A detailed description of the type, amount, role, and locations of work detail of the security personnel shall be provided. The approved security personnel shall

be on-site and operate in accordance with the roles described in the pre-approved Security Plan. This would include notifying law enforcement of any unlawful activities which may occur.

- f. That swap meet security personnel, in-house or contracted, shall not perform any law enforcement functions, but instead security personnel shall report immediately to the Whittier Police Department all incidents in which it could be reasonably assumed that a person could be charged with a misdemeanor or a felony offense.
- g. That security personnel, as well as the owner, and/or management of the swap meet, shall cooperate fully with the City officers and shall not obstruct or impede their entrance into the premises while in the course of their official duties.
- h. That the swap meet management shall continue to maintain a sign at each entrance stating that the property owner and law enforcement reserves the right to eject anyone creating a hostile environment or a public nuisance, including, but not restricted to, behaviors such as using profanity, making intimidating comments and flashing gang signs. A sign shall also be placed at each entrance advising patrons that shirts must be worn at all times.
- i. That the Applicant shall place signs at each entrance to the swap meet advising patrons that, on occasion, random searches of individuals and their belongings may occur in order to gain entry into the Swap Meet grounds.

3. General Security Requirements

- a. That all parking lots associated with the nighttime swap meet operation (or any entertainment events) shall continue to be equipped with lighting of 1 foot candle power so as to illuminate and make easily discernible the appearance and conduct of all person, employees and patrons on or about the parking lot areas. Additionally, the position of said lighting shall not spill upon adjoining properties or disturb the neighboring residences or businesses. In order to comply with this requirement, the Applicant shall submit a detailed Lighting Plan to the Director of Police Services and the Building Department for approval prior to installation.
- b. That the Applicant shall maintain digital video surveillance cameras overlooking the front and rear parking lots. The Applicant shall maintain security cameras in the picnic area and area(s) of entertainment. Locations of video surveillance cameras shall be approved by the Director of Police Services. Video surveillance cameras must be digital and of high quality capable of videotaping during the day and night. A detailed site plan shall be provided to the Department of Police Services that depicts and describes where these cameras are located.

- c. Video surveillance cameras and their respective recording devices shall be maintained at all times and replaced if needed by the Applicant. Video surveillance tape, digital files or photographs shall be available to law enforcement upon request.
- d. The Applicant shall continue to provide emergency lighting throughout any seating area. Installation of emergency lighting shall be in accordance with all Building Department and Fire and Rescue Department requirements.
- e. The swap meet management shall be responsible for assuring that customers do not block any aisle-ways or walkways during beer sales. This includes the queue line for alcohol sales itself. The aisle-ways, walkways, and alcohol queue line shall be identified in the Master Plan and Security Plan approved by the Director of Police Services, Planning Department, Building Department and the Fire-Rescue Department.
- f. The Applicant shall be responsible for providing security staff to constantly monitor customers which may become intoxicated or appear to be intoxicated. Security staff shall be responsible for refusing further alcoholic beverage sales to such individuals.

4. Alcohol Sales Requirements

- a. That the sales, service, and on-site consumption of alcoholic beverages shall be permitted only during the swap meet business of operation, and during “special events” as described in Entertainment Conditional Use Permit Case No. 11, but alcoholic beverage sales shall be restricted as required by the California Department of Alcohol Beverage Control regulations.
- b. That the Type 40 Alcohol Beverage Control license allowing on-site consumption of beer and wine shall be restricted to the sale and consumption of alcoholic beverages on the subject site only. The licensee and/or his employees shall not sell or provide alcoholic beverages for transport and/or off-site consumption.
- c. That alcoholic beverages shall not be consumed by swap meet patrons while they are on any adjacent property. It shall be the responsibility of the swap meet management and their contracted security personal to enforce this provision.
- d. That procuring or encouraging the purchase of alcoholic drinks is prohibited; that is, an employee of the licensed premises shall not solicit alcoholic drinks. The Applicant shall refer to and comply with Section 303 of the California Penal Code and Section 25600 of the Business and Professions Code.

- e. That the Applicant shall have a corporate officer or manager, twenty five (25) years or older, on the premises during business hours who will be responsible for the alcohol sales and entertainment activities. This person(s) shall obtain an ABC Manager's Permit.
- f. That it shall be unlawful for any person who is intoxicated or under the influence of any drug to enter, be at, or remain upon the license premises as set forth in the Business and Professions Code. Swap meet management shall be responsible for monitoring this condition and take appropriate action to be certain that such conditions do not exist.
- g. That when entertainment is present, all alcohol sales shall cease thirty (30) minutes prior to the ending of such entertainment or as required by the Alcoholic Beverage Control regulations.

5. General Requirements

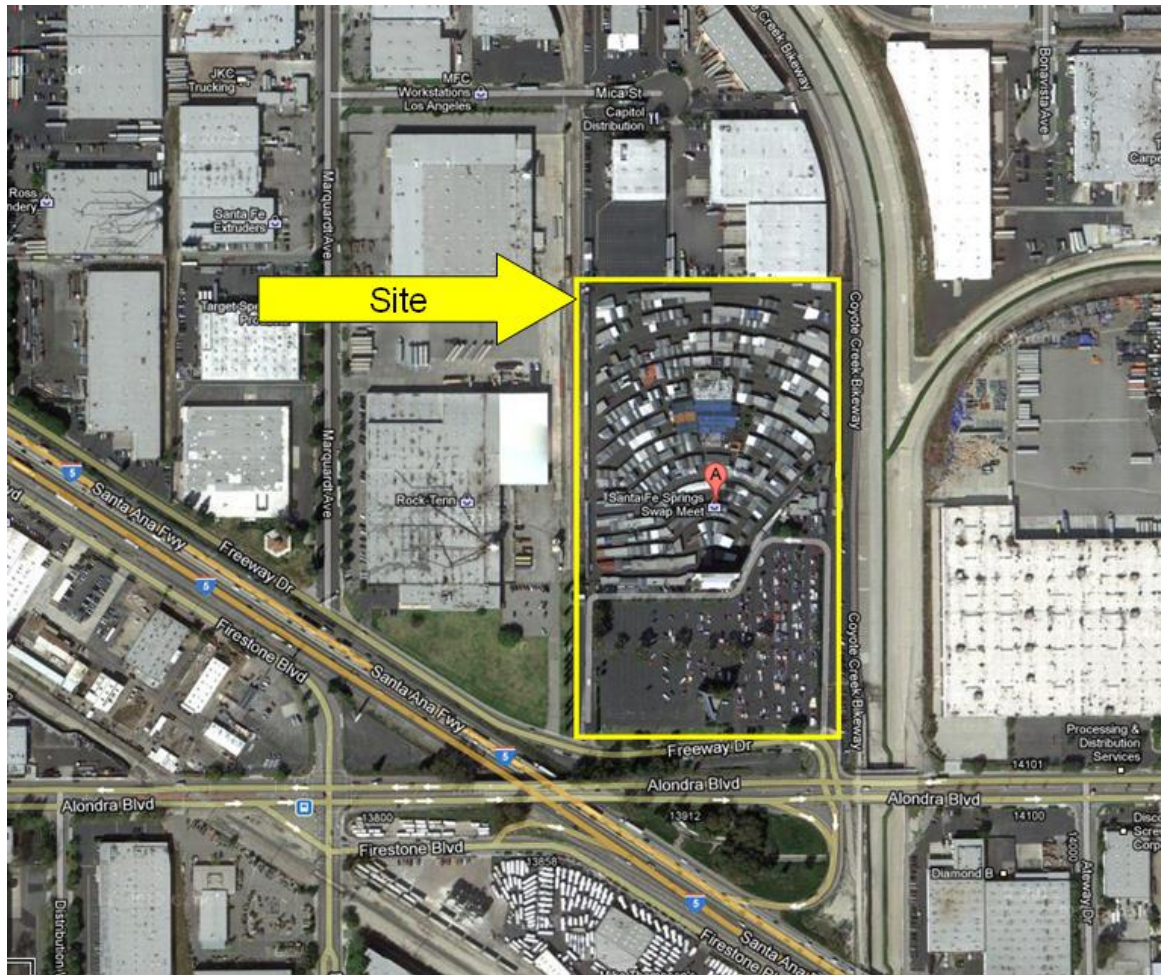
- a. Swap meet management shall be responsible for maintaining control of litter in the areas adjacent to the subject property and within all streets and other off-site properties used for parking at all times.
- b. Swap meet management shall be responsible for providing adequate parking, with on-site and off-site parking lots, to accommodate all patrons and customers attending activities and events at the swap meet.
- c. No trash, junk, debris, or litter shall be disposed of in the adjacent flood control channel area at any time. All trash, junk, debris and litter shall be disposed of in on-site appropriate receptacles. On a regular basis, the Applicant shall monitor the flood control channel and clean-up any litter that has blown or migrated from the swap meet premises to the flood control channel.
- d. That the Applicant comply with the National Pollutant Discharge Elimination System (NPDES) program in accordance with Chapter 52 of the City Code.

6. General Administrative Requirements

- a. In the event the owner(s) intends to sell, lease or sublease the subject business operation or transfer the subject Alcohol Sales Conditional Use Permit to another owner/applicant or license, the Director of Police Services shall be notified in writing of said intention not less than sixty (60) days prior to signing of the agreement to sell, lease or sublease.
- b. All other applicable requirements of the City Zoning Ordinance, Los Angeles County Building Code, California Fire Code, and the determinations of the City Fire and Rescue Department, and all other applicable regulations shall be strictly complied with.

- b. It is hereby declared that if any provisions of this Alcohol Sales Conditional Use Permit are violated or held to be invalid or if any law, statute or ordinance is violated, the Alcohol Sales Conditional Use Permit shall be subject to the revocation procedures and the privileges granted hereunder shall be terminated.
- c. A copy of these conditions shall be posted and maintained with a copy of the City Business License and Fire-Rescue Department Permits in a place conspicuous to all employees at the location.
- d. ***That this Permit shall be subject to a compliance review in five years, no later than September 11, 2028, to determine if the alcoholic beverage activity 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.***

Attachment B



City of Santa Fe Springs

Location Map

Santa Fe Springs Swap Meet
13963 Alondra Boulevard



CITY OF SANTA FE SPRINGS

PLANNING COMMISSION AGENDA STAFF REPORT

TO: Honorable Chairperson and Planning Commission Members

FROM: Dino Torres, Director of Police Services

BY: Lou Collazo, Code Enforcement Inspector

SUBJECT: **Compliance Review Report for Entertainment Conditional Use Permit Case No. 11 – SFS Swap Meet**

DATE: September 11, 2023

RECOMMENDATION(S):

1. That the Planning Commission, based on staff's compliance review report, find that the subject use is in compliance with all of the conditions of approval set forth in the initial approval of Entertainment Conditional Use Permit Case No. 11; and
2. Request that this matter be brought back before September 11, 2028, for another compliance review report. The Planning Commission shall note that this matter may be brought back to the Commission at any time should the applicant violate any conditions of approval or any City Codes, or should there be a need to modify, add, or remove a condition of approval.

BACKGROUND

The Santa Fe Springs Swap Meet is a movie drive-in that now operates as an open air market and a concert-picnic area at 13963 Alondra Boulevard. In 1998, the swap meet management experienced a steady drop in the swap meet attendance. In an effort to attract customers, management decided to provide live entertainment and dancing in conjunction with the swap meet activities.

In compliance with Santa Fe Springs Zoning Code Section 155.723, the swap meet management applied for and was granted Entertainment Conditional Use Permit (ECUP) Case No. 11 by the Planning Commission and the City Council at their respective meetings of May 26 and May 28, 1998. ECUP Case No. 11 allows the establishment and operation of an entertainment use involving live performances and dancing. ECUP Case No. 11 is before the Planning Commission because a compliance review is required pursuant to the initial conditions of approval.

Since its original permit entitlement approval, the Swap Meet has had several compliance reviews with satisfactory reports submitted to the Planning Commission. Concurrent with this compliance review is a compliance review for Alcohol Sales Conditional Use Permit Case No. 11.

DISCUSSION

As with all entertainment type uses, Staff's primary concern is noise and crowd management, with emphases on public safety. The management for the swap meet continues to work closely with Staff, Whittier Police Officers, and the surrounding businesses to mitigate potential spill-over noise, parking, and address other adverse impacts resulting from the entertainment component of the swap meet.

Overall, the entertainment activities are well managed, and Staff believes that if the activities continue to be conducted in accordance with the recommended conditions of approval, the live entertainment activities conducted on the property will not pose an adverse impact, significant risk or nuisance to patrons, properties of neighboring businesses, or the general public.

City Staff from the Department of Police Services, Whittier Police Department, and the swap meet management work together continuously to make sure the ongoing swap meet and entertainment activities continue to occur in compliance with the conditions of approval. Based on staff's findings from an on-site walk inspection, and the fact that the applicant has complied with all of the conditions of approval, staff recommends another compliance review of Entertainment Conditional Use Permit Case No. 11 in five years and before September 11, 2028.

SUMMARY/NEXT STEPS

Receive and file this compliance review report and request Staff to perform and provide another compliance review on or before September 11, 2028.

ATTACHMENT(S):

- A. Attachment A – Pictures taken during on-site inspection
- B. Attachment B – Revised Conditions of Approval
- C. Attachment C – Location Map

Entertainment Conditional Use Permit Case No. 11 – Compliance Review

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<u>ITEM STATUS:</u>	
APPROVED:	☐
DENIED:	☐
TABLED:	☐
DIRECTION GIVEN:	☐

Attachment A



New stage and public seating area.



New beverage service building and standing table area.

Attachment B

CONDITIONS OF APPROVAL

NOTE: The only change to the original condition is Item 10 which reflects the new scheduled date for the next compliance review (provided with italic and bold font).

1. That the Applicant shall comply with all of the conditions of approval as required under Conditional Use Permit Case (CUP) No. 453, which grants the privileges to operate and maintain a swap meet. Should CUP Case No. 453 become null and void, or terminated, the privileges granted under Entertainment Conditional Use Permit Case No. 11 shall also become terminated.
2. That the Applicant shall continue to maintain an updated scaled Master Site Plan of the premises (including swap meet area, picnic area, stage, parking, surveillance camera locations, and entry/exit points). The Master Site Plan shall be submitted to the Director of Police Services thirty days prior to any physical changes on the site. Additionally, any new construction requiring a Building Permit shall comply with the construction plan-check review and approval process.
3. That the Applicant shall continue to maintain and, when required or requested, submit an updated Security Plan to the Department of Police Services. The Security Plan shall be reviewed by the Director of Police Services, and shall include, at a minimum, the following:
 - a. The Applicant's plans and actions for providing security in all owned, leased or rented parking lots, security within the interior of the swap meet, and the policy and procedures used by security personnel to deal with unruly patrons.
 - b. The Applicant shall require in-house and contracted security personnel to wear distinctive security uniforms at all times of operation.
 - c. During all hours of the swap meet operation, the Applicant shall provide professional security personnel from a security company pre-approved by the Director of Police Services. A detailed description of the type, amount, role, and locations of work detail of the security personnel shall be provided. The approved security personnel shall be on-site and operate in accordance with the roles described in the pre-approved Security Plan. This includes notifying law enforcement of any unlawful activities which may occur.

- d. That swap meet security personnel shall not perform any law enforcement functions, but instead security personnel shall report immediately to the Whittier Police Department all incidents in which it could be reasonably assumed that a person could be charged with a misdemeanor or a felony offense.
- e. That security personnel, as well as the owner, and/or management of the swap meet shall cooperate fully with the police officers and shall not obstruct or impede their entrance into the premises while in the course of their official duties.
- f. The swap meet management shall continue to maintain signs at each customer entrance stating that the property owner reserves the right to eject anyone creating a hostile environment or a public nuisance, including, but not restricted to, behaviors such as using profanity, making intimidating comments and flashing gang signs. A sign shall also be placed at each entrance advising patrons that shirts must be worn at all times.
- g. That the Applicant shall place signs at each entrance to the swap meet advising patrons that, on occasion, random searches of individuals and their belongings may occur in order to gain entry into the Swap Meet grounds.

4. General Security Requirements

- a. All parking lots associated with the nighttime swap meet operation shall be equipped with lighting of 1 foot candle power so as to illuminate and make easily discernible the appearance and conduct of all person, employees and patrons on or about the parking lot areas. Additionally, the position of said lighting shall not spill upon adjoining properties or disturb the neighboring residences or businesses. In order to comply with this requirement, the Applicant shall submit a detailed Lighting Plan to the Director of Police Services and the Building Department for approval prior to installation.
- b. The Applicant shall maintain digital video surveillance cameras overlooking the front and rear parking lots. The Applicant shall maintain security cameras in the beer garden and area(s) of entertainment. Locations of video surveillance cameras shall be approved by the Director of Police Services. Video surveillance cameras must be digital and of high quality capable of videotaping during the day and night. A detailed site plan shall be provided to the Department of Police Services that depicts and describes where these cameras are located.

- c. Commencing in March through the end of September of every year, a minimum of eight (8) security guards and one (1) supervisor shall be assigned to the Swap Meet on Friday nights, and six (6) security guards and one (1) supervisor shall be assigned on Sunday afternoons to the entertainment/beer garden area. On other dates, when alcohol is sold, a minimum of four (4) security guards and one (1) supervisor shall be assigned to the entertainment/beer garden area.
- d. Video surveillance cameras and their respective recording devices shall be maintained at all times and replaced if needed by the Applicant. Video surveillance tape, digital files, and/or photographs shall be available to law enforcement upon request.
- e. The Applicant shall maintain emergency lighting throughout any seating area. Installation of emergency lighting shall be in accordance with all Building Department and Department of Fire-Rescue requirements.
- f. The swap meet management shall be responsible for assuring that customers do not block any aisle-ways or walkways during beer sales. This includes the queue line for alcohol sales itself. The aisle-ways, walkways, and alcohol queue line shall be identified in the Master Plan and Security Plan approved by the Director of Police Services, Planning Department, Building Department and the Fire-Rescue Department.

5. General Requirements

- a. Swap meet management shall be responsible for maintaining control of litter in the area adjacent to the subject property and to all streets and other off-street properties used for parking at all times.
- b. Swap meet management shall be responsible for providing adequate parking, with on-site and off-site parking lots to accommodate all patrons and customers attending activities and events at the swap meet.
- c. Trash, junk, debris, or litter shall not be disposed of in the adjacent flood control channel area at any time. All trash, junk, debris and litter shall be disposed of in on-site appropriate receptacles. On a regular basis, the Applicant shall monitor the flood control channel and clean-up any litter that has blown or migrated from the swap meet to the flood control channel.
- d. The site shall comply with the National Pollutant Discharge Elimination System (NPDES) program in accordance with Chapter 52 of the City Code.

6. CONDITIONS OF APPROVAL-ENTERTAINMENT CATEGORY 1

- a. Conditions 1 thru 5 as described above shall apply.

7. CONDITIONS OF APPROVAL-ENTERTAINMENT CATEGORY 2

- a. Conditions 1 thru 5 as described above shall apply. That no alteration to the plot plan shall occur, unless done so in accordance with Condition No. 2.
- b. The Security Plan approved for entertainment activities shall remain in effect and the City retains the right to modify the plan and/or require an increase in security personnel for Category 2 entertainment, including the review of the Plan as to its limitations on timing of alcohol sales.
- c. ***For any Category 2 level activity, security guards shall remain in the immediate location of the entertainment/beer garden area until all patrons have fully left the area.***

8. CONDITIONS OF APPROVAL-ENTERTAINMENT CATEGORY 3

- a. Conditions 1 thru 6 as described above shall apply. Activities for the special events must be filed with the Department of Police Services no later than forty-five (45) days prior to the event with an approval or denial of application decision made within ten (10) days after submittal.
- b. The subject application shall include, but not be limited to, the following:
 - 1. Names of all entertainment groups and vendors involved.
 - 2. A minimum of five (5) references of prior concert locations for the entertainment group(s).
 - 3. A detailed diagram, drawn to scale, of the proposed floor, seating plan and vendor plot plan, including all ingress and egress plans.
 - 4. A detailed security, parking and traffic plan.
- c. If structural modifications are necessary, all required Building, Electrical and/or Plumbing permits shall be obtained and finalized at least five (5) days prior to the event date.
- d. If structural modification are necessary, all required site and fire prevention inspections shall be conducted by the Department of Fire-Rescue Department and Building Department and that all approvals shall

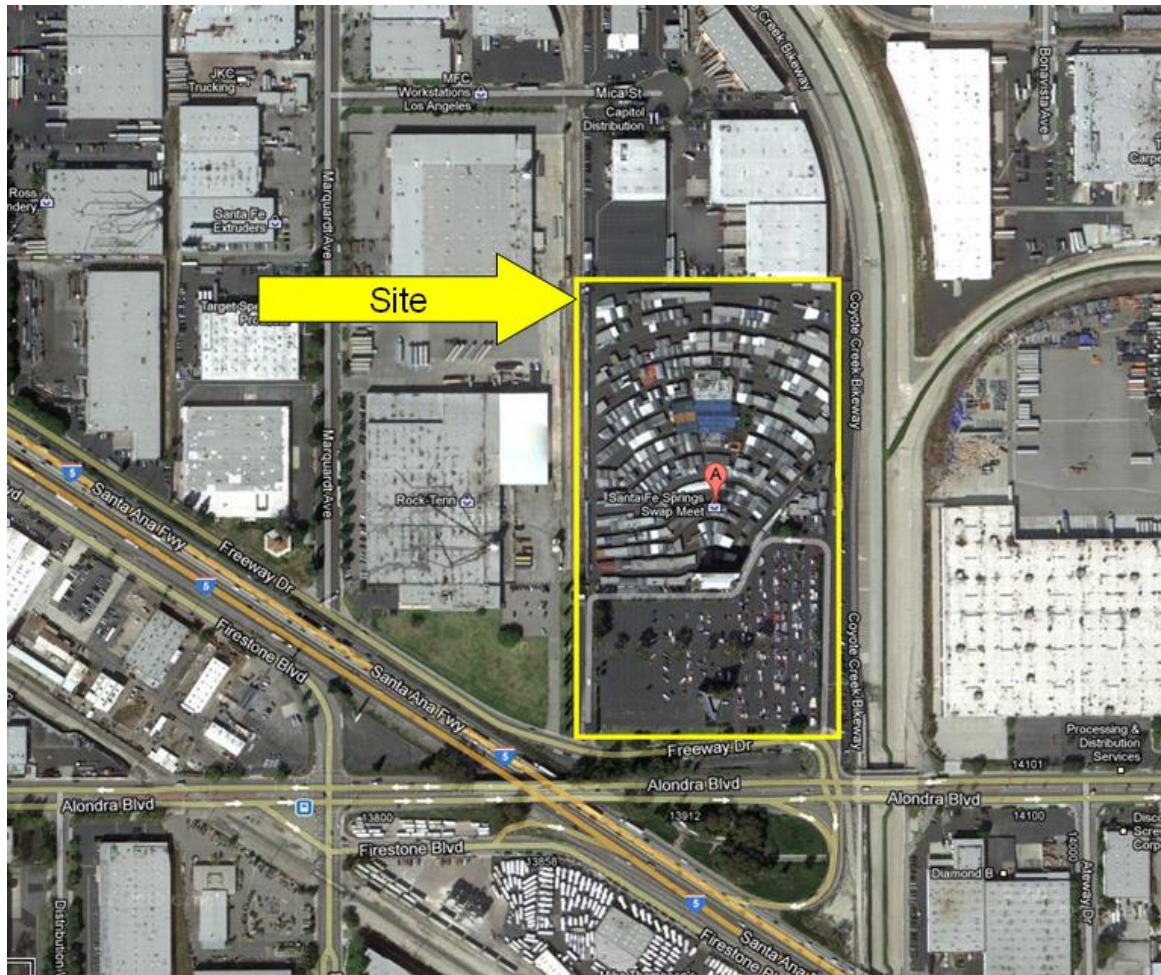
be granted prior to the event.

- e. All traffic/pedestrian and parking issues shall be addressed to the satisfaction of the Director of Police Services prior to the event.
- f. The number of security and law enforcement officers and, if appropriate, other public safety personnel, required to be present at the event will be determined by the Director of Police Services and the Department of Fire-Rescue as part of Category 3 plan approval, and all costs shall be reimbursed by the licensee.

9. General Administrative Requirements

- a. In the event the owner(s) intends to sell, lease or sublease the subject business operation or transfer the subject Entertainment Conditional Use Permit to another owner/applicant or licensee, the Director of Police Services shall be notified in writing of said intention not less than sixty (60) days prior to signing of the agreement to sell, lease or sublease.
 - b. All other applicable requirements of the City Zoning Ordinance, Uniform Building Code, California Fire Code and the determinations of the Department of Fire-Rescue and the State Fire Marshall, and all other applicable regulations shall be strictly complied with.
 - c. It is hereby declared that if any provisions of this Entertainment Conditional Use Permit are violated or held to be invalid or if any law, statute or ordinance is violated, the Entertainment Conditional Use Permit shall be subject to the revocation procedures and the privileges granted hereunder shall be terminated.
 - d. A copy of these conditions shall be posted and maintained with a copy of the City Business License and Fire-Rescue Department Permits in a place conspicuous to all employees at the location.
10. ***That this Permit shall be subject to a compliance review in five years, no later than September 11, 2028, to determine if the entertainment activities are 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.***

Attachment C



City of Santa Fe Springs

Location Map

Santa Fe Springs Swap Meet
13963 Alondra Boulevard



CITY OF SANTA FE SPRINGS

PLANNING COMMISSION AGENDA STAFF REPORT

TO: Honorable Chairperson and Planning Commission Members

FROM: Dino Torres, Director of Police Services

BY: Lou Collazo, Code Enforcement Inspector

SUBJECT: **Compliance Review Report for Entertainment Conditional Use Permit Case No. 11 – SFS Swap Meet**

DATE: September 11, 2023

RECOMMENDATION(S):

1. That the Planning Commission, based on staff's compliance review report, find that the subject use is in compliance with all of the conditions of approval set forth in the initial approval of Entertainment Conditional Use Permit Case No. 11; and
2. Request that this matter be brought back before September 11, 2028, for another compliance review report. The Planning Commission shall note that this matter may be brought back to the Commission at any time should the applicant violate any conditions of approval or any City Codes, or should there be a need to modify, add, or remove a condition of approval.

BACKGROUND

The Santa Fe Springs Swap Meet is a movie drive-in that now operates as an open air market and a concert-picnic area at 13963 Alondra Boulevard. In 1998, the swap meet management experienced a steady drop in the swap meet attendance. In an effort to attract customers, management decided to provide live entertainment and dancing in conjunction with the swap meet activities.

In compliance with Santa Fe Springs Zoning Code Section 155.723, the swap meet management applied for and was granted Entertainment Conditional Use Permit (ECUP) Case No. 11 by the Planning Commission and the City Council at their respective meetings of May 26 and May 28, 1998. ECUP Case No. 11 allows the establishment and operation of an entertainment use involving live performances and dancing. ECUP Case No. 11 is before the Planning Commission because a compliance review is required pursuant to the initial conditions of approval.

Since its original permit entitlement approval, the Swap Meet has had several compliance reviews with satisfactory reports submitted to the Planning Commission. Concurrent with this compliance review is a compliance review for Alcohol Sales Conditional Use Permit Case No. 11.

DISCUSSION

As with all entertainment type uses, Staff's primary concern is noise and crowd management, with emphases on public safety. The management for the swap meet continues to work closely with Staff, Whittier Police Officers, and the surrounding businesses to mitigate potential spill-over noise, parking, and address other adverse impacts resulting from the entertainment component of the swap meet.

Overall, the entertainment activities are well managed, and Staff believes that if the activities continue to be conducted in accordance with the recommended conditions of approval, the live entertainment activities conducted on the property will not pose an adverse impact, significant risk or nuisance to patrons, properties of neighboring businesses, or the general public.

City Staff from the Department of Police Services, Whittier Police Department, and the swap meet management work together continuously to make sure the ongoing swap meet and entertainment activities continue to occur in compliance with the conditions of approval. Based on staff's findings from an on-site walk inspection, and the fact that the applicant has complied with all of the conditions of approval, staff recommends another compliance review of Entertainment Conditional Use Permit Case No. 11 in five years and before September 11, 2028.

SUMMARY/NEXT STEPS

Receive and file this compliance review report and request Staff to perform and provide another compliance review on or before September 11, 2028.

ATTACHMENT(S):

- A. Attachment A – Pictures taken during on-site inspection
- B. Attachment B – Revised Conditions of Approval
- C. Attachment C – Location Map

<u>ITEM STATUS:</u>	
APPROVED:	☐
DENIED:	☐
TABLED:	☐
DIRECTION GIVEN:	☐

Attachment A



New stage and public seating area.



New beverage service building and standing table area.

Attachment B

CONDITIONS OF APPROVAL

NOTE: The only change to the original condition is Item 10 which reflects the new scheduled date for the next compliance review (provided with italic and bold font).

1. That the Applicant shall comply with all of the conditions of approval as required under Conditional Use Permit Case (CUP) No. 453, which grants the privileges to operate and maintain a swap meet. Should CUP Case No. 453 become null and void, or terminated, the privileges granted under Entertainment Conditional Use Permit Case No. 11 shall also become terminated.
2. That the Applicant shall continue to maintain an updated scaled Master Site Plan of the premises (including swap meet area, picnic area, stage, parking, surveillance camera locations, and entry/exit points). The Master Site Plan shall be submitted to the Director of Police Services thirty days prior to any physical changes on the site. Additionally, any new construction requiring a Building Permit shall comply with the construction plan-check review and approval process.
3. That the Applicant shall continue to maintain and, when required or requested, submit an updated Security Plan to the Department of Police Services. The Security Plan shall be reviewed by the Director of Police Services, and shall include, at a minimum, the following:
 - a. The Applicant's plans and actions for providing security in all owned, leased or rented parking lots, security within the interior of the swap meet, and the policy and procedures used by security personnel to deal with unruly patrons.
 - b. The Applicant shall require in-house and contracted security personnel to wear distinctive security uniforms at all times of operation.
 - c. During all hours of the swap meet operation, the Applicant shall provide professional security personnel from a security company pre-approved by the Director of Police Services. A detailed description of the type, amount, role, and locations of work detail of the security personnel shall be provided. The approved security personnel shall be on-site and operate in accordance with the roles described in the pre-approved Security Plan. This includes notifying law enforcement of any unlawful activities which may occur.

- d. That swap meet security personnel shall not perform any law enforcement functions, but instead security personnel shall report immediately to the Whittier Police Department all incidents in which it could be reasonably assumed that a person could be charged with a misdemeanor or a felony offense.
- e. That security personnel, as well as the owner, and/or management of the swap meet shall cooperate fully with the police officers and shall not obstruct or impede their entrance into the premises while in the course of their official duties.
- f. The swap meet management shall continue to maintain signs at each customer entrance stating that the property owner reserves the right to eject anyone creating a hostile environment or a public nuisance, including, but not restricted to, behaviors such as using profanity, making intimidating comments and flashing gang signs. A sign shall also be placed at each entrance advising patrons that shirts must be worn at all times.
- g. That the Applicant shall place signs at each entrance to the swap meet advising patrons that, on occasion, random searches of individuals and their belongings may occur in order to gain entry into the Swap Meet grounds.

4. General Security Requirements

- a. All parking lots associated with the nighttime swap meet operation shall be equipped with lighting of 1 foot candle power so as to illuminate and make easily discernible the appearance and conduct of all person, employees and patrons on or about the parking lot areas. Additionally, the position of said lighting shall not spill upon adjoining properties or disturb the neighboring residences or businesses. In order to comply with this requirement, the Applicant shall submit a detailed Lighting Plan to the Director of Police Services and the Building Department for approval prior to installation.
- b. The Applicant shall maintain digital video surveillance cameras overlooking the front and rear parking lots. The Applicant shall maintain security cameras in the beer garden and area(s) of entertainment. Locations of video surveillance cameras shall be approved by the Director of Police Services. Video surveillance cameras must be digital and of high quality capable of videotaping during the day and night. A detailed site plan shall be provided to the Department of Police Services that depicts and describes where these cameras are located.

- c. Commencing in March through the end of September of every year, a minimum of eight (8) security guards and one (1) supervisor shall be assigned to the Swap Meet on Friday nights, and six (6) security guards and one (1) supervisor shall be assigned on Sunday afternoons to the entertainment/beer garden area. On other dates, when alcohol is sold, a minimum of four (4) security guards and one (1) supervisor shall be assigned to the entertainment/beer garden area.
- d. Video surveillance cameras and their respective recording devices shall be maintained at all times and replaced if needed by the Applicant. Video surveillance tape, digital files, and/or photographs shall be available to law enforcement upon request.
- e. The Applicant shall maintain emergency lighting throughout any seating area. Installation of emergency lighting shall be in accordance with all Building Department and Department of Fire-Rescue requirements.
- f. The swap meet management shall be responsible for assuring that customers do not block any aisle-ways or walkways during beer sales. This includes the queue line for alcohol sales itself. The aisle-ways, walkways, and alcohol queue line shall be identified in the Master Plan and Security Plan approved by the Director of Police Services, Planning Department, Building Department and the Fire-Rescue Department.

5. General Requirements

- a. Swap meet management shall be responsible for maintaining control of litter in the area adjacent to the subject property and to all streets and other off-street properties used for parking at all times.
- b. Swap meet management shall be responsible for providing adequate parking, with on-site and off-site parking lots to accommodate all patrons and customers attending activities and events at the swap meet.
- c. Trash, junk, debris, or litter shall not be disposed of in the adjacent flood control channel area at any time. All trash, junk, debris and litter shall be disposed of in on-site appropriate receptacles. On a regular basis, the Applicant shall monitor the flood control channel and clean-up any litter that has blown or migrated from the swap meet to the flood control channel.
- d. The site shall comply with the National Pollutant Discharge Elimination System (NPDES) program in accordance with Chapter 52 of the City Code.

6. CONDITIONS OF APPROVAL-ENTERTAINMENT CATEGORY 1

- a. Conditions 1 thru 5 as described above shall apply.

7. CONDITIONS OF APPROVAL-ENTERTAINMENT CATEGORY 2

- a. Conditions 1 thru 5 as described above shall apply. That no alteration to the plot plan shall occur, unless done so in accordance with Condition No. 2.
- b. The Security Plan approved for entertainment activities shall remain in effect and the City retains the right to modify the plan and/or require an increase in security personnel for Category 2 entertainment, including the review of the Plan as to its limitations on timing of alcohol sales.
- c. ***For any Category 2 level activity, security guards shall remain in the immediate location of the entertainment/beer garden area until all patrons have fully left the area.***

8. CONDITIONS OF APPROVAL-ENTERTAINMENT CATEGORY 3

- a. Conditions 1 thru 6 as described above shall apply. Activities for the special events must be filed with the Department of Police Services no later than forty-five (45) days prior to the event with an approval or denial of application decision made within ten (10) days after submittal.
- b. The subject application shall include, but not be limited to, the following:
 - 1. Names of all entertainment groups and vendors involved.
 - 2. A minimum of five (5) references of prior concert locations for the entertainment group(s).
 - 3. A detailed diagram, drawn to scale, of the proposed floor, seating plan and vendor plot plan, including all ingress and egress plans.
 - 4. A detailed security, parking and traffic plan.
- c. If structural modifications are necessary, all required Building, Electrical and/or Plumbing permits shall be obtained and finalized at least five (5) days prior to the event date.
- d. If structural modification are necessary, all required site and fire prevention inspections shall be conducted by the Department of Fire-Rescue Department and Building Department and that all approvals shall

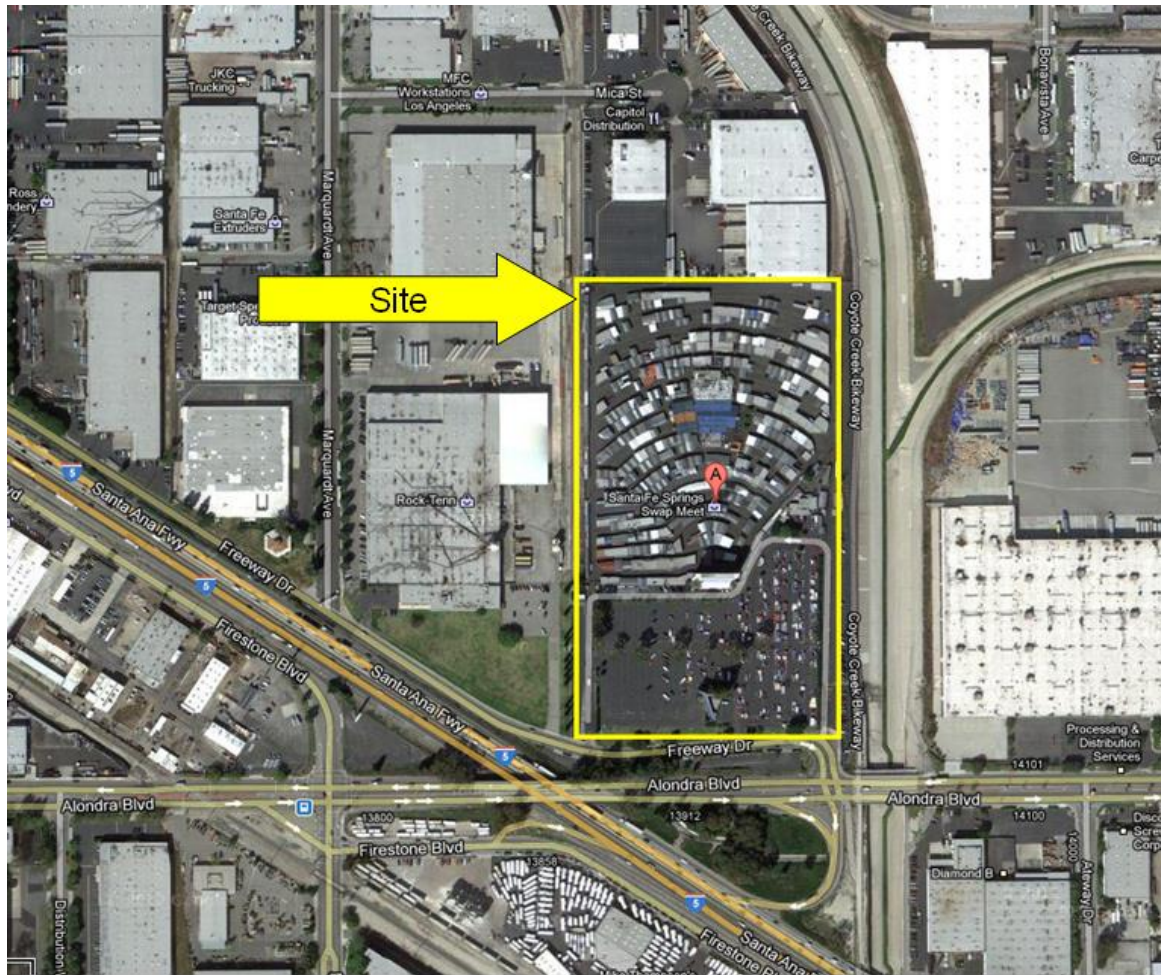
be granted prior to the event.

- e. All traffic/pedestrian and parking issues shall be addressed to the satisfaction of the Director of Police Services prior to the event.
- f. The number of security and law enforcement officers and, if appropriate, other public safety personnel, required to be present at the event will be determined by the Director of Police Services and the Department of Fire-Rescue as part of Category 3 plan approval, and all costs shall be reimbursed by the licensee.

9. General Administrative Requirements

- a. In the event the owner(s) intends to sell, lease or sublease the subject business operation or transfer the subject Entertainment Conditional Use Permit to another owner/applicant or licensee, the Director of Police Services shall be notified in writing of said intention not less than sixty (60) days prior to signing of the agreement to sell, lease or sublease.
 - b. All other applicable requirements of the City Zoning Ordinance, Uniform Building Code, California Fire Code and the determinations of the Department of Fire-Rescue and the State Fire Marshall, and all other applicable regulations shall be strictly complied with.
 - c. It is hereby declared that if any provisions of this Entertainment Conditional Use Permit are violated or held to be invalid or if any law, statute or ordinance is violated, the Entertainment Conditional Use Permit shall be subject to the revocation procedures and the privileges granted hereunder shall be terminated.
 - d. A copy of these conditions shall be posted and maintained with a copy of the City Business License and Fire-Rescue Department Permits in a place conspicuous to all employees at the location.
10. ***That this Permit shall be subject to a compliance review in five years, no later than September 11, 2028, to determine if the entertainment activities are 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.***

Attachment C



City of Santa Fe Springs

Location Map

Santa Fe Springs Swap Meet
13963 Alondra Boulevard



CITY OF SANTA FE SPRINGS

PLANNING COMMISSION AGENDA STAFF REPORT

TO: Honorable Chairperson and Planning Commission Members

FROM: Dino Torres, Director of Police Services

BY: Luis Collazo, Code Enforcement Inspector

SUBJECT: Compliance Review Report for Alcohol Sales Conditional Use Permit Case No. 69 – ALDI Food Market

DATE: September 11, 2023

RECOMMENDATION(S):

1. That the Planning Commission, based on staff's findings during an inspection of the location, find that the subject use is in compliance with all of the conditions of approval set forth in the initial approval of Alcohol Sales Conditional Use Permit Case No. 69; and
2. Request that this matter be brought back before September 11, 2028, for another compliance review report. The Planning Commission shall note that this matter may be brought back to the Commission at any time should the applicant violate any conditions of approval or any City Codes, or should there be a need to modify, add, or remove a condition of approval.

BACKGROUND

ALDI opened its Santa Fe Springs store to the public on May 9, 2017. ALDI carries its own brand of foods including fresh meats, fresh produce, soft drinks, and alcoholic beverages such as beer and wine. In accordance with Section 155.628 of the City's Zoning Regulations, ALDI requested and was granted Alcohol Sales Conditional Use Permit Case No. 69 by the Planning Commission and the City Council at their respective meetings of September 12, and October 20, 2016. ALDI also maintains a Type 40 license, from the California Department of Alcoholic Beverage Control (ABC), which is the state government authority overseeing alcohol sales.

Pursuant to the initial conditions of approval, this matter is before the Planning Commission because a compliance review is due. This is the second compliance review of the store since they opened.

Alcohol Sales Conditional Use Permit Case No. 69- Compliance Report

Page 2 of 6

DISCUSSION

As part of the permit review process, Staff conducted a walk-through inspection of the subject site and found the premises in compliance with regulatory ordinances, conditions and codes. Furthermore, Staff has not received any complaints stemming from the use or from the on-site sale of alcoholic beverages. Staff checked with (ABC) and found that the establishment is in full compliance with all of the ABC regulations and that there has not been any incident to require further investigation.

Based on Staff's findings, and the fact that the applicant has complied with all of the initial conditions of approval, Staff believes that changes to the conditions are not warranted at this time. Staff is recommending another compliance review of ASCUP Case No. 69 in five years, before September 11, 2028.

SUMMARY/NEXT STEPS

Receive and file this compliance review report and request Staff to perform and provide another compliance review on or before September 11, 2028.

ATTACHMENT(S):

- A. Attachment A – Location Aerial
- B. Attachment B – Conditions of Approval

<u>ITEM STATUS:</u>	
APPROVED:	☐
DENIED:	☐
TABLED:	☐
DIRECTION GIVEN:	☐

ATTACHMENT A

LOCATION AERIAL



Alcohol Sales Conditional Use Permit Case No. 69

**ALDI Food Market
13210 Telegraph Road**

ATTACHMENT B

CONDITIONS OF APPROVAL

1. That the Applicant is aware that approval of Alcohol Sales Conditional Use Permit (ASCUP) Case No. 69 is solely for the storage and sale of alcoholic beverages as an accessory activity for a food market.
2. Alcohol sales shall be limited to 6:00 a.m. to 2:00 a.m. the following day. The sale of alcoholic beverages shall conform to the sale hours as prescribed by the State Alcoholic Beverage Control. Should the market become a 24-hour operation, the Applicant shall provide locking mechanisms to prevent customer access to the alcoholic beverages during the no-sale period.
3. That the Alcoholic Beverage Control license shall be restricted for the sale of alcoholic beverages for off-site consumption and as specified by the Department of Alcoholic Beverage Control.
4. That it shall be the responsibility of the ownership and/or his employees to ensure that no alcoholic beverages purchased on the subject site shall be consumed on the subject site or any adjacent properties.
5. That the Applicant and/or his employees shall be responsible for maintaining control of litter on the subject property.
6. 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 licenses premises as set forth in the State Business and Professions Code.
7. 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.
8. That the Applicant shall not have upon the licensed premises any alcoholic beverage(s) other than the alcoholic beverage(s) which the licensee is authorized to sell under the Alcohol Beverage Control license that is issued to the subject site, as set forth in Section 25607(a) of the State Business and Professions Code.
9. That the Applicant and/or 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.
10. That the Applicant and/or his employees shall not allow any person to loiter on the subject premises, shall immediately report all such instances to the Police. The

Applicant shall post signs, approved by the Department of Police Services, prohibiting loitering.

11. That upon request by the Department of Police Services, an updated security plan shall be submitted to address the following for the purposes of minimizing risks to the public's health, welfare and safety:
 - (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 permittee plans to educate employees on their responsibilities and the 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.
12. That the owner, corporate officers and managers shall cooperate fully with all City officials, and enforcement personnel, and shall not obstruct or impede their entrance into the licensed premises while in the course of their official duties.
13. That vending machines, water machines, pay telephones and other similar equipment shall not be placed outdoors visible from the street or adjacent properties.
14. That pallets and other objects should not be left outside to allow roof access.
15. That streamers, banner, pennants, whirling devices or similar objects that wave, float, fly, rotate, or move in the breeze shall be prohibited unless written authorization is granted by the Director of Planning or his designated Staff.
16. That a copy of these conditions shall be maintained along with a copy of the City Business License and Fire Department Permits in a place conspicuous to all employees of the location.
17. That in the event the owner(s) intend 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 not less than (60) days prior to signing of the agreement to sell lease or sublease.

Alcohol Sales Conditional Use Permit Case No. 69- Compliance Report

Page 6 of 6

18. That ASCUP Case No. 69 shall be subject to a compliance review in five (5) years, no later than September 11, 2028, 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.
19. 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 procedures for revocation and the privileges granted hereunder shall be terminated.



CITY OF SANTA FE SPRINGS

PLANNING COMMISSION AGENDA STAFF REPORT

TO: Members of the Planning Commission

FROM: Wayne M. Morrell, Director of Planning

BY: Rudy Lopez, Planning Intern

SUBJECT: **CONDITIONAL USE PERMIT (“CUP”) CASE NO. 729-4 - A COMPLIANCE REVIEW OF A PRECIOUS METALS FOUNDRY FACILITY AT 8444 SECURA WAY, WITHIN THE M-1, LIGHT MANUFACTURING, ZONE. (THE BUYERS INC.)**

DATE: September 11, 2023

RECOMMENDATION(S):

It is recommended that the Planning Commission:

- 1) Find that the continued operation and maintenance of the subject precious metals foundry 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 City's Zoning Ordinance and consistent with the goals, policies, and programs of the City's General Plan; and
- 2) Require that CUP Case No. 729-4 be subject to a compliance review in ten (10) years on, or before, September 11, 2033, to ensure that the use is still operating in strict compliance with the conditions of approval as contained within this staff report.
- 3) Take such additional, relation action that may be desirable.

FISCAL IMPACT:

N/A

BACKGROUND/DISCUSSION:

In accordance with Section 155.213(T) of the City's Zoning Ordinance, foundries with furnaces not exceeding a capacity of 500 pounds per furnace or with a combined capacity not in excess of 1,000 pounds shall be allowed only after a valid conditional use permit has first been obtained.

Code Section:	Conditional Uses:
155.213	The following uses shall be permitted in the M-1 Zone only after a valid conditional use permit has first been issued: (T) Foundries with furnaces not exceeding a capacity of 500 pounds per furnace or with a combined capacity not in excess of 1,000 pounds.

Robert Caro Company was established in the early 1970s and relocated to Santa Fe Springs in 2012. Robert Caro Company buys gold/silver scrap jewelry from various clients (jewelry stores, pawnshops, etc.). The precious metals are melted in furnaces at temperatures as high as 1,800 degrees Fahrenheit. Once the precious metal is molten, it is poured into cast iron molds to produce bullion bars. The gold/silver is analyzed to determine its purity before it is sold to a refiner recycler. The entire process typically occurs within a two (2) day period. The business is owned and operated by Mr. Robert Caro and his son. Typical hours of operation are 6:30 a.m. to 3:00 p.m., Monday through Friday.

On April 9, 2012, the Planning Commission initially granted a CUP to the Robert Caro Company to establish, operate, and maintain a foundry use on the subject property located at 8444 Secura Way (APN: 8168-026-044). The original approval was for a period of one (1) year. Since then, the subject CUP has undergone three (3) separate compliance reviews on October 14, 2013, April 27, 2015, and May 14, 2018, respectively. The last compliance review extended CUP 729 for a period of five (5) years.

ANALYSIS:

As a 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 before bringing the matter back to the Planning Commission. Staff conducted a walk-through inspection on August 3, 2023, and found the metals foundry facility was operating in full compliance with the existing conditions of approval.

ENVIRONMENTAL:

N/A

DISCUSSION

N/A

SUMMARY/NEXT STEPS:

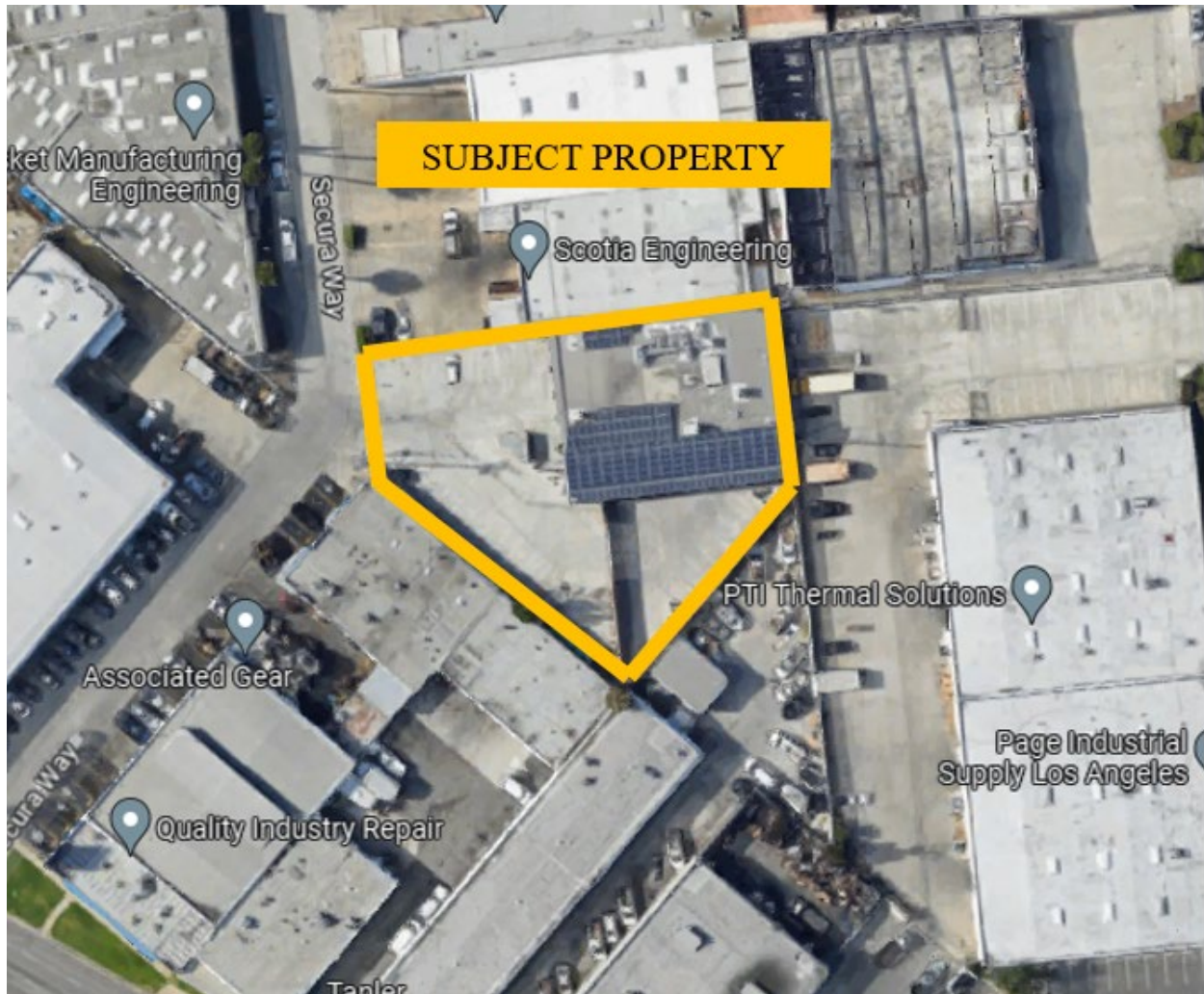
Staff finds that if the subject use continues to operate in strict compliance with the required conditions of approval, it will continue to be harmonious with adjoining properties and surrounding uses in the area and, therefore, will not be detrimental to persons or property in the immediate vicinity and will not adversely affect the city in general. Staff is therefore recommending that CUP 729 be subject to a compliance review in ten (10) years, on or before, September 11, 2033, to ensure the subject metals foundry facility use is still operating in strict compliance with the conditions of approval (see Attachment E).

ATTACHMENT(S):

1. Attachment A – Aerial Photograph
2. Attachment B – Photograph of Subject Property
3. Attachment C – Time Extension Request Letter
4. Attachment D – Receipt
5. Attachment E – Conditions of Approval

<u>ITEM STATUS:</u>	
APPROVED:	☐
DENIED:	☐
TABLED:	☐
DIRECTION GIVEN:	☐

ATTACHMENT A – AERIAL PHOTOGRAPH



ATTACHMENT B – PHOTOGRAPH OF SUBJECT PROPERTY



ATTACHMENT C - TIME EXTENSION REQUEST LETTER

THE BUYERS, INC.

BUYERS AND REFINERS OF ALL PRECIOUS METALS



Cup 729

I, Robert Caro owner of 8444 Secura way
and owner of The Buyers, Inc. at this facility
am requesting review for compliance of the
subject permit.

My business has made no changes
to operating since this permit was first issued.
My operating hours are the same, no new equipment
has been added. I still deal only with licensed
dealers. I am not open to the public. I keep my
property maintained as per the cup. Only myself
and my son run the business here. All my permits
are current and up to date

Robert Caro

8444 Secura Way • Santa Fe Springs, CA 90670
Tel. 562.945.7276 • Fax 562.945.7466

ATTACHMENT D – RECEIPT

City of Santa Fe Springs	DISTRIBUTION					
	FUND	G/L	ACTIVITY	OBJECT	PROJECT	AMOUNT
	1010	3199	423015	Compliance Permit	PL0201	\$563.00

(NAME)
8444 Secura Way
(ADDRESS)
Santa Fe Springs, CA
(CITY AND STATE)
Compliance Review CUP 729
(DESCRIPTION)

RECEIPT

City of Santa Fe Springs
FINANCE DEPARTMENT
11710 E Telegraph Rd
Santa Fe Springs, CA 90670
(562) 868-0511

006432-0012 08/01/2023 10:30AM

MISCELLANEOUS
Description: CONDITIONAL
USE PERMIT (PL0201)
Reference 1: 8444
Reference 2: SECURA WAY
CONDITIONAL USE PERMIT
(PL0201)
2024 Item: PL0201
CONDITIONAL USE PERMIT
(PL0201)

563.00

563.00

Subtotal 563.00
Total 563.00

HECK 563.00
Check Number 011404

Amount due 0.00

Paid by: THE BUYERS, INC 8444 SECURA
WAY

Comments: HA

Thank you for your payment

CUSTOMER COPY

ATTACHMENT E – CONDITIONS OF APPROVAL

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

FIRE DEPARTMENT – FIRE PREVENTION DIVISION

(Contact: Kevin Yang 562.868-0511 x3811)

1. Applicant shall comply with all aspects of the 2013 Edition of the California Fire Code. **(Ongoing)**

FIRE DEPARTMENT – ENVIRONMENTAL DIVISION

(Contact: Eric Scott 562.868-0511 x3812)

2. That the owner/developer shall comply with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, California Fire Code, Certified Unified Program Agency (CUPA) programs, the Air Quality Management District's Rules and Regulations and all other applicable codes and regulations. **(Ongoing)**
3. That the owner/operator shall complete and submit the Chemical Hazard Classification & Occupancy Rating package to the EPD prior to storing new or increasing existing amounts of hazardous materials on the property. The building occupancy rating, based on the information provided, will be designated by the Building Department. **(Ongoing)**
4. That the owner/operator shall not bring any offsite generated hazardous waste on site. **(Ongoing)**

POLICE SERVICES DEPARTMENT

(Contact: Luis Collazo 562.868-0511 x3335)

5. That the applicant shall provide an 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. **(Ongoing)**
6. 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: Maribel Garcia 562.868-0511 x7569)

7. 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: Rudy Lopez 562.868-0511 x7519)

8. That the Applicant shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 909. **(Ongoing)**
9. That upon completion of any new landscaping and landscape upgrades, the required landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This is meant to include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, and replacement of plants when necessary and the regular watering of all plantings. **(Ongoing)**
10. That all activities shall occur inside the building(s). No portion of the required off-street parking and driveway areas shall be used for outdoor storage of any type or for special-event activities, unless prior written approval is obtained from the Director of Planning, Director of Police Services and the Fire Marshall. **(Ongoing)**
11. That all vehicles associated with the business shall be parked on the subject site at all times. Off-site parking is not permitted and would result in the restriction or revocation of privileges granted under this Permit. In addition, any vehicles associated with the property shall not obstruct or impede any traffic. **(Ongoing)**
12. That all fences, walls, gates and similar improvements for the proposed use shall be subject to the prior approval of the Department of Fire-Rescue, Department of Police Services, and the Department of Planning and Development. **(Ongoing)**
13. That the Department of Planning and Development shall first review and approve all 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)**
14. That the applicant shall not allow commercial vehicles, trucks and/or truck tractors to queue on Secura Way, use street as a staging area, or to backup onto the street from the subject property. **(Ongoing)**

15. ~~That approved suite numbers/letters or address numbers shall be placed on the proposed building in such a position as to be plainly visible and legible from the street fronting the property. Said numbers shall contrast with their background. The size recommendation shall be 12" minimum.~~ **(Complete)**
16. ~~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 Martinez at (562) 868-0511, extension 7527, or through the City's web site (www.santafesprings.org).~~ **(Complete)**
17. ~~That the applicant shall be responsible for reviewing and/or providing copies of the required conditions of approval to his/her architect, engineer, contractor, tenants, etc. Additionally, the conditions of approval contained herein, shall be made part of the construction drawings for the proposed development. Construction drawings shall have the conditions of approval incorporated into the final set prior to issuance of building permits.~~ **(Complete)**
18. That the applicant shall require and verify that all contractors and sub-contractors have successfully obtained a Business License with the City of Santa Fe Springs prior to beginning any work associated with the subject project. A late fee and penalty will be assessed to any contractor or sub-contractor that fails to obtain a Business License and a Building Permit final or Certificate of Occupancy will not be issued until all fees and penalties are paid in full. Please contact Cecilia Martinez, Business License Clerk, at (562) 868-0511, extension 7527 for additional information. A business license application can also be downloaded at www.santafesprings.org . **(Ongoing)**
19. That the site shall otherwise be substantially in accordance with the plot plan, floor plan, and elevations submitted by the Applicant and on file with the case. **(Ongoing)**
20. 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)**
21. That Conditional Use Permit Case No. 729-4 shall be subject to a compliance review in five (5) years, on or before **September 11, 2028**. Approximately three (3) months before **September 11, 2028**, the applicant shall request, in writing, an extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval. **(Revised)**

22. That the applicant, Robert Caro Company, 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. 729, 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 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)**
24. 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)**



CITY OF SANTA FE SPRINGS

PLANNING COMMISSION AGENDA STAFF REPORT

TO: Members of the Planning Commission

FROM: Wayne M. Morrell, Director of Planning

BY: Claudia L. Jimenez, Assistant Planner

SUBJECT: **PUBLIC HEARING - CONDITIONAL USE PERMIT (“CUP”) CASE NO. 838 – TO ALLOW AN OUTPATIENT COUNSELING AND SUBSTANCE USE DISORDER (“SUD”) TREATMENT CENTER AT 9300 SANTA FE SPRINGS ROAD, WITHIN THE M-2, HEAVY MANUFACTURING, ZONE AND ADOPTING A NOTICE OF EXEMPTION UNDER CEQA SECTION 15301 (EXISTING FACILITIES) (LA CADA)**

DATE: September 11, 2023

RECOMMENDATION(S):

It is recommended that the Planning Commission:

- 1) Open the Public Hearing and receive the written and oral staff report and any comments from the public regarding CUP Case No. 838, and thereafter, close the Public Hearing; and
- 2) Find and determine that the proposed use 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 Ordinance and consistent with the goals, policies and programs of the City’s General Plan; and
- 3) Find that the applicant’s CUP request meets the criteria set forth in §155.716 of the City’s Zoning Ordinance, for the granting of a Conditional Use Permit; and
- 4) Find and determine that pursuant to Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA), the project is Categorical Exempt; and
- 5) Approve the CUP request No. 838, subject to the conditions of approval as contained within Resolution No. 249-2023; and
- 6) Adopt Resolution No. 249-2023, which incorporates the Planning Commission’s findings and actions regarding this matter; and
- 7) Take such additional, related action that may be desirable.

FISCAL IMPACT

N/A

BACKGROUND/DISCUSSION

On May 2, 2023, the Los Angeles Center for Alcohol and Drug Abuse (LA CADA) filed a request for a Conditional Use Permit (Case No. 838) to allow an outpatient counseling and substance use disorder (SUD) treatment center at 9300 Santa Fe Springs Road.

Project/Applicant Information

Project Location:	9300 Santa Fe Springs Road (APN: 8167-037-019)
Project Applicant:	LA Center for Alcohol and Drug Abuse (LA CADA)
Property Owner:	Santa Fe Properties, LP
General Plan Designation:	Industrial
Zoning Designation:	M-2 (Heavy Manufacturing)
Existing Use on Property:	Multiple Industrial Uses

Project Description

The Applicant seeks approval of a CUP to allow an outpatient counseling and substance use disorder (SUD) treatment center. The Project Site was previously used as a daytime educational service use for disabled adults. No expansion of the existing unit is being proposed as part of this request. The Project Site is part of an existing multi-tenant building. Other uses within the multi-tenant building include a pharmaceutical laboratory testing facility, office and warehouse uses. Therefore, the proposed use is consistent and compatible with the surrounding uses.

Zoning Requirements

In accordance with Section 155.243 (L) of the City's Zoning Ordinance, public or quasi-public uses of an educational or recreational nature shall only be allowed within the M-2, Heavy Manufacturing, Zone after a valid CUP has first been obtained. As such, the proposed outpatient counseling and substance use disorder (SUD) treatment center is required to obtain a CUP.

Section 155.243 (L)

Section 155.243

Notwithstanding the list of uses set forth in Section 155.243, the following are the uses 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 recreational nature

ANALYSIS

Project Site

The Project Site is located on the northeast corner of Santa Fe Springs Road and Ann Street, on a parcel measuring approximately 4.06 acres. The project site occupies approximately 14,240 square feet of the approximately 64,581 square foot multi-tenant industrial building. All adjacent properties are also zoned M-2, Heavy Manufacturing. The nearest school is St. Paul High School, located approximately 1,000 feet southeast of the Project Site. The nearest residential land uses are located approximately 1,350 feet southeast of the Project Site and are outside the City's limits, within the Unincorporated Los Angeles County jurisdiction.

The surrounding zoning and land uses are listed as follows:

Direction	Zone	Land Use
North	M-2	Industrial
South	M-2	Industrial
East	M-2	Industrial
West	M-2	Industrial

Business Description

Los Angeles Center for Alcohol and Drug Abuse ("LA CADA") is a licensed and certified substance use and behavioral treatment provider by the State of California Department of Health Care Services and the County of Los Angeles Department of Public Health - Substance Abuse Prevention and Control. LA CADA evaluates and administers treatment for people with addiction and behavior problems by providing client-centered, trauma-informed, recovery-oriented services, offered by a committed, caring, and qualified staff of licensed, certified, and registered professionals. LA CADA offers critical services across a wide continuum of care and treatment, including outpatient, intensive outpatient, and residential programs.

LA CADA is currently operating an 18,000 square-foot tenant space for an outpatient counseling and substance disorder (SUD) treatment center, located at 11015 Bloomfield Avenue, within the M-2, Heavy – Manufacturing, Zone. LA CADA plans to expand its operations to include additional SUD treatment programs to serve the increasing need for substance use and mental health treatment in the surrounding

areas.

Due to the privacy and sensitivity of the SUD treatment services, the industrial area of the City is a desired location for the Applicant. The treatment center will provide a comprehensive and evidence-based approach to addiction treatment, which includes individual and group counseling, therapy, medication-assisted treatment, and other supportive services, all done by appointment only. The program will be designed to meet the specific needs of individuals struggling with SUD including those with co-occurring mental health conditions. The team will consist of licensed and certified professionals, including addicting specialists, therapists, and case managers, who will work together to create individualized treatment plans for each client.

Services Include:

- Comprehensive assessments
- Individual and group counseling
- Medication-assisted treatment
- Family and group therapy
- Case Management and support services
- Aftercare support – resources offered after completing the program

Hours of Operation

Additionally, the outpatient counseling and substance use disorder (SUD) treatment center will include a staffing pattern of a maximum of 57 employees (Monday through Friday from 7:00 a.m. to 8:30 p.m. and from Saturday 8:00 a.m. to 5:00 p.m.).

Parking Requirements

A total of 218 parking stalls will be provided for the proposed use. The Project Site provides on-site parking based on the following calculations:

Use	Calculation	Required	Provided
Industrial	9240 Santa Fe Springs Rd. 20,624 sq. ft. /300 = 69 88,00 sq. ft. /500 = 18	196	218
	9280 Santa Fe Spring Rd. 6,994 sq. ft. /300 = 24		
	12649 Ann Street. 6,926 sq. ft. /300 = 23 6,997 sq. ft. /500 = 14		
	9300 Santa Fe Springs Rd. 14,240 sq. ft. /300 = 48		

The parking study detailed above shows that the subject property would provide 218 of the required 196 parking stalls and therefore, meet the minimum requirements. The

City's Zoning Ordinance calculates the required number of parking stalls based on the total building area. Since the applicant is not proposing to increase the building area or expand the existing office area, the proposed use does not create a higher parking demand. The proposed use, therefore, exceeds the minimum parking requirements set forth by the City's Zoning Ordinance.

ENVIRONMENTAL

The requested Conditional Use Permit (Case No. 838) is considered a "Project" per the California Environmental Quality Act definition of a "Project". After staff review and analysis, staff made a preliminary determination that the project qualifies for a categorical exemption from CEQA, per Section 15301 (Existing Facilities). Section 15301 exempts minor alterations of existing facilities involving negligible expansion of use. The applicant is planning to use an existing tenant space and only plans to make minor tenant improvements, none of which will involve an expansion of the existing unit. Additionally, the project will not result in any significant noise, air quality, or water quality impacts. Lastly, the Project Site is not listed on the Hazardous Waste and Substance Site List (Cortese List) as set forth in Government Code Section 65962.5 and is not identified on the EPA's database (Environfacts). If the Planning Commission agrees, staff intends to file a Notice of Exemption (NOE) with the State Clearinghouse and the Los Angeles County Clerk.

DISCUSSION

Authority of the Planning Commission

The Planning Commission has the authority, subject to the procedures set forth in the City's Zoning Ordinance, to grant a Conditional Use Permit when it has been found that said approval is consistent with the requirements, intent, and purpose of the City's Zoning Ordinance. The Commission may grant, conditionally grant, or deny a conditional use permit based on the evidence submitted and upon its study and knowledge of the circumstances involved, or it may require submission of a revised development plan if deemed necessary to preserve the general appearance and welfare of the community.

Criteria for Granting a Conditional Use Permit

Pursuant to Section 155.716 of the City of Santa Fe Springs Zoning Ordinance, the Planning Commission shall consider the following findings in their review and determination of the subject Conditional Use Permit (CUP).

- (A) That the outpatient counseling and substance use disorder (SUD) treatment center use and proposed change will not be detrimental to persons or property in the immediate vicinity, and will not adversely, affect the city in general.

- (B) Give due consideration to the appearance of any proposed structure and may require revised architectural treatment if deemed necessary to preserve the general appearance and welfare of the community.

Upon review of the proposed project and related materials within the application, staff finds the applicant's request meets the criteria set for in §155.716 of the City's Zoning Ordinance. Recommended findings to support this conclusion may be found in the attached Resolution No. 249-2023 (see attachment #7). Staff is therefore recommending approval of CUP Case No. 838, subject to the conditions of approval.

SUMMARY

Reports Received

On June 16, 2023, the Planning Department staff provided a project summary, and all application materials related to CUP Case No. 838, to the Building, Fire, Public Works/Engineering, Community Services, and Police Services Department for their respective review, comments, and conditions. The Building, Fire, Planning, Public Works/Engineering, and Police Services Department responded with recommended conditions of approval which are included in Attachment #7.

Public Notification

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.

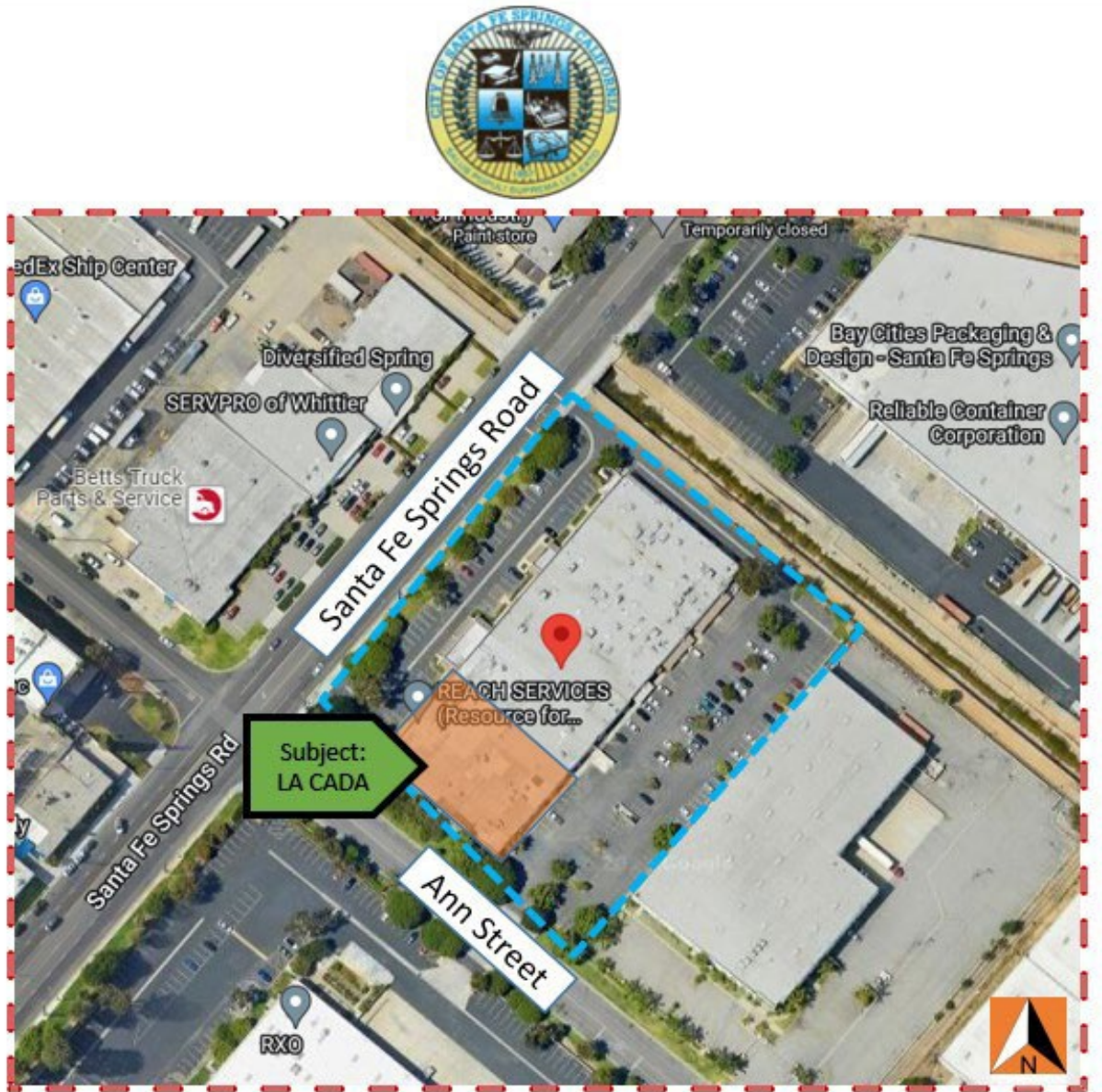
Legal notice of the Public Hearing for the proposed project was sent by first class mail to all property owners whose names and addresses appear on the latest County Assessor's Roll within 500 feet of the exterior boundaries of the subject property on August 31, 2023. The legal notice was also posted in Santa Fe Springs City Hall, the City's Town Center Kiosk, and the City's Library, and published in a newspaper of general circulation (Whittier Daily News) on August 31, 2023, as required by the State Zoning and Development Laws and by the City's Zoning Ordinance

ATTACHMENT(S):

1. Attachment A - Aerial Photograph
2. Attachment B - Public Hearing Notice
3. Attachment C - Radius Map for Public Hearing
4. Attachment D - Site Plan
5. Attachment E - Floor Plan
6. Attachment F - CEQA Notice of Exemption
7. Attachment G – Resolution 249-2023
 - a) Exhibit A - Conditions of Approval

<u>ITEM STATUS:</u>	
APPROVED:	☐
DENIED:	☐
TABLED:	☐
DIRECTION GIVEN:	☐

Attachment: A
Aerial Photograph



Conditional Use Permit Case No. 838
9300 Santa Fe Springs Road, Unit B.
Zone: M-2 (Heavy- Manufacturing)
APN: 8167-037-019

Attachment B:
Public Notice



**CITY OF SANTA FE SPRINGS
NOTICE OF PUBLIC HEARING
CONDITIONAL USE PERMIT CASE NO. 838**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Santa Fe Springs will hold a Public Hearing to consider the following:

CONDITIONAL USE PERMIT CASE NO. 838 – A request for approval to establish, operate, and maintain an outpatient-counseling and substance use disorder (SUD) treatment center at 9300 Santa Fe Springs Road, Unit B, within the M-2, Heavy Manufacturing, zone. (LACADA)

APPLICANT: LA Center for Alcohol and Drug Abuse (LACADA), Inc., Attn: Patric R. Brillhart, 12070 Telegraph Road., Suite # 106, Santa Fe Springs, CA 90670

THE HEARING will be held before the Planning Commission of the City of Santa Fe Springs in the Council Chambers of the City Hall, 11710 Telegraph Road, Santa Fe Springs, on **Monday, September 11, 2023 at 6:00 p.m.**

You may attend the meeting telephonically or electronically using the following means:

Electronically using Zoom

Go to Zoom.us and click on "Join A Meeting" or use the following link:

<https://zoom.us/j/558333944?pwd=b0FqbKV2aDZneVRnQ3BjYU12SmJlQT09>

Zoom Meeting ID: 558 333 944

Password: 554545

Telephonically

Dial: 888-475-4499

Meeting ID: 558 333 944

CEQA STATUS: After staff review and analysis, staff intends to file a Notice of Exemption (NOE) with the Los Angeles County Clerk within five (5) days of project approval (if the Planning Commission agrees), specifically Class 1, Section 15301 (Existing Facility) of the California Environmental Quality Act (CEQA). Additionally, the project site is not listed on the Hazardous Waste and Substance Site List (Cortese List) as set forth in Government Code Section 65962.5.

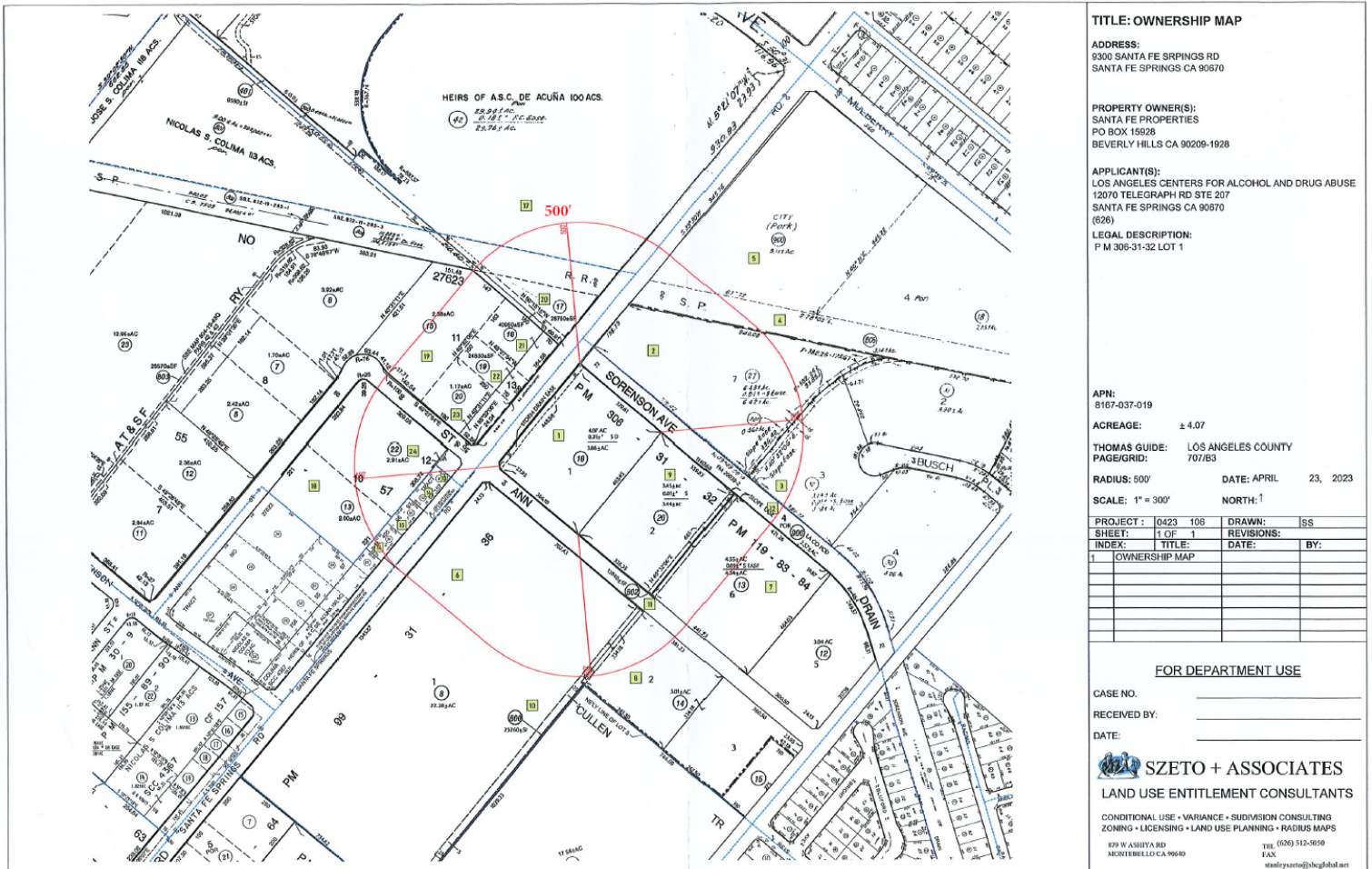
Juanita Martin, Mayor • Jay Sarno, Mayor Pro Tem
City Council
Annette Rodriguez • William K. Rounds • Joe Angel Zamora
City Manager
René Bobadilla, PE, City Manager

ALL INTERESTED PERSONS are invited to participate in the Public Hearing and express their opinion on the item listed above. Please note that if you challenge the aforementioned item in court, you may be limited to raising only those issues raised at the Public Hearing, or in written correspondence to the office of the Commission at, or prior to the Public Hearing.

PUBLIC COMMENTS may be submitted in writing to the Department of Planning & Development at City Hall, 11710 Telegraph Road, Santa Fe Springs CA 90670 or, otherwise, e-mail the Planning Secretary Teresa Cavallo at teresacavallo@santafesprings.org. Please submit your written comments by 12:00 p.m. on the day of the Planning Commission meeting. You may also contact the Planning Department at (562) 868-0511 ext. 7550.

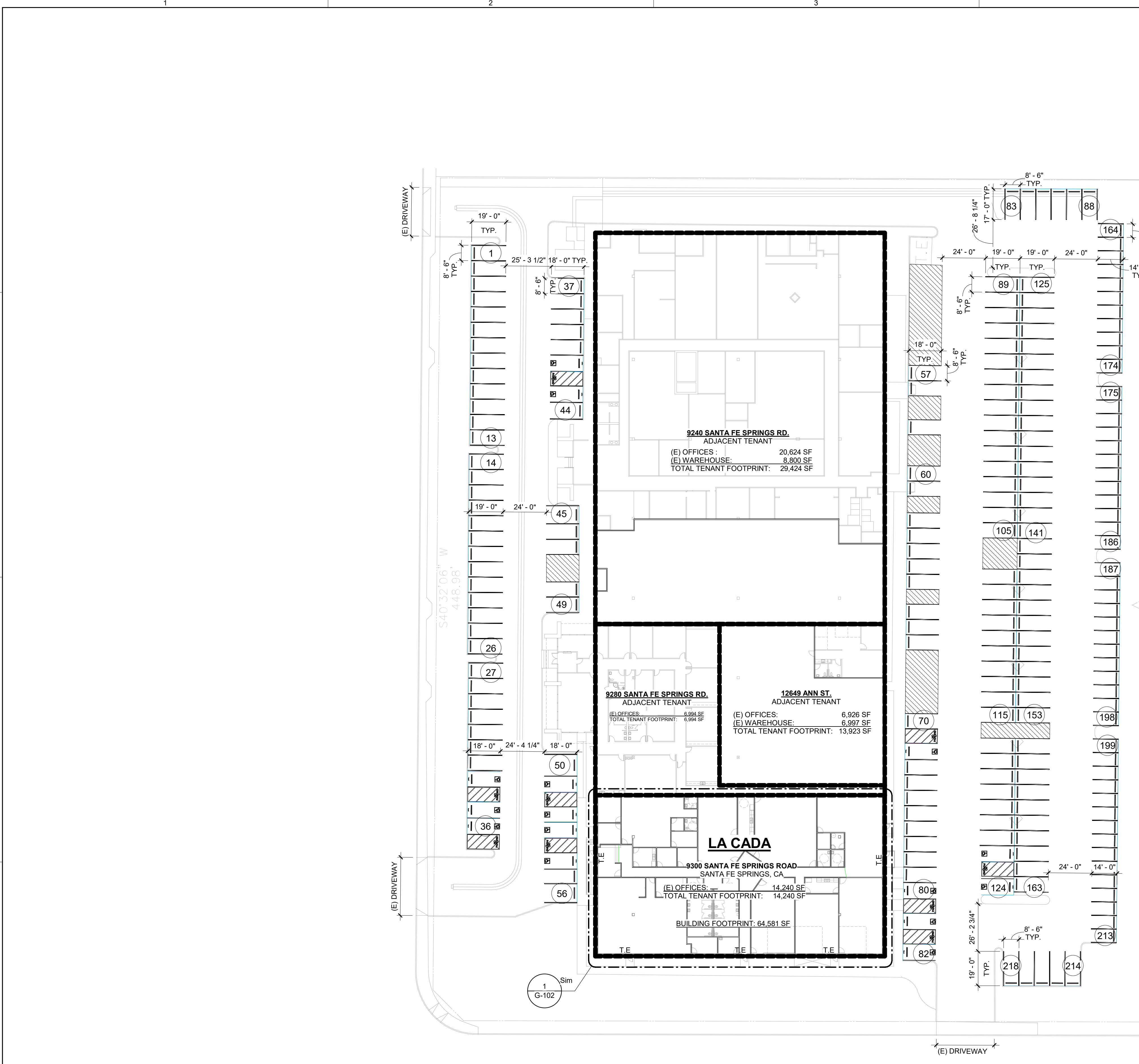
FURTHER INFORMATION on this item may be obtained from Claudia Jimenez, Assistant Planner, via e-mail at: claudiajimenez@santafesprings.org or otherwise by phone at: (562) 868-0511 ext. 7356.

Attachment C:
Radius Map for Public Hearing



Attachment D:
Site Plan

8/22/2023 11:29:28 AM
ALL IDEAS, DESIGNS AND ARRANGEMENTS INDICATED ON THESE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND ARE TO BE USED IN CONNECTION WITH THIS SPECIFIC PROJECT AND SHALL NOT BE USED OTHERWISE WITHOUT THE EXPRESSED CONSENT OF THE ARCHITECT. THERE SHALL BE NO CHANGES OR DEVIATION FROM THE DRAWINGS OR ACCOMPANYING SPECIFICATION WITHOUT THE EXPRESSED CONSENT OF THE ARCHITECT.

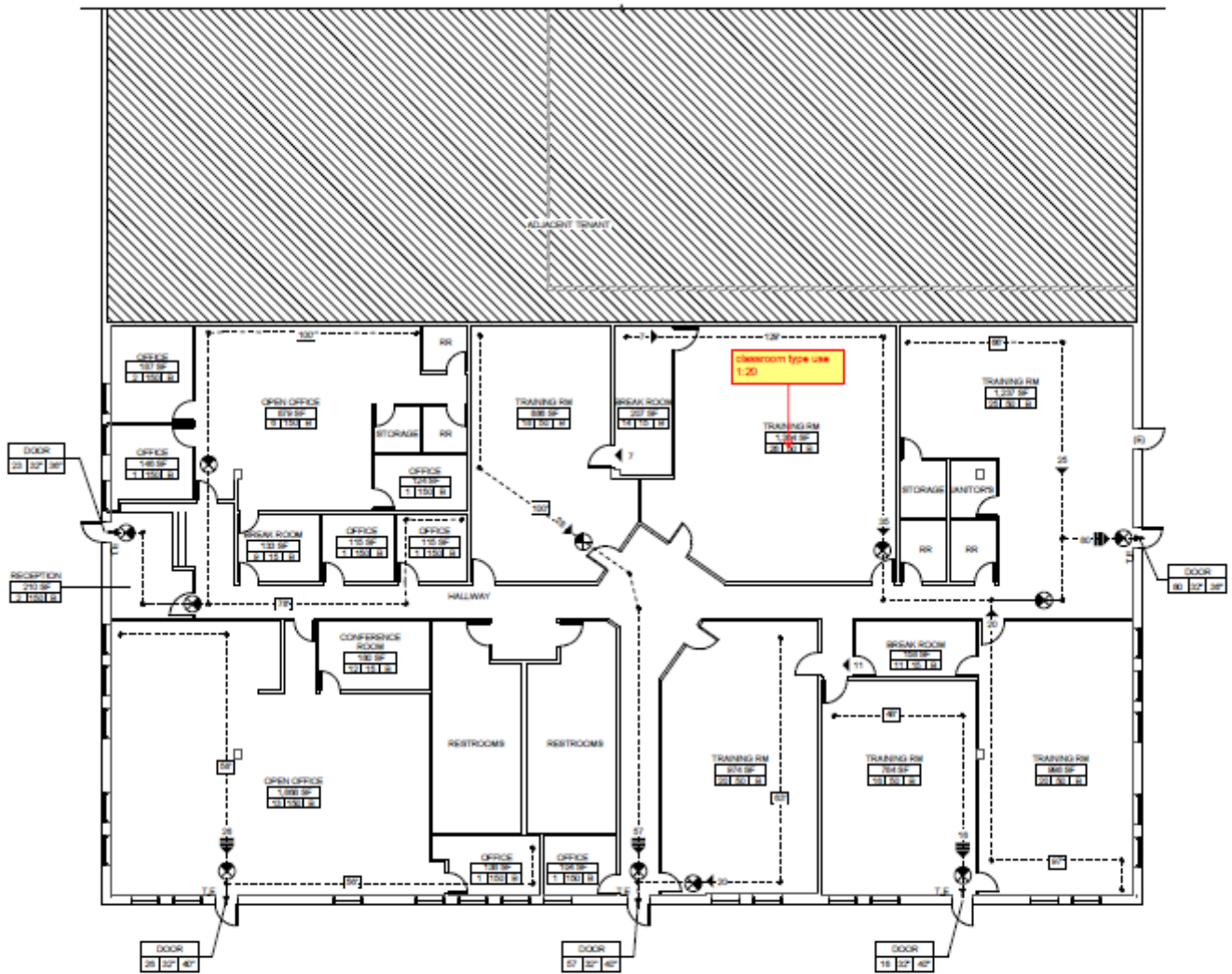


TENANT SQUARE FOOTAGES:	
9240 SANTA FE SPRINGS RD. OFFICE: WAREHOUSE:	20,624 SF 8,800 SF
9280 SANTA FE SPRINGS RD. OFFICE:	6,994 SF
12649 ANN ST. OFFICE: WAREHOUSE:	6,926 SF 6,997 SF
9300 SANTA FE SPRINGS RD. OFFICE:	14,240 SF
TOTALS: OFFICE: WAREHOUSE: TOTAL BUILDING FOOTPRINT:	48,784 SF 15,797 SF 64,581 SF

PARKING CALCULATION: CITY OF SANTA FE SPRINGS SECTION :155.481	
PARKING CODE: PROFESSIONAL OFFICES: WAREHOUSE: 0-20,000:	1:300 SF OR 1 FOR 2 EMPLOYEE 1:500 SF
9240 SANTA FE SPRINGS RD. (E) OFFICES: (E) WAREHOUSE:	20,624 / 300 = 69 8,800 / 500 = 18
9280 SANTA FE SPRINGS RD. (E) OFFICES:	6,994 / 300 = 24
12649 ANN ST. (E) OFFICES: (E) WAREHOUSE:	6,926 / 300 = 23 6,997 / 500 = 14
9300 SANTA FE SPRINGS RD. (E) OFFICES:	14,240 / 300 = 48
TOTAL REQUIRED PARKING:	= 196
PARKING PROVIDED:	= 218

REQUIRED ADA PARKING:	
CAR STALLS:	5
VAN STALLS:	2
TOTAL ADA STALLS REQUIRED:	7
PROVIDED ADA PARKING:	
CAR STALLS:	1
VAN STALLS:	14
TOTAL ADA STALLS PROVIDED:	15

Attachment E:
Floor Plan



Attachment F:
CEQA Notice of Exemption

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific: _____

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project: _____

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Section 15301, Existing Facilities
- ☐

Reasons why project is exempt: _____

Lead Agency _____

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____  _____ Date: 9.6.2023 Title: Assistant Planner

Signed by Lead Agency

Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Attachment G:
Resolution No. 249-2023
Exhibit A - Conditions of
Approval

**CITY OF SANTA FE SPRINGS
PLANNING COMMISSION**

RESOLUTION NO. 249-2023

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
SANTA FE SPRINGS, APPROVING CONDITIONAL USE PERMIT CASE
NO. 838 TO ALLOW AN OUTPATIENT COUNSELING AND
SUBSTANCE USE DISORDER (SUD) TREATMENT CENTER AT 9300
SANTA FE SPRINGS ROAD, AND ADOPTING A NOTICE OF
EXEMPTION UNDER CEQA SECTION 15301 (EXISTING FACILITIES)
(LA CADA)**

WHEREAS, A Conditional Use Permit (“CUP”) (Case No. 838) application has been received and accepted; and

WHEREAS, the CUP would allow an outpatient counseling and substance use disorder (SUD) treatment center at the property located at 9300 Santa Fe Springs Road, (“Project Site”); and

WHEREAS, The Project Site is located on the east side of Santa Fe Springs Road, with an Assessor’s Parcel Number of 8167-037-019, as shown in the latest rolls of the Los Angeles County Office of the Assessor; and

WHEREAS, on May 2, 2023, the Los Angeles Center for Alcohol and Drug Abuse (LA CADA), Inc. (“Applicant”), filed a CUP application (Case No. 838) to allow an outpatient counseling and substance use disorder (SUD) treatment center at the Project Site (“Project”); and

WHEREAS, per Section 155.243 (L) of the City’s Zoning Ordinance, approval of a CUP by the Planning Commission is required for the establishment, operation, and maintenance of the proposed outpatient and substance use disorder (SUD) treatment center; and

WHEREAS, the CUP (Case No. 838) is considered a “project” as defined by the California Environmental Quality Act (“CEQA”), Article 20, Section 15378 (a); and

WHEREAS, the Project is Categorically Exempt per CEQA Section 15301, Class 1 (Existing Facilities) because there will be no expansion of the interior or exterior footprint of the existing facility; and

WHEREAS, on August 31, 2023, the City of Santa Fe Springs Planning and Development Department published a legal notice in the *Whitter Daily News*, a local paper of general circulation, indicating the date and time of the public hearing; and

WHEREAS, on August 31, 2023, the legal notice was also sent by first class mail to all property owners whose names and addresses appear on the latest County

Assessor's Roll within 500 feet of the exterior boundaries of the Project Site. It was also posted in Santa Fe Springs City Hall, the City's Town Center kiosk, and the City's Library on August 31, 2023; and

WHEREAS, on September 11, 2023, the City of Santa Fe Springs Planning Commission conducted a duly noticed public hearing and considered public testimony concerning the CUP application; and

WHEREAS, the City of Santa Fe Springs Planning Commission has considered the application, the written and oral staff report, the General Plan and zoning of the Project Site, the testimony, written comments, or other materials presented at the Planning Commission Meeting on September 11, 2023, concerning the CUP application.

NOW, THEREFORE, the Planning Commission of the City of Santa Fe Springs hereby finds, declares, and resolves as follows:

SECTION I: RECITALS

Based on staff presentations, testimony, and all other evidence presented to the Planning Commission during the noticed public hearing of this matter, the Planning Commission hereby finds and declares that the foregoing recitals are true and correct, and expressly incorporates them as substantive findings into this Resolution.

SECTION II. ENVIRONMENTAL FINDINGS AND DETERMINATION

The proposed use is considered a "project" under the California Environmental Quality Act (CEQA); and as a result, the Project is subject to the City's environmental review process. The Project, however, is Categorically Exempt per Section 15301, Class 1 (Existing Facilities).

Section 15301, Class 1 (Existing Facilities) consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alternation of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The Applicant is not proposing to alter the interior or exterior of the existing building. Additionally, the Project will not result in any significant noise, air quality or, water quality impacts. Lastly, the Project Site is not listed on the Hazardous Waste and Substance Site List (Cortese List) as set forth in Government Code Section 65962.5 and is not identified on the EPA's database (Environfacts)

SECTION III. CONDITIONAL USE PERMIT FINDINGS

Pursuant to Section 155.716 of the City's Zoning Ordinance, the Planning Commission has made the following findings:

- (A) Satisfy itself that the proposed use will not be detrimental to persons or property in the immediate vicinity, and will not adversely, affect the city in general.

The Project is located within the M-2, Heavy Manufacturing, Zone and has a General Plan land use designation of Industrial. All adjacent properties are also zoned M-2, Heavy Manufacturing. Such zoning designation is designed for industrial, office, and research activities, which are less likely to have high levels of pedestrian or vehicular traffic. Additionally, the nearest school is St. Paul High School, located approximately 1,000 feet southeast of the Project Site. The nearest residential land uses are located approximately 1,350 feet southeast of the Project Site and are outside the City's limits, within the Unincorporated Los Angeles County jurisdiction. As such, provided that the subject CUP is approved, the Project is consistent with the current zoning and land use designation. Consistency with the City's General Plan is analyzed in Table 1 on the following page.

Table 1: General Plan Consistency Analysis

General Plan Element	Policy	Project Consistency
Land Use	Policy LU-2.2- Expanding Industrial Base. Encourage new industries to locate and established businesses to remain in the City and when considering proposed expansion of existing industries:	LA CADA plans to expand its operation to include additional services to serve the increasing need for substance use and mental health treatment in the surrounding area. The outpatient counseling and substance use disorder (SUD) treatment center is within the M-2 (Heavy- Manufacturing) zone. The use requires a certain level of privacy and confidentiality, which can be achieved by locating the services within an industrial zone. Additionally, the SUD treatment center will help diversify the uses within the industrial zone.
Economic Development	Policy ED-1.2 Economic Diversity. Support a diversified economy with a balance of small and large businesses across a broad range of industries that provide employment, commercial, and experiential opportunities	LACADA will be utilizing a large office building within the City of Santa Fe Springs to provide its services to the community. Additionally, LACADA will hire a team of professionals who will work together to create plans for the clients.

The primary concerns related to the Project are described below.

- Since the Project Site is developed with a multi-tenant industrial building, a parking study was completed as part of the application materials to analyze the comprehensive parking demand of all tenants. Upon review of the study, staff determined the Project Site accommodates the parking demand associated with the Project.
- There is sufficient parking to accommodate the new operation and the existing multi-tenant building. While the parking study identifies 196 required parking stalls, the Project Site provides 218 and therefore, exceeds the minimum requirements. Since the Applicant is not proposing to increase the building area or expand the existing office area beyond 15% of the total building area, the proposed use does not create a higher parking demand. As such, the operation will continue to meet the City's parking requirements.
- The Project is non-residential, meaning; the patients will receive medical care without staying overnight. The treatment center will provide a comprehensive and evidence-based approach to addiction treatment, which includes individual and group counseling, therapy, medication-assisted treatment, and other supportive services, all done by appointment only. The program will be designed to meet the specific needs of individuals struggling with SUD including those with co-occurring mental health conditions.
- As previously mentioned the nearest school is St. Paul High School, located approximately 1,000 feet southeast of the Project Site, and the nearest residential land uses are located approximately 1,350 feet southeast of the Project Site.
- As a safety measure, surveillance cameras will be installed throughout the site and monitored by staff.
- The services provided will add value to the community by helping to rehabilitate individuals with substance abuse disorders and indirectly reducing the potential for accidents and crime.

Therefore, if the Project conducts its operation in strict compliance with the conditions of approval as well as the City's Zoning Ordinance, the Planning Commission finds that the Project will be harmonious with adjoining properties and surrounding uses in the area and, therefore, will not be detrimental to persons or property in the immediate vicinity.

- (B) Give due consideration to the appearance of any proposed structure and may require revised architectural treatment if deemed necessary to preserve the

general appearance and welfare of the community.

The Project will operate completely within the interior of the building. This not only helps control noise, it also ensures that there are not any unsightly activities on-site. As mentioned previously, there are no exterior modifications to the existing building or parking area proposed. The Planning Commission, therefore, finds that the Project will continue to preserve the general appearance and welfare of the community.

SECTION III. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts Resolution No. 249-2023 to determine that the Project is Categorically Exempt per CEQA Section 15301, Class 1 (Existing Facilities), and to approve CUP Case No. 838 for an outpatient counseling and substance use disorder (SUD) treatment center, on the Project Site, subject to conditions attached hereto as Exhibit A.

PASSED AND ADOPTED this 11th day of September 2023 by the Planning Commission.

AYES:

NOES:

ABSENT:

Francis Carbajal, Chairperson

ATTEST:

Teresa Cavallo, Planning Secretary

CONDITIONS OF APPROVAL

**Conditional Use Permit Case No. 838
9300 Santa Fe Springs Road
LA Center for Alcohol and Drug Abuse (LA CADA)**

DEPARTMENT OF FIRE-RESCUE – (FIRE PREVENTION DIVISION):

(Contact: Kevin Yang 562.868.0511 x 3811)

1. That interior gates or fences are not permitted across required access roadways unless otherwise granted prior approval by the Santa Fe Springs Department of Fire-Rescue.
2. Prior to issuance of a Certificate of Occupancy or Building Final, a “Knox Box Rapid Entry System” shall be provided. The Knox Box shall be installed in an accessible location approved by the Fire Code Official. Electric powered gates shall be provided with Knox key switches for access by emergency personnel. Where manual operated gates are permitted, they shall be provided with a Knox box or Knox padlock.

DEPARTMENT OF FIRE – RESCUE (ENVIRONMENTAL DIVISION)

(Contact: Eric Scott 562.868.0511 x 3812)

3. Permits and approvals. That the applicant shall, at its own expense, secure or cause to be secured any and all permits or other approvals which may be required by the City and any other governmental agency prior to conducting environmental assessment or remediation on the property. Permits shall be secured prior to beginning work related to the permitted activity.
4. That the applicant shall comply with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, California Fire Code, Certified Unified Program Agency (CUPA) programs, the Air Quality Management District’s Rules and Regulations and all other applicable codes and regulations

POLICE SERVICES DEPARTMENT:

(Luis Collazo: 562.409.1850 x 3335)

5. 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 (Whittier Police Department 562-567-9240). 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.

6. The buildings, 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.
7. All parking stalls and/or designated parking areas shall be constantly available to all employees and visitors during their business hours. Parking Stalls shall not be sectioned off for reserved or preferred parking.

WASTE MANAGEMENT:

(Contact: Maribel Garcia 562.409.7569)

8. 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.
9. All projects are subject to the requirements of Chapter 50 to reuse or recycle 75% of the project waste. For more information, please contact the City's Environmental Consultant, MuniEnvironmental at (562) 432-3700.
10. The applicant shall comply with Public Resource Code, Section 42900 et seq. (California Solid Waste Reuse and Recycling Access Act of 1991) as amended, which requires each development project to provide adequate storage area for the collection/storage and removal of recyclable and green waste materials.

PLANNING AND DEVELOPMENT DEPARTMENT:

(Contact: Claudia L. Jimenez 562.868-0511 x7356)

11. This approval allows the applicant, LA CADA, to establish, operate and maintain an outpatient-counseling and substance use disorder (SUD) treatment center, located at 9300 Santa Fe Springs Road, Unit B. (APN: 8167-037-019).
12. That the applicant shall not house patients or staff, nor provide any beds on site for overnight use.
13. That the applicant shall ensure that all appropriate licenses and/or permits that are required to operate an outpatient-counseling and substance abuse recovery treatment center be obtained and kept valid while said uses are in operation.

14. In the event noise levels outside of the applicant's premises are found to exceed permissible levels per City Code, applicant shall work with planning staff to come up with a solution to immediately mitigate noise issues
15. That all activities shall occur inside the building(s). No portion of the required off-street parking and driveway areas shall be used for outdoor storage of any type or for special-event activities, unless prior written approval is obtained from the Director of Planning and Development, Director of Police Services and the Fire Marshall.
16. That all vehicles associated with the businesses on the subject property shall be parked on the subject site at all times. Off-site parking is not permitted and would result in the restriction or revocation of privileges granted under this Permit. In addition, any vehicles associated with the property shall not obstruct or impede any traffic.
17. The hours of operation shall be between 7:00 am and 8:30 pm (Monday through Friday) and Saturday 8:00 am to 5:00 pm. Any modification to the hours of operation shall be subject to review and approval of the Director of Planning or his/her designee.
18. All instruction, training and practices shall be conducted completely indoors at all times.
19. That the subject property and uses shall continuously be maintained in a neat and orderly manner.
20. The applicant shall obtain all necessary Building Permits and related approvals from the Building, Planning and Fire-Rescue Department for the proposed improvements.
21. All fences, walls, gates and similar improvements for the proposed development shall be subject to the prior approval of the Department of Fire-Rescue and the Department of Planning and Development.
22. The Department of Planning and Development shall first review and approve all 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 11" x 17" 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.
23. 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 on the City's website (<https://santafesprings.hdlgov.com>).

24. Applicant shall require and verify that all contractors and sub-contractors have successfully obtained a Business License with the City of Santa Fe Springs prior to beginning any work associated with the subject project. A late fee and penalty will be assessed to any contractor or sub-contractor that fails to obtain a Business License and a Building Permit final or Certificate of Occupancy will not be issued until all fees and penalties are paid in full. Please contact the Finance Department at (562) 868-0511, extension 7520 for additional information. A business license application can also be downloaded at <https://santafesprings.hdlgov.com>
25. The subject property shall not be subleased, sold or otherwise assigned for use by any other entity other than the applicant on file without prior written approval by the Director of Planning.
26. All other requirements of the City's Zoning Ordinance, 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.
27. That CUP Case No. 838 shall be subject to a compliance review after one (1) year, on or before **September 11, 2024**. Approximately three (3) months before, **September 11, 2024** the applicant shall request, in writing, an extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with the conditions of approval as stated within the staff report.
28. That the applicant shall submit a \$75 check made out to "L.A. County Registrar-Recorder/County Clerk" to the Planning Department to file a Categorical Exemption from California Environmental Quality Act prior to or within two (2) days of Planning Commission approval.
29. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. In addition, the applicant shall reimburse the City, its officials, officers,

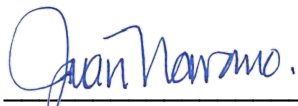
employees, agents, departments, agencies, for any Court costs and attorney's fees which the City, its agents, officers, or employees may be required by a court to pay as a result of such action. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any such claim, action or proceeding, and shall cooperate fully in the defense thereof.

30. That the applicant understands and agrees that this approval is subject to modification or revocation as set forth in the Santa Fe Springs Municipal Code. Grounds for modification or revocation include, but are not limited to, Applicant's failure to comply with any condition of approval contained herein.
31. That the applicant understands and agrees that if any term or condition of this approval is determined in whole or in part to be invalid or unenforceable, such determination shall not affect the validity or enforceability of any other term or condition contained herein.
32. That the applicant understands if changes to the original plans (submitted and on file with the subject case) are required during construction, revised plans must be provided to the planning department for review and approval prior to the implementation of such changes. Please note that certain changes may also require approvals from other departments.

I have read, understand, and accept, and comply with the above listed Conditions of Approval, I further state that I am the owner, or authorized agent of the property involved in Conditional Use Permit Case No. 838

Juan Navarro

Name of Applicant



Signature

Chief Executive Officer

Title (If any)

Los Angeles Centers for Alcohol and Drug Abuse

Company Name (If any)

08/24/2023

Date



CITY OF SANTA FE SPRINGS

PLANNING COMMISSION AGENDA STAFF REPORT

TO: Members of the Planning Commission

FROM: Wayne Morrell, Director of Planning

BY: Alejandro De Loera, Contract Planner

SUBJECT: PUBLIC HEARING – ZONE DETERMINATION (“ZD”) CASE NO. 2023-01 – TO DETERMINE THAT A BATTERY ENERGY STORAGE SYSTEM WITH DIRECT CONNECTION TO A PUBLIC UTILITY GRID IS A SIMILAR AND COMPATIBLE USE WITH OTHER SIMILARLY PRINCIPALLY PERMITTED USES LISTED IN THE M-L, LIMITED MANUFACTURING, ZONE, AND ADOPTING A NOTICE OF EXEMPTION UNDER CEQA SECTION 15061(B)(3) (COMMON SENSE EXEMPTION). (GRIDSTOR LLC)

DATE: September 11, 2023

RECOMMENDATION(S):

It is recommended that the Planning Commission:

- 1) Open the public hearing, receive public testimony from anyone in the audience or on Zoom wishing to speak, thereafter continue this matter to the next regularly scheduled Planning Commission meeting on October 09, 2023.

FISCAL IMPACT:

N/A

BACKGROUND:

On July 24, 2023, GridStor LLC (the “Applicant”) submitted a request for a Zone Determination (“ZD”) for the Planning Commission to review and determine that a battery energy storage system with direct connection to a public utility grid is a similar and compatible use with other similarly principally permitted uses listed in the M-L, Limited Manufacturing, Zone (“Project”).

On September 7, 2023, a comment letter (Attachment A) from Bridgeland Resources LLC, in opposition of the Project, was received by city staff.

On September 8, 2023, the Applicant submitted a request (Attachment B) to defer the Planning Commission's consideration of the Project to the next regularly scheduled Planning Commission meeting on October 9, 2023.

ANALYSIS:

N/A

ENVIRONMENTAL

N/A

DISCUSSION:

At the request of the Applicant, staff is recommending a continuance of the subject Zone Determination to the next regularly held Planning Commission meeting on October 9, 2023. A continuance will provide the Staff and the Applicant time to properly respond to or otherwise conduct additional research necessary to address any concerns raised within Attachment A before they are provided to the Planning Commission for consideration.

SUMMARY

Public Notification

This matter was set for Public Hearing in accordance with the requirements of Sections 65090 through 65096 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 for the proposed project was sent by first class mail to all property owners whose names and addresses appear on the latest County Assessor's Roll within 500 feet of the exterior boundaries of the subject property on August 31, 2023. The legal notice was also posted at City Hall and the City's Town Center kiosk on August 31, 2023. Said notice was also published in a newspaper of general circulation (Whittier Daily News) on August 31, 2023 as required by the State Zoning and Development Laws and by the City's Zoning Ordinance.

Since the subject ZD was duly noticed, if any members of the public would like to provide a comment, it is recommended that the Planning Commission open the public hearing and receive the public comments. After hearing all public comments, the Commission should then take action on the subject ZD.

ATTACHMENT(S):

1. Attachment A – Comment Letter received on September 7, 2023
2. Attachment B – Request from applicant to continue the matter.

<u>ITEM STATUS:</u>	
APPROVED:	☐
DENIED:	☐
TABLED:	☐
DIRECTION GIVEN:	☐

September 7, 2023

VIA E-MAIL

Santa Fe Springs Planning Commission
11710 E. Telegraph Road
Santa Fe Springs, CA 90670

Re: Proposed Battery Storage Use in M-2 Zone, Zoning Determination Case No. 2023-01.

Dear Commissioners:

Our client, Bridgeland Resources LLC (“**Bridgeland**”), owns a number of properties throughout Santa Fe Springs (“**City**”) and has surface and subsurface rights for oil extraction activities on a number of others. Applicant GridStor, LLC (“**GridStor**”) requests a Zoning Determination in order to establish that a “battery energy storage system” constitutes a principally permitted use in the M-2 zone.

This request should be denied. As explained below, battery storage uses are not similar to the other principally permitted uses in the M-2 zone, nor are they compatible with them. Among other issues, battery storage uses create a unique and well-documented hazard that includes the risk of fires, toxic gas releases, and explosions. Accordingly, the findings to approve the Zoning Determination cannot be made. While the City should prohibit battery storage uses in the M-2 zone altogether, at minimum, the City should not authorize battery storage uses by right. Instead, if the City determines that battery storage uses should be allowed anywhere in the M-2 zone, then the City should, at the very least, require a conditional use permit (“**CUP**”) to ensure that battery storage uses remain safe, suitably located, and appropriately conditioned to protect the community.

The background behind this particular request brings this issue into focus: GridStor is pursuing a ground lease to construct a 90-megawatt lithium-ion battery energy storage system (“**Project**”) on an approximately 9.3-acre site located at 10051 Romandel Avenue (“**Romandel Site**”). The Project would surround Bridgeland’s adjacent property on three sides. More concerning, GridStor proposes siting battery facilities directly on top of portions of the Romandel Site on which Bridgeland has surface rights for future oil extraction. If constructed, the Project will both endanger Bridgeland’s existing operations and interfere with Bridgeland’s surface rights. The City would likely miss these issues if the City authorizes battery storage uses by right. Thus, even if the Commission feels that some battery storage should be allowed in the M-2 zone, the

5168865.3

City should require a CUP to avoid the very issues presented by the type of project that GridStor currently envisions.

I. The City Must Deny the Zoning Determination Because Battery Storage Uses Remain Dissimilar and Incompatible With Other Principally Permitted Uses in the M-2 Zone.

Section 155.241 of the Zoning Ordinance sets forth the principally permitted uses authorized in the M-2 zone. This section does not list electric battery storage. *Id.* However, the City may authorize “similar uses which the Commission, after study and deliberation, finds not to be inconsistent with the purpose of this section, and which would be similar to the uses listed as permitted uses and would be compatible to those uses.” Santa Fe Springs Code of Ordinances (“SFSMC”) § 155.241(Y).

The Commission cannot make these findings. Battery storage uses are not similar to the other principally permitted uses in the M-2 zone. Notably, the code fails to list any other energy storage-type use as a principally permitted or even conditionally permitted use. At best, the code allows “public utility service yards.” *See* SFSMC § 155.241(X). The code defines this to mean “buildings or premises used for the office, warehouse, storage yard or maintenance of a public utility....” SFSMC § 155.003. In practical terms, this means maintenance, repair, and distribution yards for utility vehicles and utility equipment. Under any credible reading, this does not refer to active, operating, industrial-scale utility equipment, much less energy-storage. Put simply, no similar use exists.

More importantly, battery storage uses remain incompatible with and dissimilar from other principally permitted uses in the M-2 zone because they present unique and undeniable hazards, including the risk of fires, explosions, and the release of toxic gases. The Federal Emergency Management Agency (“FEMA”) states that the “lithium cells in [battery storage projects] can experience thermal runaway which causes them to release very hot flammable, toxic gases. In large storage systems, failure of one lithium cell can cascade to include hundreds of individual cells. The hot flammable gases can result in an explosion, or a very difficult to extinguish fire.” *Emerging Hazards of Battery Energy System Fires*, FEMA, October 27, 2020 (available at: <https://www.fema.gov/case-study/emerging-hazards-battery-energy-storage-system-fires>).

Various scientific and trade publications agree. A recent American Chemical Society publication, for instance, states that “[l]ithium ion batteries are prone to overheating, swelling, electrolyte leakage venting, fires, smoke, and explosions in worst-cases scenarios involving thermal runaway.... [T]he gases produced as a result of a fire, smoke, and/or thermal runaway can accumulate to a combustible level in the installation location and cause an explosion

(detonation).” *Battery Hazards for Large Energy Storage Systems*, ACS Energy Letters 2022 7 (8), 2725-2733, p. 2726.

This risk is not theoretical. Consider the following news articles detailing recent battery storage fires and fire-related injuries in California, Arizona, and New York, among others:

- ***Recent California Energy Storage Battery Fire Draws Renewed Attention to Storage Safety Issues***, American Public Power Association, October 17, 2022 (available at: <https://www.publicpower.org/periodical/article/recent-california-energy-storage-battery-fire-draws-renewed-attention-storage-safety-issues>).
- ***Tesla Grid Battery Fire Shows Young Industry’s Failures and Successes***, Canary Media, September 28, 2022 (available at: <https://www.canarymedia.com/articles/energy-storage/tesla-grid-battery-fire-shows-young-industrys-failures-and-successes>).
- ***Four Firefighters Injured in Lithium-Ion Battery Energy Storage System Explosion—Arizona***, Fire Safety Research Institute, July 29, 2020 (available at: <https://fsri.org/research-update/report-four-firefighters-injured-lithium-ion-battery-energy-storage-system>).
- ***Fire Smolders at Chandler Battery Storage Facility Nearly Two Weeks Later***, Arizona Family, April 29, 2022 (available at: <https://www.azfamily.com/2022/04/30/fire-smolders-chandler-battery-storage-facility-nearly-two-weeks-later/>).
- ***Burning Concern: Energy Storage Industry Battles Battery Fires***, S&P Global Market Intelligence, May 24, 2019 (available at: <https://www.spglobal.com/marketintelligence/en/news-insights/latest-news-headlines/burning-concern-energy-storage-industry-battles-battery-fires-51900636>).
- ***Fires at New York Battery Energy Storage System Facilities Ignite State Response***, JDSupra, August 14, 2023 (available at: <https://www.jdsupra.com/legalnews/fires-at-new-york-battery-energy-2554545/>).
- ***New York Creates Battery Storage Fire Safety Working Group Following Multiple Fires***, Power Engineering, August 29, 2023 (available at:

<https://www.power-eng.com/energy-storage/batteries/new-york-creates-battery-storage-fire-safety-working-group-following-multiple-fires/#gref>).

Given these distinct risks, the City cannot find that battery storage uses are “similar to the uses listed as permitted uses and ... compatible to those uses.” As such, it cannot permit them by right.

II. At Minimum, Battery Storage Uses Should Require a Conditional Use Permit.

As discussed in the previous section, battery storage uses present unique risks, including the risk of fire, explosion, and the expulsion of toxic gases. For these reasons, the City should prohibit battery storage uses in the M-2 zone. However, if the City believes that some battery storage uses should be allowed in the M-2 zone, such use that should ***not*** be permitted by right. At minimum, the City should require a CUP for battery storage uses in the M-2 zone.

The City already requires various potentially hazardous uses to obtain a CUP, including the manufacture of chlorine and other chemicals (*see* SFSMC § 155.243(A)(1-31), the storage of large quantities of oil, flammable gases, or flammable liquids (*see* SFSMC § 155.243(B)(1), (3)), the storage of explosives or black powder (SFSMC § 155.243(B)(5)), and petroleum refining (SFSMC § 155.243(F)(1)). In fact, the City also requires a CUP in the M-2 zone for a variety of mostly benign activities, such as ambulance services (SFSMC § 155.243(J)(1), dog kennels (SFSMC § 155.243(J)(11), and motorcycle sales (SFSMC § 155.243(J)(16)). High-risk battery storage should not escape the same scrutiny.

This result makes sense: while a development plan approval (“**DPA**”) gives the Commission some discretion over a proposed project, a DPA limits the Commission’s ability to reject or condition that project based on the proposal use itself. Conditional use permits, by contrast, explicitly require the Commission to determine whether the use would “be detrimental to persons or property in the immediate vicinity” or would “adversely affect the city in general.” SFSMC § 155.716. And conditional use permits specifically allow the Commission to condition the project to ensure “proper integration of the [use] into the community, which may only be suitable in specific locations....” SFSMC § 155.711; *see also* SFSMC § 155.718 (allowing for conditions of approval). Given the clear risks presented by battery storage uses, the City should require a CUP in order to ensure that any proposed battery storage project will be safe, suitably located, and appropriately conditioned to protect the community.

Unfortunately, allowing battery storage uses by CUP is a legislative task for the City Council, not the Commission. While the Commission can allow additional conditionally-permitted uses in the M-2 zone, the code specifically limits this ability to “commercial and service type

uses.” SFSMC § 155.243(K). Because battery storage uses constitute an obvious heavy industrial use, not a commercial or service type use (e.g., bank, department store, office, supermarket, restaurant, etc.), the Commission does not have the authority to allow it as a conditionally-permitted use through this or any other Zoning Determination. Instead, GridStor must seek a text amendment or similar legislative change to the municipal code in an ordinance adopted by the City Council.

III. GridStor’s Proposed Project Highlights the Risk of Allowing Battery Storage Uses.

In addition to the inherent risks associated with battery storage uses discussed above, including the risk of fire, explosion, and the expulsion of toxic gases, there are additional unique risks presented by the GridStor’s proposed project at the Romandel Site. In this regard, the Project’s proposed location surrounds an adjacent parcel which Bridgeland owns and utilizes for oil production operations and facilities (APN 8011-007-040), including an idle oil well and an active waterflood injector well. Moreover, Bridgeland serves as the “unit operator” for numerous oil production facilities in the vicinity of the Romandel Site and operates these facilities pursuant to, among other things, that certain *Unit Agreement* recorded on May 23, 1969, as Instrument No. 6933200 in the Official Records of Los Angeles County (the “**Unit Agreement**”). Pursuant to the Unit Agreement and Bridgeland’s role as unit operator, Bridgeland holds certain rights to use portions of the surface of the Romandel Site and other lands in the vicinity for oil production operations and facilities.

The Romandel Site’s extremely close proximity to Bridgeland’s oil operations and facilities not only increases the inherent risks associated with battery storage uses but also adds additional risks to Bridgeland’s oil operations. A fire, explosion, or expulsion of toxic gas at the Project could cause additional fires or dangers at Bridgeland’s oil facilities. Although Bridgeland takes all precautions in operating its oil facilities, and although oil and gas operations are dramatically less risky than battery storage uses, oil and gas operations nevertheless present their own risks; and these should not be compounded by locating a battery storage use at the Romandel Site.

In addition to Bridgeland’s existing operations and facilities, pursuant to the Unit Agreement and Bridgeland’s role as unit operator, Bridgeland holds rights that allow it to expand its oil production operations and construct new facilities on the Bridgeland-owned parcel, the Romandel Site, and other lands in the vicinity. Should Bridgeland choose to exercise these rights, the Project’s associated risks would be increased even further by close proximity to additional oil operations and facilities. For example, Bridgeland may redrill or rework the existing idle oil well so that it actively produces oil. Moreover, the Project would significantly impede and interfere

with Bridgeland's rights to use portions of the surface of the Romandel Site for oil operations and facilities. Consequently, the Project could increase the danger associated with Bridgeland's oil operations in the event use of portions of the Romandel Site becomes necessary.

In light of the above, Gridstor's proposed Project highlights the risk of allowing battery storage use in the M-2 zone. Given the unique danger battery storage uses present, which is only worsened by the Project's close proximity to longstanding oil production operations and facilities, the City should not allow battery storage uses in the M-2 zone.

IV. Conclusion

Battery storage uses are not like other principally permitted uses in the M-2 zone. Not only do they not resemble any other principally permitted use, they are distinctively dangerous and unsafe. For the reasons discussed herein, the Commission should not allow battery storage uses in the M-2 zone at all, much less by right. If the City nevertheless believes that battery storage uses may be appropriate, a CUP should be required. If so, the applicant must seek a text amendment to allow battery storage as a conditionally permitted use in the M-2 zone.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'ERNEST J. GUADIANA', with a long horizontal stroke extending to the right.

ERNEST J. GUADIANA
Elkins Kalt Weintraub Reuben Gartside LLP

EJG:jdm

Hi Alejandro,

We wanted to express our gratitude for sharing the Comment Letter with us. Considering the concerns raised by our neighboring landowner, we believe it is important to take the time to address these issues and work towards a mutually agreeable resolution. To allow for this process, we kindly request to defer our agenda item to a future meeting.

Additionally, we would appreciate a call with you, Coung, and Wayne today to discuss the letter in more detail. Please let us know your availability.

Thank you for your understanding, and we look forward to our call today.

Thank you,
Matrell Everett



Matrell Everett
Development Manager
[GridStor, LLC](https://www.gridstor.com) | 909-495-7588
matrell.everett@gridstor.com





CITY OF SANTA FE SPRINGS

PLANNING COMMISSION AGENDA STAFF REPORT

TO: Honorable Chairperson and Planning Commission Members

FROM: Wayne Morrell, Director of Planning

BY: Yvette Kirrin, Interim Director of Public Works

SUBJECT: PARKWAY TREE REMOVAL APPEAL DECISION - RESIDENT REQUEST FOR REMOVAL OF PARKWAY TREE AT 10318 HARVEST AVENUE

DATE: September 11, 2023

RECOMMENDATION:

It is recommended that the Planning Commission:

1. 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 10318 Harvest Avenue; and
2. Deny the property owner at 10318 Harvest Avenue a permit to remove the parkway tree at his or her own expense.

FISCAL IMPACT

None.

BACKGROUND

On January 13, 2000, the City Council approved a procedure and policy for residents to request the removal of parkway trees in front of their homes. The City will remove parkway trees that meet one or more of the following criteria under the current policy:

The tree must be dead, dying, diseased, damaged beyond restoration, damaging certain structures, or non-conforming with the current City approved Parkway Tree Planting Master Plan.

Parkway Tree Removal Appeal Decision - Resident Request for Removal of Parkway Tree at 10318 Harvest Avenue

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Trees that are determined not meeting the aforementioned criteria may be removed at the resident's expense, only if the resident is granted a Parkway Tree Removal Permit. Per the adopted Parkway Tree Removal Policy, the Director of Public Works (Director) has been designated with the authority to determine whether or not particular parkway trees meet the City's tree removal criteria. If the Director determines that a tree does not meet the removal criteria, the property owner has fifteen (15) days to file an appeal of the Director's decision to the Planning Commission.

In this case, Ray Ishii residing at 10318 Harvest Avenue is appealing the Director's decision to deny the removal of the parkway tree in front of the home.

ANALYSIS

The existing parkway tree in front of 10318 Harvest Avenue is a Chinese flame tree designated for planting on Harvest Avenue, per the approved Parkway Tree Planting Master Plan. The tree was inspected and found to be healthy as well as in good condition. Therefore, the tree does not meet any of the criteria specified in the Parkway Tree Removal Policy.

In the resident's tree removal appeal, the resident states that the tree caused damage to the sidewalk and that it drops leaves and flowers during the fall and winter months. Unfortunately, these concerns do not meet the approved criteria for tree removal.

ENVIRONMENTAL

None.

DISCUSSION

None.

SUMMARY/NEXT STEPS

In the event that the Planning Commission affirms the Director's decision to not remove the tree, the Planning Commission may choose to issue the resident a Parkway Tree Resident Removal Permit to remove the tree at his or her own expense. The decision by the Planning Commission shall be final.

ATTACHMENT(S):

- A. Attachment A – Parkway Tree Removal Request Form
- B. Attachment B – Denial Letter
- C. Attachment C – Tree Removal Appeal Form
- D. Attachment C – Parkway Tree Removal Policy Adopted January 13, 2000

**Parkway Tree Removal Appeal Decision - Resident Request for Removal of
Parkway Tree at 10318 Harvest Avenue**

PAGE 3 OF 3

ITEM STATUS:

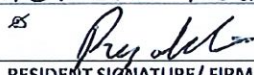
APPROVED: ☐

DENIED: ☐

TABLED: ☐

DIRECTION GIVEN: ☐

PARKWAY TREE REMOVAL REQUEST FORM 2023 JUN 30 AM 4: 01
SOLICITUDE PAR REMOVER ARBOLES LOCALIZADOS EN LA AVENIDA RESEDENCIAL

1	INSTRUCTIONS: Complete the information. Sign, date, and return to the Department of Public Works. INSTRUCCIONES: Complete la información. Firme, fecha y devuelva al Departamento de Obras Públicas.	
2	NAME / NOMBRE RAY ISHII	DAYTIME PHONE NÚMERO DE CONTACTO DURANTE EL DÍA (562) 650-4056
	ADDRESS DOMICILLO 10318 HARVEST AVE SANTA FE SPRINGS, CA 90670	
3	NUMBER AND TYPE OF TREE(S) NÚMERO Y TIPO DE ÁRBOL(ES) 1 TREE IN PARKWAY	
	REASON FOR THE REQUEST TO REMOVE THE TREE(S)/MOTIVO DE LA SOLICITUD DE ELIMINACIÓN DE/LOS ÁRBOL(ES): 1) Hazard lifting up sidewalk 2) tree root getting to house foundation, possibly sewer line 3) nuisance, drops little yellow flowers which gets everywhere, wheel blows in car, house 4) nuisance, sheds all its leaves which gets everywhere, car, house clogs rain gutters 5) nuisance, when leaves fall so do seeds which grows mini trees (aka weeds) 6) nuisance, attracts box elder bugs causing infestation of bugs everywhere including bugs in the house, somehow they find a way in. All I'm asking for permission to remove the tree. I will pay for it out of my pocket at no cost to the city. I want to landscape (xeriscape) the front but the tree is holding up my plan. I see no advantage for having the tree. For the city, one less tree to trim, one less sidewalk to repair. It's a win-win.	
	RESIDENT SIGNATURE/ FIRMA DEL RESIDENTE 	DATE/FECHA 6/29/2023

FOR OFFICE USE ONLY.
SÓLO PARA USO DE OFICINA.

Age range: Y=young SM=Semi mature EM=Early Mature PM=Post mature
Height: Tree Height Approximate
Trunk Diameter: Tree trunk diameter at 1M high
Vitality: A measure of psychological condition. D=Dead MD=moribund P=Poor M=Moderate

TREE ASSESSMENT DATE: **July 11, 2023**

TREE SPECIES	AGE RANGE	HEIGHT (M)	TRUNK	VITALITY
Koeleuteria Biplinnata "Chinese Flame tree"	15-20	15-30	7-12	Good

Comments: I inspected the tree at 10318 Harvest Ave. on Tuesday July 11, 2023. I found the tree (Chinese Flame tree) to be healthy and in good condition. The sidewalk has been grinded due to minimal lifting so there is no hazard. The tree is deciduous so it drops all its leaves in winter. I cannot justify the removal of this tree and also does not fit the criteria for removal. This tree removal application is denied for those reasons.

Reviewed by the Director of Public Works.

DATE: **7-12-2023**

Eric Borunda

Revisado por el Director de Obras Públicas.

☐ Approved ☒ Denied



11710 E. TELEGRAPH ROAD ♦ CA ♦ 90670-3679 ♦ (562) 868-0511 ♦ (562) 868-7112 ♦ WWW.SANTAFESPRINGS.ORG

DEPARTMENT OF PUBLIC WORKS

July 18, 2023

Ray Ishii
10318 Harvest Avenue
Santa Fe Springs, CA 90670

Subject: Tree Removal Request - Denial

Dear Mr. Ishii:

We have received your request to remove a parkway tree in front of 10318 Harvest Avenue. The City's Tree Specialist has inspected the tree and surrounding area. After careful consideration, it has been determined that the tree in question does not meet the criteria for removal, and as such your request to remove the parkway tree cannot be approved at this time.

In accordance with the City of Santa Fe Springs' Parkway Tree Removal Policy, you may appeal this decision to the City Planning Commission, whose decision will be final. The Planning Commission has the authority to have the City remove the tree if funds are available, or to issue you a permit for a contractor to remove the tree at your expense.

If you choose to appeal, the enclosed appeal form must be completed and returned no later than fifteen (15) days from the date of this letter. The tree removal appeal form is enclosed for your convenience.

Sincerely,

Yvette Kirin
Interim Director of Public Works

Enclosure: Appeal Form

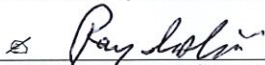
Juanita Martin, Mayor • Jay Sarno, Mayor Pro Tem
City Council
Annette Rodriguez • William K. Rounds • Joe Angel Zamora
City Manager
Tom Hatch, Interim City Manager

2023 JUL 26 AM 3:02

TREE REMOVAL APPEAL FORM

FORMULARIO DE APELACIÓN DE ELIMINACIÓN DE ÁRBOLES

DATE OF APPEAL: 7/25/2023

1	INSTRUCTIONS: Complete the form and submit no later than 15 days following the decision of the Public Works Director. INSTRUCCIONES: Complete el formulario y envíelo a más tardar 15 días después de la decisión del Director de Obras Públicas.	
2	NAME NOMBRE <u>RAY ISHII</u>	DAYTIME PHONE NÚMERO DE CONTACTO DURANTE EL DÍA <u>(562) 650-4056</u>
	ADDRESS DOMICILIO <u>10318 HARVEST AVE. SANTA FE SPRING, CA 90670</u>	
3	I appeal the decision of the Director of Public Works to deny the removal of the parkway tree at the aforementioned location for the following reason: Apelo la decisión del Director de Obras Públicas de negar la remoción del árbol de la avenida en el lugar antes mencionado por la siguiente razón: <u>As I have stated in my original request, the tree is lifting up the sidewalk creating a tripping hazard.</u> <u>Also the tree is a big nuisance by dropping all its yellow flowers and all its leaves during the fall and winter months causing a big mess to clean up. I am too old and too tired to clean up this mess. It also attracts box elder bugs that infest the area.</u> <u>So please grant me the permission to remove the tree at My own expense. This will not cost the city anything.</u> <u>Thank you,</u> I understand that the decision of the Planning Commission is final. Entiendo que la decisión de la Comisión de Planificación es final. <u></u> RESIDENT SIGNATURE/ FIRMA DEL RESIDENTE <u>7/25/2023</u> DATE/FECHA	

FOR OFFICE USE ONLY.
SÓLO PARA USO DE OFICINA.

Reviewed by Director of Public Works

Date: _____

☐ Original Decision Reversed

☐ Referred to Planning Commission

Comment:

Comments:

January 6, 2000

MEMORANDUM TO THE HONORABLE CITY COUNCIL

COUNCIL MEETING: January 13, 2000

Approved.

NEW BUSINESS - Revision to the City's Tree Removal Policy

A few months ago, the City Council appointed Councilmember Louie Gonzalez and Mayor Pro Tempore Betty Putnam to an ad-hoc committee to address concerns relating to parkway trees that residents wanted removed for various reasons, but which did not meet the existing criteria for removal. There has been an increase in such incidents in recent years, due to the aging of the City's tree stock. Most of the residential trees in Santa Fe Springs were planted in the 1950s, when the city incorporated, and are only now reaching full maturity, which is creating problems as these trees interact with the infrastructure and hardscape. It is clear that the tree removal criteria need to be updated to reflect this evolving condition.

Having said that, it is important that the Council not lose sight of the objective and purpose of the existing policy. The City has recognized the benefits of maintaining a large and robust tree population. Some of those benefits include, the fact that trees improve our air by reducing carbon dioxide; trees provide shade and can help cool homes by up to 20 degrees in the summer; trees provide privacy and help reduce noise and glare; trees provide a pleasant ambiance to neighborhoods, thus increasing property valuation; and, crime levels in communities are reduced when there are extensive street tree systems and well-landscaped parks. The City's existing policy reflects the desire to realize these benefits to the fullest. Over the years, the City has gone to great lengths to preserve and maintain its tree stock and has been rewarded for its effort through its designation as a "Tree City USA." Any revision to the tree removal policy should balance the preservation of the City's tree stock with the practical concerns of its residents.

At the request of the Committee, staff analyzed the tree removal policies of several surrounding cities; including, Brea, Cerritos, Downey, Irvine, La Mirada, Long Beach, Norwalk, Pasadena and Whittier. Most provided for some variation of "Dead, Dying and Diseased" as its criteria, and all seemed to struggle with the balance between preservation and practicality mentioned above. After careful consideration, two main deficiencies in our policy emerged. Firstly, the removal criteria are too narrowly defined.(i.e.,staff feels hamstrung by the criteria); secondly, the lack of an appeals process does not allow for mutually satisfactory resolution of disputes.

The proposed revisions that follow strive to mitigate the problems that stem from the two

deficiencies described above. They don't, however, remedy all of the concerns raised by residents in the recent past, a matter that shall be addressed in more detail below. This is primarily due to the fact that the revisions are, in essence, a compromise between preservation and practicality. However, it is a compromise that gives staff more leeway and discretion in making administrative decisions by broadening the removal criteria to include dangerous, damaged beyond restoration, damaging certain structures and non-conforming to the existing Master Street Tree Plan, and by allowing staff to make decisions in the field. Likewise, the revisions allow for a more mutually satisfactory appeals process by giving the Planning Commission the ability to adjudicate appeals of administrative decisions to deny removal of trees. This will provide a mechanism whereby residents can voice their concerns outside of the bureaucratic realm, in front of a panel of their peers. While this will not satisfy each and every resident who has a complaint about a tree, it will confer upon those residents the respect and satisfaction of an official hearing in front of an official body of the City, and hopefully convey to those persons the complexity and broader aspects of the City's Tree Removal Policy in a way that is mutually satisfactory.

The following is a list of proposed revisions to the City's Tree Removal Policy:

1. BROADENING OF REMOVAL CRITERIA

Criteria for Removal of Parkway Trees:

Dead, dying, diseased, dangerous, damaged beyond restoration, damaging certain structures or non-conforming to the existing Master Street Tree Plan.

NOTE:

- 1) "Dangerous" shall mean conditions such as but not restricted to:
 - A tree whose limbs are growing into power lines which cannot reasonably be trimmed and are an immediate hazard.
 - A tree that is leaning to the point of being unstable in heavy winds.
 - A tree that has experienced extensive root pruning, making it a hazard.
 - A tree that is blocking any traffic control device and simple trimming cannot remedy the visibility problem.
 - A tree that presents a hazard to the general public or causes a liability to the City.
- 2) "Damaging certain structures" refers to trees that cause damage to structures as follows:
 - Sidewalks, curbs, drives, buildings and other structures, such that the cost to repair the damage exceeds the appraised value of the tree (using the appraisal method established by the International Society of Arboriculture).
 - Damage to sewer and underground utilities is not a grounds for removal but may be considered under "Resident Removal" criteria. Proof of damage to sewer lines shall be evidenced by the submission of three plumber's invoices denoting root blockage for at least twelve months. In cases of damage to sewer lines, the City

may provide a one (1) time root destroyer. Future root destroyer will be the resident's responsibility.

2. INCORPORATION OF THE PLANNING COMMISSION INTO THE APPEALS PROCESS

City Removal of Trees:

The City may remove a City tree and bear all the costs entailed if the Director of Public Works determines that the suspect tree meets the removal criteria.

Appeals:

Appeals of the Director's decision will be heard by the Planning Commission. In adjudicating appeals of the Director of Public Works tree removal decision, the Planning Commission is authorized to either reverse the Director's decision, whereby the City would pay for the removal of the tree if funds are available, or, if it is determined that non-removal places a burden on the property owner substantially greater than the benefit to the public, the Planning Commission is authorized to grant a "Resident Removal Permit", which allows a resident to remove the tree in question at the resident's expense.

Resident Removal:

A "Resident Removal Permit" allows a resident to remove a "parkway tree" at his/her own expense. Removal shall include extraction of the tree's stump. A City inspector shall inspect the tree and surrounding infrastructure before and after the removal of the tree. The resident will be liable for any damage to the infrastructure incurred during removal. The planting of a City approved replacement tree is required unless the resident petitions the City to not replace the removed tree. The Planning Commission may grant such a permit in the manner described above, or the City's Director of Public Works may issue such a permit upon reasonable proof of damage to the resident's property. Twenty such permits will be allowed each year.

3. WHAT THE REVISED POLICY DOES NOT ADDRESS

There are two scenarios that the proposed revisions to the City's Tree Removal Policy will not assuage: (1) The adamant resident who cannot comprehend the broader benefit of tree preservation and whose tree does not meet either City removal or resident removal criteria; and, (2) the resident whose tree meets the resident removal criteria, but is unwilling to bear the cost of removing the tree.

The resident in the first scenario will never be completely satisfied, unless we change the tree

policy such that preservation is no longer a concern at all. This resident's parkway tree may indeed be a nuisance. But, the question is, is that nuisance greater than the benefit that the community as a whole reaps from the city-wide tree stock. If the policy is revised to appease this type of situation, the bar will be lowered such that it obligates the City to remove all of the resident's neighbors' trees who have similar nuisance level problems. If the City wants to maintain and promote the abundance of the Citywide tree stock, then it must indiscriminately enforce the removal criteria. That said, the proposed revisions to the tree policy do allow for a greater level of citizen participation in the process and provides a forum where the disgruntled resident can air her concerns to her peers in a non-bureaucratic setting; the Planning Commission.

The second scenario is similarly unaffected by the proposed revisions. The City's current policy allows for resident removal at resident cost. The problem has been, and will continue to be, that removing the tree is either cost prohibitive for the resident or the resident is adverse to paying for removal as a matter of principle.

The latter is somewhat related to the first scenario where the resident is unappreciative of the broader benefits that trees yield. The cost-prohibitive problem, although not addressed in these revisions, might be ameliorated through a program either analogous to or subsumed by the City's Home Repair Program. The use of housing-set-aside money to remove trees that are doing damage to property is consistent with the current use of those funds.

FISCAL IMPACT STATEMENT

The Director of Public Works and the Director of Finance and Administrative Services do not anticipate that the recommended policy will exceed this year's tree removal budget authorization, due to the timing of implementation. However, a budget adjustment may be necessary for FY 2000/2001 if, as we expect, more trees are removed as a result of the new policy. Any such revision will be brought to the City Council along with other revisions in June.

*assign tree removal
project number.*

INFRASTRUCTURE STATEMENT

Staff expects that the implementation of the proposed revisions will have the long term effect of reducing infrastructure damage and repair costs, due to the ongoing and periodic removal of overgrown trees.

RECOMMENDATION

- 1) Adopt the proposed revisions to the tree removal criteria
- 2) Place the responsibility for tree removal appeals and related issues under the purview of the Planning Commission.
- 3) Authorize staff to investigate the feasibility of broadening the scope of the Home Repair Program to include tree removal.



Frederick W. Latham
City Manager