



City of Santa Fe Springs

Adjourned Planning Commission Meeting

February 12, 2020

AGENDA

FOR THE ADJOURNED MEETING OF THE PLANNING COMMISSION

February 12, 2020

6:00 p.m.

Council Chambers
11710 Telegraph Road
Santa Fe Springs, CA 90670

Frank Ybarra, Chairperson
Ken Arnold, Vice Chairperson
Ralph Aranda, Commissioner
Francis Carbajal, Commissioner
Gabriel Jimenez, Commissioner

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

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

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

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

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
Commissioners Aranda, Arnold, Carbajal, Jimenez, and Ybarra.
4. **ORAL COMMUNICATIONS**
This is the time for public comment on any matter that is not on today's agenda. Anyone wishing to speak on an agenda item is asked to please comment at the time the item is considered by the Planning Commission.
5. **MINUTES**
Approval of the minutes for the January 13, 2020 Planning Commission meeting
6. **PUBLIC HEARING – Continued from the January 13, 2020 Planning Commission meeting**
CEQA Exemption Section 15061(b)(3)
Conditional Use Permit (CUP) Case No. 795
Zone Variance (ZV) Case No. 82
Zone Variance (ZV) Case No. 84-87
Development Agreement (DA) No. 01-2020
CUP Case No. 795: A request to allow the construction and operation of a new 50-foot tall V-shaped digital billboard with 14' x 48' display areas on the subject property, within the M-2 FOZ (Heavy Manufacturing – Freeway Overlay Zone) zone; and.

ZV Case No. 82: A request to allow the subject digital billboard to project over the roof of a building, contrary to Section 155.384 (E)(1) of the City's Zoning Ordinance; and

ZV Case No. 84: A request to allow the subject digital billboard to be located less than 25' from the front property line, contrary to Section 155.384 (H)(6) of the City's Zoning Ordinance; and

ZV Case No. 85: A request to allow the subject digital billboard to be located less than 25' from the side property line, contrary to Section 155.384 (H)(6) of the City's Zoning Ordinance; and

ZV Case No. 86: A request to allow the subject digital billboard to be located less than 25' from the adjacent building, contrary to Section 155.384 (H)(6) of the City's Zoning Ordinance; and

ZV Case No. 87: A request to allow the removal of an existing on-site tree, contrary to Section 155.384 (I)(3) of the City's Zoning Ordinance, in order to locate the subject digital billboard as currently prohibited.

DA No. 01-2020: A Development Agreement by and between the City of Santa Fe Springs and Becker Boards which would set forth the rules and regulations under which the proposed billboard would be allowed.

Applicant/Subject Property: Becker Boards/13539 Freeway Drive (APN: 8069-016-006)

7. PUBLIC HEARING – Continued from the January 13, 2020 Planning Commission meeting

Adoption of Mitigated Negative Declaration

Tentative Parcel Map (TPM) No. 82709

Specific Plan Amendment Case No. 1

Development Plan Approval (DPA) Case No. 964

TPM No. 82709 A request for approval to consolidate seven (7) existing parcels into a single parcel, measuring ±25.33-acres (APN: 8167-002-025, 026, 030, 050, 051, 052, and 053)

Specific Plan Amendment Case No. 1: A request for approval to amend the WDI Specific Plan to allow for large truck access to the project site along Los Nietos Road; allow for direct line of sight to the adjacent school property; and prohibited separate leases for the open yard area.

DPA Case No. 964: A request for approval to construct a new 216,500 square foot industrial building located at 9883 Greenleaf Avenue, which comprised of seven (7) existing parcels, measuring ±25.33-acres (APN: 8167-002-025, 026, 030, 050, 051, 052, and 053).

8. PUBLIC HEARING

CEQA Exemption Section 15061(b)(3)

Zone Determination Case No. 2020-01

A request that the Planning Commission determine that manufacturing and assembly of trade show displays is a similar and compatible use with other similarly listed uses permitted in the City's ML, Limited Manufacturing – Administration and Research, Zone. (Beaver Exhibit Inc.)

9. PUBLIC HEARING

Categorically Exempt – CEQA Guidelines Section 15282(h)

Zoning Text Amendment – Accessory Dwelling Unit

Ordinance No. 1110: Ordinance of the City of Santa Fe Springs Amending Section 155.644 (Accessory Dwelling Units) and 155.644.1 (Junior Accessory Dwelling Units) of Chapter 155 (Zoning) of Title 15 (Land Use) of the Santa Fe Springs Municipal Code Relating to the Construction of Accessory Dwelling Units and Junior Accessory Dwelling Units in A-1, Light Agricultural; R-1, Single-Family Residential; and R-3, Multi-Family Residential, Zones. (City of Santa Fe Springs)

10. CONSENT ITEMS

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

considered separately by the Planning Commission.

A. CONSENT ITEM

Conditional Use Permit Case No. 590-6

A compliance review of a church facility within an approximately 2,700 sq. ft. tenant space located at 14565 Valley View Avenue, Suite A (APN: 8069-006-042), in the C-4-PD, Community Commercial-Planned Development Overlay Zone, and within the Valley View Commerce Center.
(Living Water Stream Church)

B. CONSENT ITEM

Conditional Use Permit Case No. 608-4

A compliance review to allow the continued maintenance and operation of an open storage yard facility at 12953 Sunshine Avenue (APN: 8026-020-070) within the M-1, Light Manufacturing, Zone. (Doreck Construction)

C. CONSENT ITEM

Conditional Use Permit Case No. 782-1

A compliance review to allow the continued maintenance and operation of a mini-warehouse facility use at 13461 Rosecrans Avenue (APN: 8059-004-022) within the M-1-BP, Light Manufacturing – Buffer Parking, Zone.
(Simply Storage Management LLC)

11. ANNOUNCEMENTS

- ♦ Commissioners
- ♦ Staff

12. ADJOURNMENT

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



Planning Secretary

February 6, 2020
Date



City of Santa Fe Springs

Adjourned Planning Commission Meeting

February 12, 2020

APPROVAL OF MINUTES

Minutes of the January 13, 2020 Planning Commission Meeting

RECOMMENDATION


- Approve the minutes as submitted.

BACKGROUND

Staff has prepared minutes for the following meeting:

- January 13, 2020

Staff hereby submits the minutes for Planning Commissioners' approval.


Wayne M. Morrell
Director of Planning

Attachment:

Minutes for January 13, 2020



APPROVED:

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

January 13, 2020

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Chair Ybarra called upon Vice Chair Arnold to lead everyone in the Pledge of Allegiance.

3. ROLL CALL

Members present: Chairperson Ybarra
Vice Chairperson Arnold
Commissioner Carbajal
Commissioner Jimenez

Staff: Richard L. Adams II, City Attorney
Wayne Morrell, Director of Planning
Cuong Nguyen, Senior Planner
Vince Velasco, Associate Planner
Jimmy Wong, Associate Planner
Claudia Jimenez, Assistant Planner
Teresa Cavallo, Planning Secretary

Council: Mayor William Rounds

Members absent: Commissioner Aranda

4. ORAL COMMUNICATIONS

None

5. MINUTES

Approval of the minutes for the December 9, 2019 Planning Commission meeting

It was moved by Commissioner Carbajal, seconded by Commissioner Jimenez to approve the minutes as submitted, with the following vote:

Ayes: Arnold, Carbajal, Jimenez, and Ybarra
Nayes: None
Absent: Aranda

PUBLIC HEARING

6. PUBLIC HEARING

Categorically Exempt - CEQA Guidelines Section 15301, Class 1

Conditional Use Permit Case No. 532-1

Recommendation: That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Conditional Use Permit Case No. 532-1 and thereafter, close the Public Hearing; and
- Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and will be consistent with the goals, policies and programs of the City's General Plan; and
- Find that the applicant's CUP request meets the criteria set forth in §155.716 of the Zoning Regulations for the granting of a Conditional Use Permit; and
- Find and determine that pursuant to Section 15301, Class 1 (Existing Facilities), of the California Environmental Quality Act (CEQA), this project is Categorically Exempt; and
- Approve Conditional Use Permit Case No. 532-1, subject to the conditions of approval as contained within Resolution No. 148-2020; and
- Adopt Resolution No. 148-2020, which incorporates the Planning Commission's findings and actions regarding this matter.

Chair Ybarra called upon Assistant Planner Claudia Jimenez to present Item No. 6 before the Planning Commission. Present in the audience was the Applicant's Representative Alexander Lew.

Chair Ybarra called upon the Commissioners for questions and/or comments. The Commissioners did not have any questions and/or comments.

Chair Ybarra opened the Public Hearing at 6:07 p.m. and asked if the Applicant's Representative Alexander Lew would like to approach the podium to address the Planning Commission. The Applicant's Representative Alexander Lew approached the podium and stated that he had no comment but that the staff report was accurate as presented.

There being no one from the audience wishing to speak and the Planning Commission having no further questions, Chair Ybarra closed the Public Hearing at 6:08 p.m. and requested a motion and second for Item No. 6.

It was moved by Commissioner Carbajal, seconded by Vice Chair Arnold to approve Conditional Use Permit Case No. 532-1, and the recommendations regarding this matter, which passed by the following roll call vote:

Ayes: Arnold, Carbajal, Jimenez, and Ybarra
Nays: None
Absent: Aranda

City Attorney Richard Adams II read the City's appeal process to inform the Planning Commission and public.

7. PUBLIC HEARING

Categorically Exempt - CEQA Guidelines Section 15301, Class 1

Conditional Use Permit Case No. 541-3

Recommendation: That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Conditional Use Permit Case No. 541-3 and thereafter, close the Public Hearing; and
- Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Ordinance and will be consistent with the goals, policies and programs of the City's General Plan; and
- Find that the applicant's CUP request meets the criteria set forth in §155.716 of the Zoning Ordinance for the granting of a Conditional Use Permit; and
- Find and determine that pursuant to Section 15301, Class 1 (Existing Facilities), of the California Environmental Quality Act (CEQA), this project is Categorically Exempt; and
- Approve Conditional Use Permit Case No. 541-3, subject to the conditions of approval as contained within Resolution No. 149-2020; and
- Adopt Resolution No. 149-2020, which incorporates the Planning Commission's findings and actions regarding this matter.

Chair Ybarra called upon Assistant Planner Claudia Jimenez on behalf of Planning Consultant Laurel Reimer to present Item No. 7 before the Planning Commission. Present in the audience was the Applicant's Representative Gerald Ko.

Chair Ybarra called upon the Commissioners for questions and/or comments. The Commissioners did not have any questions and/or comments.

Chair Ybarra opened the Public Hearing at 6:13 p.m. and asked if the Applicant's Representative Gerald Ko would like to approach the podium to address the Planning Commission. The Applicant's Representative Gerald Ko approached the podium and indicated that he read through the Conditions of Approval which are acceptable to the applicant.

There being no one from the audience wishing to speak and the Planning Commission having no further questions, Chair Ybarra closed the Public Hearing at 6:13 p.m. and requested a motion and second for Item No. 7.

It was moved by Commissioner Carbajal, seconded by Vice Chair Arnold to approve Conditional Use Permit Case No. 541-3, and the recommendations regarding this matter, which passed by the following roll call vote:

Ayes: Arnold, Carbajal, Jimenez, and Ybarra

Nays: None

Absent: Aranda

City Attorney Richard Adams II read the City's appeal process to inform the Planning Commission and public.

8. PUBLIC HEARING

Categorically Exempt - CEQA Guidelines Section 15361(b)(3) – General Rule

Conditional Use Permit (CUP) Case No. 795

Zone Variance (ZV) Case No. 82

Zone Variance (ZV) Case No. 84-87

Development Agreement (DA) No. 01-2020

Recommendation: That the Planning Commission:

- Continue Conditional Use Permit Case No. 795, Zone Variance Case No. 82, Zone Variance Case Nos. 84-87, and Development Agreement No. 01-2020 to the Planning Commission meeting of February 12, 2020.

Chair Ybarra called upon Senior Planner Cuong Nguyen who explained the request for a continuance for Item No. 8 before the Planning Commission.

Chair Ybarra opened the Public Hearing at 6:15 p.m. and requested a motion and second for Item No. 8.

It was moved by Vice Chair Arnold, seconded by Commissioner Jimenez to continue Conditional Use Permit (CUP) Case No. 795, Zone Variance (ZV) Case No. 82, Zone Variance (ZV) Case No. 84-87, Development Agreement (DA) No. 01-2020, and the recommendations regarding this matter, which passed by the following roll call vote:

Ayes: Arnold, Carbajal, Jimenez, and Ybarra

Nays: None

Absent: Aranda

9. PUBLIC HEARING

Categorically Exempt - CEQA Guidelines Section 15301, Class 1, and Section 15303, Class 3

Amendment of Development Plan Approval (DPA) Case No. 847

Modification Permit (MOD) Case No. 1316

Modification Permit (MOD) Case No. 1320

Recommendation: That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Amendment of Development Plan Approval Case No. 847, Modification Permit Case No. 1316, and Modification Permit Case No. 1320, and thereafter, close the Public Hearing; and
- Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Ordinance and consistent with the goals, policies and program of the City's General Plan; and
- Find that the applicant's DPA request meets the criteria set forth in §155.739 of the City's Zoning Ordinance, for the granting of a Development Plan Approval; and

- Find that the applicant's MOD requests meet the criteria set forth in §155.695 and §155.696 of the Zoning Ordinance, for the granting of a Modification Permit; and
- Find and determine that pursuant to Section 15301, Class 1 (Existing Facilities), and Section 15303, Class 3 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA), the project is Categorically Exempt; and
- Approve Amendment of Development Plan Approval Case No. 847, Modification Permit Case No. 1316 and Modification Permit Case No. 1320, subject to the conditions of approval as contained within Resolution No. 151-2020; and
- Adopt Resolution No. 151-2020, which incorporates the Planning Commission's findings and actions regarding this matter.

Chair Ybarra called upon Planning Consultant Vince Velasco to present Item No. 9 before the Planning Commission. Present in the audience was the Applicant and their Architect Mustafa Bdaiwi.

Chair Ybarra called upon the Commissioners for questions and/or comments. The Commissioners did not have any questions and/or comments.

Vice Chair Arnold inquired if there was a maximum allowance of grasscrete. Planning Consultant Vince Velasco replied that there was none according to code.

A discussion ensued regarding the grasscrete area and parking for this site.

Chair Ybarra opened the Public Hearing at 6:30 p.m. and asked if the Applicant or their Representative Architect Mustafa Bdaiwi would like to approach the podium to address the Planning Commission. The Applicant's architect Mustafa Bdaiwi approached the podium and the Planning Commission for hearing this matter and thanked the City for their wonderful Staff. Mr. Bdaiwi indicated that he tried to improve on the site and what they have to work with at his site. The Planning Commissioners commented on what a wonderful building design and what an enhancement it will be to the area.

There being no one from the audience wishing to speak and the Planning Commission having no further questions, Chair Ybarra closed the Public Hearing at 6:32 p.m. and requested a motion and second for Item No. 9.

It was moved by Vice Chair Arnold, seconded by Commissioner Carbajal to approve Amendment of Development Plan Approval (DPA) Case No. 847, Modification Permit (MOD) Case No. 1316, Modification Permit (MOD) Case No. 1320, and the recommendations regarding this matter, which passed by the following roll call vote:

Ayes: Arnold, Carbajal, Jimenez, and Ybarra
Nayes: None
Absent: Aranda

City Attorney Richard Adams II read the City's appeal process to inform the Planning Commission and public.

10. PUBLIC HEARING

Adoption of Mitigated Negative Declaration

Tentative Parcel Map (TPM) No. 82709

Specific Plan Amendment Case No. 1

Development Plan Approval (DPA) Case No. 964

Recommendation: That the Planning Commission:

- Continue Tentative Parcel Map (TPM) No. 82709; Specific Plan Amendment Case (SPA) No. 1; and Development Plan Approval (DPA) Case No. 964 to the Planning Commission meeting of February 12, 2020.

Chair Ybarra called upon Planning Consultant Jimmy Wong who explained the request for continuance for Item No. 10 before the Planning Commission.

Chair Ybarra opened the Public Hearing at 6:33 p.m. and requested a motion and second for Item No. 10.

It was moved by Commissioner Carbajal, seconded by Commissioner Jimenez to continue Tentative Parcel Map (TPM) No. 82709, Specific Plan Amendment Case No. 1, Development Plan Approval (DPA) Case No. 964, and the recommendations regarding this matter, which passed by the following roll call vote:

Ayes: Arnold, Carbajal, Jimenez, and Ybarra

Nays: None

Absent: Aranda

NEW BUSINESS

11. NEW BUSINESS – Continued from the December 9, 2019 Planning Commission Meeting

Categorically Exempt – CEQA Guideline Section 15303, Class 3

Modification Permit Case No. 1323

Recommendation: That the Planning Commission:

- Find that the proposed project, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Regulations and consistent with the goals, policies and programs of the City's General Plan; and
- Find that the applicant's Modification Permit request meets the criteria set forth in Section 155.694 of the City's Zoning Regulations for the granting of a Modification; and
- Find and determine that pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures), of the California Environmental Quality Act (CEQA), this project is considered to be Categorically Exempt; and
- Approve Modification Permit Case No. 1323, subject to the conditions of approval as contained within Resolution No. 147-2019; and
- Adopt Resolution No. 147-2019, which incorporates the Planning Commission's findings and actions regarding this matter.

Chair Ybarra called upon Planning Consultant Jimmy Wong to present Item No. 11 before

the Planning Commission. Present in the audience was the Applicant Jose Cardenas.

Chair Ybarra called upon the Commissioners for questions and/or comments.

Vice Chair Arnold inquired about the last Modification that was presented before the Planning Commission. Planning Consultant Jimmy Wong replied that it was MOD 1226 but was unaware when it was presented before the Planning Commission.

A discussion ensued about building code requirements for a porte cochere.

Commissioner Carbajal inquired about the carport ordinance that was presented at a prior Planning Commission meeting. Planning Consultant Vince Velasco replied that the carport ordinance was pulled from the Agenda has not been brought back for consideration.

Chair Ybarra requested if the Applicant would like to comment. The Applicant Jose Cardenas did not have a comment.

It was moved by Commissioner Jimenez, seconded by Commissioner Carbajal to continue Modification Permit Case No. 1323, and the recommendations regarding this matter, which passed by the following roll call vote:

Ayes: Arnold, Carbajal, Jimenez, and Ybarra
Nayes: None
Absent: Aranda

CONSENT ITEMS

12. CONSENT ITEMS

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

A. CONSENT ITEM

Conditional Use Permit Case No. 614-3

Recommendation: That the Planning Commission:

- Find that the continued operation and maintenance of a bleach production and chlorine repackaging facility, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Ordinance and consistent with the goals, policies, and programs of the City's General Plan.
- Require that Conditional Use Permit Case No. 614-3 be subject to a compliance review in four (4) years, on or before January 13, 2024, to ensure the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

Chair Ybarra requested a motion and second for Consent Item No. 12A.

It was moved by Vice Chair Arnold, seconded by Commissioner Jimenez to approve Consent Item No.12A and the recommendations regarding this item, which passed by the following vote:

Ayes: Arnold, Carbajal, Jimenez, and Ybarra
Nayes: None
Absent: Aranda

13. PRESENTATION

A Presentation of 2019 Planning and Development Department Accomplishments

Chair Ybarra called upon Senior Planner Cuong Nguyen to present the Planning and Development Department Accomplishments for calendar year 2019 before the Planning Commissioners.

14. ANNOUNCEMENTS

Commissioners:

Vice Chair Arnold indicated that he was recognized for his 5 years of service on the Planning Commission.

Commissioner Carbajal expressed the loss of her mother Annie Carbajal and thanked Staff for the lovely card. Planning Commissioners and Staff expressed their condolences to Commissioner Carbajal and her family.

Commissioner Carbajal further commented that she would like to see the City's leash laws addressed as her sister and dog were attacked by a dog that was not on a leash.

Commissioner Jimenez thanked Staff for his Christmas card and wished everyone a Happy New Year.

Staff:

Senior Planner Cuong Nguyen invited Planning Commissioners to the City's Walking Tour.

15. ADJOURNMENT

Commissioner Aranda adjourned the meeting at 7:02 p.m. to the next Adjourned Planning Commission meeting scheduled for February 12, 2020 at 6:00 p.m.

Frank Ybarra
Chairperson

ATTEST:

Teresa Cavallo
Planning Secretary

Date



PUBLIC HEARING - (Continued from Planning Commission Meeting of January 13, 2020)

CEQA Exemption Section 15061(b)(3)

Conditional Use Permit (CUP) Case No. 795

Zone Variance (ZV) Case No. 82

Zone Variance (ZV) Case No. 84-87

Development Agreement (DA) No. 01-2020

CUP Case No. 795: A request to allow the construction and operation of a new 50-foot tall V-shaped digital billboard with 14' x 48' display areas on the subject property, within the M-2 FOZ (Heavy Manufacturing – Freeway Overlay Zone) zone; and.

ZV Case No. 82: A request to allow the subject digital billboard to project over the roof of a building, contrary to Section 155.384 (E)(1) of the City's Zoning Ordinance; and

ZV Case No. 84: A request to allow the subject digital billboard to be located less than 25' from the front property line, contrary to Section 155.384 (H)(6) of the City's Zoning Ordinance; and

ZV Case No. 85: A request to allow the subject digital billboard to be located less than 25' from the side property line, contrary to Section 155.384 (H)(6) of the City's Zoning Ordinance; and

ZV Case No. 86: A request to allow the subject digital billboard to be located less than 25' from the adjacent building, contrary to Section 155.384 (H)(6) of the City's Zoning Ordinance; and

ZV Case No. 87: A request to allow the removal of an existing on-site tree, contrary to Section 155.384 (I)(3) of the City's Zoning Ordinance, in order to locate the subject digital billboard as currently prohibited.

DA No. 01-2020: A Development Agreement by and between the City of Santa Fe Springs and Becker Boards which would set forth the rules and regulations under which the proposed billboard would be allowed.

Applicant/Subject Property: Becker Boards/13539 Freeway Drive (APN: 8069-016-006)

RECOMMENDATIONS

- Open the Public Hearing and receive any comments from the public regarding Conditional Use Permit (CUP) Case No. 795, Zone Variance (ZV) Case No. 82, Zone Variance (ZV) Case Nos. 84-87, and Development Agreement (DA) No. 01-2020, and thereafter, close the Public Hearing; and

RECOMMENDATIONS (Cont.)

- Find and determine that the proposed project, as proposed, will not be in conformance with the overall purpose and objective of the City's Zoning Ordinance and thus will also be inconsistent with the goals, policies and programs of the City's General Plan; and
- Find that the applicant's CUP request does not meet the necessary criteria set forth in §155.716 of the City's Zoning Ordinance for the granting of a Conditional Use Permit; and
- Find that the applicant's project does not meet the necessary finding set forth in §155.384 (C) of the City's Zoning Ordinance for the granting of a Conditional Use Permit for a billboard project; and
- Find that the applicant has not adequately demonstrated that the required conditions for approval of a Variance can be found for the subject billboard project, as set forth in §155.675 of the City of Santa Fe Springs Zoning Ordinance; and
- Deny Conditional Use Permit Case No. 795; Zone Variance Case No. 82, Zone Variance Case Nos. 84-87; and Development Agreement No. 01-2020; and
- Find and determine that pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the project is Exempt from CEQA since no project is being recommended for approval at this time.
- Adopt Resolution No. 150-2020, which incorporates the Planning Commission's findings and actions regarding this matter.

GENERAL INFORMATION

- | | | |
|----|----------------------|---|
| A. | Applicant: | Becker Boards 4324 E. Indian School Road Phoenix, AZ 85018 |
| B. | Property Owner: | Hurlen Leasing LLC 9841 Bell Ranch Drive Santa Fe Springs, CA 90670 |
| C. | Location of Project: | 13539 Freeway Drive Santa Fe Springs, CA 90670 APN: 8069-016-006 |
| D. | Existing Zone: | M-2 FOZ, Heavy Manufacturing – Freeway Overlay Zone |
| E. | General Plan: | Industrial |
| F. | CEQA Status: | Categorically Exempt (General Rule) |

G. Hearing Date: February 12, 2020

H. Staff Contact: Cuong Nguyen, Senior Planner
cuongnguyen@santafesprings.org

BACKGROUND

In 2012, in response to a request from Golden Springs Development Company to construct a static and digital billboard on their property at the northeast corner of Marquardt Avenue and Freeway Drive, and because the existing City Code did not address “digital” billboards, the City adopted Ordinance No. 1036 to establish regulations for new billboards within the Freeway Overlay Zone. The intent of the regulations were to prevent and relieve needless distraction and aesthetic clutter resulting from excessive and confusing sign displays; to promote traffic safety; to safeguard and enhance property values; and to promote the public safety and general welfare. Before formulating Ordinance No. 1036, the City looked to several other cities, including but not limited to, Carson, Inglewood, Berkley, Commerce, Compton, Corona, Inglewood, Long Beach, and Mission Viejo, for guidance. At the time, these cities had either adopted or was in the process of adopting a digital billboard ordinance.

Our research of other cities revealed that without proper controls such as quantity, height, size, location, as well as prescribed operating and aesthetic standards, billboards could have significant adverse influence on the city’s visual environment. As a result, staff sought to ensure that the city’s billboard ordinance provided proper controls, while recognizing that community appearance is an important factor in ensuring the general community welfare.

In addition to typical billboard regulations, key elements of the adopted ordinance included the following additional controls:

- 1) Limiting electronic billboards to the FOZ;
- 2) Requiring a Conditional Use Permit and Development Agreement for all new billboards and expansion of existing billboards;
- 3) Limiting the placement of billboards to properties with a minimum area of 5-acres;
- 4) Defining and providing regulation for supergraphics and mobile billboards;
- 5) Establishing a minimum distance between billboards; and
- 6) Limiting the contents of messages beyond sexually explicit materials, alcohol and tobacco advertising.

Subsequently, in 2018, after re-evaluating the impacts from the six billboards that had been approved and four billboards that were constructed to-date, considering the new trends observed in other cities, as well as considering the potential remaining sites along the FOZ that would have qualified for a new billboard, the city adopted

Ordinance No. 1092 to update the city's existing billboard ordinance. Key elements of the revised ordinance included the following:

- 1) Removal of the 5-acre minimum;
- 2) Discontinue allowing static billboards but allowing existing static billboards (approved by CUP) to remain indefinitely (similar to the Telegraph Road Corridor uses);
- 3) Expand the 500' separation between billboards on same parcels to include separation from existing freestanding signs;
- 4) Prohibit billboards from locating more than 200 feet from the centerline of the Freeway;
- 5) Provide standards for architectural elements (2' on sides and bottom, 6' on top – of sign face), also known as "cutouts" among the billboard industry;
- 6) Require proper screening of cylindrical column and torsion bar; and
- 7) Established criteria for V-shaped billboards.

Like all other aspects of planning and zoning, staff fully expects that future trends will eventually trigger another revision to the City's billboard ordinance. Until that trend materializes, staff firmly believes that the existing billboard ordinance which was amended this past year, provides reasonable billboard control, while recognizing that community appearance is an important factor in ensuring the general community welfare.

LOCATION / DETAILS OF PROPOSED PROJECT

The subject property, located at 13539 Freeway Drive, is comprised of a single parcel (APN: 8069-016-006) measuring approximately ± 1.85 -acres and is located within the M-2 FOZ (Heavy Manufacturing – Freeway Overlay Zone) zone. The property is currently developed with an approximately 41,650 sq. ft. concrete tilt-up industrial building that is occupied by an aerospace supply company (Hurlen Corporation). The applicant, Becker Boards, intends to sublease a small portion of the front setback area and thereafter construct and operate a new V-shaped digital billboard on the subject property.

The proposed digital billboard will be 50-foot tall and is designed as a V-shaped billboard with two display areas measuring 14' x 48' each. The digital sign is intended to operate on a twenty-four (24) hour basis and will be located along the southwest corner of the site, setback 16.31' from the front property line along Freeway Drive, 11.32' from the westerly side property line, and 2.88' from the adjacent building. The proposed billboard will project over the roof of the existing building but no portion of the billboard will extend over any property line.

As proposed, the sign will be 1009.15 feet from the existing digital billboard located south of the subject property (at 13711 Freeway Drive - Martinez Trucking and Logistics) and approximately 465 feet from the existing message center display north of

the subject property (at 13443 Freeway Drive – Tom’s Truck Center). It should also be noted that, in accordance with the California Business and Professions Code, Section 5405(d)(1), a “message center” is an advertising display where the message is changed more than once every two minutes, but not more than once every four seconds. Based on staff’s research, the existing digital sign on the Tom’s Truck Center site north of the subject site is considered a message center display.

NECESSARY DESCRETIONARY APPROVALS

In addition to the need for an Outdoor Advertisement Display (OAD) Permit by the California Department of Transportation, the project involves the following entitlements:

Conditional Use Permit Case No. 795

A request to allow the construction and operation of a new 50-foot tall V-shaped digital billboard with 14’ x 48’ display areas on the subject property, within the M-2 FOZ (Heavy Manufacturing – Freeway Overlay Zone); and

Zone Variance (ZV) Case No. 82

A request to allow the subject digital billboard to project over the roof of a building, contrary to Section 155.384 (E)(1) of the City’s Zoning Ordinance.

Zone Variance (ZV) Case No. 84

A request to allow the subject digital billboard to be located less than 25’ from the front property line, contrary to Section 155.384 (H)(6) of the City’s Zoning Ordinance.

Zone Variance (ZV) Case No. 85 – A request to allow the subject digital billboard to be located less than 25’ from the side property line, contrary to Section 155.384 (H)(6) of the City’s Zoning Ordinance.

Zone Variance (ZV) Case No. 86 – A request to allow the subject digital billboard to be located less than 25’ from the adjacent building, contrary to Section 155.384 (H)(6) of the City’s Zoning Ordinance.

Zone Variance (ZV) Case No. 87 – A request to deviate from Section 155.384 (I)(3) of the City’s Zoning Ordinance, which prohibits the removal of trees or other onsite landscaping or the reduction of any required on-site parking space for the installation of any new billboard.

Development Agreement (DA) No. 01-2020 – A Development Agreement by and between the City of Santa Fe Springs and Becker Boards which would set forth the rules and regulations under which the proposed billboard would be allowed.

- It should be noted that Staff did not require the applicant to move forward with the subject Development Agreement. Efforts to prepare the Development Agreement were initiated by, and at the request of, the applicant. Since staff was not in

support of the project, it was not necessary to prepare a Development Agreement at this time.

ZONING REQUIREMENTS

Conditional Use Permit

1. Pursuant to Section 155.384 (A) of the City's Zoning Ordinance, billboards are allowed for properties in the FOZ only after a valid Conditional Use Permit has first been obtained, and subject to approval of a Development Agreement (*see Section 155.384 (A) below*).

Section 155.384 (A)

Section 155.384 Billboards

(A) *Use Regulations.* Billboards shall be allowed in the FOZ not more than 200 feet from the centerline of the freeway and only after a valid conditional use permit has first been obtained and a development agreement has been approved. A conditional use permit shall be obtained and a development agreement shall be entered into prior to the issuance of a building permit for any project involving construction of a new billboard, expansion or modification of a billboard, or addition of additional face(s) to a billboard. A development agreement shall include the amount of money to be paid to the city as a result of the installation and operation of the billboard.

Becker Boards is, therefore, requesting approval of the subject CUP (Case No. 795) to allow the construction and operation of a new V-shaped digital billboard on the subject property. Also, as mentioned previously, the applicant is concurrently requesting approval of a Development Agreement in the event that the Planning Commission decide to approve the subject Conditional Use Permit and five Zone Variance requests.

Zone Variances

1. Pursuant to Section 155.384 (E)(1) of the City's Zoning Ordinance, billboards are prohibited on the roof of a building or projecting over the roof of a building (*see Section 155.384 (E)(1) below*). The subject billboard, as proposed, will project over the roof of the existing building.

Section 155.384 (E)(1)

Section 155.384 Billboards

(E) Locations prohibited

1. On the roof of a building or projecting over the roof of a building, whether the building is in use or not.
2. Pursuant to Section 155.384 (H)(6) of the City's Zoning Ordinance, billboards must be setback at least 25 feet from any building or property line (*see Section 155.384 (H)(6) below*). The subject billboard, as proposed, requires three separate

variances related to Section 155.384 (H)(6): a variance to reduce the required distance from the front property line (from 25' to 16.31'), a variance to reduce the required distance from the side property line (from 25' to 11.32'), and a variance to reduce the minimum distance of the column support from an adjacent building (from 25' to 2.88').

Section 155.384 (H)(6)

Section 155.384 Billboards

(H) *General Requirements*

6. *Minimum setback.* The minimum setback distance of the billboard column support post shall be at least 25 feet from any property line and at least 25 feet from any building. Notwithstanding, no portion of a billboard shall project over the width of any street, highway or other public right-of-way.

It should be noted that, as stated within the section provided above, the minimum setback of billboards are measured from the "column support post." Billboards are allowed to project into the setback areas provide that no portion of the billboard project into the public right-of-way or otherwise over the roof of a building in conflict with Section 155.84 (E)(1).

3. Pursuant to Section 155.384 (I)(3) of the City's Zoning Ordinance, the installation of a new billboards shall not require the removal of a tree or other on-site landscaping (see *Section 155.384 (I)(3) below*). The subject billboard, as proposed, will require the removal of an existing tree.

Section 155.384 (I)(3)

Section 155.384 Billboards

(I) *Standards of Design*

3. The installation of any new billboard shall not require the removal of trees or other on-site landscaping or the reduction of any required on-site parking spaces.

The Planning Commission should note that, although there are three code sections mentioned above, as proposed, the project requires a total of five variances because of the need for three separate variances related to Section 155.384 (H)(6): a variance to reduce the distance of the column support from the front property line, a variance to reduce the distance of the column support from the side property line, and a variance to reduce the minimum distance of the column support from an adjacent building.

STREETS AND HIGHWAYS

The subject property has frontage on Freeway Drive, generally located between Spring Avenue and Carmenita Road. Freeway Drive is identified as a local street within the Circulation Element of the City's General Plan.

ZONING & GENERAL PLAN LAND USE DESIGNATION

The subject property as well as the surrounding properties to the south, east, and west are zoned M-2 FOZ (Heavy Manufacturing – Freeway Overlay Zone). The adjacent property to the north is zoned M-2 (Heavy Manufacturing). The General Plan land use designation for the subject property, and all adjacent properties to the north, south, east and west, is Industrial.

LEGAL NOTICE OF PUBLIC HEARING

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 on December 23, 2019 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. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and the City's Town Center kiosk on December 23, 2019, and published in a newspaper of general circulation (Whittier Daily News) on December 26, 2019 as required by the State Zoning and Development Laws and by the City's Zoning Ordinance. As of the date of this report, staff has not received any comments and/or inquiries regarding the proposed project.

On January 13, 2020, the Planning Commission conducted a duly noticed public hearing on the Project. At which time all interested persons were permitted the opportunity to address the Planning Commission. After seeing that no one was present to speak on the matter, and at the request made by the applicant prior to the meeting, the Planning Commission continued the hearing to the adjourned Planning Commission meeting scheduled for February 12, 2020 at 6:00 p.m.

ENVIRONMENTAL DOCUMENT

Based on staff's preliminary review of the project, because it requires several discretionary approvals, it is subject to the California Environmental Quality Act (CEQA). CEQA requires discretionary projects that are defined as projects, to be analyzed so that the environmental impacts of a project, and any attendant mitigation, may be identified. In the typical preliminary review of an application, one of the following outcomes may occur:

- The project is either *categorically exempt* or *statutorily exempt* from CEQA;
- The project will require the preparation of a *negative declaration (ND)* if potential environmental impacts are considered to be less than significant or having no impact;
- The project will require the preparation of a *mitigated negative declaration (MND)*, if potentially significant environmental impacts are found but all of which may be mitigated to a less than significant level; or

- The project will require the preparation of an *environmental impact report (EIR)*, if significant environmental impacts are found which cannot be mitigated to a less than significant level.

Although it was initially determined by the city, as the lead agency, that an MND would need to be prepared for the project, Becker Boards submitted an Initial Study to the City in support of a Negative Declaration. Rather than dismissing their findings, staff asked the City's environmental consultant, Blodgett Baylosis Environmental Planning (BBEP) to peer review the Initial Study. After careful review, BBEP concluded that the potential impacts for three key areas: aesthetics, biology, and land use, would require mitigation, due to the nature and extent of the requested Variances, to lessen or eliminate potentially significant impacts. The rationale for this conclusion was based on the following:

- The conclusion to finding C of Aesthetics impacts: A determination that the project's potential for conflicting "with the applicable zoning and other regulations governing scenic quality" as having a *Less than Significant Impact* could not be supported given the number and extent of the requested variances. Mitigation measures that would be effective in reducing these potential impacts (i.e. ensuring conformity with the City's regulations) must be clearly identified.
- The conclusion to finding E of Biological Resources impacts: A determination that the project's potential impact for conflicting "with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance" as having *No Impact* could not be supported given that tree removal is not permitted pursuant to the billboard ordinance. Since the project will require the removal of an existing tree, the finding of *No Impact* is not accurate. Nevertheless, in this case, it was conveyed that an appropriate mitigation measure is possible; for example, some form of tree replacement.
- The conclusion to finding B of Land Use impacts: A determination that the project's potential for conflicting "with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect" as having a *Less Than Significant Impact* could not be supported given that the specific sections of the City's billboard ordinance where variances are being requested are expressly designed to avoid an impact related to the construction and/or operation of a billboard. Therefore, the concluding statement that, "Implementation of the proposed Project would result in less-than-significant impacts due to land use and planning considerations; accordingly, mitigation measures are not required" cannot be supported without evidence provided in the CEQA document.

It is important to note that no specific mitigation measures were identified within the initial Negative Declaration, by the applicant. In several meetings with the Applicant and

their representatives, however, concerns were expressed that mitigation for Aesthetics and Land Use may not be possible. Absent any effective mitigation measures, an EIR would be needed so that a “statement of overriding considerations” could be adopted by the City Council as part of the certification of the Final EIR. The applicant subsequently submitted an Initial Study in support of a Mitigated Negative Declaration (see Attachment 5 - IS/MND Proposed by Applicant). Said IS/MND was reviewed by City staff, BBEP, and the City Attorney’s office and a determination was made that the document lacked clear, effective, and enforceable mitigation measures that would be effective in addressing the potentially significant environmental impacts.

In summary, absent clear and enforceable mitigation measures that would be effective in addressing the significant environmental impacts, it was concluded that an EIR (in this case a Focused EIR) would be needed. Since the applicant does not agree with that conclusion, and there is an apparent impasse, City staff and BBEP suggested that to move the project forward that it be presented to the Planning Commission with a determination that an action to deny the project would meet the “common sense” exemption as outlined in Section 15061(b)(3) of the CEQA Guidelines. Said section states that a project is exempt from CEQA if “...it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment...” Since there is no project being recommended for approval at this time, the exemption identified above would apply to an action to deny the project, should the Commission agree with Staff’s recommendation. Unless the Commission decides to approve the project, additional environmental analysis is not necessary to meet the requirements of CEQA at this time.

AUTHORITY OF PLANNING COMMISSION

Conditional Use Permit

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 its own study and knowledge of the circumstances. All conditions of approval shall: be binding upon the applicants, their successors and assigns; run with the land; limit and control the issuance and validity of certificates of occupancy; and restrict and limit the construction, location, use and maintenance of all land and structures within the development.

Zone Variance

The Planning Commission shall have the authority, subject to the procedures set for in this chapter, to grant variances from any provision(s) of this chapter related to the use and development of land when it is found that the strict and literal interpretation of such provisions would cause undue difficulties and unnecessary hardships inconsistent with the intent and general purpose of this chapter.

CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT/BILLBOARD PROJECT

The Commission should note that in accordance with Section 155.716 of the City's Zoning Ordinance, before granting a Conditional Use Permit, the Commission shall:

- 1) 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; and
- 2) 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.

In addition, pursuant to Section 155.384 (C) of the City of Santa Fe Springs Zoning Ordinance, the Planning Commission shall:

- 3) Not approve a conditional use permit for any billboard project unless it can make a finding that the billboard will not constitute a hazard to the safe and efficient operation of vehicles upon a street or freeway

Based on the findings set forth in the attached Resolution (No. 150-2020), staff believes that the proposed billboard project does not meet the necessary criteria set forth in Sections 155.716 and 155.384 of the City's Zoning Ordinance for the granting of a Conditional Use Permit and therefore Staff is recommending denial of the project.

CRITERIA FOR GRANTING A ZONE VARIANCE

The Commission should note that in accordance with Section 155.675 of the City's Zoning Ordinance, before granting a Zone Variance, the Commission shall satisfy itself that the applicant has shown that all of the following conditions shall apply:

- 1) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other properties or uses in the same vicinity and zone; and
- 2) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone district, but which is denied to the property in questions; and
- 3) That the granting of such variance will not be detrimental to the public welfare or injurious to the property or improvements of others in the vicinity; and
- 4) That the granting of such variance will not adversely affect the master plan of the City.

Based on the findings set forth in the attached Resolution (No. 150-2020), staff believes the applicant has not adequately demonstrated that the required conditions for approval of a variance can be found for the billboard project, as set forth in §155.675 of

the City of Santa Fe Springs Zoning Ordinance. Staff is therefore recommending denial of the project.

STAFF CONSIDERATIONS

Prior to Ordinance No. 1036, billboards were not allowed within the Freeway Overlay Zone. Ordinance No. 1036 and subsequent amendments, established specific requirements under which billboards would be allowed. For a billboard to be allowed, it first needed to be in compliance with all the requirements established by the ordinance. Only then would a billboard be allowed.

It is staff's opinion that the location of billboards should be selected based on the existing code regulations rather than selecting a location and working backwards to obtain necessary variances from the Code. Although the applicant has reduced the number of Zone Variances from a total of six variances initially to the five that still remain, there is still insufficient evidence to support the required findings necessary to approve the five Zone Variances related to the subject digital billboard project. Staff would agree that there are constraints surrounding the proposed project, such as the site's limited street frontage, location of existing building and trees, and location of adjacent billboards, which do have a direct bearing on the site's suitability as defined in the City's billboard ordinance. It is important to note, however, that said constraints already existed when the applicant selected the subject property for their proposed billboard.

Although other previously approved billboards were granted variances to deviate from existing billboard regulations, none of said billboards had required or received more than two variances. To approve a billboard, or any type of development, which requires a total of five Zone Variances would be unprecedented. Additionally, the granting of multiple variances in the absence of sound findings that cannot be supported by evidence could result in a "de facto" amendment to the City's billboard ordinance.

It should also be noted that a variance to allow the proposed billboard to be constructed over an existing building is not only an exception that has never been granted before but, in staff's opinion, would result in a significant aesthetic impact. The existing billboard ordinance specifically prohibits such designs because they do not portray the image that the City consistently strives to achieve for billboards. Moreover, any variances that are approved for the propose billboard project would set a precedent for future requests.

In 2012, when Ordinance No. 1036 was adopted, from the Buena Park city limits to the city limits of Santa Fe Springs, there were approximately twelve billboards: eight on the south side of the freeway and four on the north. Staff looked at those billboards and observed that none had consistent heights, sign areas or column design. Some overhanged buildings, and/or were constructed on top of buildings, and others had support columns of variance distances from the building. Ordinance No. 1036 was, in part,

intended to address the chaotic mish-mash, haphazardness, and asymmetrical design that was observed.

Lastly, the Planning Commission should note that the subject billboard project, should the Commission decide to approve the Conditional Use Permit, five Zone Variances, and make a recommendation that the City Council approve the Development Agreement, the billboard would still be subject to subsequent review and approval by the California Department of Transportation to determine if the proposed billboard meets the requirements of the Outdoor Advertising Act as codified in the California Business and Professions Code, section 5200 et seq. For the record, staff has received confirmation from Caltrans (see Attachment 9 – Caltrans Determination) that the subject billboard, as proposed, would be denied since message center displays cannot be placed within 1,000 feet of another message center display on the same side of the freeway as per Outdoor Advertising Act section 5405(d)(1). As previously mentioned, there is a message center display approximately 463 feet north of the subject digital billboard/message center display at 13443 Freeway Drive (Tom's Truck Center).

Based on the facts contained within this report, and also the findings set forth in the attached Resolution (No. 150-2020), staff believes that the applicant's request does not meet the necessary criteria set forth in Sections 155.716 and 155.384 of the City's Zoning Ordinance for the granting of a Conditional Use Permit nor does it meet the necessary criteria set forth in Section 155.675 of the City's Zoning Ordinance for the granting of a Zone Variance.

Staff is, therefore, recommending denial of Conditional Use Permit (CUP) Case No. 795, Zone Variance (ZV) Case No 82, and Zone Variance (ZV) Case Nos. 84-87. And since the Development Agreement is contingent upon approval of the subject CUP and ZVs, and therefore is not an independent document, staff is also recommending denial of Development Agreement No. 01-2020 since the DA is not relevant without the CUP and ZV entitlements.


Wayne M. Morrell
Director of Planning

Attachments:

- | | |
|---------------------------------|--------------------------------------|
| 1. Aerial Photograph | 6. CUP Application |
| 2. Public Hearing Notice | 7. ZV Application |
| 3. Radius Map | 8. Development Agreement No. 01-2020 |
| 4. Project Plans | 9. Caltrans Determination |
| 5. IS/MND Proposed by Applicant | 10. Resolution No. 150-2020 |

Attachment 1: Aerial Photograph



**CITY OF SANTA FE SPRINGS
AERIAL PHOTOGRAPH**



13539 Freeway Drive (APN: 8069-016-006)

PROJECT

Conditional Use Permit (CUP) Case No. 795 &
Zone Variance (ZV) Case No. 82 & 84-87

APPLICANT

Becker Boards

Attachment 2: Public Hearing Notice**FILE COPY**11710 Telegraph Road • CA • 90670-3679 • (562) 868-0511 • Fax (562) 868-7112 • www.santafesprings.org*"A great place to live, work, and play"*NEOPOST
12/23/2019
US POSTAGE \$000.00⁰FIRST-CLASS MAIL
ZIP 90670
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**CITY OF SANTA FE SPRINGS
NOTICE OF PUBLIC HEARING
CONDITIONAL USE PERMIT CASE NO. 795 AND
ZONE VARIANCE CASE NOS. 82 AND 84-87**

NOTICE IS HEREBY GIVEN: that a Public Hearing will be held before the City of Santa Fe Springs Planning Commission for the following:

CONDITIONAL USE PERMIT CASE NO. 795: A request to allow the construction and operation of a new 50-foot tall v-shaped digital billboard with 14' x 48' display areas on the subject property, within the M-2 FOZ (Heavy Manufacturing – Freeway Overlay Zone) zone; and

ZONE VARIANCE CASE NO. 82: A request to allow the subject digital billboard to project over the roof of a building as set forth in Section 155.384 (E)(1) of the City's Zoning Regulations; and

ZONE VARIANCE CASE NO. 84: A request to allow the subject digital billboard to be located less than 25' from the front property line as set forth in Section 155.384 (H)(6) of the City's Zoning Regulations; and

ZONE VARIANCE CASE NO. 85: A request to allow the subject digital billboard to be located less than 25' from the side property line as set forth in Section 155.384 (H)(6) of the City's Zoning Regulations; and

ZONE VARIANCE CASE NO. 86: A request to allow the subject digital billboard to be located less than 25' from the adjacent building as set forth in Section 155.384 (H)(6) of the City's Zoning Regulations; and

ZONE VARIANCE CASE NO. 87: A request to allow the removal of an existing on-site tree in order to locate the subject digital billboard as currently prohibited by Section 155.384 (I)(3) of the City's Zoning Regulations.

APPLICANT / PROJECT LOCATION: Becker Boards / 13539 Freeway Drive (APN: 8069-016-006)

CEQA STATUS: City staff believes the project qualifies for the *General Rule CEQA Exemption* since no project is being recommended for approval at this time. At this time, the project is moving forward with a recommendation for denial. For this reason, staff believes the project would meet the "General Rule" clause outlined in Section 15061 (b)(3) of the CEQA Guidelines which states the following: "Where it can be seen with

Juanita Trujillo, Mayor • William K. Rounds, Mayor Pro Tem
City Council

John M. Mora • Annette Rodriguez • Joe Angel Zamora
City Manager
Raymond R. Cruz

certainty that there is no possibility the activity in questions may have a significant effect on the environment, the activity is not subject to 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.

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, January 13, 2020 at 6:00 p.m.

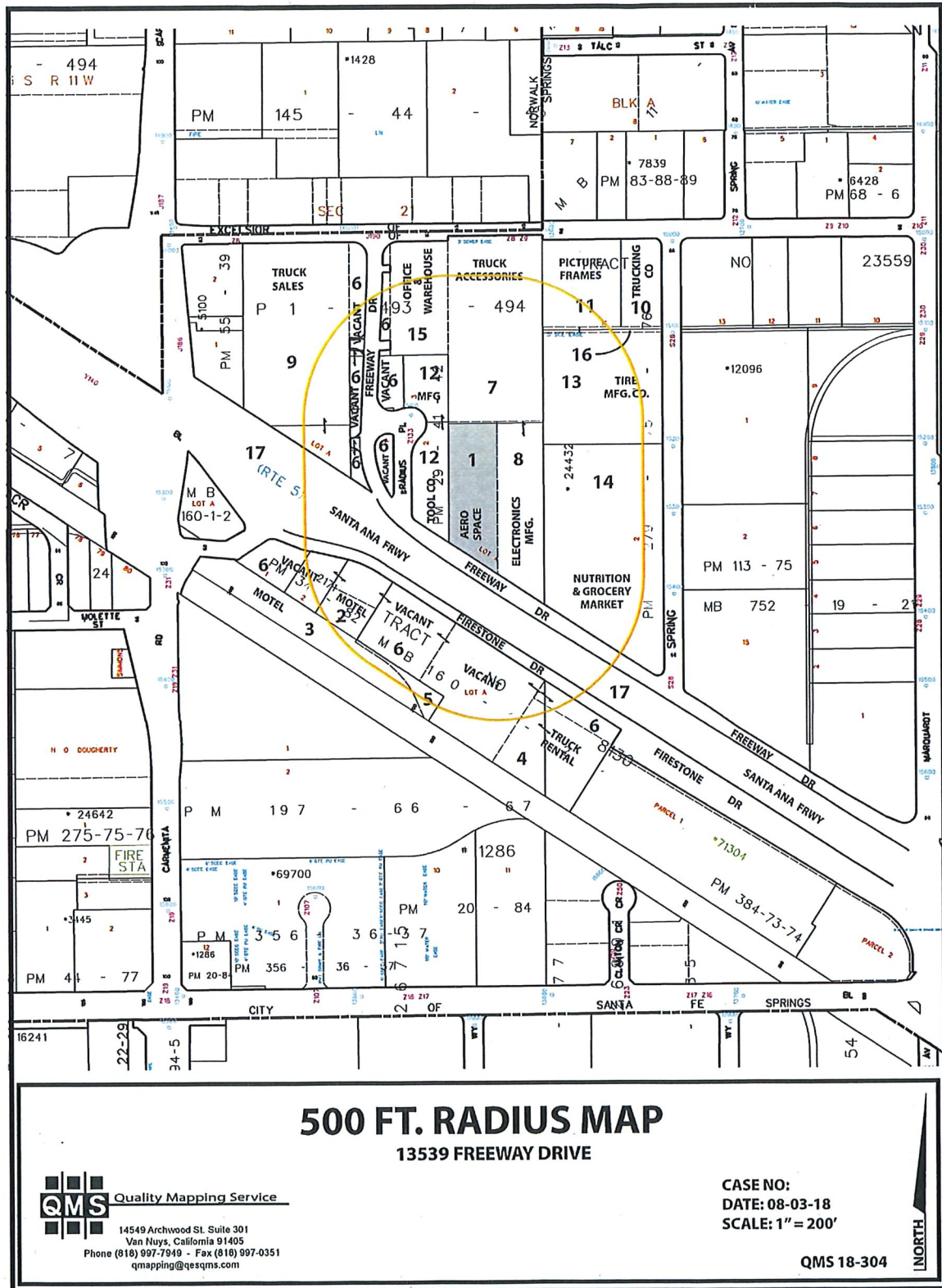
ALL INTERESTED PERSONS are invited to attend the Public Hearing before Planning Commission and express their opinion on the subject items listed above. You should note that if you challenge the afore-mentioned Conditional Use Permit or Zone Variances in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the office of the Commission at, or prior to, the Public Hearing

FURTHER INFORMATION on this item may be obtained at the City of Santa Fe Springs Planning Department, 11710 Telegraph Road, Santa Fe Springs, California 90670 or by telephone or e-mail: (562) 868-0511, extension 7359, cuongnguyen@santafesprings.org.

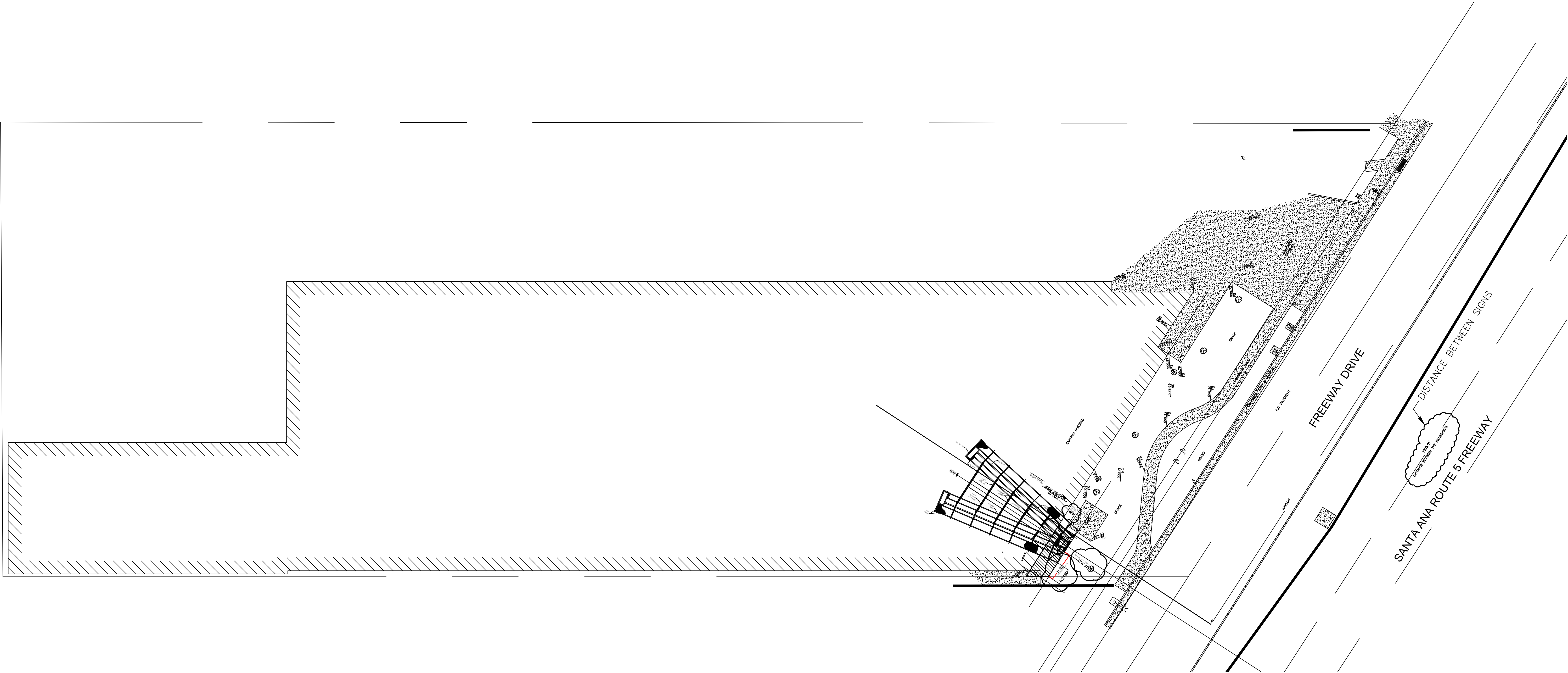
Wayne M. Morrell
Director of Planning
City of Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670

Juanita Trujillo, Mayor • William K. Rounds, Mayor Pro Tem
City Council
John M. Mora • Annette Rodriguez • Joe Angel Zamora
City Manager
Raymond R. Cruz

Attachment 3: Radius Map



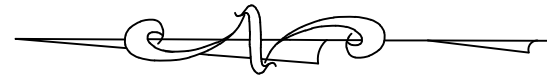
Attachment 4: Project Plans



BENCHMARK:
ASSUMED ELEVATION OF 1000.00' AT FINISHED FLOOR OF FRONT OF BUILDING WAS USED FOR THIS SURVEY.

LEGEND

- PROPERTY LINE
- CENTERLINE
- WALL
- EXISTING BUILDING
- FINISHED SURFACE
- FINISHED FLOOR
- DIRT
- ELECTRIC VAULT/PULL BOX
- CATCH BASIN
- UTILITY POLE
- FIRE HYDRANT
- STREET LIGHT
- STREET LIGHT PULL BOX
- WATER METER
- FLAG POLE
- TREE



GRAPHIC SCALE



1 inch = 20 ft.

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TOPOGRAPHIC SURVEY

13539 FREEWAY DRIVE
LOS ANGELES, CALIFORNIA

H.J. BURKE, INC.

890 S. DURANGO DR. # 100, LAS VEGAS, NEVADA 89145

T: (310) 633-1213 T: (702) 452-8753 F: (702) 562-9876 EMAIL: info@hjburke.com

DRAWN BY: ATL DATE OF SURVEY: 08-21-2018

CHECKED BY: JOHN DWG. NAME: 13539 FREEWAY DR

SHEET:

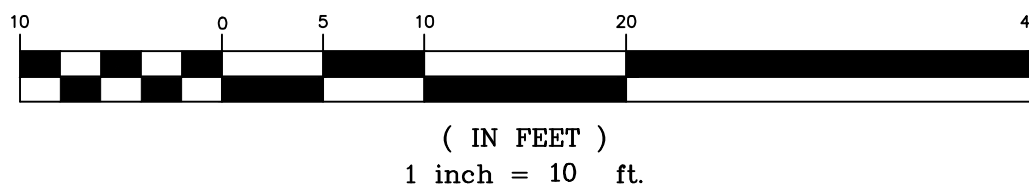
1 OF 2

REVISIONS

DATE

APPROVED BY:

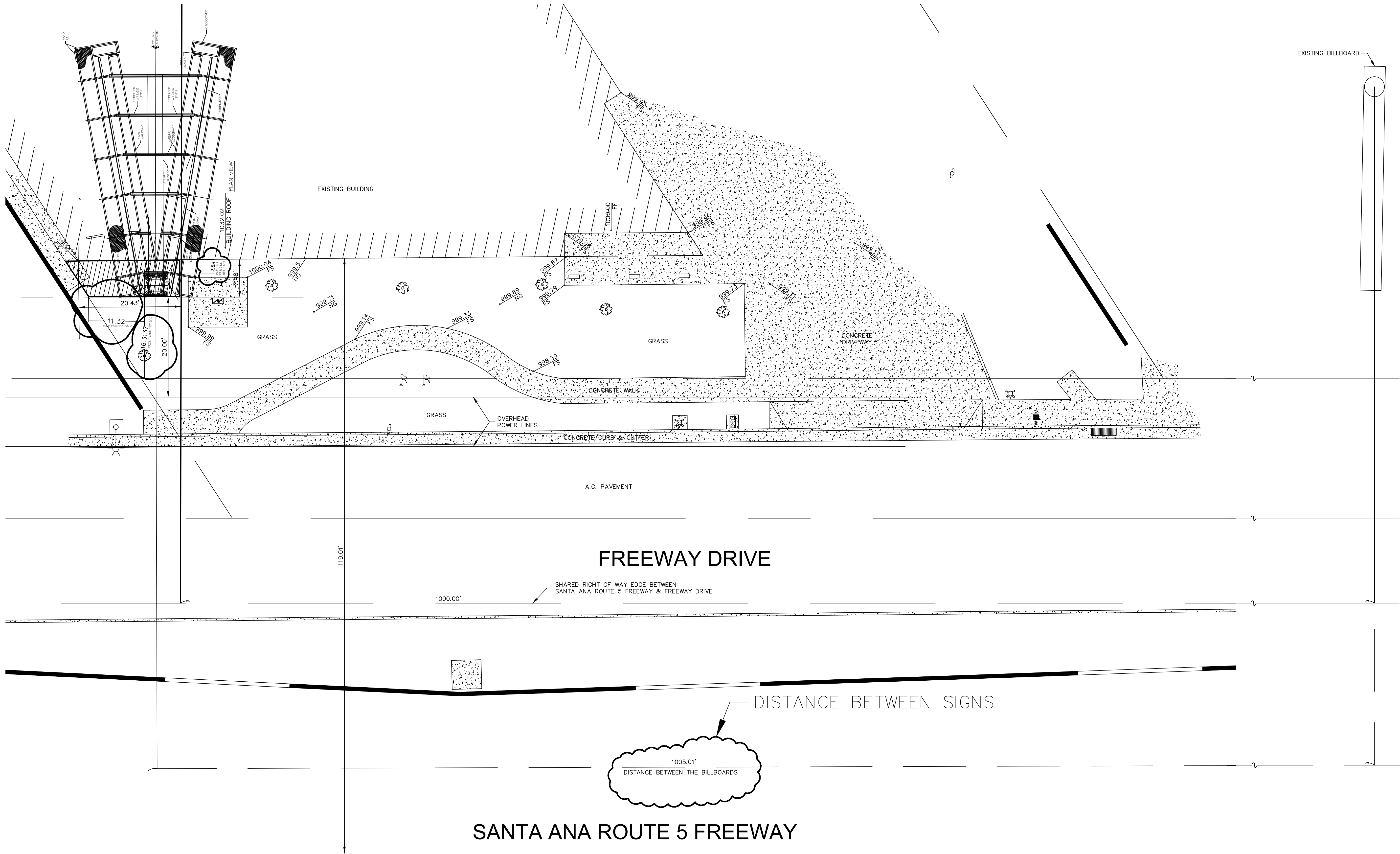
BENCHMARK:
ASSUMED ELEVATION OF 1000.00' AT FINISHED FLOOR OF FRONT OF
BUILDING WAS USED FOR THIS SURVEY.



LEGEND

- PROPERTY LINE
- CENTERLINE
- WALL
- EXISTING BUILDING
- FINISHED SURFACE
- FINISHED FLOOR
- DIRT
- ELECTRIC VAULT/PULL BOX
- CATCH BASIN
- UTILITY POLE
- FIRE HYDRANT
- STREET LIGHT
- STREET LIGHT PULL BOX
- WATER METER
- FLAG POLE
- TREE

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TOPOGRAPHIC SURVEY

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LOS ANGELES, CALIFORNIA

H.J. BURKE, INC.

890 S. DURANGO DR. # 100, LAS VEGAS, NEVADA 89145

T: (310) 633-1213 T: (702) 452-8753 F: (702) 562-9876 EMAIL: info@hjburke.com

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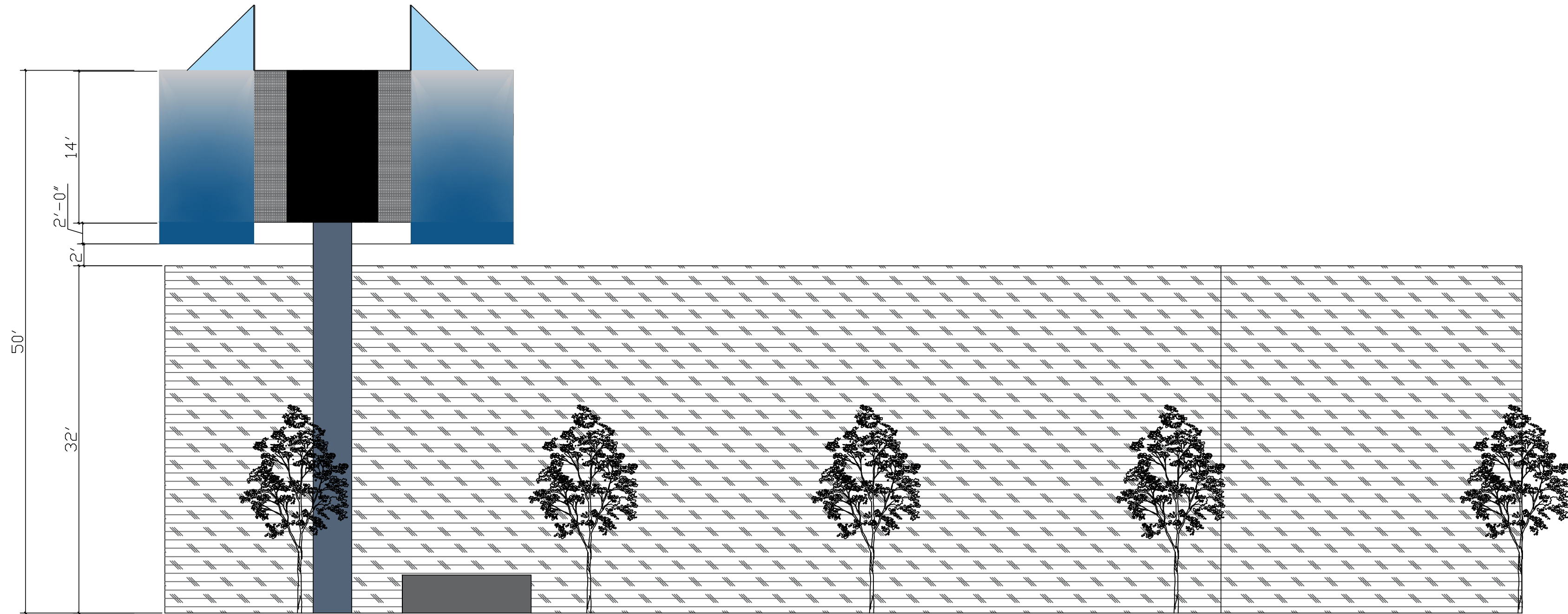
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REVISIONS

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NORTH / EAST ELEVATION

13539 FREEWAY DRIVE
SANTA FE SPRINGS, CA



MOBILE 818-943-0080
OFFICE 818-855-8505

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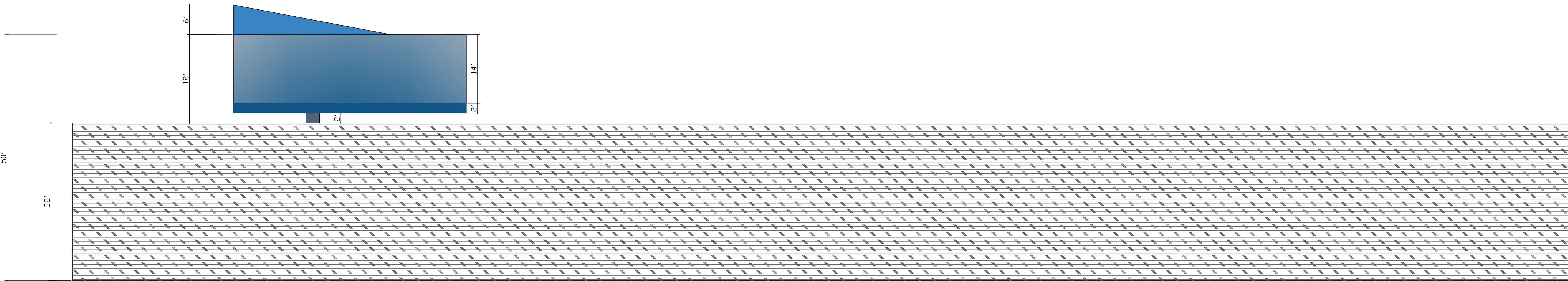
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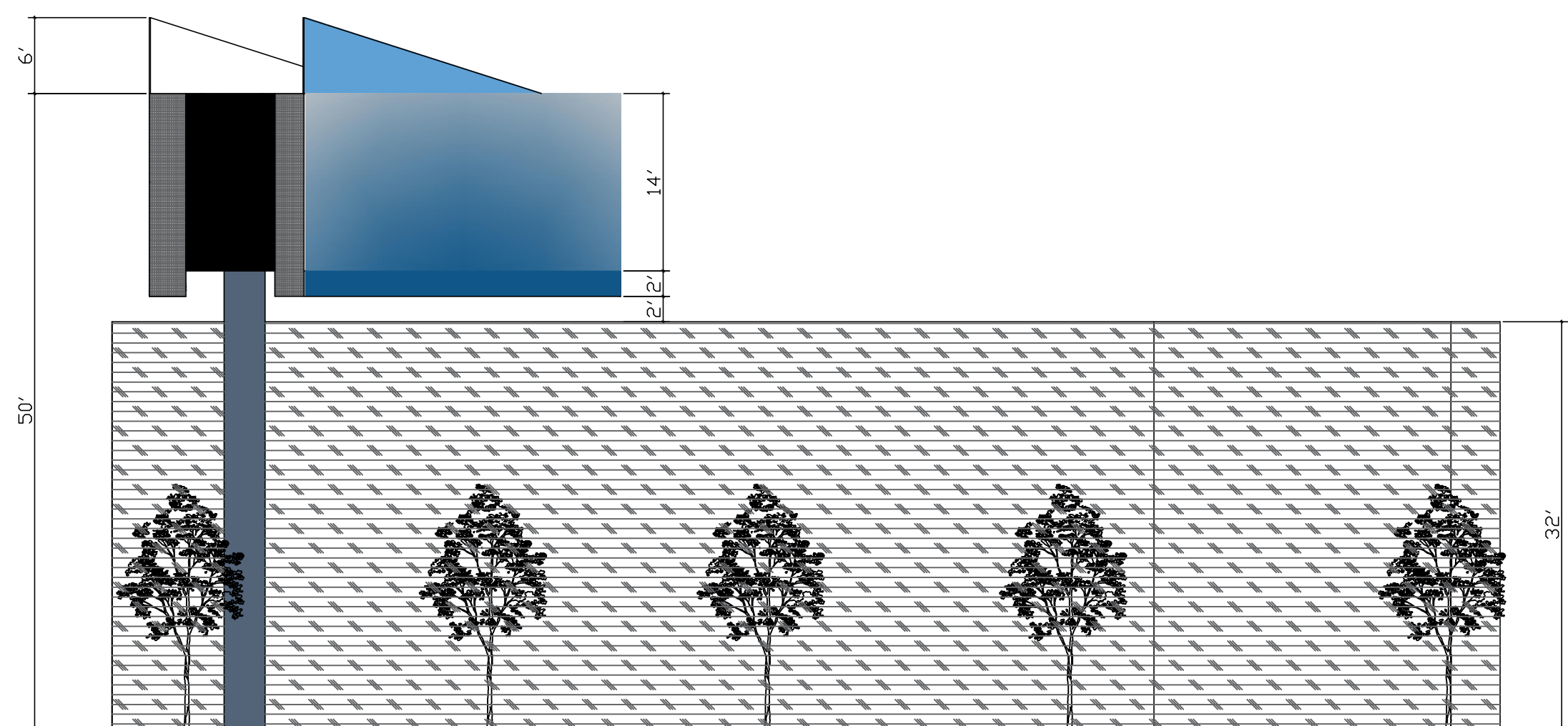
BECKER BOARDS, LLC
4234 E INDIAN SCHOOL ROAD
PHOENIX, AZ 85018

PROJECT CLIENT

18-018
PROJECT NO.
SHEET NO.
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EAST ELEVATION



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13539 FREEWAY DRIVE
SANTA FE SPRINGS, CA



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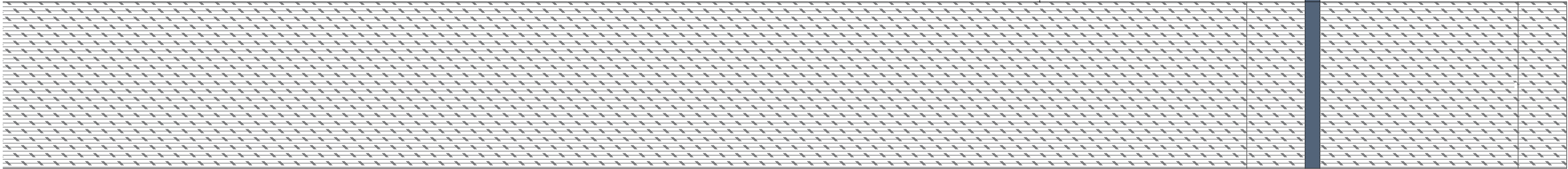
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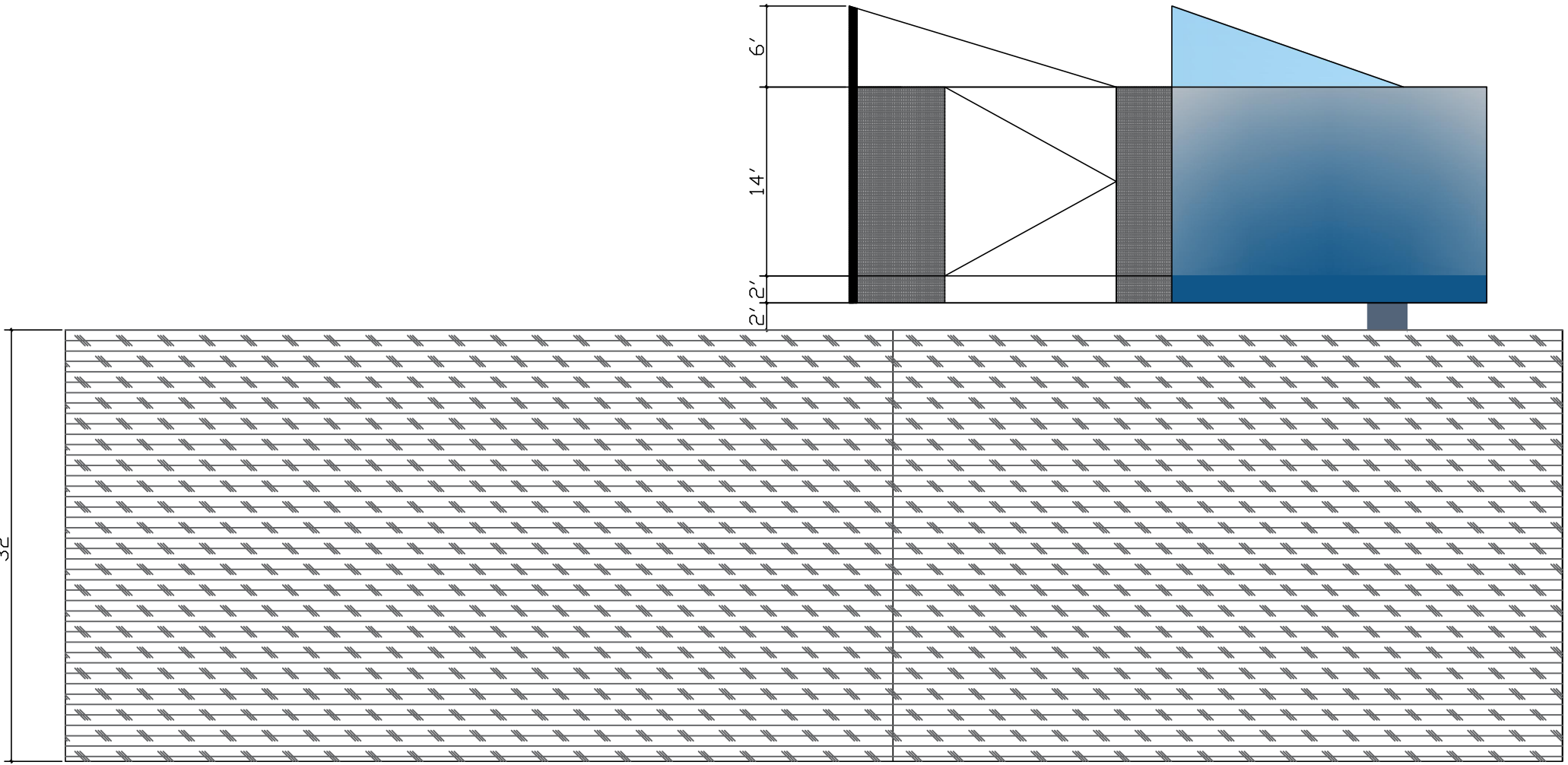
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WEST ELEVATION



SOUTH ELEVATION

13539 FREEWAY DRIVE
SANTA FE SPRINGS, CA



MOBILE 818-943-0080
OFFICE 818-855-8505

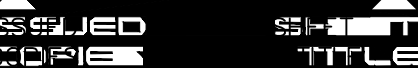
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SITE PLAN
1/8"=1'-0"



BECKER BOARDS, LLC

4234 E INDIAN SCHOOL ROAD
PHOENIX, AZ 85018

PROJECT CLIENT

18-018

PROJECT NO.
SHEET NO.

A4.0

48'

6'

14'

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36'

CITY OF
SANTA FE SPRINGS

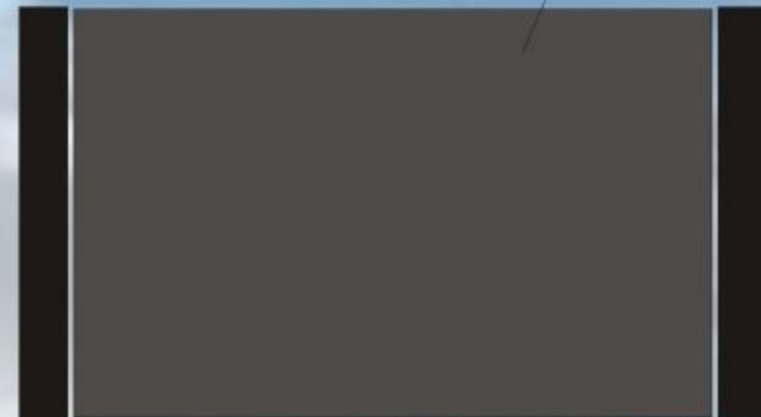


INTRODUCING
THE 2018 MODEL S



TESLA

BECKER
BOARDS .COM



Solid metal filler screening panel placed between LED panels on wide end of V-shaped angle. Painted gray to match the triangular top and bottom accents.

Freeway side



CITY OF
SANTA FE SPRINGS

INTRODUCING
THE 2018 MODEL S

TESLA

2' I

2' I


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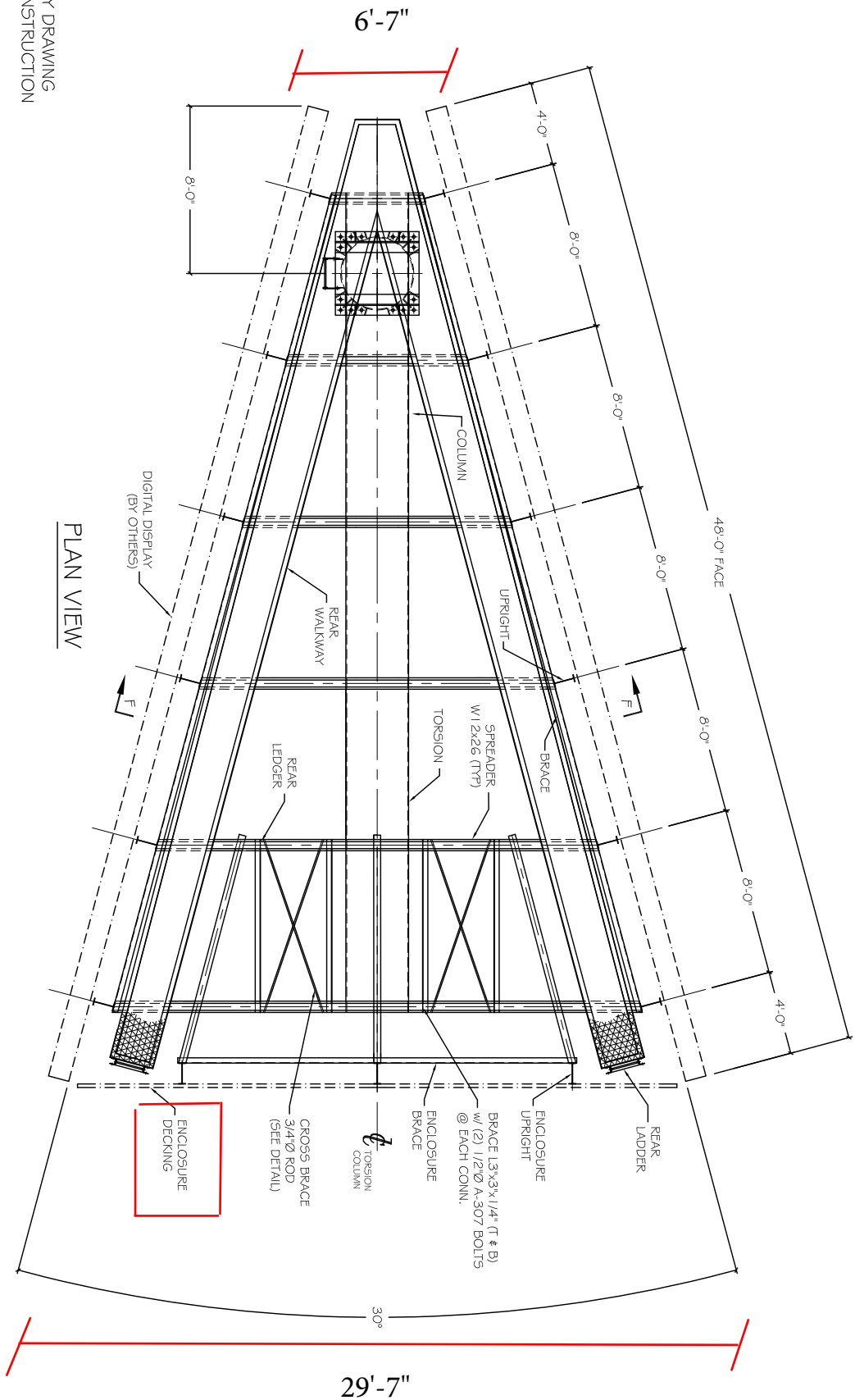
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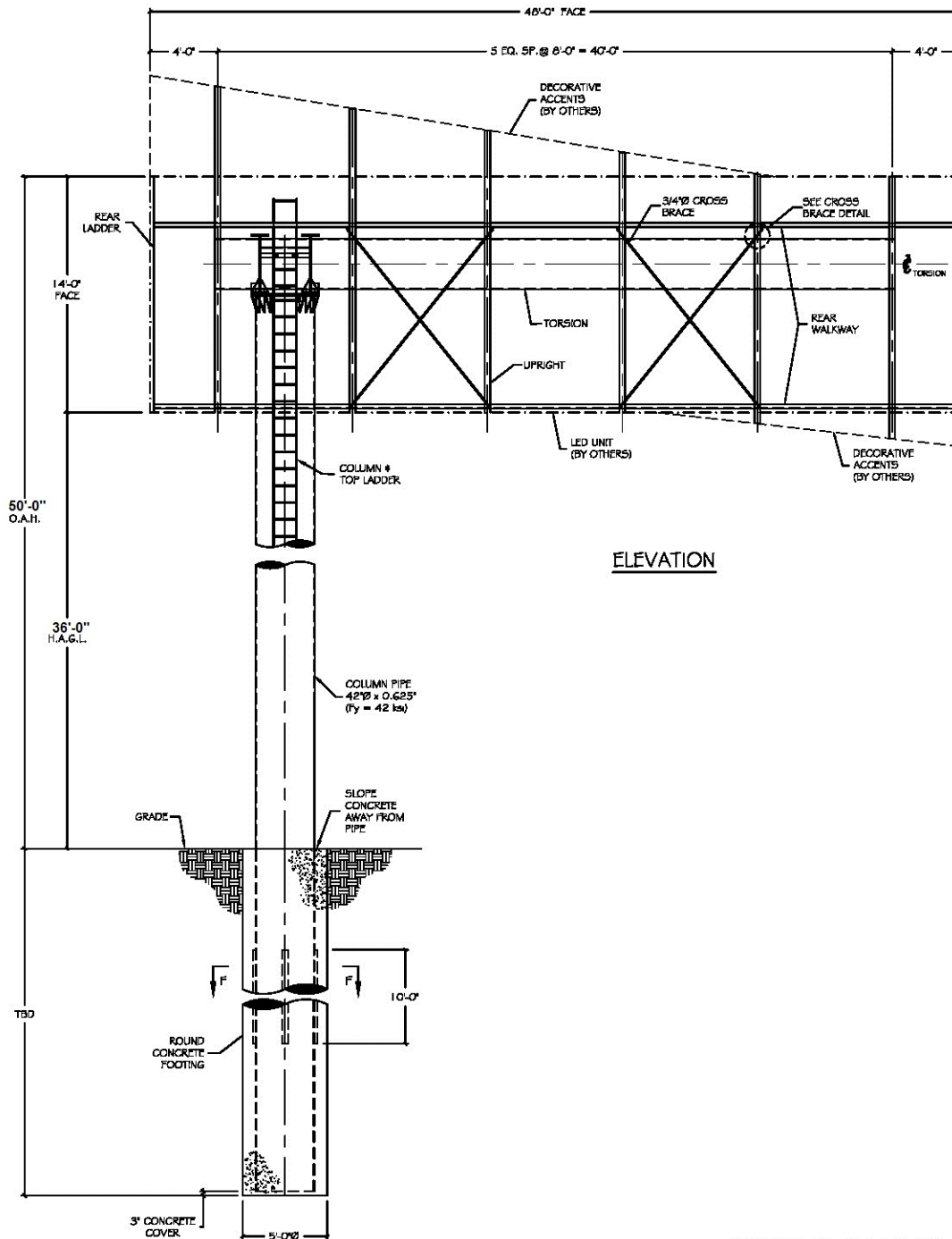
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SPEED
LIMIT
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PRELIMINARY DRAWING
NOT FOR CONSTRUCTION


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| CUSTOMER | | 1 4' x 48' SINGLE POST PARTIAL FLAG DOUBLE FACE 30° V-BUILD LED READY (BOTH SIDES) | |
| BECKER BOARDS | | ENG NO. | DR. FS CH. JSW |
| SIGN LOCATION | | EESL NO. | DATE 01/09/19 |
| SANTA FE SPRINGS, CA | | JOB NO. | SHEET NO. 1 of 2 |
|  4422 North 24th Street, Suite 200 Phoenix, Arizona 85016 (602) 230-8834 Fax: (602) 230-9071 | | | |





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PRELIMINARY DRAWING
NOT FOR CONSTRUCTION

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| CUSTOMER | | 14' x 48' SINGLE POST PARTIAL FLAG DOUBLE FACE 30° V-BUILD LED READY (BOTH SIDES) | | |
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| SIGN LOCATION | | SANTA FE SPRINGS, CA | | |
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|  4426 North 24th Street, Suite 200 Phoenix, Arizona 85016 (802) 230-8634 Fax: (802) 230-8071 | | ENG NO. | DR. | CH. |
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| | | 01/09/19 | | |
| | | JOB NO. | SHEET NO. | |
| | 2 of 2 | | | |

Attachment 5: IS/MND proposed by Applicant

Initial Study / Mitigated Negative Declaration

Santa Fe Springs Digital Billboard
13539 Freeway Drive

CEQA Lead Agency:



City of Santa Fe Springs
Planning and Development Department
11710 E. Telegraph Road
Santa Fe Springs, CA 90670

Project Applicant:

Becker Boards
4324 E. Indian School Road
Phoenix, AZ 85018

CEQA Consultant:

T&B Planning, Inc.
17542 East 17th Street, Suite 100
Tustin, CA 92780

**SECOND Screencheck Draft
(Has not been circulated for Public Review)
October 31, 2019**

**TABLE OF CONTENTS**

| <u>Section Number/Title</u> | <u>Page</u> |
|---|--------------------|
| 1.0 Introduction | 1-1 |
| 1.1 Purpose of this Document | 1-1 |
| 1.2 CEQA Requirements for Mitigated Negative Declarations (MNDs)..... | 1-1 |
| 1.3 Format and Content of this Initial Study/Mitigated Negative Declaration | 1-2 |
| 1.4 Preparation and Processing of this Mitigated Negative Declaration | 1-2 |
| 2.0 Environmental Setting | 2-1 |
| 2.1 Location of the Project Site..... | 2-1 |
| 2.2 CEQA Requirements for Environmental Setting and Baseline Conditions | 2-1 |
| 2.3 Existing Site and Area Characteristics..... | 2-1 |
| 2.3.1 Existing Site Conditions..... | 2-1 |
| 2.3.2 Site Access..... | 2-1 |
| 2.3.3 Surrounding Land Uses and Development | 2-5 |
| 2.4 City Planning Context..... | 2-5 |
| 2.4.1 City of Santa Fe Springs General Plan | 2-5 |
| 2.4.2 City of Santa Fe Springs Zoning Designations | 2-5 |
| 3.0 Project Description | 3-1 |
| 3.1 Project Overview..... | 3-1 |
| 3.2 Project Technical / Operational Characteristics | 3-1 |
| 3.2.1 Billboard Specifications..... | 3-1 |
| 3.3 Project Construction Characteristics | 3-6 |
| 3.4 Project-Related Approvals | 3-6 |
| 3.4.1 Variances..... | 3-6 |
| 3.4.2 Conditional Use Permit No. 795 | 3-7 |
| 3.4.3 Development Agreement (City of Santa Fe Springs) | 3-8 |
| 3.4.4 Caltrans Outdoor Advertising (ODA) Display Permit | 3-8 |
| 3.5 Existing Environmental Characteristics..... | 3-9 |
| 3.5.1 Air Quality | 3-9 |
| 3.5.2 Topography, Geology, and Soils..... | 3-9 |
| 3.5.3 Hydrology..... | 3-9 |
| 3.5.4 Biological Resources | 3-10 |



TABLE OF CONTENTS

| <u>Section Number/Title</u> | <u>Page</u> |
|---|--------------------|
| 3.5.5 Historical, Archaeological, and Paleontological Resources | 3-10 |
| 3.5.6 Rare and Unique Resources..... | 3-10 |
| 4.0 Project Information..... | 4-1 |
| 5.0 Environmental Checklist | 5-1 |
| 5.1 Environmental Factors Potentially Affected | 5-1 |
| 5.2 Determination..... | 5-1 |
| 6.0 Environmental Analysis..... | 6-1 |
| 6.1 Evaluation of Environmental Impacts..... | 6-1 |
| 6.1.1 Aesthetics..... | 6-1 |
| 6.1.2 Agriculture and Forestry Resources..... | 6-10 |
| 6.1.3 Air Quality | 6-13 |
| 6.1.4 Biological Resources | 6-18 |
| 6.1.5 Cultural Resources | 6-21 |
| 6.1.6 Energy | 6-22 |
| 6.1.7 Geology and Soils..... | 6-27 |
| 6.1.8 Greenhouse Gas Emissions..... | 6-31 |
| 6.1.9 Hazards and Hazardous Materials | 6-34 |
| 6.1.10 Hydrology and Water Quality | 6-37 |
| 6.1.11 Land Use and Planning..... | 6-41 |
| 6.1.12 Mineral Resources | 6-45 |
| 6.1.13 Noise | 6-45 |
| 6.1.14 Population and Housing..... | 6-50 |
| 6.1.15 Public Services | 6-51 |
| 6.1.16 Recreation..... | 6-52 |
| 6.1.17 Transportation | 6-53 |
| 6.1.18 Tribal Cultural Resources | 6-56 |
| 6.1.19 Utilities and Service Systems | 6-57 |
| 6.1.20 Wildfire | 6-60 |
| 6.1.21 Mandatory Findings of Significance..... | 6-61 |
| 7.0 Mitigation, Monitoring, and Reporting Program..... | 7-1 |



TABLE OF CONTENTS

| <u>Section Number/Title</u> | <u>Page</u> |
|---|--------------------|
| 8.0 References | 8-1 |
| 9.0 Persons Contributing to this Document | 9-1 |

LIST OF FIGURES

| <u>Figure Number/Title</u> | <u>Page</u> |
|--|--------------------|
| Figure 2-1 Regional Map | 2-2 |
| Figure 2-2 Vicinity Map | 2-3 |
| Figure 2-3 Aerial Photograph | 2-4 |
| Figure 2-4 Existing and Surrounding Land Uses | 2-6 |
| Figure 2-5 Existing General Plan Land Use Designations | 2-7 |
| Figure 2-6 Existing Zoning Designations | 2-8 |
| Figure 3-1 Proposed Site Plan | 3-3 |
| Figure 3-2 Plan View | 3-4 |
| Figure 3-3 Elevation Views | 3-5 |
| Figure 6-1 View Simulations | 6-2 |
| Figure 6-2 Billboard Lighting Intensity (Facing West) | 6-8 |
| Figure 6-3 Billboard Lighting Intensity (Facing East) | 6-9 |

LIST OF TABLES

| <u>Table Number/Title</u> | <u>Page</u> |
|---|--------------------|
| Table 6-1 <i>SCAQMD Maximum Regional Daily Emissions Thresholds</i> | 6-15 |
| Table 6-2 Summary of Construction-Related Emissions | 6-15 |
| Table 6-3 Summary of Operation-Related Emissions | 6-16 |
| Table 6-4 Total Project Greenhouse Gas Emissions | 6-33 |
| Table 6-5 Municipal Code Noise Standards | 6-48 |



LIST OF TECHNICAL APPENDICES

The documents identified below are included within the Technical Appendices to this Initial Study (IS) / Mitigated Negative Declaration (MND), and are herein incorporated by reference pursuant to CEQA Guidelines Section (§)15150. These documents are attached to this IS/MND (bound separately) and also are available for review at the City of Santa Fe Springs, Planning and Development Department, 11710 East Telegraph Road, Santa Fe Springs, CA 90670, during regular business hours.

- A. Sign Lighting Study
- B. Air Quality and Greenhouse Gas Emission Calculations



1.0 Introduction

This Initial Study (IS) / Mitigated Negative Declaration (MND) evaluates the Santa Fe Springs Digital Billboard Project (hereafter, “Project”) proposed by Becker Boards (hereafter, “Project Applicant”). The Project is proposed on the southwest corner of a 1.85-acre parcel (hereafter “Project site”) located immediately north and east of Freeway Drive and west of Spring Avenue at 13539 Freeway Drive, in the City of Santa Fe Springs, Los Angeles County, California. The Project Applicant proposes to construct and operate a dual-faced, digital/light emitting diodes (LED) billboard with associated infrastructure connections on the Project site. Under existing conditions, the property is fully developed with a warehouse facility (i.e., Hurlen Corporation Surplus) and associated site improvements to which the Project would contribute additional development in the form of a dual faced billboard.

1.1 Purpose of this Document

The Project is the subject of analysis in this document pursuant to the California Environmental Quality Act (CEQA). The content of this IS/MND complies with all criteria, standards, and procedures of CEQA (California Public Resource Code § 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, § 15000 et seq.).

CEQA is a statewide environmental statute contained in Public Resources Code §§21000-21177 that applies to most public agency decisions to carry out, authorize, or approve actions that have the potential to adversely affect the environment. CEQA requires that before a public agency makes a decision to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the project’s potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment.

As defined by CEQA Guidelines §15367, the City of Santa Fe Springs is the Lead Agency for the proposed Project. “Lead Agency” refers to the public agency that has the principal responsibility for carrying out or approving a project. Discretionary approvals are required of the City of Santa Fe Springs to implement the proposed Project: Zoning Variances, a Conditional Use Permit (CUP) and a Development Agreement between the Project Applicant and Lead Agency. Administrative approvals would consist of the issuance of a building permit. These actions and other approval actions required of the City of Santa Fe Springs and/or other governmental agencies to fully implement the proposed Project are described in more detail in Section 3.0, *Project Description*. If this IS/MND is adopted by the City of Santa Fe Springs, Responsible and Trustee agencies with approval authorities over the Project can use this IS/MND as the CEQA compliance document as part of their decision-making processes.

1.2 CEQA Requirements for Mitigated Negative Declarations (MNDs)

An MND is a written statement by the Lead Agency briefly describing the reasons why a proposed project, which is not exempt from the requirements of CEQA, will not have a significant effect on the environment and therefore does not require preparation of an Environmental Impact Report (EIR) (CEQA Guidelines §15371). The CEQA Guidelines require the preparation of a MND if the Initial Study prepared for a project shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or identifies potentially significant effects, but: 1) revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed MND and Initial Study are released for public review would avoid the effects where clearly no significant effects



would occur; and 2) there is no substantial evidence, in light of the whole record before the Lead Agency, that the project as revised may have a significant effect on the environment (CEQA Guidelines §15070[b]).

1.3 Format and Content of this Initial Study/Mitigated Negative Declaration

The following items comprise the IS/MND in its entirety:

- 1) This document, including all Sections. Section 5.0 contains the completed Environmental Checklist/Initial Study and Section 6.0 contains the proposed Project's associated analyses, which documents the evidence relied upon to support the findings and conclusions of the Initial Study.
- 2) Two technical reports are attached as *Technical Appendix A* and *Technical Appendix B*. These technical reports are also on file and available for public review at the City of Santa Fe Springs, Planning and Development Department (11710 E. Telegraph Road, Santa Fe Springs, CA 90670) and is hereby incorporated by reference pursuant to CEQA Guidelines §15150.

A Sign Lighting Study, prepared by Watchfire Signs, dated January 4, 2019

B Air Quality and Greenhouse Gas Emission Calculations, prepared by Urban Crossroads, Inc. and dated October 5, 2016

1.4 Preparation and Processing of this Mitigated Negative Declaration

The City of Santa Fe Springs, Planning and Development Department, directed and supervised the preparation of this IS/MND. Although prepared with assistance of the consulting firm T&B Planning, Inc., the content contained within and the conclusions drawn by this IS/MND reflect the sole independent judgment of the City of Santa Fe Springs.

This IS/MND and Notice of Intent (NOI) to adopt the IS/MND will be distributed to the following entities for a 30-day public review period: 1) organizations and individuals who have previously requested such notice writing to the City of Santa Fe Springs; 2) direct mailing to the owners of property contiguous to the Project site as shown on the latest equalized assessment roll; 3) responsible and trustee agencies (public agencies that have a level of discretionary approval over some component of the proposed Project); 4) the County of Los Angeles Clerk; and 5) the California Office of Planning and Research, State Clearinghouse, for review by State agencies. The NOI identifies the location(s) where the IS/MND and its associated Technical Appendices are available for public review. In addition, notice of the public review period also will occur via posting of a notice at City Hall (11710 E. Telegraph Road, Santa Fe Springs, CA), via standard mailing to property owners located within a 300-foot radius of the Project site, and publication in a newspaper of general circulation in the Project area. The NOI also establishes a 30-day public review period during which comments on the adequacy of the IS/MND document may be provided to the City of Santa Fe Springs, Planning and Development Department.

Following the 30-day public review period, the City of Santa Fe Springs will review any and all comment letters received and determine whether any substantive comments were provided that may warrant revisions to the IS/MND document. If substantial revisions are not necessary (as defined by CEQA Guidelines §15073.5(b)), then the IS/MND will be finalized and forwarded to the City of Santa Fe Springs Planning Commission for review as part of their deliberations concerning the proposed Project. A public hearing(s) will be held before the City's Planning Commission to consider the proposed Project and the adequacy of this IS/MND. Public comments will be heard and considered at the hearing(s). If approved,



Planning Commission would adopt findings relative to the Project's environmental effects as disclosed in the IS/MND and the Notice of Determination (NOD) will be filed with the County of Los Angeles Clerk.



2.0 Environmental Setting

2.1 Location of the Project Site

As shown on Figure 2-1, *Regional Map*, the Project site is located in the City of Santa Fe Springs, CA. The City of Santa Fe Springs is located in the southeast portion of Los Angeles County and is bordered to the north by unincorporated Los Angeles County; to the east by the City of Whittier and unincorporated Los Angeles County; to the south by the City of Cerritos and the City of La Mirada; and to the west by the City of Norwalk and the City of Downey. The Project site is located immediately north of the Interstate 5 (I-5) freeway which transects the western portion of the City of Santa Fe Springs.

The Project is proposed on the southwest corner of the 1.85-acre Project site, which is located in the southeast portion of the City of Santa Fe Springs. The Project site encompasses Assessor Parcel Number (APN) 8069-016-006 and is associated with the address 13539 East Freeway Drive. As shown on Figure 2-2, *Vicinity Map*, the I-5 freeway is approximately 100 feet south of the Project site and industrial buildings are located immediately west, immediately east, and north of the Project site.

2.2 CEQA Requirements for Environmental Setting and Baseline Conditions

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. “Generally, the lead agency should describe physical environmental conditions as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced...” (CEQA Guidelines § 15125(a)(1)). The Initial Study prepared for the proposed Project (see Section 5.0 of this document) determined that an MND is the appropriate form of CEQA compliance document, which does not require a Notice of Preparation (NOP). Thus, the environmental setting for the proposed Project is the approximate date that the Project’s environmental analysis commenced. Environmental review of the Project was commenced in November 2018. Accordingly, the environmental setting for the proposed Project is defined as the physical environmental conditions on the Project site as they existed in November 2018.

2.3 Existing Site and Area Characteristics

2.3.1 Existing Site Conditions

As shown on Figure 2-3, *Aerial Photograph*, under existing conditions, an approximately 45,000 square foot (s.f.) warehouse facility occupied by Hurlen Corporation occurs on the western portion of the Project site. A concrete-paved parking lot with associated light fixtures is located east of the warehouse facility and ornamental landscaping occurs within the Project site’s frontage along Freeway Drive and eastern boundary. Street lights and utility poles occur along the Project site’s southern boundary. A wall occurs along the Project site’s eastern and northern boundary. The southwest corner of the Project site where the proposed billboard would be installed is undeveloped and is comprised of ornamental landscaping

2.3.2 Site Access

Regional access to the Project site is provided via the I-5 freeway and the Carmenita Road exit ramp located approximately 0.24-mile southwest of the Project site. Local roadway access to the Project site is provided via Freeway Drive.



Figure 2-1 Regional Map



Figure 2-2 Vicinity Map



Figure 2-3 Aerial Photograph



2.3.3 Surrounding Land Uses and Development

As shown on Figure 2-4, *Existing and Surrounding Land Uses*, the Project site is bounded on the north by Excelsior Drive, north of which are industrial buildings; on the west by Freeway Drive, west of which is an industrial building and vacant land; on the east by Spring Avenue, east of which are industrial buildings; and to the south is the I-5 freeway.

2.4 City Planning Context

2.4.1 City of Santa Fe Springs General Plan

As shown on Figure 2-5, *Existing General Plan Land Use Designations*, the Project site is designated “Industrial” by the City’s General Plan (City of Santa Fe Springs, 2007a). The “Industrial” designation is intended to reserve lands appropriate for light and heavy industrial uses. (City of Santa Fe Springs, 1994, LUE p. 11)

2.4.2 City of Santa Fe Springs Zoning Designations

As shown on Figure 2-6, *Existing Zoning Designations*, the Project site is zoned “Heavy Manufacturing - Freeway Overlay Zone (M-2-FOZ)” and the surrounding properties are zoned “Heavy Manufacturing (M-2)” and (M-2-FOZ). The (M-2) zoning designation is intended to provide an industrial environment which will be conducive to good employee relations and pride on the part of all citizens of the community (City of Santa Fe Springs, 2018, §155.240). The Freeway Overlay Zone (FOZ) is intended to operate as an overlay zone and sets forth regulations in addition to regulations set forth in the underlying zone district. The purpose of the FOZ is to maintain the land uses permitted within the underlying zone districts, while providing parameters to improve the aesthetic and functional characteristics of properties located adjacent to the freeway. (City of Santa Fe Springs, 2018, §155.376)



Figure 2-4 Existing and Surrounding Land Uses



Figure 2-5 Existing General Plan Land Use Designations



Figure 2-6 Existing Zoning Designations



3.0 Project Description

3.1 Project Overview

The Project evaluated in this IS/MND is proposed by Becker Boards (the “Project Applicant”) and is referred to as “Santa Fe Springs Digital Billboard.” Previously shown in Figure 2-3, the Project is located on a 1.85-acre developed property that is located approximately 100 feet to the north of the I-5 freeway, in the southeast portion of the City of Santa Fe Springs. The proposed Project involves the construction of a dual-faced, digital/LED billboard with associated infrastructure connections. As shown on Figure 3-1, *Proposed Site Plan*, the Project Applicant proposes to construct the billboard on the southwest portion of the rectangular shaped site. Project operation would include displaying of alternating LED advertisements on either side of the billboard. The Project does not entail the alteration of the existing on-site industrial building (occupied by Hurlen Corporation). The Project Applicant would relocate one small ornamental tree to accommodate the placement of the proposed billboard support column. The physical and operational characteristics of the Project, with the application of the mitigation measures presented herein, would not change the physical characteristics of the existing Project site to an extent that could result in reasonably foreseeable significant environmental effects.

3.2 Project Technical / Operational Characteristics

3.2.1 Billboard Specifications

The proposed digital billboard consists of a display surface no larger than 672 square feet (s.f.) in active copy area that supports an image generated by LED. The solid metal filler screening panel is proposed to be placed between LED panels on the wide end of a V-shaped angle and painted grey to match the top and bottom accents. The digital billboard would be installed on a supporting structure which would elevate the billboard to a height of 50 feet from finished grade at the base of the support column to the top edge of the billboard face. A 6-foot-high metal architectural element would occur above the face of the digital billboard to accommodate a 37-foot long triangular top panel painted dark grey with white aluminum logo text, “City of Santa Fe Springs”. In total, from the finished grade at the base of the support column to the top of the metal architectural element, the highest point of the billboard structure would be 56 feet tall. The face of the billboard would project over the roof of the existing Hurlen Corporation warehouse building, with a clearance of two feet between the building roof and the bottom of the billboard face.

The supporting structure would have a vertical center column that supports two 14-foot (tall) by 48-foot (wide) digital faces oriented in a “V” shape so as to simultaneously face traffic along the northbound and southbound lanes of the I-5 freeway. The pole cover is proposed to be a 5-foot square 0.100 aluminum outer frame painted medium grey with a textured finish. Accents on the pole include 1/8-inch thick, 42-inch diameter round aluminum city logo in full color detail. Above and below the circular city logo would be a 6-inch square, 5 feet long aluminum band. Beneath the city logo and aluminum bands, a 35-inch-wide, 27-feet and 9-inch-tall by 2-inch deep vertical blue band is proposed centered on the pole. In addition, a 14-inch wide white aluminum accent fins are proposed up one side of the pole cover.

Each image projected on the billboard would be static for a period of time prior to changing to a new image. Pursuant to City of Santa Fe Springs Municipal Code § 155.384, *Billboards*, the billboard would display still images for no less than four seconds. No still image would contain animation, movement, or the appearance or optical illusion of movement of any part of the advertising structure. Additionally, still



images would not contain flashing, scintillating lighting or the varying of light intensity. (City of Santa Fe Springs, 2018, §155.384)

Pursuant to City of Santa Fe Springs Municipal Code § 155.384.J(9), the billboard would be equipped with light sensors to measure ambient light levels and to adjust light intensity to respond to a change in ambient light conditions. The display, for example, would generally be brighter in the daytime than at night. (City of Santa Fe Springs, 2018, §155.384) The displays advertised would be controlled remotely and would have remote maintenance software. Once the digital billboard is installed and operationally



Figure 3-1 Proposed Site Plan



Figure 3-2 Plan View



Figure 3-3 Elevation Views



stabilized, it is anticipated that approximately six to eight visits per year would be needed for maintenance purposes.

3.3 Project Construction Characteristics

Construction activities would span a duration of approximately two weeks and construction equipment would include one drilling rig and one crane. The ultimate area of ground level disturbance would encompass an approximately 10-foot by 10-foot area.

3.4 Project-Related Approvals

The following discretionary approvals are required of the City of Santa Fe Springs to implement the proposed Project: Zoning Variances, a Conditional Use Permit (CUP) and a Development Agreement between the Project Applicant and Lead Agency.

3.4.1 Variances

Implementation of the Project would require the following five zoning variances (ZV) because the Project, as designed, is inconsistent with several requirements applicable to billboards specified in the City of Santa Fe Springs Municipal Code § 155.384, “Billboards.” The Project Applicant has requested the variances because the proposed billboard location is the only location available in the City of Santa Fe Springs along the segment of I-5 in which the Applicant desires to place the billboard where Caltrans’ 1,000-foot spacing requirement between billboards can be met.

- ZV Case No. 82: A proposed variance to deviate from Municipal Code § 155.384(E)(1) to allow the billboard to project over the roof of an existing warehouse building. The clearance between the building’s roof and the bottom of the billboard face is proposed at 2.0 feet. Municipal Code § 155.384(E)(1) specifies that billboards are prohibited from projecting over the roof of a building. The Project Applicant has indicated that the variance is requested because the proposed location is the only location along this segment of the I-5 corridor in the City of Santa Fe Springs where the billboard could be located and meet the 1,000-foot distance separation requirement between billboards required by Caltrans. If the billboard were to be proposed in another location, east or west of the proposed location, where the billboard would not project over a building, the location would not meet Caltrans’ 1,000-foot spacing requirement.
- ZV Case Nos. 84, 85, and 86: Three proposed variances to deviate from Municipal Code § 155.384(H)(6) to allow the proposed billboard to be placed 16.3-feet from the front property line (ZV Case No. 84), 11.3 feet from the side property line (ZV Case No. 85), and 2.9 feet from an existing building (ZV Case no. 86). All of these distances are less than the 25-foot minimum setback distance to all property lines and buildings required by the Municipal Code. The Project Applicant has indicated that the variances are requested because there are not 25 feet available between the front and side property lines and the existing warehouse building where the billboard support column can be placed. The proposed location is the only location along this segment of the I-5 corridor in the City of Santa Fe Springs where the billboard can be located and still meet the 1,000-foot distance separation requirement between billboards as required by Caltrans.
- ZV Case No. 87: A proposed variance to deviate from Municipal Code § 155.384(I)(3) to allow for the on-site relocation of an existing small tree. The Municipal Code specifies that the installation



of new billboards shall not require the removal of trees or other on-site landscaping. The tree to be removed is indicated in the photograph below.

Tree to be Relocated



Pursuant to the City's Municipal Code Section § 155.675, "Required Showing by the Applicant," before the requested variances can be granted by the Planning Commission, the Project Applicant is required to show that all of the following conditions apply for each requested variance:

- (A) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other properties or uses in the same vicinity and zone.
- (B) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone district, but which is denied to the property in question.
- (C) That the granting of such variance will not be detrimental to the public welfare or injurious to the property or improvements of others in the vicinity.
- (D) That the granting of such variance will not adversely affect the master plan of the City.

As stated in Municipal Code § 155.671, "Purpose and Limitations,"

"The sole purpose of a variance shall be to insure that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and zone. No variance shall be granted which would have the effect of granting a special privilege not shared by other properties in the same vicinity and zone."

The Planning Commission will make this determination as part of a duly noticed public hearing to deliberate on the proposed Project consider the Project for approval, approval with conditions, or denial.



3.4.2 Conditional Use Permit No. 795

The City of Santa Fe Springs Municipal Code § 155.384, *Billboards*, requires a Conditional Use Permit (CUP) because the proposed Project consists of the installation of a new digital billboard within the M-2-FOZ zone. Pursuant to Municipal Code § 155.711, *"Purpose and Limitations,"*

"The purpose of the conditional use permit is to allow proper integration of uses into the community which may only be suitable in specific locations, or only if such uses are designed or constructed in a particular manner on the site, and under certain conditions."

Further, in accordance with Municipal Code § 155.716, *"Commission's Consideration,"*

"Before granting a conditional use permit, the Commission shall 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 Commission shall 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 Planning Commission will make this determination as part of a duly noticed public hearing to deliberate on the proposed Project consider the Project for approval, approval with conditions, or denial.

3.4.3 Development Agreement (City of Santa Fe Springs)

The City of Santa Fe Springs Municipal Code § 155.384, *Billboards*, Section (A) requires a Development Agreement because the proposed Project consists of the installation of a new digital billboard within the M-2-FOZ zone. The Development Agreement would be executed between the Project Applicant and the City of Santa Fe Springs strictly in relation to the proposed Project. California Government Code §§ 65864-65869.5 authorize the use of development agreements between any city, county, or city and county, with any person having a legal or equitable interest in real property for the development of the property. The Development Agreement would provide the Project Applicant with assurance that development of the Project may proceed subject to the rules and regulations in effect at the time of Project approval. The Development Agreement also would provide the City of Santa Fe Springs with assurance that certain obligations of the Project Applicant will be met, including, but not limited to, the following: proof of Outdoor Advertising (ODA) Display Permit approval by Caltrans, proof of property owner consent for the construction of the Project, proof of Conditional Use Permit (CUP) approved by the City, proof of all needed zoning variances (ZVs) approved by the City, and various technical standards regarding the construction and operation of the digital billboard. The entering into of the Development Agreement, in and of itself, would not lead to a physical change in the environment other than the foreseeable changes inherent to the construction and operation of the proposed billboard Project described in this document.

3.4.4 Caltrans Outdoor Advertising (ODA) Display Permit

Pursuant to the Federal Highway Beautification Act (1965) and State Outdoor Advertising Act (2014), Caltrans is responsible for regulating the placement of outdoor advertising displays visible from California Highways and performing regular review of outdoor advertising displays located adjacent to freeways and highways identified on the National Highway System. The Project entails the proposed construction of a digital, dual-faced billboard adjacent to I-5; therefore, the Project would be subject to approval of an Outdoor Advertising (ODA) Display Permit by Caltrans. The approval of the ODA Display Permit



Application, in and of itself, would not lead to a physical change in the environment other than the foreseeable changes inherent to the construction and operation of the proposed billboard Project described in this document.

3.5 Existing Environmental Characteristics

3.5.1 Aesthetics

The City of Santa Fe Springs is located in an urbanized area of Los Angeles County. The Project site is located on the north side of Interstate 5 (I-5), which is an interstate freeway that is part of the California State Highway System. The visual characteristics of the I-5 corridor along the freeway segment where the Project site is located consists of views of industrial and commercial buildings, parking lots, truck trailer storage lots, ornamental landscaping, traffic directional signs, digital billboards, static signs, utility poles, and overhead utility lines.

3.5.2 Air Quality

The City of Santa Fe Springs is located within the South Coast Air Basin (SCAB or “Basin”), which is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD identifies the City of Santa Fe Springs, including the Project site, as having better air quality than other inland portions of the Basin (SCAQMD, 2016). Regardless, the SCAQMD reports a severe air pollution problem in the SCAB as a consequence of the combination of emissions and meteorological conditions which are adverse to the dispersion of those emissions. In the SCAB, high concentrations of ozone (O₃) are normally recorded during the spring and summer months, while high concentrations of carbon monoxide (CO) are generally recorded in late fall and winter. High particulate matter concentrations can occur throughout the year, but occur most frequently in the fall and winter.

3.5.3 Topography, Geology, and Soils

Under existing conditions, the parcel upon which the Project is proposed is developed with an industrial warehouse use and is located at an elevation of approximately 68 feet above mean sea level (amsl) in the northeastern portion of the site to 64 ft amsl in the southeastern portion of the site. The Project site and surrounding area is generally flat and lacking of prominent topographical features. (Google Earth Pro, 2018)

Los Angeles County, like most regions in southern California, is located in a region subject to high seismic activity and is subject to risks and hazards associated with potentially destructive earthquakes. One of the secondary hazards of earthquakes is liquefaction, which is a phenomenon involving the loss of shear strength of a soil resulting from the increase of pore water pressure due to vibration of soil particles. Due to the depth of the groundwater table (greater than 50 feet below ground level), the Project site and surrounding area are not likely to be subject to liquefaction hazards. (City of Santa Fe Springs, 1994, SE p. 13)

3.5.4 Hydrology

Under existing conditions, storm water on the Project site generally sheet flows toward an on-site catchment basin and drainage swale which then convey the flows south toward the storm water catchment system in Freeway Drive where the storm water enters the City’s master drainage network.



3.5.5 Biological Resources

The Project site is fully developed with an existing building, surface parking lots, ornamental landscaping, and hardscape. Animal life within the area consists of species commonly found in an urban area.

3.5.6 Historical, Archaeological, and Paleontological Resources

Given the extensive ground disturbance that has occurred throughout the City, including the Project site, it is unlikely that archaeologically or paleontologically significant resources would be discovered in the 10-foot by 10-foot area that would be disturbed for Project construction activities.

3.5.7 Rare and Unique Resources

As required by CEQA Guidelines Section 15125(c), "Special emphasis should be placed on resources that are rare or unique to that region and would be affected by the project." Based on the Project's site's existing developed condition, the proposed Project site does not contain any resources that are rare or unique to the region.



4.0 Project Information

1. Project Title

Santa Fe Springs Digital Billboard

2. Lead Agency Name and Address

City of Santa Fe Springs
Planning and Development Department
11710 E. Telegraph Road
Santa Fe Springs, CA 90670

3. Contact Person and Phone Number

Cuong Nguyen – City of Santa Fe Springs Senior Planner
cuongnguyen@santafesprings.org
(562) 868-0511 ext. 7359

4. Project Location

The Project location encompasses Assessor Parcel Number (APN) 8069-016-006 and is associated with the address 13539 East Freeway Drive, Santa Fe Springs, California. The Project site is located immediately north and east of Freeway Drive and west of Spring Drive, north of Interstate 5.

5. Project Applicant

Becker Boards
4350 East Camelback Road, Suite B-195
Phoenix, AZ 85018

6. General Plan Designation

Industrial

7. Zoning

Heavy Manufacturing – Freeway Overlay Zone (M-2 FOZ)

8. Description of Project:

Please refer to Section 3.0 for a detailed description of the proposed Project.

9. Surrounding Land Uses and Setting:

As previously discussed in Section 2.0 and presented in Figure 2-4, the Project site is located along the Interstate 5 (I-5) corridor and is specifically bounded by industrial land uses to the north, beyond which is Excelsior Drive and more industrial land uses; on the south by Freeway Drive and the I-5 freeway, on



the west by industrial land uses and Freeway Drive beyond which are commercial land uses, and on the east by industrial land uses beyond which is Spring Drive and more industrial land uses.

10. Other Public Agencies Whose Approval Is Required (e.g., permits, financing approval, or participation agreement)

| Public Agency | Approvals and Decisions |
|--|--|
| California Department of Transportation (CalTrans) | <ul style="list-style-type: none">Approval of development/design plans pursuant to the Outdoor Advertising Act |



5.0 Environmental Checklist

5.1 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that would require mitigation, as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Transportation |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Noise | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Mandatory Findings of Significance |

5.2 Determination

On the basis of this initial evaluation:

| | |
|--|-------------------------------------|
| I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. | <input type="checkbox"/> |
| I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. | <input checked="" type="checkbox"/> |
| I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. | <input type="checkbox"/> |
| I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. | <input type="checkbox"/> |
| I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. | <input type="checkbox"/> |

Submitted by: Cuong Nguyen, Senior Planner, Santa Fe Springs

Date



6.0 Environmental Analysis

6.1 Evaluation of Environmental Impacts

6.1.1 Aesthetics

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| Except as provided in Public Resources Code Section 21099, would the Project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Existing Visual Setting

As previously depicted on Figure 2-3, under existing conditions the Project site is fully developed. The western portion of the Project site is developed with an approximately 45,000 s.f. warehouse facility that is currently occupied by the Hurlen Corporation. A concrete-paved parking lot is located east of the warehouse facility and ornamental landscaping (i.e., street trees, shrubs, etc.) occurs along the southern boundary of the site, which fronts Freeway Drive, and along the Project site's eastern boundary. The proposed Project evaluated herein entails the construction of a dual-faced digital billboard on the southwest portion of the Project site, which is typified with ornamental ground covering, hardscape, and trees.

Public views of the southwest corner of the Project site are available primarily from motorists traveling along the I-5 freeway, and motorist and pedestrians traveling along Freeway Drive. The visual character of the I-5 corridor in the vicinity of the Project site is characterized by views of industrial building frontages, cement dividers located along the center and shoulder of the I-5, street trees, utility poles located along adjacent roadways, and light posts located along adjacent roadways and parking lots. As shown on Figure 6-1, *View Simulation*, views of the southwest corner of the Project site experienced from the I-5 corridor consist of the frontage of the warehouse facility, concrete pavement, street lights, utility poles, and ornamental landscaping. Views of the southwest corner of the Project site from Freeway Drive include frontage views of the warehouse facility and ornamental landscaping. Views of the existing features on the southwest corner of the Project site are not available from private residential properties, located approximately 0.50-mile northwest of the Project site. Nonetheless, impacts to private views are not a



Figure 6-1 *View Simulations REVISED SIMULATION REQUESTED OF APPLICANT*



subject of consideration in this IS/MND because the City does not have any ordinances or policies in place related to views of billboards from privately-owned property.

a) *Would the Project have a substantial adverse effect on a scenic vista?*

Finding: Less-than-Significant Impact: The Project site and the southwest corner of the Project site where the Project is proposed do not contribute to a scenic vista, and the City of Santa Fe Springs General Plan does not identify any scenic vistas on the Project site or in the vicinity of the site. The nearest scenic vistas to the Project site are the San Gabriel Mountains, Workman Hills, and Hacienda Hills which would not be substantially affected by the Project. Therefore, the Project would have less-than-significant impacts on scenic vistas and no mitigation is required.

The Project site is located in a low-lying, valley floor in the southern portion of the City. The City of Santa Fe Springs General Plan does not identify or discuss scenic vistas throughout the City; however, the nearest potential scenic vistas within the vicinity include views of the San Gabriel Mountains, approximately 20 miles to the north, Hacienda Hills, approximately 7.4 miles to the north, and Workman Hill, approximately 6.6 miles to the northeast (Google Earth Pro, 2018). These distant landforms are prominently visible from the Project site's vicinity on clear days but not under typical conditions due to atmospheric haze that is common throughout the region.

With mandatory compliance with the City of Santa Fe Springs Municipal Code requirements for billboard signage, Project-related development would not adversely affect views of the San Gabriel Mountains from nearby public viewing areas on clear days when the mountains are visible because the maximum height of the billboard would reach approximately 60 feet above ground and would not result in obstruction of, or substantially detract from, public views of the mountains along the horizon. Because public views of the San Gabriel Mountains would still be available from public viewing areas surrounding the Project site and the proposed digital billboard would be substantially lower in height (60 feet above existing grade), compared to the approximate 10,000-foot peak height of the mountain range, the Project would not have a substantial adverse effect on the public views of the surrounding mountains. Accordingly, the Project would result in a less-than-significant impact on the San Gabriel Mountains scenic vista. (USGS, 2004) (Google Earth Pro, 2018)

The Project would have a less-than-significant impact on public views of the Hacienda Hills, to the north, and Workman Hill, to the northeast, due to the distance and elevation of the Hacienda Hills and Workman Hill in relation to the Project site and existing intervening development.

Based on the foregoing analysis, the future development of a digital billboard on the southwest corner of the Project site would not have a substantial adverse effect on scenic vistas, and a less-than-significant impact would occur.

b) *Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?*

Finding: No Impact. Implementation of the proposed Project would not damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway. The Project site is not visible from a State scenic highway. Therefore, there is no potential for impacts to occur.



Under existing conditions, the entirety of the Project site is developed with a few ornamental trees, and no rock outcroppings are located within the Project site proposed to be developed with the digital billboard. The Project would entail the removal of one ornamental tree. Additionally, the Project has no potential to damage historic buildings, as none occur on the Project site under existing conditions. Caltrans does not officially designate any scenic highways within the City of Santa Fe Springs or within the vicinity of the Project site, including the segment of the I-5 freeway located to the immediate south of the Project site (Caltrans, 2011). Accordingly, the proposed Project has no potential to damage scenic resources within a State scenic highway and no impact would occur.

c) *Would the Project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Finding: Less-than-Significant Impact (with Zoning Variance and CUP Approvals by the City's Planning Commission). The proposed Project is located in an urbanized area adjacent to I-5. The Project involves zoning variances, and as such, would be found to comply with applicable zoning regulations governing scenic quality only upon the Planning Commission's determination that the provisions of Municipal Code Section §155.675 are met and the Planning Commission's adoption of Findings pursuant to Municipal Code §155.675. Upon the Planning Commission's adoption of Findings and approval of the requested Zoning Variances, a less-than-significant impact related to compliance with applicable regulations would occur and mitigation is not required. If the Findings cannot be made by the Planning Commission, the Project would not be approved. Similarly, the Project involves a CUP, and as such, would be found to comply with applicable zoning regulations governing scenic quality only upon the Planning Commission's determination pursuant to Municipal Code §155.716 that the proposed use would not be detrimental to persons or property in the immediate vicinity and will not adversely affect the city in general. The Commission is required to "give due consideration to the appearance of any proposed structure and . . . the general appearance and welfare of the community" when deliberating on a CUP. Upon the Planning Commission's approval of the requested CUP, a less-than-significant impact related to compliance with applicable regulations would occur and mitigation is not required.

The Project Applicant proposes to construct and operate a digital, dual-faced billboard on the southwest corner of the Project site. The Project site and the surrounding area is fully urbanized and developed with industrial and freeway-oriented land uses. Under existing conditions, the Project site is zoned "Heavy Manufacturing – Freeway Overlay Zone (M-2-FOZ)." The proposed billboard would be permitted upon approval of a CUP and variances to the Freeway Overlay Zone (FOZ).

Municipal Code Chapter 155, *Zoning*, § 155.384, "Billboards," states as follows, which indicates that the City's ordinance pertaining to billboards is an applicable regulation pertaining to scenic quality:

"Purpose. Billboards are recognized as a legitimate form of commercial use in the city. However, the size, number, location and illumination of billboards can have significant influence on the city's visual environment, and can, without adequate control, create or contribute to blighted conditions. The purpose of this section is to provide



reasonable billboard control, recognizing that community appearance is an important factor in ensuring the general community welfare.”

Implementation of the Project would require the City’s approval of five zoning variances because the Project is inconsistent with several requirements applicable to billboards specified in the City of Santa Fe Springs Municipal Code §155.384. ZV Case No. 82 is a proposed variance to deviate from Municipal Code § 155.384(E)(1) to allow the billboard to project over the roof of an existing warehouse building. The clearance between the building’s roof and the bottom of the billboard face is proposed at 2.0 feet. Municipal Code § 155.384(E)(1) specifies that billboards are prohibited from projecting over the roof of a building. ZV Case Nos. 84, 85, and 86 are three proposed variances to deviate from Municipal Code § 155.384(H)(6) to allow the proposed billboard is to be placed 16.3-feet from the front property line (ZV Case No. 84), 11.3 feet from the side property line (ZV Case No. 85), and 2.9 feet from an existing building (ZV Case no. 86). All of these distances are less than the 25-foot minimum setback distance to all property lines and buildings required by the Municipal Code. ZV Case No. 87 is a proposed variance to deviate from Municipal Code § 155.384(I)(3) to allow the on-site relocation of an existing small tree. The Municipal Code specifies that the installation of new billboards shall not require the removal of trees or other on-site landscaping.

The Project Applicant has requested the variances because the proposed billboard location is the only location available in the City of Santa Fe Springs along the segment of I-5 in which the Applicant desires to place the billboard where Caltrans’ 1,000-foot spacing requirement between billboards can be met. The visual character of the I-5 corridor in the vicinity of the Project site is established by views of industrial building frontages and associated surface parking lots and drive isles, cement dividers located along the center and shoulder of I-5, freeway directional signage, several digital and static billboards, street trees, utility poles and overhead utility lines located along adjacent roadways, and lighting posts located along adjacent roadways and parking lots. The installation and operation of a digital billboard on the site in the location proposed is visually conducive with the industrial nature of the Project area and environs located adjacent to the freeway corridor. The Project does not propose to alter the existing building and landscaping features on the Project site other than the relocation of one small tree.

Regardless of the industrial nature of the I-5 corridor and the proposed digital billboard’s seeming compatibility with the visual character of the area in which the billboard is proposed to be placed, it will be the Planning Commission’s discretion to approve or deny the proposed zoning variances pursuant to the adoption of Findings and the consideration of information supplied by the Applicant at the public hearing in accordance with Municipal Code Section § 155.675, “*Required Showing by the Applicant*,” which requires that before the requested variances can be granted by the City’s Planning Commission, the Project Applicant is required to show that all of the following conditions apply for each requested variance:

- (A) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other properties or uses in the same vicinity and zone.
- (B) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone district, but which is denied to the property in question.



- (C) That the granting of such variance will not be detrimental to the public welfare or injurious to the property or improvements of others in the vicinity.
- (D) That the granting of such variance will not adversely affect the master plan of the City.

The Project would be found to comply with Municipal Code Chapter 155, *Zoning*, § 155.384, “Billboards,” the purpose of which in part is to protect scenic quality, only upon the Planning Commission’s determination that the provisions of Municipal Code Section §155.675 are met and the Planning Commission’s adoption of Findings pursuant to Municipal Code §155.675. Upon the Planning Commission’s adoption of Findings and approval of the requested Zoning Variances, a less-than-significant impact related to compliance with applicable regulations adopted for the purpose of protecting scenic quality would occur. If the Findings cannot be made by the Planning Commission, the Project would not be approved.

Similarly, the Project involves a CUP, and in order to approve a CUP, the City’s Planning Commission is required to consider Municipal Code § 155.716, “*Commission’s Consideration*,” which states the following and establishes applicability to the topic of scenic quality:

“Before granting a conditional use permit, the Commission shall 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 Commission shall 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.”

Regardless of the digital billboard’s seeming visual compatibility with the I-5 corridor and industrial character of the area, the Project would only be found to comply with this applicable Municipal Code regulation governing scenic quality upon the Planning Commission’s approval of the CUP.

d) *Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views?*

Finding: Less-than-Significant Impact. While the Project would introduce a new source of artificial light, implementation of the Project would not result in a significant source of light or glare that would adversely affect daytime or nighttime views. Accordingly, a less-than-significant impact would occur under this threshold.

Under existing conditions, the Project site is developed with industrial land uses and features exterior lighting within the parking lot at the east portion of the Project site. Exterior lighting is also present within neighboring industrial areas to the east and west of the site. Street lights are located along Freeway Drive (to the south and southwest). Lighting posts are located within roadways and parking lots adjacent to the I-5 corridor in the vicinity of the Project site. Exterior lighting from vehicle headlights traveling on the I-5 and roads neighboring the Project site is present. The proposed Project would result in an increase in ambient light generation via the projection of images on an LED interface that would be visible primarily to motorists traveling on the I-5 freeway. Due to the height of the billboard (60 feet), all or a portion of the LED display also would be visible from nearby properties, including the residential neighborhoods located approximately 0.50-mile northwest in relation to the Project site. Light measurements utilize foot-candles as a unit of lighting intensity, which is the amount of light produced by a single candle when



measured from one foot away (for reference, a 100-watt light bulb produces 137 foot-candles at one foot away) (Watchfire, 2019, p. 2). According to the Project's lighting study prepared by Watchfire (included herein as *Technical Appendix A*), and as shown on Figure 6-2, *Billboard Lighting Intensity (Facing West)*, and Figure 6-3, *Billboard Lighting Intensity (Facing East)*, due to the lighting direction, intensity, and distance of the proposed billboard, residential areas within the vicinity of the Project site would experience a nearly undetectable increase in ambient light as a result of the operation of the proposed digital billboard. Ambient light levels are heavily impacted by street, building, and landscape lights compared to the increases produced by a LED display. (Watchfire, 2019, p. 4)

Additionally, City of Santa Fe Springs Municipal Code § 155.384, *Billboards*, regulates the operation of digital billboards with respect to illumination. As stated in § 155.384.J(15), a billboard's illumination shall be considered vision impairing when its brilliance exceeds the minimum measured brightness in the driver's field of view by 1,000 times when the light source is within 10 degrees from the driver's normal line of sight. As shown on Figure 6-2 and Figure 6-3, the lighting study demonstrates that the illumination produced by the proposed billboard would not exceed 0.68-foot candles at 100 feet at any angle from its west-facing or east-facing sides. Additionally, the billboard is required to be equipped with an ambient light sensor that automatically adjusts the brightness level of the electronic sign based on ambient light conditions.

Aesthetics: Mitigation Measures

Upon the Planning Commission's approval of the Project Applicant's proposed Zoning Variances (ZVs) and Conditional Use Permit (CUP), implementation of the proposed Project would result in less-than-significant impacts associated with aesthetics and no mitigation measures are required.



Figure 6-2 Billboard Lighting Intensity (Facing West)



Figure 6-3 Billboard Lighting Intensity (Facing East)

**6.1.2 Agriculture and Forestry Resources**

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use

Finding: No Impact. The Project site is completely developed with industrial land uses. In addition, the Project site does not contain any soils mapped by the California Department of Conservation (CDC) as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. No impact would occur and mitigation is not required.

The City of Santa Fe Springs is mostly built-out and does not contain any significant agricultural resources. According to mapping conducted by the CDC as part of the Farmland Mapping & Monitoring Program (FMMP) the Project site is identified as containing "Other Land." The Project site and surrounding areas do not contain any soils mapped by the CDC as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. (CDC, 2016a) Accordingly, implementation of the proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use. Thus, no impact would occur and no mitigation is required.



b) Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Finding: No Impact. According to information available from the California Department of Conservation (CDC), there are no agricultural lands subject to a Williamson Act Contract within the City of Santa Fe Springs. The Project has no potential to conflict with existing zoning for agricultural use, or a Williamson Act Contract. No impact would occur and mitigation is not required.

The Project site and areas to the south, east, and west are zoned Heavy Manufacturing- Freeway Overlay Zone (M-2-FOZ). The areas north of the Project site are zoned Heavy Manufacturing (M-2). There are no existing or proposed agricultural zoning designations affecting the Project site or surrounding area. As such the Project has no potential to conflict with agricultural zoning designations, and no impact would occur.

According to information available from the California Department of Conservation (CDC) there are no agricultural lands subject to a Williamson Act Contract within the City of Santa Fe Springs (CDC, 2016b). Accordingly, the proposed Project would not conflict with a Williamson Act Contract. No impact would occur and no mitigation is required.

c) Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Finding: No Impact. The Project site is zoned for and developed with industrial land uses. Accordingly, the proposed Project has no potential to conflict with existing forest land, timberland, or timberland zoned Timberland Production areas. No impact would occur and mitigation is not required.

The Project site and surrounding areas are developed with industrial uses under existing conditions. There are no forest resources on the Project site or within the vicinity of the Project site. Under existing conditions, the Project site is zoned as M-2-FOZ and the General Plan designation is Industrial. There are no lands within the City of Santa Fe Springs, including the Project site and properties surrounding the Project site, that are zoned for forestland, timberland, or timberland zoned Timberland Production (City of Santa Fe Springs, 2007b). Accordingly, the proposed Project has no potential to impact properties zoned for forest land or timberland zoned Timberland Production. As such, no impact would occur and no mitigation is required.

d) Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

Finding: No Impact. The Project site is fully developed with industrial land uses. Accordingly, the proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. No impact would occur and mitigation is not required.

The City of Santa Fe Springs, including the Project site and properties surrounding the Project site, does not contain any forest lands. Under existing conditions, the Project site is developed with industrial uses and contains only limited ornamental landscaping. Accordingly, the proposed Project has no potential to



result in the loss of forest land or the conversion of forest land to non-forest use. No impact would occur and no mitigation is required.

e) Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Finding: No Impact. The proposed Project would not involve any changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or the conversion of forest land to non-forest use. No impact would occur and mitigation is not required.

As indicated in the analyses presented above under Thresholds a) through d), the Project site and surrounding areas are predominantly developed with industrial uses and do not contain any lands that are used for farmland or forest land. Accordingly, the proposed Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or the conversion of forest land to non-forest use. Thus, no impact would occur and no mitigation is required.

Agriculture and Forestry Resources: Mitigation Measures

Implementation of the proposed Project would result in no impacts associated with agriculture and forestry resources; therefore, no mitigation measures are required.

**6.1.3 Air Quality**

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The information and analysis discussion provided within this Subsection is derived from an Air Quality Emission Calculations prepared by Urban Crossroads for a similar digital billboard project located in the City of Baldwin Park and included as *Technical Appendix B* to this IS/MND. The Air Quality Emission Calculations were prepared in order to evaluate the potential impacts to air quality associated with the construction and operation of a digital billboard. The Air Quality Emission Calculations used the California Emissions Estimator Model™ (CalEEMod) to calculate construction-source and operational-source criteria pollutant emissions that would result from constructing and operating a billboard. Criteria pollutants are pollutants that are regulated through the development of human health-based and/or environmentally-based criteria for setting permissible levels. Criteria pollutants include ozone (O₃), nitrogen oxides (NO_x), volatile organic compounds (VOCs), particulate matter less than 10 microns (PM₁₀), particulate matter less than 2.5 microns (PM_{2.5}), sulfur dioxide (SO₂), carbon monoxide (CO), reactive organic gases (ROGs), and lead.

As discussed in Section 3.5, the Project site is located within the SCAB, a 6,745-square mile sub-region of the South Coast Air Quality Management District (SCAQMD). The SCAB is bound by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east, respectively; and the San Diego County line to the south.

a) Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Finding: No Impact. The proposed Project would not conflict or obstruct implementation of the SCAQMD's 2012 Air Quality Management Plan (AQMP). No impacts would occur and mitigation is not required.

The SCAQMD has adopted a series of AQMPs to meet State and Federal ambient air quality standards. AQMPs are updated regularly in order to more effectively reduce emissions and accommodate growth. The most recent AQMP (2016) was adopted by the SCAQMD Governing Board on March 3, 2017. The SCAQMD established criteria for determining consistency with their AQMP, which are defined in Chapter 12, Sections 12.2 and 12.3 of the SCAQMD CEQA Air Quality Handbook and are discussed below.



- *Consistency Criterion No. 1:* The Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.
- *Consistency Criterion No. 2:* The Project will not exceed the assumptions in the AQMP based on the year of Project build-out (2019).

Implementation of the proposed Project would entail the installation of a digital billboard, the construction and operation of which would not result in an increase in the frequency or severity of existing air quality violations, nor would it cause or contribute to new violations that would inhibit attainment of air quality standards specified in the AQMP. For calculations of the Project's air emissions, refer to Threshold 6.1.3(b), below. Additionally, the proposed Project would not affect any regional population, housing, and employment projections prepared for the City of Santa Fe Springs by SCAG, and therefore would not exceed the assumptions in the AQMP. As a result, the proposed Project would not conflict with, or obstruct the implementation of, the applicable air quality plan and no impacts would occur.

b) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

Finding: Less-than-Significant Impact. Construction and operation of the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard. Impacts would be less than significant and mitigation is not required.

The Project site is located within the SCAB and within the jurisdiction of the SCAQMD. The SCAB does not attain State of California air quality standards for O₃, PM₁₀, or PM_{2.5}, and does not meet federal air quality standards for O₃ or PM_{2.5} (SCAQMD, 2016a, Ch. 2). To identify projects that will adversely affect the region's air quality through direct and indirect sources, the SCAQMD has developed regional significance thresholds for regulated pollutants, shown below in Table 6-1, *SCAQMD Maximum Regional Daily Emissions Thresholds*. The SCAQMD's CEQA Air Quality Significance Thresholds (March 2015) indicate that any projects in the SCAB with daily regional emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact. Additionally, the SCAQMD has established that impacts to air quality are significant if there is a potential to contribute to or cause localized exceedances of the federal and/or state ambient air quality standards (NAAQS/CAAQS). Collectively, these are referred to as Regional Significance Thresholds, which are shown in Table 6-1. Thus, if the proposed Project would produce air emissions that equal or exceed any of the criteria listed in Table 6-1, the emissions will be considered significant on both a direct and cumulative basis.



Table 6-1 SCAQMD Maximum Regional Daily Emissions Thresholds

| Regional Significance Thresholds | | |
|----------------------------------|--------------|--------------|
| Pollutant | Construction | Operations |
| NO _x | 100 lbs./day | 55 lbs./day |
| VOC | 75 lbs./day | 55 lbs./day |
| PM ₁₀ | 150 lbs./day | 150 lbs./day |
| PM _{2.5} | 55 lbs./day | 55 lbs./day |
| SO _x | 150 lbs./day | 150 lbs./day |
| CO | 550 lbs./day | 550 lbs./day |
| Lead | 3 lbs./day | 3 lbs./day |

Source: SCAQMD Air Quality Significance Thresholds, March 2015

Air quality impacts/emissions associated with a project can be placed into two categories: temporary (short-term) or long-term emissions. Temporary (short-term) emissions are generally associated with the demolition, grading, and construction activities of the project while long-term emissions are associated with the day-to-day operation, use, and area emissions from such activities as vehicle use, consumer product use, and energy generation/consumption.

Construction-Related Air Pollutant Emissions

The Project's construction-related air pollutant emissions are anticipated to be similar to the emissions calculated by Urban Crossroads, Inc. using the CalEEMod modeling program, for the Baldwin Park digital billboard project. The CalEEMod calculations are included as *Technical Appendix B*, and are presented in Table 6-2, *Summary of Construction-Related Emissions*. Table 6-2 presents the Project's calculated maximum daily construction emissions for each pollutant prior to the incorporation of mitigation or compliance with mandatory regulatory requirements. As shown in Table 6-2, the maximum daily construction-related emissions would be well below the SCAQMD's significance thresholds for all regulated air pollutants. Additionally, these emissions would be short-term and cease at the completion of construction activity. As such, air quality impacts associated with construction-related emissions would be less than significant, and no mitigation is necessary.

Table 6-2 Summary of Construction-Related Emissions

| Construction-Related Activities | Emissions (pounds per day) | | | | | |
|---------------------------------|----------------------------|-----------------|-------|-----------------|------------------|-------------------|
| | VOC | NO _x | CO | SO _x | PM ₁₀ | PM _{2.5} |
| Maximum Daily Emissions | 2.07 | 24.68 | 10.86 | 0.03 | 1.06 | 0.91 |
| SCAQMD Regional Threshold | 75 | 100 | 550 | 150 | 150 | 55 |
| Threshold Exceeded? | NO | NO | NO | NO | NO | NO |

Source: (Urban Crossroads, 2016, Table 1)

Operation-Related Air Pollutant Emissions

The Project's operation-related emissions are anticipated to be similar to the emissions calculated by Urban Crossroads, Inc. using the CalEEMod modeling program, for the Baldwin Park digital billboard project and are included as *Technical Appendix B*. Table 6-3, *Summary of Operation-Related Emissions*, presents the emissions calculated to result from the day-to-day operation and maintenance of a digital billboard, which includes energy source emissions, as well as mobile source emissions (vehicle operation) associated with routine maintenance of the billboard. On average, the operation of the proposed billboard would require an input of 6,500 kilowatt hours (kWh) of energy per month and would generate a maximum of one two-way trip approximately six to eight times per year (for maintenance purposes). No mitigation measures were employed in the modeling and calculation of the emissions. As shown in Table 6-3, a digital billboard's operational emissions would not exceed the SCAQMD regional significance thresholds for any criteria pollutants. Therefore, long-term operational air quality emissions associated with the Project would be less than significant, and no mitigation is required.

Table 6-3 Summary of Operation-Related Emissions

| Operational Activities (Summer and Winter Scenarios) | Emissions (pounds per day) | | | | | |
|--|----------------------------|-----------------|------|-----------------|------------------|-------------------|
| | VOC | NO _x | CO | SO _x | PM ₁₀ | PM _{2.5} |
| Total Maximum Daily Emissions | 0.01 | 0.04 | 0.15 | 0.00 | 0.03 | 0.01 |
| SCAQMD Regional Threshold | 55 | 55 | 550 | 150 | 150 | 55 |
| Threshold Exceeded? | NO | NO | NO | NO | NO | NO |

Source: (Urban Crossroads, 2016, Table 2)

As discussed, the SCAB does not achieve the State of California standards for O₃, PM₁₀, and PM_{2.5}, and also does not achieve federal standards for O₃ and PM_{2.5} (SCAQMD, 2016a, Ch. 2). As indicated in the discussion and analysis of above, Project-related emissions of air pollutants would not exceed the SCAQMD's regional thresholds of significance for any criteria pollutants. Projects that produce daily emissions below the project-specific significance thresholds are considered by the SCAQMD to be less than cumulatively considerable; as such, Project-specific and cumulative significance thresholds are the same. Therefore, because the Project would not result in emissions that exceed the SCAQMD's regional thresholds of significance, the Project would not result in a cumulatively considerable net increase in emissions. Furthermore, Project-related construction activities would not exceed the SCAQMD's regional significance thresholds.

Accordingly, implementation of the Project would not substantially contribute to a net increase of any criteria pollutant for which the Project region is non-attainment or is considered an O₃ precursor; therefore, impacts would be less than significant and less than cumulatively considerable.

c) Would the Project expose sensitive receptors to substantial pollutant concentrations?

Finding: Less-than-Significant Impact. The Project would not expose sensitive receptors to substantial construction- or operations-related pollutant concentrations. Additionally, the Project would not result in the generation of a CO "hot spot." Impacts would be less than significant and no mitigation is required.

A "sensitive receptor" is a person in the population who is particularly susceptible to health effects due to exposure to an air contaminant than is the population at large. Sensitive receptors and associated



facilities that house them in proximity to local CO sources, toxic air contaminants, or odors are of particular concern in the evaluation of potential pollutant concentrations. Sensitive receptors include children, the elderly, persons with preexisting respiratory or cardiovascular illness, and athletes and others who engage in frequent, heavy cardiovascular exercise. Sensitive receptors located nearest the Project site include the residences located to the southeast, southwest, and northeast of the Project site.

As described in Threshold b), above, Project-related construction and operation would not produce emissions above the SCAQMD's regional thresholds of significance. In addition, due to the nature of the Project (proposed stationary digital billboard), its trip generation would be nominal at one two-way trip approximately six to eight times per year, for billboard maintenance. A maximum of one two-way trip approximately six to eight times per year is not significant enough to result in a CO "hotspot" that could lead to an exceedance of the State's CO standards. Accordingly, no substantial pollutant concentrations would result from the Project's construction or operation and a less-than-significant impact to sensitive receptors would occur.

d) *Would the project result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)*

Finding: Less-than-Significant Impact. Impacts associated with odors generated during the proposed Project's construction and long-term operation would be less than significant, and mitigation is not required.

The proposed Project would involve the construction and operation of a digital billboard, which is not a land use typically associated with emitting objectionable odors. Potential temporary odor sources associated with the construction of the proposed Project may result from construction equipment exhaust and the application of asphalt (if necessary, for Project construction). Construction-related odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phases of construction. In addition, these types of odors are common in construction activities and are not considered to be offensive or objectionable to a large portion of the population. As such, odor emissions associated with construction activities is considered less than significant. The Project's construction-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. The proposed Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances related to odors. Therefore, odors associated with construction and operation of the Project would be less than significant and no mitigation is required.

Air Quality: Mitigation Measures

The proposed Project would result in less-than-significant impacts to air quality; accordingly, mitigation measures are not required.



6.1.4 Biological Resources

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) <i>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) <i>Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) <i>Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impeded the use of native wildlife nursery sites?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) <i>Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) <i>Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) *Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Finding: No Impact. The Project site is developed with industrial land uses, and does not contain habitat of sufficient importance to species regulated by the California Department of Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife Service (USFWS).



Under existing conditions, the Project site is developed with a warehouse facility, concrete-paved parking lot, ornamental landscaping, and hardscape. The proposed 10-foot by 10-foot disturbance area on the southwestern portion of the Project site does not contain native habitat or sensitive plant species or vegetation that serve as habitat to sensitive animal species (Google Earth Pro, 2018). Accordingly, no impacts to sensitive species would occur and no mitigation measures are necessary.

b) *Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Finding: No Impact. The Project would have no potential to impact riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW and USFWS.

The Project site is developed with industrial land uses under existing conditions. The Project site does not contain riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the CDFW or the USFWS. Accordingly, no impact to riparian habitat would occur.

c) *Would the Project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Finding: No Impact. The Project would have no impact on State or federally protected wetlands.

The Project site is developed with industrial land uses and does not contain any wetlands. Accordingly, the proposed Project would have no impact on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

d) *Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impeded the use of native wildlife nursery sites?*

Finding: Less-than-Significant Impact. Biological resources are limited due to the urban and suburban nature of the City. The construction of the proposed Project would not significantly interfere with native resident or migratory fish or wildlife species movement, wildlife corridors, or native wildlife nursery sites.

Under existing conditions, the Project site is developed with a warehouse facility, concrete-paved parking lot, ornamental landscaping, and hardscape. Under existing conditions, the Project site does not provide habitat for native species, is not part of a terrestrial wildlife movement corridor, and does not serve as a native wildlife nursery site. The Project would involve the relocation of one small tree on the site to accommodate the construction of the billboard. Mandatory compliance with the federal Migratory Bird Treaty Act (MBTA) would preclude impacts to nesting birds in the unlikely event that nesting birds are present at the site during construction activities. Accordingly, implementation of the proposed Project would have a less-than-significant impact with respect to the movement of any native resident or



migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or with the use of native wildlife nursery sites.

e) *Would the Project conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?*

Finding: Less-than-Significant Impact with Mitigation. The Project would entail the relocation of one small ornamental tree on the Project site during Project development. Municipal Code § 155.384(I)(3) specifies that the installation of new billboards shall not require the removal of trees or other on-site landscaping. Thus, the impact is determined to be significant and mitigation is applied to require tree replacement at a 2:1 ratio.

The Project site is developed with an industrial warehouse use under existing conditions. As discussed under Section 6.1.1, Aesthetics, the City of Santa Fe Municipal Code Billboard Ordinance § 155.384 (I)(3) prohibits the removal of trees or other on-site landscaping for the purpose of installing a billboard. Implementation of the proposed Project would require the relocation of one small ornamental tree, which is in conflict with the ordinance provision. As such, the Project entails ZV Case No. 87, which is a proposed zoning variance to deviate from the ordinance provision to allow the tree relocation. Absent a mitigation measure, there is no assurance that the tree will survive upon relocation. Therefore, the conflict with Municipal Code § 155.384 (I)(3) is determined to be a significant impact requiring mitigation in the form of tree replacement at a 2:1 ratio.

Municipal Code § 96.138, *Tree Ordinance*, regulates the protection of trees in any street, alley, or public right-of-way. As described in Section 3.1, the Project would not affect any trees located in a street, alley, or public right-of way. Therefore, no conflict with would occur with Municipal Code § 96.138.

There are no other local policies or ordinances protecting biological resources that are applicable to the proposed Project.

f) *Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation plan, or other approved local, or state habitat conservation plan?*

Finding: No Impact. The Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

According to the CDFW, there are no Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans applicable to the Project site (CDFW, 2017). Accordingly, the Project has no potential to conflict with any of the above and no impact would occur.

Biological Resources: Mitigation Measures

MM BIO-1 To compensate for the loss of one existing ornamental tree, the Project Applicant shall plant two ornamental trees having a minimum size of 24-inch box on the Project site in the landscape strip adjacent to Freeway Drive. Relocation of the existing tree can count toward one of the two required trees if the existing tree can be successfully relocated. The City of



Santa Fe Springs shall verify the tree planting prior to the issuance of permits to initiate billboard construction.

6.1.5 Cultural Resources

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) Would the Project cause a substantial adverse change in the significant of historical resources pursuant to §15064.5?

Finding: No Impact. No significant historic resources are located on the Project site and no significant historic resources would be impacted by the construction or operation of the proposed Project. Accordingly, the proposed Project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 and no impact would occur.

None of the Project site's existing features are included on the National Register of Historic Places, the California Register of Historical Resources, or the California Historic Resources Information System (NPS, 2014; OHP, 2016). Because the existing structure on the Project site is not on federal, State, or local lists of designated historic resources and not eligible for listing, the building is not historically significant as defined by CEQA Guidelines §15064.5 and no impact to historical resources would occur.

b) Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Finding: Less-than-Significant Impact. There is a remote potential for archaeological resources to be unearthed during the Project's ground-disturbing construction activities. The Project site is in a developed urban area where previous ground disturbance excavation has occurred and there is a limited impact area (proposed 10-foot by 10-foot area).

Given the developed nature of the project site and surrounding areas, the lack of known archaeological resources in the area, and the relatively small area of disturbance to install the proposed billboard (proposed 10-foot by 10-foot disturbance area where excavation would occur), and minimal amount of excavation, it is highly unlikely that archaeological resources would be encountered during construction. Therefore, potential impacts from the proposed Project would be less than significant and no mitigation is required. It should be noted that mitigation is applied for the potential discovery of Tribal Cultural Resources in Section 6.1.18 of this IS/MND.

**c) Would the Project disturb any human remains, including those interred outside of formal cemeteries?**

Finding: No Impact. In the unlikely event that Project construction activities unearth human remains, mandatory compliance with California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98(b) would ensure that no impacts would occur.

The Project site is not known to have ever been used as a cemetery. The possibility of uncovering human remains during Project-related grading activities is also remote due to fact that the previous development of the site has substantially disturbed the subsurface of the site. Pursuant to California Health and Safety Code Section 7050.5, in the unlikely event human remains are encountered during ground-disturbing activities, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner. If the Coroner determines the remains to be Native American, the California Native American Heritage Commission (NAHC) must be contacted and the NAHC must then immediately notify the “most likely descendant(s)” of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Mandatory compliance with these requirements would ensure that no impacts associated with the discovery of human remains would occur. In addition, it should be noted that mitigation is applied for the potential discovery of Tribal Cultural Resources in Section 6.1.18 of this IS/MND.

6.1.6 Energy

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| Would the Project: | | | | |
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Finding: Less-than-Significant Impact. The Project would be required to comply with CCR Title 13 Section 2449(d)(3), which limits construction vehicle idling times. Additionally, the proposed billboard would utilize LED bulbs. Compared to incandescent lighting, LED bulbs use at least 75% less energy, last 25 times longer, and also emit substantially less heat. Therefore, the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation and impacts would be less than significant.



Project-Related Construction Energy Use

The Project's construction process would consume electrical energy and fuel. Project construction would represent a "single-event" electric energy and fuel demand and would not require on-going or permanent commitment of energy or diesel fuel resources for this purpose. Fuel consumed by construction equipment would be the primary energy resource expended over the course of Project-related construction. The aggregate fuel consumption rate for all equipment is estimated at 18.5 horsepower hours per gallon (hp-hr-gal), obtained from the cited fuel consumption rate factors presented in Table D-21, *Fuel Consumption Rate Factors*, of Appendix D of the Carl Moyer Program Guidelines (CARB, 2017, p. D-27). Construction workers would also consume fuel traveling to and from the site. As generated by EMFAC 2014, an aggregated fuel economy of light duty automobiles (vehicle class within the California sub-area for a 2019 calendar year) are calculated to have a fuel efficiency of 28.17 miles per gallon (MPG).

The 2017 Integrated Energy Policy Report (IEPR) published by the California Energy Commissions (CEC) shows that fuel efficiencies are improving for on and off-road vehicle engines due to more stringent government requirements. The amount of energy and fuel used anticipated by the Project construction activities would be typical for the type of construction proposed because there are no aspects of the Project's proposed construction process that are unusual or energy-intensive, and Project construction equipment would conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. California Code of Regulations (CCR) Title 13, Motor Vehicles, Section 2449(d)(3), Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials and/or in response to citizen complaints. As supported by the preceding discussions, Project-related construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary and impacts would be less than significant.

Project-Related Operational Energy Use

The proposed billboard is designed to use LED bulbs, which is one of the most energy-efficient lighting technologies available. Compared to incandescent lighting, LED bulbs use at least 75% less energy, last 25 times longer, and also emit substantially less heat (USDOE, 2017). The proposed billboard would use approximately 6,500 kilowatt-hours (kWh) per month (Urban Crossroads, 2016). Therefore, the Project would not result in the inefficient or wasteful use of energy. Accordingly, a less-than-significant impact would occur.

b) *Would the Project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?*

Finding: Less-than-Significant Impact. Federal and State agencies regulate energy use and consumption through various means and programs. On the federal level, the United States Department of Transportation (DOT), the United States Department of Energy (DOE), and the United States Environmental Protection Agency (EPA) are three federal agencies with substantial influence over energy policies and programs. On the State level, the Public Utilities Commission (PUC) and the California Energy Commissions (CEC) are two agencies with authority over different aspects of energy. There is no evidence to



suggest that the Project would be inconsistent with applicable federal and State regulations or renewable energy plans.

Federal and State agencies regulate energy use and consumption through various means and programs. On the federal level, the United State Department of Transportation (DOT), the United States Department of Energy (DOE), and the United States Environmental Protection Agency (EPA) are three federal agencies with substantial influence over energy policies and programs. On the State level, the Public Utilities Commission (PUC) and the California Energy Commissions (CEC) are two agencies with authority over different aspects of energy. Relevant federal and State energy-related laws and plans are summarized below. Project consistency with applicable federal and State regulations is presented below each regulation.

Federal Regulations

Intermodal Surface Transportation Efficiency

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of intermodal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions. The applicable MPO for the City of Santa Fe Springs is the Southern California Association of Governments (SCAG). SCAG's *Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)* is the applicable planning document for the Project site.

Project Consistency: Transportation and access to the Project site is provided via Freeway Drive. The Project's operation would not generate any traffic, with the exception of one two-way trip that would occur between 6 and 8 times per year to perform on-site maintenance of the proposed billboard. The Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be realized pursuant to the ISTEA, because no intermodal facilities are planned on or through the Project site.

State Regulations

Integrated Energy Policy Report

Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the CEC to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing California's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the State's economy; and protect public health and safety (Public Resources Code Section 25301a). The CEC prepares these assessments and associated policy recommendations every two years, with updates on alternate years, as part of the Integrated Energy Policy Report.

The 2017 Integrated Energy Policy Report (CEC, 2018), focuses on next steps for transforming transportation energy use in California. The 2017 IEPR addresses the role of transportation in meeting state climate, air quality, and energy goals; the transportation fuel supply; the Alternative and Renewable Fuel and Vehicle Technology Program; current and potential funding mechanisms to advance transportation policy; transportation energy demand forecasts; the status of statewide plug-in electric



vehicle infrastructure; challenges and opportunities for electric vehicle infrastructure deployment; measuring success and defining metrics within the Alternative and Renewable Fuel and Vehicle Technology Program; market transformation benefits resulting from Alternative and Renewable Fuel and Vehicle Technology Program investments; the state of hydrogen, zero-emission vehicle, biofuels, and natural gas technologies over the next ten years; transportation linkages with natural gas infrastructure; evaluation of methane emissions from the natural gas system and implications for the transportation system; changing trends in California's sources of crude oil; the increasing use of crude-by-rail in California; the integration of environmental information in renewable energy planning processes; an update on electricity reliability planning for Southern California energy infrastructure; and an update to the electricity demand forecast.

Project Consistency: The 2017 IEPR is a State Policy report. An individual development proposal such as the Project has no ability to comply with or conflict with this report.

State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled and accommodate pedestrian and bicycle access.

Project Consistency: The Project would not generate substantial amounts of vehicle miles traveled. The Project's operational traffic is limited to 6 to 8 two-way trips per year for billboard maintenance. The Project would not interfere with, nor obstruct implementation of the State of California Energy Plan.

California Code Title 24, Part 6, Energy Efficiency Standards

California Code Title 24, Part 6 (also referred to as the California Energy Code), was promulgated by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption. To these ends, the California Energy Code provides energy efficiency standards for residential and nonresidential buildings. California's building efficiency standards are updated on an approximately three-year cycle. The 2016 Standards for building construction, which went into effect on January 1, 2017, improved upon the former 2013 Standards for residential and nonresidential buildings. Section 140.8 (a) describes the maximum allowed lighting power for double-faced signs. The proposed Project would comply with the lighting power not exceeding the product of the illuminated sign area and not exceed 2.3 watts per square foot.

Project Consistency: The Project is required by State law to be designed, constructed, and operated to meet or exceed Title 24 Energy Efficiency Standards. Confirmation of compliance with Title 24 will be verified through the City's plan check process. On this basis, the Project is determined to be consistent with and would not interfere with, nor otherwise obstruct implementation of Title 24 Energy Efficiency Standards.

Pavley Fuel Efficiency Standards (AB 1493)



In California, AB 1493 establishes fuel efficiency ratings for model year 2009-2016 passenger cars and light trucks.

Project Consistency: AB 1493 is applicable to the Project because model year 2009-2016 passenger cars and light duty truck vehicles traveling to and from the Project site are required by law to comply with the legislation's fuel efficiency requirements. Compliance with all federal, State, and local ordinances is required and is a standard condition that will be applied to the Project's proposed CUP. On this basis, the Project would not interfere with, nor otherwise obstruct implementation of AB 1493.

California Renewable Portfolio Standards (SB 1078)

SB 1078 requires electric corporations to increase the amount of energy obtained from eligible renewable energy resources to 20 percent by 2010 and 33 percent by 2020.

Project Consistency: Energy directly or indirectly supplied to the Project by electric corporations is required by law to comply with SB 1078.

Based on the forgoing analysis, the proposed Project is not anticipated to conflict or obstruct any federal, State, or local plan for renewable energy or energy efficiency. Project impacts would be less than significant.



6.1.7 Geology and Soils

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) <i>Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) <i>Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) <i>Strong seismic ground shaking?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) <i>Seismic-related ground failure, including liquefaction?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) <i>Landslides?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Result in substantial soil erosion or the loss of topsoil?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) <i>Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) <i>Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) <i>Have soils incapable of adequately supporting the use septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) <i>Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a) *Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*
- i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*
 - ii) *Strong seismic ground shaking?*
 - iii) *Seismic-related ground failure, including liquefaction?*
 - iv) *Landslides?*



Finding: Less-than-Significant Impact. With mandatory adherence to the 2016 California Building Code the proposed Project would not directly or indirectly cause potential adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault, strong seismic ground shaking, seismic-related ground failure (including liquefaction), and landslides. Impacts would be less than significant and no mitigation is required.

a.i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault*

There are no known faults on the Project site and the Project site is not located within an Alquist-Priolo earthquake fault zone (CDC, 2010). As such, there is no potential for ground rupture at the site.

a.ii) *Strong seismic ground shaking*

Southern California is a seismically active area and properties in the City of Santa Fe Springs, including the Project site, are subject to periodic ground shaking and other effects from earthquake activity along nearby and regional faults. Fault zones in the regional vicinity with the potential to cause moderate ground shaking in the City of Santa Fe Springs include the Whittier Fault Zone, the Norwalk Fault Zone, the East Montebello Fault, and the Newport-Inglewood Fault (CDC, 2010).

Similar to all other development projects within Southern California, the Project has the potential to expose the proposed structure to adverse effects associated with seismic events. The Project would be required to comply with the most current California Building Standards Code (CBSC), which requires the incorporation of special structural design standards to attenuate hazards associated with credible seismic ground shaking events that are anticipated in the Project area. Compliance with applicable requirements of the CBSC would be assured through future City review of construction permits, which would require that strong seismic ground shaking effects are attenuated. As such, impacts would be less than significant and mitigation is not required.

a.iii) *Seismic-related ground failure, including liquefaction*

The Project site is located within a current mapped California Liquefaction Hazard Zone (CDC, 2015). Liquefaction typically occurs in loose granular and cohesionless soils with shallow groundwater (within approximately 50 feet below ground surface [bgs]). During an earthquake, distortion of soil mass occurs and pore pressure increases resulting in a decrease in bearing capacity. After dissipation of the excess pore pressures, the saturated soils tend to settle. According to the City's General Plan Safety Element, the depth to the water table throughout the City is greater than 50 feet bgs; therefore, the potential for liquefaction hazard is low (City of Santa Fe Springs, 1994, SE p. 13). Nonetheless, compliance with applicable requirements of the CBSC would be assured through future City review of construction permits, which would require that strong seismic ground shaking effects, that may lead to liquefaction are attenuated. As such, impacts would be less than significant and mitigation is not required.

a.iv) *Landslides*



The Project site is not located within a current mapped California Earthquake-Induced Landslide Hazard Zone (CDC, 2015). Additionally, the Project site and surrounding area is generally flat and lacking of prominent topographical features. As such, no impacts related to landslide would occur and mitigation is not required.

b) *Would the Project result in substantial soil erosion or the loss of topsoil?*

Finding: No Impact. The proposed Project would not result in substantial soil erosion or the loss of topsoil. No impacts related to soil erosion or loss of topsoil would occur and no mitigation is required.

Under existing conditions, the entirety of the Project site is developed and limited excavation would be required for installation of the billboard support column and associated utility connections. Installation of the proposed billboard would require a limited amount of excavation (approximately 590 cubic feet of soil) from the southwest corner of the Project site; however, excavated soil would not remain on-site and would immediately be transported to the Puente Hills Material Recovery Facility, located approximately 9.7 miles north of the Project site. Given the currently developed character of the Project site, the limited area of disturbance, and the fact that excavated soil would not be left on-site to erode, no impacts related to soil erosion or loss of topsoil would be anticipated. Additionally, the long-term operation of the Project as a digital billboard would not result in increased erosion effects and would not increase the volume or velocity of water discharged from the site. Accordingly, no impacts related to soil erosion or loss of topsoil would occur and no mitigation is required.

c) *Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*

Finding: Less-than-Significant Impact. The proposed Project would not be located on a geologic unit or soil that is unstable that would potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Mandatory compliance with the CBSC would result in less than significant impacts and no mitigation would be required.

Potential landslide, lateral spreading, soil stability, and liquefaction hazards are addressed above under the discussion and analysis of Thresholds a) and b). As discussed under Thresholds a) and b), with mandatory compliance with applicable requirements and standards of the CBSC, impacts due to landslides and liquefaction would be less than significant and mitigation is not required. Additionally, the entirety of the Project site is fully developed and the likelihood for the Project to be subject to unstable soils is low. The billboard column is proposed to be secured to a footing installed at a depth estimated over 40 feet bgs to ensure stability. Based on the foregoing analysis, and with mandatory compliance with the CBSC requirements, the proposed Project would result in less-than-significant impacts due to unstable soil conditions that could result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, and collapse.



d) *Would the Project be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

Finding: No Impact. The Project would not be subject to substantial direct or indirect risks to life or property associated with expansive soils. No impact would occur and mitigation is not required.

The Project site is fully developed under existing conditions. Additionally, no new grading or significant excavation activities would be required as part of the construction of the proposed billboard. The billboard column is proposed to be secured with a deep footing (estimated to extend over 40-feet) to ensure stability. Accordingly, the Project would not create a substantial direct or indirect risk to life or property associated with expansive soils, and no impact would occur.

e) *Would the project have soils incapable of adequately supporting the use septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

Finding: No Impact. No septic tanks or alternative waste water disposal systems would be utilized by the Project or are proposed as part of the Project; accordingly, no impact due to soils incapable of supporting such systems would occur. Mitigation is not required.

The proposed Project is a digital billboard, and would not utilize septic tanks or alternative wastewater disposal systems. Accordingly, no impact would occur.

f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Finding: No impact. Due to the existing fully developed nature of the Project site, and the limited excavation activity proposed as part of the Project's construction, it is not reasonably foreseeable that significant paleontological or unique geological resources would be impacted.

Due to the fully developed nature of the Project site under existing conditions, the likelihood of the discovery of a unique paleontological resource or geologic feature during construction activities is considered very low and not reasonably foreseeable due to the limited degree of excavation required to install the proposed billboard column and associated infrastructure connections. Due to the existing disturbed character of the underlying soil at the Project site and the limited extent of excavation that would be required to construct the Project, there would be no impacts to unique geologic features or surficial paleontological resources.

Geology and Soils: Mitigation Measures

Implementation of the proposed Project would result in less-than-significant impacts to geology and/or soils; accordingly, mitigation measures are not required.

**6.1.8 Greenhouse Gas Emissions**

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Global Climate Change

Global Climate Change (GCC) is defined as the change in average meteorological conditions on the Earth with respect to temperature, precipitation, and storms. These historical changes to the Earth's climate have occurred naturally without human influence, as in the case of an ice age. However, many scientists believe that the climate shift taking place since the industrial revolution (1900) is occurring at a quicker rate and magnitude than in the past. Scientific evidence suggests that GCC is the result of increased concentrations of GHGs in the Earth's atmosphere, including carbon dioxide, methane, nitrous oxide, and fluorinated gases. Many scientists believe that this increased rate of climate change is the result of GHGs resulting from human activity and industrialization over the past 200 years.

An individual project like the proposed Project cannot generate enough GHG emissions to effect a discernible change in global climate. However, the proposed Project may participate in the potential for GCC by its incremental contribution of GHGs combined with the cumulative increase of all other sources of GHGs, which when taken together constitute potential influences on GCC.

Greenhouse Gases

GHGs are gases that trap heat in the atmosphere, and are released into the atmosphere by both natural and anthropogenic (human) activity. Emissions of carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O) are the primary contributors to GCC from development projects. Although other substances such as fluorinated gases also contribute to GCC, sources of fluorinated gases are not well-defined and no accepted emissions factors or methodology exist to accurately calculate these gases. GHGs have varying global warming potential (GWP) values; GWP values represent the potential of a gas to trap heat in the atmosphere.

Determination of Significance Thresholds

In 2012, SCAQMD released a draft guidance for greenhouse gas emission thresholds for residential and commercial projects, which presents the following thresholds for evaluating GHG emissions from such projects:

- Tier 1: If the Project is exempt under existing statutory or categorical exemptions there is a presumption of "less-than-significant" impacts with respect to climate change.



- Tier 2: If the project's GHG emissions are within the GHG budgets in approved regional plan (plans consistent with CEQA sections 15064 (h)(3), 15125 (d), or 15152 (s)), there is a presumption of the "less-than-significant" impacts with respect to climate change.
- Tier 3: Consists of screening values at the discretion of the lead agency; however, they should be consistent for all projects within its jurisdiction. Project-related construction emissions should be amortized over 30 years and should be added back to the project's operational emissions. The following thresholds are proposed for consideration:
 - 3,000 metric tons of carbon dioxide equivalent (MTCO₂e) per year for all land use types; or
 - 3,500 MTCO₂e per year for residential; 1,400 MTCO₂e per year for commercial; or 3,000 MTCO₂e per year for mixed-use projects.
- Tier 4: Does the project meet one of the following performance standards? If yes, there is a presumption of "less-than-significant" impacts with respect to climate change.
 - Option 1: Reduce emissions from business as usual by a certain percentage (currently undefined)
 - Option 2: Early implementation of applicable AB 32 Scoping Plan measures; or
 - Option 3: A project-level efficiency target of 4.8 MTCO₂e per service population as a 2020 target and 3.0 MTCO₂e per service population as a 2035 target. The recommended plan-level target for 2020 is 6.6 MTCO₂e and the plan level target for 2035 is 4.1 MTCO₂e.
- Tier 5: Involves mitigation offsets to achieve target significance thresholds.

According to the SCAQMD's proposed GHG screening threshold for stationary source emissions described in the SCAQMD's *Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans* ("SCAQMD interim GHG Threshold"), a screening threshold of 3,000 MTCO₂e per year to determine if additional analysis is required as an acceptable approach for small non-industrial projects. The City of Santa Fe Springs has not adopted its own numeric threshold of significance for determining impacts with respect to GHG emissions. Therefore, for purposes of analysis herein, the proposed Project may have a significant adverse impact on GHG emissions if it would generate GHG emissions that exceed the SCAQMD's proposed 3,000 MTCO₂e per year screening threshold for all land use types (Tier 3).

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Finding: Less-than-Significant Impact. The Project would result in GHG emissions that are below the significance screening threshold of 3,000 MTCO₂e/year. Thus, the Project's emissions of GHGs would be less than significant and mitigation is not required.

Urban Crossroads, Inc. utilized the CalEEMod modeling program to calculate GHG emissions from billboard-related construction and operational sources. The calculated Project-related GHG emissions (unmitigated) are presented below in Table 6-4, *Total Project Greenhouse Gas Emissions*. As shown in Table 6-4, operational activities associated with the proposed Project would result in emissions of CO₂, CH₄, and N₂O strictly from energy source emissions from the Project's electricity demand and mobile source emissions as a result of billboard maintenance visits (six to eight times per year). As shown in Table 6-4, the Project-related construction and operation would produce approximately 23.07 MTCO₂e per year from GHG emissions. This calculation was derived from the amortization of Project-related construction emissions over 30 years which were added back to the Project's operational emissions. The proposed



Project's estimated GHG emissions of 23.07 MTCO₂e per year would be less than the SCAQMD's interim threshold of 3,000 MTCO₂e per year. Therefore, the proposed Project would result in less-than-significant impact to GHG emissions, and mitigation is not required.

Table 6-4 Total Project Greenhouse Gas Emissions

| Emission Source | Emissions (metric tons per year) | | | |
|--|----------------------------------|-----------------|------------------|-------------------------|
| | CO ₂ | CH ₄ | N ₂ O | Total CO ₂ e |
| Construction-related emissions | 0.23 | 6.57E-05 | -- | 0.23 |
| Energy ^A | 18.87 | 1.03E-03 | 2.10E-04 | 18.96 |
| Mobile Sources ^B | 3.88 | 1.60E-04 | 0 | 3.88 |
| Total CO₂e (All Sources) | 23.07 CO₂e | | | |
| SCAQMD Threshold | 3,000 CO₂e | | | |
| Significant? | NO | | | |

Note: Totals obtained from CalEEMod™ and may not total 100% due to rounding.

Table results include scientific notation "E" is used to represent *times ten raised to the power of X and is followed by the value of the exponent*.

^A Includes combustion emissions associated with natural gas and electricity.

^B Includes emissions from operation of motor vehicles by construction and maintenance employees.

Source: (Urban Crossroads, 2016, Table 3)

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Finding: No Impacts. The proposed Project would comply with all applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions; accordingly, no impact due to a conflict with any plans, policies, or regulations adopted for the purpose of reducing GHG emissions would occur. Mitigation is not required.

As discussed in Threshold a) above, the Project would generate GHG emissions calculated at 23.07 MTCO₂e per year, which is well below the SCAQMD draft screening level threshold of 3,000 MTCO₂e per year that is utilized to evaluate the significance of a small non-industrial project's GHG emissions.

Additionally, activities associated with the Project would be subject to all applicable federal, state, and regional requirements adopted for the purpose of reducing GHG emissions, including, but not limited to, CBSC Title 24 Energy Standards (also known as CALGreen); California Assemble Bill (AB) 1493; Executive Orders S-3-05 and B-30-15; AB 32: Senate Bill (SB) 1368; SB 97; SB 32 (2016); and the applicable policies of the City's General Plan that reduce GHG emissions. There are no other plans, policies, or regulations adopted for the purpose of reducing GHG emissions that are applicable to the Project area; therefore, the Project would have no potential to conflict with such plans, policies, or regulations.

Based on the foregoing analysis, the Project would have no impact with respect to Threshold b), and no mitigation is necessary.

Greenhouse Gas Emissions: Mitigation Measures

Implementation of the proposed Project would result in less-than-significant impacts due to GHG emissions; therefore, mitigation measures would not be required.

**6.1.9 Hazards and Hazardous Materials**

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites which complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a) Would the Project create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?**
- b) Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**



d) *Would the Project be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Finding: Less-than-Significant Impact. There are no components of the Project's proposed construction or operation characteristics that have the potential to create significant hazard to the public or the environment through routine transport, use or disposal of hazardous materials. Accordingly, a less-than-significant impact would occur and no mitigation would be required.

Implementation of the proposed Project would result in the construction and operation of a digital billboard. While construction of the proposed billboard would disturb soil, there are no known hazardous materials at the Project site and no hazardous materials would be emitted during operation of the billboard. Heavy equipment would be used during construction of the proposed Project, which would be fueled and maintained by substances such as oil, diesel fuel, gasoline, hydraulic fluid, and other liquid materials that would be considered hazardous if improperly stored or handled. Improper use, storage, or transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the proposed Project than would occur on any other similar construction site, and such impacts would be less than significant. The billboard's digital display faces would be comprised of a series of modules that house LED lamps, wiring, and electronics encased in aluminum or steel enclosures, two to three feet in width per side (WireSpring, 2016). Project maintenance may require the removal and replacement of defective LED enclosures, thereby resulting in waste from the disposal of the LED unit. However, LED bulbs are not considered toxic or hazardous and are disposed of in regular landfills. Moreover, implementation and compliance with the City of Santa Fe Springs Municipal Code Chapter 97, *Environmental Protection*, would further ensure that any potential impacts would be less than significant (City of Santa Fe Springs, 2018). There are no other components of the Project's proposed construction or operation characteristics that have the potential to create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials. Accordingly, a less-than-significant impact would occur and no mitigation would be required.

c) *Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Finding: No Impact. The nearest school is located approximately 0.46 miles from the Project site. Therefore, the proposed Project would therefore have no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Additionally, no impact would occur and mitigation is not required.

The Project site is not located within one-quarter mile of an existing or proposed school. The nearest school to the Project site is Ramona School located approximately 0.46 miles northwest of the Project site in the City of Norwalk. Accordingly, the proposed Project has no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact would occur and no mitigation is required.



e) *For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

Finding: No Impact. The Project site is not located within an airport land use plan or within two miles of a public airport or public use airport. Accordingly, the Project would not result in an airport safety hazard or excessive noise for people residing or working in the Project area. No impact would occur and mitigation is not required.

The nearest airport to the Project site is the Fullerton Municipal Airport which is located approximately 3.7 miles southeast of the Project site. According to the Orange County ALUC Airport Environs Land Use Plan for Fullerton Municipal Airport, the Project site is not located within the influence area of the Fullerton Municipal Airport (OC ALUC, 2004). Due to the Project site's distance from the nearest airport, the Project would not expose people working or residing in the Project area to excessive noise associated with airports. Accordingly, no airport safety impacts would occur and no mitigation is required.

f) *Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Finding: No Impact. The proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur and mitigation is not required.

Due to the inherent, small-scale nature and location of the proposed billboard within an existing landscape area on the southwestern portion of the developed Project site, the Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. Additionally, all construction activities would occur on-site, and no roadway closures would be required. No impact would occur and mitigation is not required.

g) *Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

Finding: No Impact. The Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impact would occur and mitigation is not required.

The City's General Plan states that because Santa Fe Springs is an urbanized community, structural fires rather than wildland fires represent the greatest fire risk throughout the City (City of Santa Fe Springs, 1994, SE p. 35). The Project site is located within and is surrounded by urban built-up land. Accordingly, the proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. No impact would occur and no mitigation is required.

Hazards and Hazardous Materials: Mitigation Measures

Implementation of the proposed Project would result in less-than-significant impacts associated with hazards and hazardous materials; therefore, mitigation measures would not be required.

**6.1.10 Hydrology and Water Quality**

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the Project: | | | | |
| <i>a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</i> | | | | |
| <i>i. Result in substantial erosion or siltation on- or off-site;</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>iv. impede or redirect flood flows?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Finding: Less-Than-Significant Impact. The Project would not violate any water quality standard or waste discharge requirement or otherwise substantially degrade surface or ground water quality. Impacts would be less than significant and mitigation is not required.

Construction of the proposed Project would involve the drilling of a deep (estimated over 40-feet), 5-foot wide borehole and the installation of materials associated with the billboard's support infrastructure. These activities could potentially result in the generation of water quality pollutants such as silt, debris, chemicals, and other solvents with the potential to adversely affect water quality. Project excavation would remove approximately 590 cubic feet of soil from the southwestern corner of the Project site;



however, excavated soil would not remain on-site and would immediately be transported to the Puente Hills Materials Recovery Facility, located 9.7 miles north of the Project site. Given the Project's minimal impact area and the fact that excavated soil would immediately be transported off-site, no substantial physical features associated with the construction of a digital billboard would lead to erosion or substantial contribution of polluted storm water runoff that would result in violation of any water quality standards or waste discharge requirements.

Additionally, because the proposed billboard support column would convert only ± 86.6 square feet of landscaping to a vertical impervious surface (the support column is designed to be 5.25-feet in diameter where it meets the ground), the long-term operation of the digital billboard would not substantially increase the quantity or rate of storm water runoff nor would it substantially increase pollutant concentrations in storm water runoff from the site. Additionally, the Project would not produce wastewater discharge. Therefore, water quality impacts associated with construction and operation activities would be less than significant and no mitigation measures would be required.

Moreover, the construction and operation of a digital billboard within the southwestern portion of the Project site would result in minimal ground disturbance (proposed 10' by 10' area) and would not lead to a substantial increase of impervious surface. Additionally, the construction and operation of a digital billboard would not utilize materials or equipment that could lead to substantial surface water pollution. Other than surface storm water runoff from the Project site (which the Project would not substantially increase or pollute), there are no other known sources of pollutants that could adversely affect or degrade water quality. Accordingly, no impact would occur and mitigation is not required.

b) *Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Finding: No Impact. No groundwater wells are located on the Project site or are proposed as part of the Project. Project-related excavation would not extend into the City's groundwater table and no net change in area wide water consumption would occur. As a result, no impacts to groundwater are anticipated to result from the implementation of the proposed Project.

No groundwater wells are located on the Project site. Additionally, the Project does not propose the installation of any wells. Therefore, implementation of the proposed Project would not decrease groundwater supplies associated with water well withdraw or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

According to the City's General Plan EIR, the depth to groundwater throughout the City is greater than 50 feet bgs (City of Santa Fe Springs, 1994, SE p. 13). The excavation required for utility connections and billboard support infrastructure would not extend greater than 50 feet bgs; therefore, groundwater is not anticipated to be encountered during construction of the Project. Under current conditions, the portion of the Project site where the billboard would be constructed contains ornamental landscaping. As such, the Project would not alter the site in a manner that would interfere with groundwater recharge. In addition, the installation of the billboard would not involve any water consumption and no net change in area-wide water consumption would occur as a result of Project implementation. Accordingly, no impacts would occur with respect to the decrease of groundwater supplies or interference with groundwater recharge.



-
- c) ***Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***
- i) result in substantial erosion or siltation on- or off-site;***
 - ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site;***
 - iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or***
 - iv) impede or redirect flood flows?***
-

Finding: Less-than-Significant Impact. The Project site's drainage pattern would not be substantially altered from existing conditions. Accordingly, the proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Additionally, the Project site is not located within a special flood hazard zone and, therefore, would not impede or direct flood flows. Impacts would be less than significant and mitigation is not required.

The Project site is generally flat and storm water generated on the westerly portion of the site either infiltrates on site or drains towards the south into the public storm water collection system in Freeway Drive. With implementation of the Project, the site's existing hydrological characteristics would not be substantially altered. Under the proposed conditions, runoff generated on the westerly portion of the Project site would continue to drain to the south to the storm drain inlets within Freeway Drive and would not be altered by the installation or operation of a billboard in the southwestern portion of the Project site. Furthermore, no streams or rivers are located on-site, and thus would not be altered as a result of Project implementation. Therefore, with installation of the proposed billboard, there would be no significant alteration of the site's existing drainage pattern and there would not be any significant increases in the rates of erosion or siltation or substantial increases in the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Impacts would be less than significant and no mitigation would be required.

As discussed above under Thresholds c) and d) of this Section, the Project would not substantially alter drainage patterns on-site compared to existing conditions because the only a small portion of the southwest corner of the Project site would be converted from ornamental landscaping to paved to support the proposed billboard. The amount of impervious surface added to the site would be nominal and would not substantially affect the on-site drainage pattern. The drainage infrastructure along Freeway Drive has sufficient capacity to convey runoff from the Project site under existing conditions, and because the rate and volume of runoff would not measurably increase with buildout of the Project, the Project would not create or contribute runoff which would exceed the capacity of any existing or planned storm water drainage system. Impacts would be less than significant and no mitigation would be required.



No substantial physical features associated with the construction and operation of the digital billboard would contribute substantial additional sources of polluted runoff and impacts would be less than significant. No mitigation would be required.

Additionally, according to maps provided by the Federal Emergency Management Agency (FEMA) no portion of the Project site is located within a designated 100-year flood hazard area (FEMA, 2008). The Project site is located within FEMA panel number 060158, Zone X, which is an area of minimal flood hazard. Accordingly, the Project would not impede or redirect flood flows. No impact would occur.

d) *Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Finding: No Impact. The Project site is not located within the vicinity of a large body of water or sloped area that would lead to inundation risk release of pollutants due to project inundation by flood hazard, tsunami, or seiche zones. No impacts would occur.

The entire Project site is located within FEMA Flood Zone “X (Unshaded).” Flood Zone X (Unshaded) is an area that is determined to be outside the 0.2% annual chance flood plain; thus, the Project is not located within an area subject to 100-year or 500-year flood hazard (FEMA, 2008). Therefore, Project inundation due to flood flows would not pose a substantial safety risk related to the release of pollutants. No impacts would occur and no mitigation is required.

The Pacific Ocean is located approximately 13 miles south of the site; therefore, tsunami risks are not associated with the Project site or surrounding area. Project inundation due to tsunami flows would not pose a substantial safety risk related to the release of pollutants. No impacts would occur and no mitigation is required.

According to the National Oceanic and Atmospheric Administration (NOAA), a seiche is a standing wave oscillating in a large semi- or fully-enclosed body of water such as a bay or lake, and is typically generated as a result of strong winds, rapid changes in atmospheric pressure, earthquakes, or tsunamis (NOAA, 2015). There are no large semi- or fully-enclosed bodies of water within a notable vicinity of the Project site. Additionally, the Whittier Narrows Dam is located approximately 9.0 miles northwest of the Project site. Therefore, Project inundation due to a seiche would not pose a substantial safety risk related to the release of pollutants. No impacts would occur and no mitigation is required.

e) *Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Finding: Less-than-Significant Impact. The Project would not degrade the water quality of surface water or groundwater; therefore, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant.

The Project site is located within the jurisdiction of the Los Angeles Regional Water Quality Control Board (RWQCB). The RWQCB has developed a “Water Quality Control Plan” for the Los Angeles River Basin (herein “Basin Plan”), which was most recently updated in September 2014. The Basin Plan establishes water quality standards for the ground and surface waters of the region. The Basin Plan describes the action by the RWQCB and others that are necessary to achieve and maintain the water quality standards.



The RWQCB regulates waste discharges to minimize and control their effects on the quality of the region's groundwater and surface waters. Permits are issued under a number of programs and authorities. The terms and conditions of these discharge permits are enforced through a variety of technical, administrative, and legal means. The RWQCB ensures compliance with the Basin Plan through its issuance of National Pollutant Discharge Elimination System (NPDES) Permits, issuance of Water Discharge Requirements (WDR), and Water Quality Certifications pursuant to Section 401 of the Clean Water Act (CWA).

Due to the Project's minimal impact area (approximately 10-foot by 10-foot area), the Project would not be required to apply for an NPDES permit. In addition to the Project's minimal impact area, excavated soils would be immediately transported off-site, no physical features associated with the construction of the proposed digital billboard would degrade surface water quality. Therefore, implementation of the proposed Project would not conflict or obstruct implementation of a water quality control plan and impacts would be less than significant.

The 2014 Sustainable Groundwater Management Act (SGMA) requires local public agencies and Groundwater Sustainability Agencies (GSAs) in "high"- and "medium"-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs (DWR, 2019). GSPs are detailed road maps for how groundwater basins will reach long term sustainability. The Project site is located within the Central sub-basin of the Coast Plain of Los Angeles. The California Department of Water Resources (DWR) currently categorizes the Central sub-basin as a "low-priority" basin and therefore is not subject to the requirements of the SGMA (DWR, 2018). Furthermore, §10720.8(a) of the SGMA exempts adjudicated basins from the SGMA's requirement to prepare a GSP (DWR, 2016). Accordingly, the Project has no potential to conflict with or obstruct implementation of a sustainable groundwater management plan.

Hydrology and Water Quality: Mitigation Measures

Implementation of the proposed Project would result in less-than-significant impacts due to hydrology and water quality considerations; accordingly, mitigation measures are not required.

6.1.11 Land Use and Planning

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) Would the Project physically divide an established community?

Finding: No Impact. The Project site would not physically divide any established communities. No +impact would occur and mitigation is not required.



The I-5 freeway traverses the City of Santa Fe Springs, and is located adjacent to the south of the Project site. The Project site is located within an area dominated by freeway-oriented industrial land uses that abut the north side of the I-5 freeway where billboard structures are typical. Due to the small-scale nature of the Project (approximately 60-foot tall dual-faced digital billboard on an already developed site), it would not have the potential to physically divide an established community. The nearest residential neighborhood is located approximately 0.50-mile northwest of the Project site in the City of Norwalk. Accordingly, no impacts would result from the Project's implementation with respect to the division of an established community.

b) *Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Finding: Less-than-Significant Impact (with Zoning Variance and CUP Approvals by the City's Planning Commission). The land use plans, policies, and regulations applicable to the proposed Project include the City's General Plan and the City's Zoning Code/Municipal Code. The installation of a digital billboard adjacent to the I-5 freeway is a typical land use within industrial areas adjacent to freeways and would not conflict with the General Plan. The Project involves zoning variances, however, and as such, would be found to comply with the City's Zoning Code only upon the Planning Commission's determination that the provisions of Municipal Code Section §155.675 are met and the Planning Commission's adoption of Findings pursuant to Municipal Code §155.675. Upon the Planning Commission's adoption of Findings and approval of the requested Zoning Variances, a less-than-significant impact related to compliance with the City's Zoning Code would occur and mitigation is not required. If the Findings cannot be made by the Planning Commission, the Project would not be approved. Similarly, the Project involves a CUP, and as such, would be found to comply with the Zoning Code only upon the Planning Commission's determination pursuant to Municipal Code §155.716 that the proposed use would not be detrimental to persons or property in the immediate vicinity and will not adversely affect the city in general. Upon the Planning Commission's approval of the requested CUP, a less-than-significant impact related to compliance with the Zoning Code would occur and mitigation is not required.

Finding:

The land use plans, policies, and regulations applicable to the proposed Project include the City's General Plan and the City's Zoning Code/Municipal Code. Each of these plans, policies, and regulations is discussed below.

Analysis of Consistency with the City of Santa Fe Springs General Plan

The City's General Plan Land Use Map designates the Project site as "Industrial" (City of Santa Fe Springs, 2007a). The installation of a digital billboard adjacent to the I-5 freeway is a typical land use within industrial areas adjacent to freeways and would not conflict with future or existing industrial development. There are several existing billboards in the City along the I-5 freeway on properties designated as Industrial by the General Plan. Accordingly, the Project would be consistent with the City's General Plan and would not require an amendment to the City's General Plan. Therefore, the Project would not cause a significant environmental impact due to a conflict with the City's General Plan and no impacts would occur.

Analysis of Consistency with the City of Santa Fe Springs Zoning Code/Municipal Code

Under existing conditions, the Project site is zoned Heavy Manufacturing – Freeway Overlay Zone (M-2-FOZ). The M-2-FOZ zoning classification is intended to provide areas for the development of heavy industrial use while providing parameters to improve the aesthetic and functional characteristic of the properties located adjacent to the freeway (City of Santa Fe Springs, 2018). Per the City's Zoning Code, billboards within the M-2-FOZ zone are permitted following the approval of a CUP. The Project Applicant has applied for a CUP to allow the installation of the proposed digital billboard. However, as discussed in Section 3.0 of this IS/MND, the Project is not consistent with certain zoning standards provided under §155.384, *Billboards*, of the City of Santa Fe Municipal Code, and thus the Project Applicant has also requested a number of variances related to setbacks, building overhang, and tree removal.

Implementation of the Project would require the City's approval of five zoning variances. ZV Case No. 82 is a proposed variance to deviate from Municipal Code § 155.384(E)(1) to allow the billboard to project over the roof of an existing warehouse building. The clearance between the building's roof and the bottom of the billboard face is proposed at 2.0 feet. Municipal Code § 155.384(E)(1) specifies that billboards are prohibited from projecting over the roof of a building. ZV Case Nos. 84, 85, and 86 are three proposed variances to deviate from Municipal Code § 155.384(H)(6) to allow the proposed billboard is to be placed 16.3-feet from the front property line (ZV Case No. 84), 11.3 feet from the side property line (ZV Case No. 85), and 2.9 feet from an existing building (ZV Case no. 86). All of these distances are less than the 25-foot minimum setback distance to all property lines and buildings required by the Municipal Code. ZV Case No. 87 is a proposed variance to deviate from Municipal Code § 155.384(I)(3) to allow the on-site relocation of an existing small tree. The Municipal Code specifies that the installation of new billboards shall not require the removal of trees or other on-site landscaping.

The Project Applicant has requested the variances because the proposed billboard location is the only location available in the City of Santa Fe Springs along the segment of I-5 in which the Applicant desires to place the billboard where Caltrans' 1,000-foot spacing requirement between billboards can be met. The Project does not propose to alter the existing building and landscaping features on the Project site other than the relocation of one small tree.

It will be the Planning Commission's discretion to approve or deny the proposed zoning variances pursuant to the adoption of Findings and the consideration of information supplied by the Applicant at the public hearing in accordance with Municipal Code Section § 155.675, "*Required Showing by the Applicant*," which requires that before the requested variances can be granted by the City's Planning Commission, the Project Applicant is required to show that all of the following conditions apply for each requested variance:

- (A) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other properties or uses in the same vicinity and zone.
- (B) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone district, but which is denied to the property in question.
- (C) That the granting of such variance will not be detrimental to the public welfare or injurious to the property or improvements of others in the vicinity.



(D) That the granting of such variance will not adversely affect the master plan of the City.

The Project would be found to comply with Municipal Code Chapter 155, *Zoning*, § 155.384, “*Billboards*,” the purpose of which in part is to protect scenic quality (an environmental issue), only upon the Planning Commission’s determination that the provisions of Municipal Code Section §155.675 are met and the Planning Commission’s adoption of Findings pursuant to Municipal Code §155.675. Upon the Planning Commission’s adoption of Findings and approval of the requested Zoning Variances, a less-than-significant impact related to compliance with applicable regulations adopted for the purpose of avoiding or mitigating an environmental effect would occur. If the Findings cannot be made by the Planning Commission, the Project would not be approved.

In addition, the proposed Project would be required to comply with the variety of lighting, structural, and legal provisions required by Municipal Code §155.384, *Billboards*, all of which would be enforced as conditions of the Project’s required Conditional Use Permit, Development Agreement, or through future City review of implementing development permit applications (grading permits, building permits, etc.)

Similarly, the Project involves a CUP, and in order to approve a CUP, the City’s Planning Commission is required to consider Municipal Code § 155.716, “*Commission’s Consideration*,” which states the following and establishes applicability to the topic of scenic quality:

“Before granting a conditional use permit, the Commission shall 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 Commission shall 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.”

Regardless of the digital billboard’s seeming visual compatibility with the I-5 corridor and industrial character of the area, the Project would only be found to comply with this applicable Municipal Code regulation governing scenic quality upon the Planning Commission’s approval of the CUP.

Based on the foregoing analysis, and assuming approval of the proposed Project’s CUP and five requested variances by the City’s Planning Commission, the proposed Project would be consistent with or otherwise would not conflict with the City of Santa Fe Springs Zoning/Municipal Code or the City’s General Plan goals and policies and would not result in significant environmental impacts. A less-than-significant impact would occur and no mitigation is required.

Land Use and Planning: Mitigation Measures

Implementation of the proposed Project would result in less-than-significant impacts due to land use and planning considerations with zoning variances and CUP approvals by the City’s Planning Commission; accordingly, mitigation measures are not required.

**6.1.12 Mineral Resources**

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Finding: No Impact. The proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. No impact would occur and mitigation is not required.

Under existing conditions, the Project site is developed with an industrial warehouse use. No mines, wells, or other resource extraction activity occurs on the property or is known to have ever occurred on the property. Accordingly, implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, and no impact would occur.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Finding: No Impact. The proposed Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan, and no impact would occur.

The proposed Project site is not identified as a locally-important mineral resource recovery site delineated on a local general, specific plan, or other land use plan. Accordingly, no impact would occur.

Mineral Resources: Mitigation Measures

Implementation of the proposed Project would result in no impacts to mineral resources; accordingly, mitigation measures are not required.

6.1.13 Noise

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|-------------------------------------|--------------------------------|--|------------------------------|-----------|
| Would the Project result in: | | | | |



| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) <i>Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Generation of excessive groundborne vibration or groundborne noise levels?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) <i>For a project located within the vicinity of a private airstrip or an airport land use land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Existing Noise Conditions

Existing Study Area Ambient Noise Conditions

The Project site occurs in an urbanized portion of the City of Santa Fe Springs. Accordingly, the background ambient noise levels within the vicinity of the Project site are dominated by transportation-related noise associated with the surrounding roadway network, which includes noise from automobile and light/heavy truck activities along the I-5 freeway.

Existing Groundborne Vibration

Based on the operational characteristics of the industrial uses on the site under current conditions, there are no sources of substantial groundborne vibration generated on the Project site. With the exception of groundborne vibration generated by roadway vehicle traffic along the I-5 freeway and adjacent roadways, no sources of substantial groundborne vibration occur in the Project site's vicinity.

Airport Noise and Vibration

The nearest airport to the Project is the Fullerton Municipal Airport which is located approximately 3.7 miles southeast of the Project site. According to the Orange County ALUC Airport Environs Land Use Plan for Fullerton Municipal Airport, the Project site is not located within the influence area of the Fullerton Municipal Airport (OC ALUC, 2004). Accordingly, noise or vibration issues from airports would not occur.

a) *Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies*

Finding: Less-than-Significant Impact. With mandatory adherence to the City's Municipal Code Noise Ordinance standards and the inherent characteristics of the construction and operation of a digital billboard, the Project would not generate noise levels in excess of



standards established in the City's Municipal Code, General Plan Noise Element, or any other applicable regulatory standards. As such, the Project would result in a less-than-significant impact under this threshold.

Construction-Related Noise Impacts

The only potential sources of substantial temporary or periodic increases in noise levels are temporary and intermittent noise associated with the Project's construction activities via the operation of heavy equipment. According to the City of Santa Fe Springs Municipal Code § 155.425, *Special Noise Sources*, it is unlawful for any person within a residential zone or within a radius of 500 feet therefrom to operate equipment or perform any construction or repair work on buildings, structures, or project or any construction type device between the hours of 7:00 p.m. of one day and 7:00 a.m. of the next day (City of Santa Fe Springs, 2018). Further, construction noise would likely be overshadowed by vehicular noise levels from the adjacent I-5 freeway. No time frame is established by the City's Municipal Code pertaining to allowance of construction activities in the M-2 zone or M-2-FOZ. However, the City's Municipal Code does establish a noise level threshold in the M-2 zone as shown in Table 6-5, *Municipal Code Noise Standards*. Therefore, the Project's mandatory compliance with the noise level thresholds hours established by the City's Municipal Code would ensure that noise generated by the construction of the Project would not exceed applicable standards. Less-than-significant impacts would occur with respect to noise generated from construction of the Project, and mitigation is not required. For additional evaluation of temporary construction noise, refer to Threshold d) below.

Operation-Related Noise Impacts

Regarding Project-related operational activities, noise level standards applicable to the Project include those provided in the Noise Element of the City of Santa Fe Springs General Plan and the Santa Fe Springs Municipal Code, as described below.

City of Santa Fe Springs General Plan Noise Element

The City of Santa Fe Springs General Plan Noise Element identifies noise-sensitive land uses and noise sources, and defines areas of noise impact for the purpose of developing policies to ensure that Santa Fe Springs residents are protected from excessive noise (City of Santa Fe Springs, 1994, NE p. 1). Sensitive land uses are generally defined as locations where people reside or where the presence of noise could adversely affect the use of the land. Sensitive land uses include but are not limited to uses such as schools, hospitals, residences, libraries, and recreation areas. Sensitive receptors located nearest the Project site include the residences located 0.50-mile northwest of the Project site. According to the City's General Plan Noise Element, noise-sensitive land uses, such as residential, are clearly compatible with exterior noise levels at or below 65 dBA CNEL (City of Santa Fe Springs, 1994, Table 2). Operation of the Project is not anticipated to emit any audible noise except for very minor noise from periodic maintenance activity that would be overshadowed by vehicular noise on adjacent I-5 freeway. Accordingly, the Project would result in less-than-significant impacts with respect to the noise standards established by the City of Santa Fe Springs General Plan Noise Element.

City of Santa Fe Springs Municipal Code

The City of Santa Fe Springs Municipal Code § 155.424, *Permitted Noise Levels*, establishes noise limits that apply to all zones within the City, which are shown in Table 6-5, *Municipal Code Noise Standards*.



Table 6-5 Municipal Code Noise Standards

| Zoning Classification | Daytime (7:00 a.m. to 10:00 p.m.) | | | | | Nighttime (10:00 p.m. to 7:00 a.m.) | | | | |
|---|---|---------|--------|--------|--------------------|---|---------|--------|--------|--------------------|
| | Max dBA Cumulative Minutes (min.) Duration in Any 1-hour period | | | | Absolute Max (dBA) | Max Cumulative Minutes (min.) Duration in Any 1-hour period (dBA) | | | | Absolute Max (dBA) |
| | 30 min. | 15 min. | 5 min. | 1 min. | | 30 min. | 15 min. | 5 min. | 1 min. | |
| Commercial: C-1 or C-4 | 60 | 65 | 70 | 75 | 80 | 55 | 60 | 65 | 70 | 75 |
| Manufacturing: M-1 or M-2 | 70 | 75 | 80 | 85 | 90 | 70 | 75 | 80 | 85 | 90 |
| Sound levels at or above each decibel level given in the table shall not occur for a duration longer than that given in the corresponding column heading. | | | | | | | | | | |

Source: (City of Santa Fe Springs, 2018, § 155.424)

The Project site is located in the “Heavy Manufacturing -Freeway Overlay Zone (M-2-FOZ)” zone. Surrounding properties are zoned “Heavy Manufacturing (M-2)” and (M-2-FOZ). The operational activities associated with the proposed digital billboard would not emit any audible noise except for very minor noise from periodic maintenance activity that would be overshadowed by vehicular noise on the adjacent I-5 freeway. Therefore, impacts would be less than significant, and no mitigation is required.

The operational activities associated with the proposed digital billboard would not be anticipated to generate any substantial temporary or permanent increases in ambient noise levels to the area that would result in exceedance of the base exterior noise level standards shown in Table 6-5. Accordingly, the Project would result in less-than-significant impacts with respect to Municipal Code standards applicable to operational noise, and no mitigation is required.

Based on the foregoing analysis, the Project would not generate a temporary or permanent increase in ambient noise levels in excess of standards established in the City’s General Plan or the Municipal Code noise ordinance, or the applicable standards of other agencies. As such, impacts would be less than significant and mitigation is not required.

b) *Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?*

Finding: Less-than-Significant Impact. People would not be exposed to excessive groundborne vibration or groundborne noise levels during Project construction or operations. Impacts would be less than significant and mitigation is not required.

Groundborne vibration is an oscillatory motion which can be described in terms of displacement, velocity, or acceleration. It is expected that groundborne vibration from Project construction activities would cause



intermittent, localized intrusion through the operation of heavy construction equipment and trucks. Any exposure of nearby sensitive receivers to nominal vibration would be temporary and only occur during Project construction. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. Additionally, truck deliveries (if necessary) to the site may increase vibration levels in the area; however, truck deliveries would only occur during Project construction and would be indiscernible from vehicular movement on the adjacent I-5 freeway. There would be no sources of perceptible vibration associated with Project's operation. Based on the foregoing analysis, vibration levels associated with the Project are considered less than significant, and no mitigation is necessary.

c) For a project located within the vicinity of a private airstrip or an airport land use land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Finding: No Impact. The proposed Project is not located within the noise contours of an airport land use plan or where such a plan has been adopted, or within two miles of a public airport or public use airport. The Project is not located within a vicinity of an airstrip. Accordingly, no impact would occur and mitigation is not required.

The nearest airport to the Project is the Fullerton Municipal Airport which is located approximately 3.7 miles southeast of the Project site. According to the Orange County ALUC Airport Environs Land Use Plan for Fullerton Municipal Airport, the Project site is not located within the influence area of the Fullerton Municipal Airport (OC ALUC, 2004). Accordingly, the Project would not expose people residing or working in the Project area to excessive noise levels in relation to airports.

There are no private airstrips within the Project vicinity. Accordingly, the proposed Project would not expose people residing or working in the Project area to excessive noise levels. No impact would occur and no mitigation is required.

Noise: Mitigation Measures

Implementation of the proposed Project would result in less-than-significant impacts to noise; accordingly, mitigation measures are not required.

**6.1.14 Population and Housing**

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Finding: No Impact. Implementation of the Project would not induce substantial unplanned population growth in the area. Additionally, Project-related utility improvements would solely serve Project demand and would not induce growth to the area. No impact would occur and mitigation is not required.

The proposed Project entails the installation of a digital billboard. Digital billboards are typical of and complementary to freeway uses when properly designed and placed and have no potential to induce substantial population growth in the area, either directly or indirectly. Electric utility improvements required by the Project would solely serve the digital billboard's energy demand and would not directly or indirectly induce substantial unplanned population growth to the area. No impact would occur and no mitigation is required.

b) Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Finding: No Impact. Under existing conditions, the Project site does not contain any residential structures. Accordingly, the Project would not displace substantial numbers of existing housing, necessitating the construction of housing elsewhere. No impact would occur and mitigation is not required.

The Project site does not contain any residential structures, is not designated for residential land use by the City's General Plan, and is not zoned for residential uses. Therefore, there is no potential for the Project to displace people or housing. No impact would occur and no mitigation is required.

Population and Housing: Mitigation Measures

Implementation of the proposed Project would result in no impact to Population and Housing. Thus, no mitigation measures are required.

**6.1.15 Public Services**

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| Would the Project: | | | | |
| <i>a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i> | | | | |
| <i>Fire protection?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>Police protection?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>Schools?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>Other public facilities?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: a) Fire protection; b) Police protection; c) Schools; or d) Other public facilities?

Finding: Less-than-Significant Impact. Public services are currently provided to the site for operation of the existing industrial land uses; therefore, the proposed Project would not measurably increase public service demands or result in the need to physically alter or cause the construction of new public service facilities. Less-than-significant impacts would occur and mitigation is not required.

Fire protection, police protection, and other public services are provided to the existing industrial land uses at the Project site. The addition of a digital billboard to the southwestern portion of the Project site would not create a measurable increase in demand for fire or police protection services because the site is already receiving these services, but a nominal increase in demand could occur directly or indirectly associated with operation of the billboard. The Project would not create a direct demand for public school services, as the land use that would occupy the Project site (i.e., a digital billboard) would not generate any school-aged children requiring public education. No component of the Project would measurably increase demand for public service facilities or result in the need to physically alter or cause the construction of new public service facilities. Because no physically expanded or new public facilities would be required, no impact would occur and mitigation is not required.

Public Services: Mitigation Measures

Implementation of the proposed Project would not measurably increase public services demand such that new or physically altered public service facilities would need to be constructed or expanded to meet the demand. Thus, no impact would occur and no mitigation measures are required.

**6.1.16 Recreation**

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**
- b) Does the Project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment?**

Finding: No Impact. Implementation of the Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. The Project would not include recreational facilities or require the construction of or expansion of recreational facilities which would have an adverse physical effect on the environment. No impact would occur and mitigation is not required.

The construction and/or operation of a digital billboard on the southwestern portion of the Project site would not increase the use of recreation facilities, because it would not create a measurable demand for recreational facilities through inducing population growth, inducing the growth of businesses or housing developments, or displacing existing recreational facilities. Accordingly, the Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. Additionally, implementation of the Project would not include recreational facilities or require the construction of or expansion of recreational facilities which would have an adverse physical effect on the environment. No impact would occur, and mitigation is not required.

Recreation: Mitigation Measures

Implementation of the proposed Project would have no impact to Recreation. Thus, no mitigation measures are required.



6.1.17 Transportation

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) Conflict with an applicable program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) Would the project conflict with an applicable program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Finding: No Impact. The Project's construction-related trips would be nominal and temporary. Project operation is not anticipated to generate any vehicle trips, with the exception of 6-8 visits per year required for maintenance purposes. The Project would be consistent with or would not otherwise conflict with the City's alternative transportation policies. Accordingly, the Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. No impact would occur and mitigation is not required.

Temporary traffic impacts would be restricted within the window of the Project's construction schedule (less than a week). Due to the small-scale of the proposed construction of the billboard, Project construction would not require a substantial quantity of truck hauls to the site. Additionally, the Project Applicant estimates that four construction crew members would be required at the site each day throughout the construction of the Project, which would not generate a substantial quantity of trips during construction hours. Project operation is not anticipated to generate any additional trips to the Project site, with the exception of one two-way trip 6-8 times per year in order to perform on-site maintenance of the billboard. Accordingly, the Project would not conflict with an applicable plan, ordinance or policy related to the circulation system. No impact would occur and mitigation is not required.

The proposed billboard is not located within the right-of-way of any existing public transit, bicycle, or pedestrian facilities. Project-related construction and operation would not obstruct or alter any existing public transit, bicycle, or pedestrian facilities. No component of the Project would require the temporary or permanent closure of a public transit, bicycle, or pedestrian facility. Accordingly, the Project would not conflict with an applicable program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.



b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Finding: No Impact. There is no potential for the Project to conflict with CEQA Guidelines Section 15064.3 subdivision(b). Operation of a billboard does not generate any daily traffic trips other than one two-way trip a few times (6-8) per year for maintenance. No impacts would occur and mitigation is not required.

On December 28, 2018, the State approved updates to the CEQA Guidelines, which entailed changes to the thresholds of significance for the evaluation of impacts to transportation. Updates to the CEQA Guidelines included the addition of CEQA Guidelines Section 15064.3, of which subdivision b establishes criteria for evaluating a project's transportation impacts based on project type and using automobile Vehicle Miles Travelled (VMTs) as the metric. As a component of OPR's revisions to the CEQA Guidelines in December 2018, lead agencies will be required to adopt VMT thresholds of significance by July 2020. At the time this IS/MND was prepared the City of Santa Fe Springs in its capacity as Lead Agency has not yet adopted a VMT metric as the significance criteria for evaluating a Project's traffic impacts. Further, operation of a billboard does not generate any daily traffic trips other than one two-way trip a few times (6-8) per year for maintenance. There is no potential for the Project to conflict with CEQA Guidelines Section 15064.3 subdivision (b) since a VMT metric has not yet been established and the Project will not generate any substantive traffic other than 6-8 two-way maintenance trips per year. No impacts would occur.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Finding: Less-than-Significant Impact. The Project would not require the construction of a new roadway and would not change existing roadways. Additionally, compliance with State and Federal standards applicable to freeway-adjacent billboards would ensure the Project would not substantially increase hazards due to a geometric design feature or incompatible uses. A less-than-significant impact would occur and mitigation is not required.

Project-related construction or operation would not require the construction of new roadways and the existing configuration of the roadways within the vicinity of the Project site would remain unchanged; therefore, impacts related to sharp curves or dangerous intersections would not occur.

Implementation of the Project would be required to comply with the State Outdoor Advertising Act (2014) and the Federal Highway Beautification Act (1965). The Outdoor Advertising Act contains a number of provisions relating to the construction and operation of digital and static signs adjacent to roadways which are intended to prevent the creation of unsafe driving conditions along the adjacent roadways as a result of the presence of such signs. These provisions include, but are not limited to, the following:

- The placing of any light source "...of any color of such brilliance as to impair the vision of drivers upon the highway" is prohibited (Caltrans, 2014, § 21466.5);
- The sign must be constructed to withstand a wind pressure of 20 pounds per square feet of exposed surface;
- No sign shall display any statements or words of an obscene, indecent, or immoral character;
- No sign shall display flashing, intermittent, or moving light or lights;



- Message center signs may not include any illumination or message change that is in motion or appears to be in motion or that change or expose a message for less than four seconds. No message center sign may be located within 500 feet of an existing billboard or 1,000 feet of another message center display, on the same side of the highway. (Caltrans, 2014, § 5401 - § 5405)

The Federal Highway Beautification Act governs advertising signage located along the interstate highway system, such as the I-5 freeway. The Federal Highway Beautification Act requires advertising signage be erected only in commercial or industrial zones and adhere to the following restrictions:

- No signs shall imitate or resemble any official traffic sign, signal or device, nor shall signs obstruct or interfere with official signs;
- Signs located on the same side of the freeway must be separated by at least 500 feet; and,
- Signs shall not include flashing, intermittent or moving lights, and shall not emit light that may obstruct or impair the vision of any driver.

Mandatory compliance with State and federal regulations would ensure that the Project would not increase hazards due to a geometric design feature. Additionally, as described in Subsection 6.1.11, Threshold b), the Project site is designated as “Industrial” by the City’s General Plan and “Heavy Manufacturing – Freeway Overlay Zone” by the City’s Zoning Map. The installation of a digital billboard adjacent to the I-5 freeway is a typical land use within the industrial areas adjacent to freeways and would not conflict with future or existing industrial development. Considering the foregoing analysis and regulatory requirements, Project impacts would be less than significant and no mitigation is required.

d) *Would the Project result in inadequate emergency access?*

Finding: No Impact. No component of the Project would lead to inadequate emergency access within the vicinity of the Project site and no impact would occur.

Under existing conditions, adequate emergency access is provided within the vicinity of the Project site via Freeway Drive. Project-related construction and operation would not obstruct existing roadways and would not alter the existing roadway system. No component of the Project would require the temporary or permanent closure of a roadway. Accordingly, the Project would not result in inadequate emergency access and no impact would occur.

Transportation: Mitigation Measures

Implementation of the proposed Project would result in less-than-significant impacts to Transportation. Thus, no mitigation measures are required.

**6.1.18 Tribal Cultural Resources**

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|--------------------------|
| Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defines in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is | | | | |
| a) <i>Listed or eligible for listing in the California Register of Historical resources or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) <i>A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying for the criteria set forth in (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?</i> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- a) *Listed or eligible for listing in the California Register of Historical resources or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?***
- b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying for the criteria set forth in (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe***

Finding: Less-than-Significant Impact with Mitigation Incorporated. There is a remote potential for tribal cultural resources to be unearthed during the Project's ground-disturbing construction activities; however, it is highly unlikely that resources, if unearthed, would be eligible for inclusion in the California Register of Historical Resources. Accordingly, impacts would be less than significant with mitigation incorporated.

The provisions of Public Resources Code § 21074 were established to address Assembly Bill 52 (AB 52). Pursuant to § 11 (c) of AB 52, the provisions of AB 52 apply to projects that have a notice of preparation (NOP) or a notice of negative declaration or mitigated negative declaration filed on or after July 1, 2015. Accordingly, the Project is subject to the provisions of AB 52.

As part of the AB 52 consultation process required by State law, on December 27, 2018, notification of the proposed Project was sent to three Native American tribes with possible traditional or cultural affiliation to the area: Gabrieleño Band of Mission Indians – Kizh Nation, Gabrieleño Tongva Band of Mission Indians – San Gabriel California Tribal Council, and Gabrieleño Tongva – San Gabriel Band of Mission Indians. To date, one tribe requested consultation, the Gabrieleño Band of Mission Indians – Kizh Nation.



As indicated above in Subsection 6.1.5 Threshold b), given the developed nature of the project site and surrounding areas, the lack of known archaeological resources in the area, and the relatively small proposed area of disturbance to install the proposed billboard (of the proposed 10-foot by 10-foot disturbance area where excavation would occur), and minimal amount of excavation, it is highly unlikely that archaeological resources or tribal cultural resources would be encountered and the impact would be less than significant. Notwithstanding this conclusion, in an abundance of caution, a Native American Monitor of a tribe shall be on-site during Project-related ground disturbances in order to protect tribal cultural resources potentially encountered.

Tribal Cultural Resources: Mitigation Measures

Impacts would be less than significant with mitigation incorporated.

MM TCR-1 The Project Applicant shall be required to obtain the services of a qualified Native American Monitor(s) during construction-related ground disturbance activities. Ground disturbance is defined by the Tribal Representatives from the Gabrieleño Band of Mission Indians, Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the Project area. The monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground-disturbing activities.

6.1.19 Utilities and Service Systems

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the Project: | | | | |
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |



| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| e) <i>Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Finding: Less-than-Significant Impact. The proposed Project would not result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities. Less-than-significant impacts would occur and mitigation is not required.

Under existing conditions, the Project site is provided domestic water services by the Santa Fe Springs Water Utility Authority (SFSWUA) and sewer services by the Los Angeles County Sanitation District (LACSD), and is currently connected to sewer lines and domestic water lines. Implementation of the Project would result in the construction and operation of a digital billboard, which would not result in a demand for potable water services or generate wastewater. No impact would occur and mitigation is not required.

Under the proposed conditions, runoff would continue to infiltrate or drain to the south to the storm drain inlets within Freeway Drive and would not be altered by the installation or operation of a billboard in the southwestern portion of the Project site. Therefore, with installation of the proposed Project, there would be no significant alteration of the site's existing drainage pattern and there would not be any significant increases in the rate or quantity of surface runoff. Accordingly, the Project would not require or result in the construction of new storm water drainage facilities or the expansion of existing facilities. No impact would occur and mitigation is not required.

Power and gas utilities are provided to the Project site by Southern California Edison and Southern California Gas Company. Project-related construction and operation would not create a demand for natural gas utilities; however, Project operation would consume approximately 6,500 kilowatt hours (kWh) of energy per month, which would be supplied on-demand by Southern California Edison. Since Southern California Edison serves the Project site under existing conditions, the Project would not result in a need for new or substantially altered power facilities and a less-than-significant impact would occur. The billboard proposes the use of LED bulbs, which is one of the most energy-efficient lighting technologies available. Compared to incandescent lighting, LED bulbs use at least 75% less energy, last 25 times longer, and also emit substantially less heat (USDOE, 2017). Therefore, the Project would not result in the inefficient or wasteful use of energy. Accordingly, a less-than-significant impact would occur.

The construction and operation of the proposed digital billboard would not require the use of communication systems. Additionally, the construction and operation of the proposed digital billboard would not impact existing telephone lines surrounding the billboard site. No impact would occur and no mitigation measures are required.



b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

Finding: No Impact. The Project would not increase water demand. No impact would occur and mitigation is not required.

The construction and operation of the proposed digital billboard would not create a demand for domestic water. No impact would occur and no mitigation measures are required.

c) *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Finding: No Impact. The Project site is adequately served by the LACSD and no changes in wastewater treatment demand would occur as a result of the Project. Thus, no impact would occur and mitigation is not required.

Under existing conditions, the LACSD adequately serves wastewater treatment services to the Project site. The construction and operation of a digital billboard would not generate wastewater or cause an increased demand for wastewater treatment. Thus, the Project would not adversely affect the physical capacity of the existing wastewater infrastructure system that services the site. No impact would occur and no mitigation measures are required.

d) *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Finding: Less-than-Significant Impact. The Project would generate a nominal demand for solid waste disposal. Accordingly, a less-than-significant impact would occur and no mitigation is required.

The City of Santa Fe Springs contracts with CR&R Environmental Services, Consolidated Disposal Service, and Serv-Wel Disposal Company for solid waste collection services. Solid waste generated within the City is transported to the Scholl Canyon Landfill (SCLF), operated by the LACSD. As of 2011, the SCLF was calculated to have a remaining capacity of 9,900,000 cubic yards (or 3,400 tons per day) and has a cease operation date of April 1, 2030 (CalRecycle, 2011). Considering the remaining capacity (9,900,000 cubic yards) and cease operation date (April 1, 2030) of the SCLF, the SCLF would have sufficient capacity to accommodate the Project's nominal construction-related waste generation. Additionally, Project-related excavation to install the billboard's supporting column would remove approximately 590 cubic feet (21.8 cubic yards) of soil from the Project site which would be transported to the Puente Hills Materials Recovery Facility, located 9.7 miles north of the Project site. The Puente Hills Landfill does not accept solid waste; however, according to the LACSD the Puente Hills Materials Recovery Facility has the capacity to accept to all soil dumps until otherwise noted (LACSD, 2015). Lastly, Project operations would not generate a substantial demand for solid waste beyond the existing demand of the Project site. Thus, the Project would not adversely affect the physical capacity of any landfills and a less-than-significant impact would occur.

e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*



Finding: Less-than-Significant Impact. The Project would not conflict with federal, state, and local management and reduction statutes and regulations related to solid waste. Impacts would be less than significant and mitigation is not required.

The construction and operation of a digital billboard is not anticipated to generate a substantial demand for solid waste disposal. Project-related construction activities would generate nominal quantities of solid waste during the Project's construction schedule. The Project would be required to comply with all applicable solid waste statutes and regulations; as such, impacts related to solid waste statutes and regulations would be less than significant. Accordingly, the Project would not foreseeably conflict with any federal, State, and local management and reduction statutes and regulations related to solid waste, resulting in a less-than-significant impact.

Utilities and Service System: Mitigation Measures

Implementation of the proposed Project would result in less-than-significant impacts to utilities and service systems and no mitigation measures are required.

6.1.20 Wildfire

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project: | | | | |
| a) <i>Substantially impair an adopted emergency response plan or emergency evacuation plan?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) <i>Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) <i>Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

b) *Would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*



- c) *Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*
- d) *Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

Finding: No Impact. The Project site is not located within a State responsibility area (SRA) or in land classified as very high fire hazard severity zones (VHFHSZ). Therefore, no impacts would occur.

The State Responsibility Area (SRA) is the land where the State of California is financially responsible for the prevention and suppression of wildfires. The SRA does not include lands within city boundaries or in federal ownership. According to the California Department of Forestry and Fire Protection (CalFire), the Project site is not located within an SRA or VHFHSZ (CalFire, 2007; CalFire, 2012). As such, no impacts related to wildfire would occur and mitigation is not required.

6.1.21 Mandatory Findings of Significance

| Environmental Issue Areas Examined | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| Would the Project: | | | | |
| a) <i>Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major period of California history or prehistory?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) <i>Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |



-
- a) ***Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major period of California history or prehistory?***
-

Finding: Less-than-Significant Impact. The proposed Project has no potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of a rare or endangered plant or animal. Additionally, the proposed Project has no potential to eliminate important examples of the major period of California history or prehistory. Accordingly, impacts would be less than significant, and mitigation measures are not required.

All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animals, and historical and pre-historical resources were evaluated as part of this IS/MND. Implementation of the Project would contribute additional development in the form of a digital billboard to a fully developed property and would not significantly impact biological resources with the exception of the proposed relocation of one existing ornamental tree that will be mitigated by the planting of two trees on the Project site. As indicated in the discussion and analysis of Cultural Resources in Subsection 6.1.5, none of the existing buildings on the Project are included on the National Register of Historic Places, California Register of Historical Resources, or a local register of historical resources, nor are they eligible for listing; accordingly, there would be no impact to historical resources resulting from Project implementation. The Project site is fully developed under existing conditions; therefore, no significant archaeological resources are likely to be discovered during excavation activities. The limited degree of excavation that would be required to install the proposed billboard column and associated utility connections would not result in impacts to significant archaeological resources. Regardless, mitigation is provided in the unlikely event that Tribal Cultural Resources are unearthed during the excavation required for the billboard's support column.

-
- b) ***Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)***
-

Finding: Less-than-Significant Impact. The proposed Project would not result in impacts that are individually limited, but cumulatively considerable. Cumulative impacts of the proposed Project would be less than significant, and mitigation measures are not required.

Based on the evaluation of Project impacts provided in this document and *Technical Appendices A and B*, in every environmental subject area, the Project was found to contribute no impact or a less-than-cumulatively considerable impact. Accordingly, the proposed Project would not result in impacts that are individually limited, but cumulatively considerable. Impacts would be less-than-significant and no mitigation measures are required.



c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Finding: Less-than-Significant Impact. Based on the evaluation of Project impacts provided in this document, the Project would not cause substantial adverse effects on human beings, either directly or indirectly. Accordingly, a less-than-significant impact would occur and no mitigation measures are required.

The Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, is discussed throughout this IS/MND. Based on the evaluation of Project impacts discussed in this document, the Project would not cause substantial adverse effects on human beings, either directly or indirectly. Accordingly, a less-than-significant impact would occur and the Project requires no mitigation measures with respect to this Threshold.



7.0 Mitigation, Monitoring, and Reporting Program

| MITIGATION MEASURES | | RESPONSIBLE PARTY / MONITORING PARTY | IMPLEMENTATION STAGE | COMPLIANCE STATUS |
|----------------------------------|---|--|---|-------------------|
| Biological Resources | | | | |
| MM BIO-1 | To compensate for the loss of one existing ornamental tree, the Project Applicant shall plant two ornamental trees having a minimum size of 24-inch box on the Project site in the landscape strip adjacent to Freeway Drive. Relocation of the existing tree can count toward one of the two required trees if the existing tree can be successfully relocated. The City of Santa Fe Springs shall verify the tree planting prior to the issuance of permits to initiate billboard construction. | Project Applicant / City of Santa Fe Springs | Prior to Billboard Construction | |
| Tribal Cultural Resources | | | | |
| MM TRC-1 | During construction-related ground disturbance activities, the project Applicant will be required to obtain the services of a qualified Native American Monitor(s). Ground disturbance is defined by the Tribal Representatives from the Gabrieleño Band of Mission Indians, Kizh Nation as activities that include, but are not limited to, pavement removal, pot-holing or auguring, boring, grading, excavation, and trenching, within the Project area. The monitor(s) must be approved by the tribal representatives and will be present on-site during the construction phases that involve any ground-disturbing activities. | Project Applicant / City of Santa Fe Springs | Throughout Ground- Disturbing Activities | |



8.0 References

| <u>Cited As</u> | <u>Reference</u> |
|------------------|--|
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|---------------------------------|---|
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9.0 Persons Contributing to this Document

City of Santa Fe Springs (Lead Agency)

Cuong Nguyen – City of Santa Fe Springs Senior Planner

T&B Planning, Inc. (Primary CEQA Consultant)

Tracy Zinn, AICP, Principal

Ryan Kelleher, Project Manager (former)

Christhida Mroska, Staff Planner/Environmental Analyst

Taryn Fowlkes, Environmental Analyst/GIS Technician

Steven Lusk, GIS/Graphic Specialist

Attachment 6: Conditional Use Permit Application



City of Santa Fe Springs

Application for

CONDITIONAL USE PERMIT (CUP)

Received

AUG 09 2018

Planning Department

Application is hereby made by the undersigned for a Conditional Use Permit on the property located at (Provide street address or, if no address, give distance from nearest cross street): 13539 Freeway Dr. Santa Fe Springs, CA

Give the correct legal description of the property involved (include **only** the portion to be utilized for the Conditional Use Permit. If description is lengthy, attach supplemental sheet if necessary) Parcel # 8069016006,

Record Owner of the property: Hurlen Leasing LLC

Name: Hurlen Leasing LLC Phone No: _____

Mailing Address: 9841 Bell Ranch Dr Santa Fe Springs, CA Date of Purchase: 11/26/2007

Fax No: _____ E-mail: _____

Is this application being filed by the Record Owner? No

(If filed by anyone other than the Record Owner, written authorization signed by the Owner must be attached to the application.)

Representative authorized by the Record Owner to file this application:

Name: Joseph White Phone No: 1-602-312-7990

Mailing Address: 4234 E Indian School Rd, Phoenix, AZ 85018

Fax No: 602-368-4358 E-mail: jwhite@beckerboards.com

Describe any easements, covenants or deed restrictions controlling the use of the Property _____

The Conditional Use Permit is requested for the following use (Describe in detail the nature of the proposed use, the building and other improvements proposed): _____

A new digital dual faced billboard.

NOTE

This application must be accompanied by the filing fee, map and other data specified in the form entitled "Checklist for Conditional Use Permits."

JUSTIFICATION STATEMENT

ANSWERS TO THE FOLLOWING QUESTIONS MUST BE CLEAR AND COMPLETE. THEY SHOULD JUSTIFY YOUR REQUEST FOR A CONDITIONAL USE PERMIT

1. Explain why the proposed use is essential or desirable in the location requested.

The addition of a digital dual faced billboard will fit in to the industrial and heavy manufacturing- freeway overlay zone. The proposed billboard will also acquire architectural features which will enhance the site and aesthetics of the existing site.

2. Explain why the proposed use will not be detrimental to persons and properties in the vicinity, nor to the welfare of the community in general.

The proposed billboard will not be detrimental to persons and properties in the vicinity because there are no residential properties located near or adjacent to the proposed billboard location. it will be located and placed at the far southern end of the property set back 1'-0" from the existing building and set baack 20'-0"+ from the southern property line. The sign will be adjacent to Freeway Drive, which has minimum pedestrian use. In addition the main post will be painted a matching color as its background features.

3. What steps will be taken to ensure that there will be no harmful noise, dust, odors or other undesirable features that might affect adjoining properties?

The adjoining properties are not residential. The billboard will not project noise, any impact will be mitigated due to distance from adjoining properties. The billboard does nor create trash and or dust . The billboards will not display distasteful of innapropriate contect such as marijuana dispensaries and or gentlemen clubs.

4. Explain why the proposed use will not in the future become a hindrance to quality development or redevelopment of adjoining properties.

Becker Boards considers itself a billboard company that believes in quality. That being said, the billboard and its surroundings including the adjoining properties will be maintained, well kept and manicured to be visually appealing. Design elements to the billboards will be architecturally appealing. Any emergency alerts, disaster alerts and amber alerts will be displayed in the event of emergency.

5. Explain what measures will be taken to ensure that the proposed use will not impose traffic burdens or cause traffic hazards on adjoining streets.

The billboard is sufficiently set back 20'-0" from Freeway Drive and wont cause congestion because it is out of the public right of way. Pole base is not located in the public right of way. Any maintinance to the billboard will be done on private property removed from the public right of way. There will be no diplay of signs that resemble traffic control devices to cause confusion.

6. If the operator of the requested conditional use will be someone other than the property owner, state name and address of the operator.

Joseph White
4234 E Indian School Rd, Phoenix, AZ 85018

PROPERTY OWNERS STATEMENT

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

Name (please print): IGNACIO HURTADO
Mailing Address: 9841 Bell Ranch Dr Santa Fe Springs, CA 90670
Phone No: 562-941-5330
Fax No: _____ E-mail: _____
Signature: [Signature]

Name (please print): _____
Mailing Address: 9841 Bell Ranch Dr Santa Fe Springs, CA 90670
Phone No: _____
Fax No: _____ E-mail: _____
Signature: _____

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

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

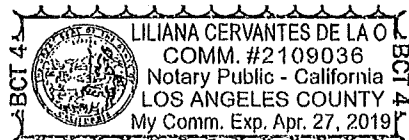
Signed: [Signature]
(If signed by other than the Record Owner, written
authorization must be attached to this application)

A notary public or other officer completing this
certificate verifies only the identity of the
individual who signed the document to which this
certificate is attached, and not the truthfulness,
accuracy, or validity of that document.

On 7/24/18 before me, Liliana Cervantes de la O, notary public
Personally appeared Ignacio Hurtado
personally known to me (or proved to me on the basis of
satisfactory evidence) to be the person whose name is/are
subscribed to the within instrument and acknowledged to me
that he/she/they executed the same in his/her/their authorized
capacity(ies) and that by his/her/their signature(s) on the
instrument, the person(s) or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS my hand and official seal

Notary Public



FOR DEPARTMENT USE ONLY

CASE NO: _____
DATE FILED: _____
FILING FEE: _____
RECEIPT NO: _____
APPLICATION COMPLETE? _____

August 1, 2018

City of Santa Fe Springs
11710 Telegraph Rd.
Santa Fe Springs, CA 90670
Attn: Wayne M. Morrell
Director of Planning



Freedom advertising that speaks to you.

RE: Request for Conditional Use Permit and Development Agreement; 13539 Freeway Dr. Santa Fe Springs, CA (the "Property"); Becker Boards Small, LLC ("Becker Boards"),

Description Of Business

To whom this may concern,

Becker Boards Small is a billboard company located in Phoenix, Arizona. We take pride in our developments and have been building billboards for the past 10 years successful throughout Phoenix, Miami and the greater Los Angeles Area. We are known to work with cities and come up with creative ideas to enhance the look and display of digital advertisements. The existing operating business on site is a warehouse operated by Hurlen Corporation. This new development is for a digital display billboard which will be just outside the existing building on site. The billboard will display advertisements on the site located at 13539 Freeway Drive in Santa Fe Springs. It is operated by a computer and will be displaying ads 7 days a week.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joseph White'.

Joseph White
Cell (602) 312-7990
Becker Boards Small, LLC
4234 E Indian School Road
Phoenix, AZ 85018

August 1, 2018

City of Santa Fe Springs
11710 Telegraph Rd.
Santa Fe Springs, CA 90670
Attn: Wayne M. Morrell
Director of Planning



Custom advertising that speaks to you

RE: Request for Conditional Use Permit and Development Agreement; 13539 Freeway Dr. Santa Fe Springs, CA (the "Property"); Becker Boards Small, LLC ("Becker Boards"),

Justification Statement

To whom this may concern,

Becker Boards Small, LLC is requesting a conditional use permit and desires to enter into a development agreement for the construction of a new digital billboard. The Property is located at 13539 Freeway Dr. Santa Fe Springs, CA meets the standards set forth in the Ordinance No. 1092 with the exception of Section 155.384(H)(6) which reads:

155.384.H.6. Minimum setback. The minimum setback distance of the billboard column support post shall be at least twenty-five (25) feet from any property line and at least twenty-five (25) feet from any building. Notwithstanding, no portion of the billboard shall project over the width of any street, highway or public right-of-way.

A variance is needed in order to apply for a request for a reduction of the "billboard column support post from the required 25 feet to 2 foot. This variance will vary from Section 155.384 (H)(6) of the zoning regulations for properties with proposed digital billboards and specifically for the property which is located in an M-2-FOZ Heavy Manufacturing - Freeway Overlay Zone. Becker Boards considers itself a billboard company that believes in quality. The billboard and its surroundings including the adjoining properties will be maintained, well-kept and manicured to be visually appealing. The proposed billboard variance will not be detrimental to people and properties in the vicinity because it will be located and placed at the far southern end of the property set back 2'-0" from the existing building and set back 20'-0" from the southern

property line. The sign will be adjacent to Freeway Drive, which has minimum pedestrian use. The proposed billboard surroundings including the adjoining properties will be maintained, well kept and manicured to be visually appealing and will not adversely affect the public welfare or community. In addition, the billboard will be set back 1000' from adjoining billboard(s).

Sincerely,

A handwritten signature in black ink, appearing to read 'J White', written in a cursive style.

Joseph White
Cell (602) 312-7990
Becker Boards Small, LLC
4234 E Indian School Road
Phoenix, AZ 85018

Attachment 7: Zone Variance Application



City of Santa Fe Springs

Application for

ZONE VARIANCE

Application is hereby made by the undersigned for a Variance to certain requirements of the Zoning Ordinance as they apply to the property located at (Give street address, or if no address, give distance from nearest cross street):
13539 Freeway Dr. Santa Fe Springs, CA

The correct legal description of the property involved (Include only the portion proposed to be utilized for the Variance. If description is lengthy, attach a supplemental sheet): Parcel # 8069016006

Record Owner of the Property:

Name: Hurlen Leasing LLC Phone: _____

Mailing address: 9841 Bell Ranch Dr Santa Fe Springs, CA

Date of purchase: 11/26/2007

Representative authorized by the Record Owner to file this application:

Name: Joseph White Phone: 1-602-312-7990

Mailing address 4234 E Indian School Rd, Phoenix, AZ 85018

Date of purchase: _____

Describe any easements, covenants or deed restrictions controlling the use of the property: N/A

The Variance is requested for the following use (Describe in detail the nature of the proposed use, the building and other improvements proposed.):
A new digital dual faced billboard.

NOTE

This application must be accompanied by the filing fee, map and other data specified in the form "Information on Variances"

BEFORE A ZONE VARIANCE CAN BE GRANTED, THE PLANNING COMMISSION MUST BE SATISFIED THAT ALL OF THE FOLLOWING CONDITIONS APPLY. EXPLAIN IN DETAIL HOW YOUR REQUEST CONFORMS TO THE FOLLOWING REQUIREMENTS. THE ANSWERS SHOULD JUSTIFY YOUR REQUEST FOR A VARIANCE (Attach a supplemental sheet if necessary).

1. Explain any special circumstances or conditions which apply to the land or the use involved in this application which DO NOT apply generally to other land or uses in the same vicinity and the same zone.

The addition of a digital dual faced billboard fits in to the industrial and heavy manufacturing- freeway overlay zone.

2. Explain why a Variance is necessary to maintain the same substantial property rights possessed by other property owners in the same vicinity and the same zone. (If your property can reasonably be developed and devoted to uses permitted in the existing zone, you are probably not being deprived of a substantial property right.)
 1. A variance is requested in order to allow minimum setback of billboard column support from two property lines ; less than 25'-0" (Side and Front).
 2. In addition we are requesting to allow the proposed billboard to overhang the existing building.
 3. Lastly, a Variance requesting the relocation of 1 tree in the frontyard. We are limited to a small area that allows our proposed billboard to be the required 1000'-0" set back from the adjoining billboard.
3. Demonstrate why the Variance requested will not be detrimental to other persons or properties in the same area, nor adversely affect the public welfare or the community in general.

The proposed billboard variance will not be detrimental to persons and properties in the vicinity because it will be located in an industrial zone and placed at the far southern end of the property. It will be set back 2.88' from the existing building and set back 11.32' from the south/west property line. The sign will be adjacent to Freeway Drive, which has minimum pedestrian use. The proposed billboard surroundings including the adjoining properties will be maintained, well kept and manicured to be visually appealing and will not adversely affect the public welfare or community.
4. Will the Variance requested adversely affect the General Plan of the City of Santa Fe Springs?

No, the billboard will be set back 1000' from adjoining billboard(s). The area in which the billboard is proposed is a heavy manufacturing area. The billboard and its surroundings including the adjoining properties will be maintained, well kept and manicured to be visually appealing.

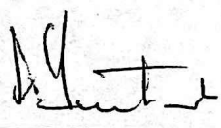
We, the undersigned, state that we are the owners of all of the property involved in this petition (Attach a supplemental sheet if necessary):

Name (please print): _____
Mailing Address: 9841 Bell Ranch Dr. Santa Fe Springs, CA 90670
Phone No: _____
Signature: _____

Name (please print): _____
Mailing Address: 9841 Bell Ranch Dr. Santa Fe Springs, CA 90670
Phone No: _____
Signature: _____

CERTIFICATION

I, IGNACIO HURTADO JR., being duly sworn, depose and say that I am the petitioner in this application for a Zone Variance, and I hereby certify under penalty of law that the foregoing statements and all statements, maps, plans, drawings and other data made a part of this application are true and correct to the best of my knowledge and belief.

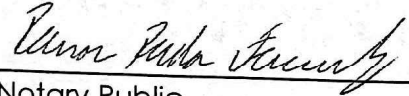
Signed: 
(If signed by other than the Record Owner, written authorization must be attached to this application)

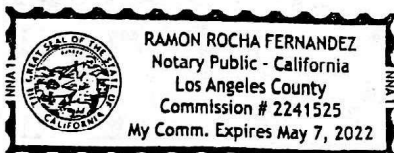
STATE OF CALIFORNIA }

SS

COUNTY OF LOS ANGELES

Subscribed and sworn to (or affirmed) before me this 15th day of November, 2018 by Ignacio Hurtado Jr., proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.


Notary Public



FOR DEPARTMENT USE ONLY

CASE NO: _____
DATE FILED: _____
FILING FEE: _____
RECEIPT NO: _____
APPLICATION COMPLETE? _____

Attachment 8: Development Agreement No. 01-2020

DEVELOPMENT AGREEMENT NO. 02-2019

This Development Agreement (hereinafter “Agreement”) is entered into this ____ day of _____, 2019 (hereinafter the “Effective Date”), by and between the City of Santa Fe Springs (hereinafter “City”), and Becker Boards Small LLC, a California Corporation (hereinafter “Developer”).

RECITALS

A. California Government Code Sections 65864 *et seq.* (“Development Agreement Law”) authorizes cities to enter into binding development agreements with persons having a legal or equitable interest in real property for the development of such property, all for the purposes of strengthening the public planning process, encouraging private participation and comprehensive planning and identifying the economic costs of such development.

B. Developer has a leasehold or license interest in that certain portion of real property, located adjacent to and on the northerly side of the northbound lanes of the 5 Freeway, at 13539 Freeway Drive (APN: 8069-016-006), in the City of Santa Fe Springs, as more specifically described in Exhibit “A” and depicted at Exhibit “C-1”, attached hereto and incorporated herein (the “Site”), upon which it seeks to install a new lawfully permitted 60-foot tall, V-Shaped digital billboard with a total of two (2) digital display areas (each display measuring 14' x 48' within the billboard frame) that are oriented toward the 5 Freeway, as depicted in Exhibits “C-2” & “C-3” (the “New Digital Billboard”).

C. Developer and City recognize that the Developer has a legal or equitable interest in the Site and thus is qualified to enter into this Agreement in accordance with Development Agreement Law.

D. In exchange for the City approvals sought by Developer for the New Digital Billboard as provided on the Site herein, Developer is agreeable to paying to the City an initial annual Development Fee of One Hundred Thousand and No/100 Dollars (\$100,000.00), on the first Anniversary Date and on subsequent Anniversary Dates the Development Fee shall be increased in an amount equal to the Development Fee payable during the preceding year increased by three percent (3%), or Alternative Development Fee, whichever is greater, as defined and provided in Sections 2.5 and 2.6 below, for the cost to the City to mitigate the impact of the installation of the New Digital Billboard.

E. The Site is located within the City’s M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone, designated by the General Plan as Industrial. Developer and the City agree that a development agreement should be approved and adopted to memorialize the property expectations of the City and Developer, as more particularly described herein.

F. On _____, 2019, the City Council of the City, at a duly noticed hearing, granted a “Conditional Use Permit” and related “Zone Variances” for the construction and operation of a New Digital Billboard on the Site, in compliance with, and satisfying the requirements of, the California Environmental Quality Act (“CEQA”), on the basis that an Initial Study/Mitigated Negative Declaration which was also approved at the _____, 2019 City Council meeting, concluded that although the proposed project could have an effect on the

environment, the effects are not considered to be significant. Such CEQA determination considered the impacts of the digital billboard which is the subject of this Agreement.

G. On _____, 2019, at a duly noticed public hearing, the Planning Commission adopted Resolution No. ____-2019, recommending approval of this Agreement (in substantially the form) to the City Council.

H. On _____, 2019, the City Council of the City, at a duly noticed hearing to consider the approval of this Agreement, considered the proposal, heard testimony, and introduced Ordinance No. _____, which Ordinance approves this Agreement.

I. The City Council has found that this Agreement is in the best public interest of the City and its residents, adopting this Agreement constitutes a present exercise of the City's police power, and this Agreement is consistent with the City's General Plan. This Agreement and the proposed Development (as hereinafter defined) will achieve a number of City objectives, including utilizing the Site for a revenue-generating use. Upon any termination of the Term (as defined below) of this Agreement, Developer will remove the digital displays, and restore the Site to its pre-billboard condition, except the columns can be cut off one (1) foot below grade, if a new development agreement is not negotiated with the City.

J. On _____, 2019, the City Council held the second reading and adopted Ordinance No. _____, thereby approving this Agreement which will become effective thirty (30) days after adoption.

K. The City finds and determines that all actions required of the City precedent to approval of this Agreement by Ordinance No. _____ of the City Council have been duly and regularly taken.

L. The purpose of this Agreement is to set forth the rules and regulations applicable to the Development, which shall be accomplished in accordance with this Agreement, including the Scope of Development (Exhibit "B") which sets forth Scope of the Development and the Schedule of Performance (Exhibit "D").

COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1. Definitions. This Agreement uses a number of terms having specific meanings, as defined below. These specially defined terms are distinguished by having the initial letter capitalized, when used in the Agreement. In addition to the terms defined in the Recitals above, the defined terms include the following:

1.1.1 "Agreement" means this Development Agreement and all attachments and exhibits hereto.

1.1.2 "Anniversary Date" is the annual reoccurrence of the Commencement Date.

1.1.3 “City” means the City of Santa Fe Springs, a California municipal corporation.

1.1.4 “City Council” means the City Council of the City.

1.1.5 “Commencement Date” is the date that the building inspector releases the electric meter to Southern California Edison.

1.1.6 “Developer” means Becker Boards Small LLC, a California Corporation duly existing and operating, and its successors and assigns, doing business at 4234 E. Indian School Rd, Phoenix, AZ 85018.

1.1.7 “Development” means the installation of a New Digital Billboard on the Site and the undergrounding of all utilities from Southern California Edison’s electrical source or an electrical source located elsewhere on Owner’s property (e.g., from an electrical panel on a building situation on Owner’s property) to the New Digital Billboard.

1.1.8 “Development Approvals” means the approved Development, based on the recommended approval by the Planning Commission on _____, 2019, pursuant to Resolution No. ____-2019, and approval by the City Council by on _____, 2019, pursuant to Resolution No. ____-2019 and Ordinance No. ____ on _____, 2019, as further described at Section 5.3 herein.

1.1.9 “Effective Date” means the date inserted into the preamble of this Agreement, which is thirty (30) days following approval of this Agreement by ordinance of the City Council, provided this Agreement is signed by Developer and the City.

1.1.10 “Final Permits” shall mean all necessary/required permits and inspections by all governmental and utility agencies, to construct, operate and maintain the New Digital Billboard, and are signed and dated by the Building Official, where applicable.

1.1.11 “Gross Revenue” is based solely on the revenue generated from the digital display (basic advertising area of the billboard), as recorded on the City of Santa Fe Springs building permits, and does not include neon channel letters. Developer shall not conceal advertising revenues derived from the digital display within the normal price range the Developer charges for any appurtenances that are installed on the Billboard. Gross Revenue specifically excludes advertising agency fees paid to the advertiser’s advertising agency and or brokerage fees paid to the sales broker other than Developer.

1.1.12 “Land Use Regulations” means all ordinances, resolutions, codes, rules, regulations and official policies of the City, including, but not limited to, the City’s General Plan, Municipal Code and Zoning Code, which govern development and use of the Site, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, the maximum height and size of the New Digital Billboard, and the design, improvement and construction standards and specifications applicable to the Development or the Site which are in full force and effect as of the Effective Date of this Agreement, subject to the terms of this Agreement. Land Use Regulations shall also include the federal National Pollutant Discharge Elimination System (“NPDES”) regulations and approvals from the California Department of Transportation Outdoor Advertising Division, to the extent applicable.

1.1.13 “Lease” means the lease or license agreement, as the case may be, for the Site between Owner, as landlord or licensor, and Developer, as tenant or licensee.

1.1.14 “Mortgagee” means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device, a lender or each of their respective successors and assigns.

1.1.15 “Site” refers to the site described in Recital B and more specifically described on Exhibit “A” attached hereto and incorporated herein.

1.1.16 “Schedule of Performance” means the Schedule of Performance attached hereto as Exhibit “D” and incorporated herein.

1.1.17 “Scope of Development” means the Scope of Development attached hereto as Exhibit “B” and incorporated herein.

1.1.18 “Subsequent Land Use Regulations” means any Land Use Regulations effective after the Effective Date of this Agreement (whether adopted prior to or after the Effective Date of this Agreement) which govern development and use of the Site.

1.1.19 “Subsequent Development Approvals” means any Development Approvals sought by Developer in connection future changes desired to be made by Developer to the Development following its initial completion.

1.1.20 “Term” shall have the meaning provided in Section 2.3, unless earlier terminated as provided in this Agreement.

1.2 **Exhibits.** The following documents are attached to, and by this reference made a part of, this Agreement: Exhibit “A” (Legal Description of Site), Exhibit “B” (Scope of Development), Exhibit “C-1” (Site Plan of Site), Exhibit “C-2” (Billboard Elevation), Exhibit “C-3” (Screening Rendering & Pole Cover), and, Exhibit “D” (Schedule of Performance).

2. GENERAL PROVISIONS.

2.1. Binding Effect of Agreement. From and following the Effective Date, actions by the City and Developer with respect to the Development, including actions by the City on applications for Subsequent Development Approvals affecting the Site, shall be subject to the terms and provisions of this Agreement, provided, however, that nothing in this Agreement shall be deemed or construed: (i) to modify or amend the Lease, or any of Developer’s obligations thereunder, or to bind or restrict Owner with respect to its ownership or operation of the Site except as expressly set forth herein with respect to the Development, or (ii) to impose any obligation whatsoever on Owner with respect to the Development, except as expressly set forth in this Agreement.

2.2. Interest in Site. The City and Developer acknowledge and agree that Developer is the tenant or licensee of the Site and thus is qualified to enter into and be a party to this Agreement under the Development Agreement Law. The City and Developer acknowledge and agree that Developer has a legal or equitable interest in the Site and thus is qualified to enter into and be a party to this Agreement under the Development Agreement Law. Additionally, prior to the execution of this Agreement, Developer has allowed the City to view a redacted copy of the Lease which demonstrates that Developer has a leasehold or license interest in the Site, which

interest shall be maintained for the entire Term of this Agreement. If Developer's leasehold or license interest is prematurely and legally terminated by Owner in conformance with the Lease, then Developer shall have no further obligations under Section 3(a) of the Scope of Development, attached as Exhibit "B" herein, relative to the maintenance of landscaping thereon that particular Site, except as provided under Section 7.1. Additionally, if Developer's leasehold or license interest is prematurely terminated by Owner, then Developer shall have no further obligations under this Agreement for that particular Site, except as provided under Section 7.1.

2.3. Term of Agreement. Unless earlier terminated as provided in this Agreement, the "Term" of this Agreement shall continue in full force and effect for thirty (30) years from the Commencement Date and will terminate on (i) the expiration or earlier termination of the Lease, or (ii) the permanent removal of the New Digital Billboard constructed pursuant to the terms hereof, other than its removal for repair or replacement. Developer shall completely remove the New Digital Billboard within the times and as provided under Section 7.1 herein. Within thirty (30) days after the termination of this Agreement, the parties shall execute a written cancellation of this Agreement which shall be recorded with the County Recorder pursuant to Section 10.1 below. If no extension or renewal of this Agreement is agreed to following its termination, then the digital displays shall come down and the lease area restored to its pre-billboard condition, except the columns can be cut off one (1) foot below grade.

2.4. Processing Fee. Thirty (30) days after the Commencement Date the Developer shall pay the City a processing fee ("Processing Fee") in the amount of One Hundred Thousand Dollars (\$100,000.00). The City shall retain and use the Processing Fee, or any part thereof, for any public purpose within the City's discretion. The Processing Fee shall be separate from all fees which are standard and uniformly applied to similar projects in the City, including, but not limited to, business license fees (due by Developer to the City annually), one-time plan check fees and building permit fees, and any other fees imposed by Los Angeles County, as may be applicable.

2.5. Development Fee. The potential impacts of the Development on the City and surrounding community are difficult to identify and calculate. Developer and the City agree that an annual development fee paid by Developer to the City would adequately mitigate all such potential impacts. The parties therefore agree that Developer shall pay an annual development fee to the City ("Development Fee"). The initial Development Fee for the Site shall be One Hundred Thousand and No/100 Dollars (\$100,000.00), and shall be increased in an amount equal to the Development Fee payable during the preceding year increased by three percent (3%) on subsequent Anniversary Dates. By way of example: Initial Development Fee \$100,000.00; 2nd year \$103,000.00 (Initial Development fee of \$100,000.00 plus 3% or \$3,000.00); 3rd year \$106,090.00 (Preceding year Development Fee of \$103,000.00 plus % \$3,090.00); 4th year \$109,272.70 (Preceding year Development Fee of 106,090.00 plus 3% or \$3,182.70).

2.6. Alternative Development Fee. For any calendar year of the Term, the "Alternative Development Fee" shall be an amount equal to nine percent (9%) of the Gross Revenue made from the digital displays on the Site during the preceding calendar year of the Term. By way of example only, should the Gross Revenue during 3rd year of the Term total \$1,200,000.00 for the New Digital Billboard, then for that year Developer shall pay to the City for the New Digital Billboard the Alternative Fee of \$108,000.00 assuming no applicable deductions from Section 1.1.11 above (i.e., 9% of \$1,200,000.00 is \$108,000.00 in lieu of the 3rd year Development Fee of \$106,090.00). The Alternative Development Fee of \$108,000.00 will then become the Development Fee for the calculation for the 4th year Development Fee.

2.6.1. Revenue Report & Payment of Alternative Development Fee or Development Fee: Within ninety (90) days following the Anniversary Date Developer shall furnish to the City an itemized statement in writing ("Revenue Report"), certified by Developer to be correct, showing the total Gross Revenue made from each sign face of the New Digital Billboard during the preceding calendar year of the Term attributable to each sign display of the New Digital Billboard. If during any particular year of the Term the Alternative Development Fee calculation is higher than the Development Fee calculation with the 3% increase at the time of calculating the Revenue Report, the Developer shall include along with the Revenue Report a payment corresponding to the Alternative Development Fee. If the Alternative Development Fee calculation is less than the Development Fee with the 3% increase at the time of calculating the Revenue Report, the Developer shall include along with the Revenue Report a payment corresponding to the Development Fee calculation.

2.6.2. Additional Revenue. While Developer is not precluded from generating additional revenue from wireless deployment on the billboard, other than wireless communication devices for the use of operating a billboard, Developer shall not enter any agreement with any party for additional revenue, including revenue derived from wireless deployment on the billboard, without first reaching an agreement with City regarding the additional revenue.

2.6.3. Audit of Alternative Fee. With prior written notice to Developer of not less than ten (10) business days, the City has the right to audit Developer's New Digital Billboard revenue and to view those portions of any advertising space contracts or invoices that only related to this Agreement, at Developer's Corporate office, on any normal workday between 9:00 a.m. and 4:00 p.m. once a year. City also has the option of having the contracts and invoices reviewed at City Hall, 11710 Telegraph Road, Santa Fe Springs, CA 90670, for the audit. Prior to the audit, the City shall sign a confidentiality agreement regarding the advertising space contracts and invoices. If the statement of total Gross Revenue previously provided to the City shall be found to be inaccurate for prior calendar years of the Term, then and in that event, there shall be an adjustment and one party shall pay to the other on demand such sums as may be necessary to settle in full the accurate amount of the Alternative Fee, if any, that should have been paid to the City for the period or periods covered by such inaccurate statement or statements. If said audit discloses an underpayment of greater than three percent (3%) with respect to the amount of total Gross Revenue reported by Developer for the period or periods of said report, then Developer shall immediately pay to the City the cost of such audit, plus ten percent (10%) interest per annum on the amount underpaid, but the application of the said interest is limited to the previous year before the time any underpayment should have been paid to the City; if the audit does not disclose an underpayment of greater than three percent (3%) with respect to the amount of total Gross Revenue reported by Developer for the period or periods of said report, the cost of such audit shall be paid by the City.

3. COMMUNITY BENEFITS. Developer shall also provide the following Community benefits during the entire Term of this Agreement.

3.1. City's Use of the Billboard. Developer shall provide five (5) weeks' worth of display time per year for the Site for public service announcements by the City on either side of the Billboard, subject to availability of space. Developer shall place City-provided announcements, on a space available basis, in one of the eight (8) display images in the current rotation of display images at any time. The City shall be responsible for providing Developer with approved advertising copy and shall also be responsible for any costs associated with providing Developer

with artwork in acceptable format per Developer's specifications. City's use is subject to the following conditions and parameters: (1) all copy must be submitted to Developer at least five (5) days before the proposed display date and will be subject to Developer's standard advertising copy rejection and removal policies, which allow Developer, in its sole discretion, to approve or disapprove copy and remove copy once posted or displayed, and (2) all five (5) weeks' worth of display time for a particular year must be utilized during such year (i.e., no advertisement rights shall accumulate or carryover to the following year).

3.2. Discount Advertising. Developer shall offer a twenty percent (20%) discount off its applicable rates for display of advertising on the Billboard to any business that is a member of the Santa Fe Springs Chamber of Commerce, and has a headquarters and/or office in the City.

4. PROHIBITED USE. Developer shall not utilize any of the displays on the New Digital Billboard to advertise tobacco, marijuana, hashish, "gentlemen's clubs," adult entertainment businesses, sexually oriented materials, or use sexually oriented images or language, or as may be prohibited by any City ordinance existing as of the Effective Date of this Agreement, or as may be amended or implemented from time-to-time after the Effective Date and equally-applicable to all billboard displays by any duly and valid City ordinance.

5. DEVELOPMENT AND IMPLEMENTATION OF THE DEVELOPMENT.

5.1. Rights to Develop. Subject to and during the Term of this Agreement, Developer shall have the right to develop the Site in accordance with, and to the extent of, the Development Approvals, the Land Use Regulations and this Agreement, provided that nothing in this Agreement shall be deemed to modify or amend any of the pre-existing Land Use Regulations, as more particularly set forth in Section 5.2 below.

5.2. Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement, the rules, regulations and official policies governing permitted uses of the Site, the density and intensity of use of the of the structure on the Site, the maximum height and size of proposed structures on the Site, and the design, improvement and construction standards and specifications applicable to the Site, shall be as set forth in the Land Use Regulations which are in full force and effect as of the Effective Date of this Agreement, subject to the terms of this Agreement.

5.3. Development Approvals. Developer shall, at its own expense and before commencement of demolition, construction or development of any structures or other work of improvement upon the Site, secure or cause to be secured the Development Approvals, including but not limited to, a Conditional Use Permit, six (6) Zone Variances, and building permit(s) from the City, and any and all permits and approvals which may be required by any other governmental agency or utility affected by such construction, development or work to be performed by Developer pursuant to the Scope of Development; provided, however, that the City acknowledges that the City's Planning Commission and City Council have approved an Initial Study/Mitigated Negative Declaration for the project, thus complying with, and satisfying the requirements of, the California Environmental Quality Act ("CEQA"). Not by way of limiting the foregoing, in developing and constructing the Development, Developer shall comply with all: (1) applicable development standards in the City's Municipal Code that were in affect at the time the Development Agreement and Conditional Use Permit were approved by the City Council, (2)

applicable NPDES requirements pertaining to the Development, and (3) applicable building codes that were in affect at the time the Development Agreement and Conditional Use Permit were approved by the City Council, except as may be permitted through approved variances and modifications. Developer shall pay all normal and customary fees and charges applicable to such permits, and any fees and charges hereafter imposed by the City in connection with the Development which are standard and uniformly-applied to similar projects in the City. Nothing contained in this Agreement shall be deemed to impose any obligation on Owner with respect to the Development Approvals or the Development.

5.4. Timing of Development; Scope of Development. Developer shall commence the Development within the time set forth in the Schedule of Performance, attached hereto as Exhibit “D”. “Commencement” of the Development is defined herein as commencement of construction or improvements under the City building permit for the construction of the New Digital Billboard on the Site, which shall occur as soon as possible following Developer’s receipt of all necessary Development Approvals and Final Permits. In the event that Developer fails to meet the schedule for Commencement of the Development, then after compliance with Section 5.4, either party hereto may terminate this Agreement by delivering written notice to the other party, and, in the event of such termination, neither party shall have any further obligation hereunder. However, if circumstances within the scope of Section 10.10 delay the Commencement or completion of the Development, then such delays shall not constitute grounds for any termination rights found within this Agreement. In such case, the timeline to commence or complete the relevant task shall be extended in the manner set forth at Section 10.10. Notwithstanding the above, Developer shall, at all times, comply with all other obligations set forth in this Agreement regarding the construction or improvement of the New Digital Billboard. Developer shall also maintain the New Digital Billboard at all times during the Term in accordance with the maintenance provisions set forth in Section 3 of the Scope of Development, attached as Exhibit “B” herein.

5.5. Changes and Amendments. Developer may determine that changes to the Development Approvals are appropriate and desirable. In the event Developer makes such a determination, Developer may apply in writing for an amendment to the Development Approvals to effectuate such change(s), provided that the City may request written consent from Owner if the modification is deemed material. The parties acknowledge that the City shall be permitted to use its inherent land use authority in deciding whether to approve or deny any such amendment request; provided, however, that in exercising the foregoing reasonable discretion, the City shall not apply a standard different than that used in evaluating requests of other developers. Accordingly, under no circumstance shall the City be obligated in any manner to approve any amendment to the Development Approvals. The City Manager shall be authorized to approve any non-substantive amendment to the Development Approvals without processing an amendment to this Agreement. All other amendments shall require the approval of the City Council. Nothing herein shall cause Developer to be in default if it upgrades the digital displays installed pursuant to this Agreement during the Term of this Agreement to incorporate newer technology; provided Developer shall secure all applicable ministerial permits to do so and such upgrade is consistent with the dimensions and standards for the displays, as provided under this Agreement, Land Use Regulations and Subsequent Land Use Regulations.

5.6. Reservation of Authority.

5.6.1. ***Limitations, Reservations and Exceptions.*** Notwithstanding any other provision of this Agreement, the following Subsequent Land Use Regulations shall apply to the Development:

(a) Processing fees and charges of every kind and nature imposed by the City to cover the estimated actual costs to the City of processing applications for Subsequent Development Approvals.

(b) Procedural regulations consistent with this Agreement relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure. Notwithstanding the foregoing, if such change materially changes Developer's costs or otherwise materially impacts its performance hereunder, Developer may terminate this Agreement upon ninety (90) days prior written notice to the City.

(c) Changes adopted by the International Conference of Building Officials, or other similar body, as part of the then most current versions of the Uniform Building Code, Uniform Fire Code, Uniform Plumbing Code, Uniform Mechanical Code, or National Electrical Code, as adopted by the City as Subsequent Land Use Regulations, if adopted prior to the issuance of a building permit for development of the New Digital Billboard. Notwithstanding the foregoing, if such change materially changes Developer's costs or otherwise materially impacts its performance hereunder, Developer may terminate this Agreement upon ninety (90) days prior written notice to the City.

(d) Regulations that are not in conflict with the Development Approvals or this Agreement.

(e) Regulations that are in conflict with the Development Approvals or this Agreement, provided Developer has given written consent to the application of such regulations to the Development.

(f) Applicable federal, state, county and multi-jurisdictional laws and regulations which the City is required to enforce against the Site or the Development, and that do not have an exception for existing signs or legal nonconforming uses.

5.6.2. ***Future Discretion of the City.*** This Agreement shall not prevent the City from denying or conditionally approving any application for a Subsequent Development Approval on the basis of the Land Use Regulations.

5.6.3. ***Modification or Suspension by Federal, State, County, or Multi-Jurisdictional Law.*** In the event that applicable federal, state, county or multi-jurisdictional laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, and there is no exception for the legal nonconforming use, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such federal, state, county or multi-jurisdictional laws or regulations, and this Agreement shall remain in full force and effect to the extent it is not inconsistent with

such laws or regulations and to the extent such laws or regulations do not render such remaining provision impractical to enforce. Notwithstanding the foregoing, if such change materially changes Developer's costs or otherwise materially impacts its performance hereunder, Developer may terminate this Agreement upon ninety (90) days prior written notice to the City.

5.7. Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not subject to control by the City may possess authority to regulate aspects of the Development as contemplated herein, and this Agreement does not limit the authority of such other public agencies. Developer acknowledges and represents that, in addition to the Land Use Regulations, Developer shall, at all times, comply with all applicable federal, state and local laws and regulations applicable to the Development and that do not have an exception for a legal nonconforming use. To the extent such other public agencies preclude development or maintenance of the Development and do not have an exception for a legal nonconforming use, Developer shall not be further obligated under this Agreement except as provided in Section 7.1. Notwithstanding the foregoing, if such action by another public agency materially changes Developer's costs or otherwise materially impacts its performance hereunder, Developer may terminate this Agreement upon ninety (90) days prior written notice to the City.

5.8. Public Improvements. Notwithstanding any provision herein to the contrary, the City shall retain the right to condition any Subsequent Development Approvals on the requirement that Developer pay subsequently required development fees, and/or construct certain subsequently required public infrastructure ("Exactions") at such time as the City shall determine, subject to the following conditions:

5.8.1. The payment or construction must be to alleviate an impact caused by the Development or be of benefit to the Development; and

5.8.2. The timing of the Exaction should be reasonably related to the development of the Development, and said public improvements shall be phased to be commensurate with the logical progression of the development of the Development, as well as the reasonable needs of the public.

5.8.3. It is understood, however, that if there is a material increase in cost to Developer, or such action by the City otherwise materially impacts Developer or its performance hereunder, Developer may terminate this Agreement upon ninety (90) days prior written notice to the City.

5.9. Fees, Taxes and Assessments. During the Term of this Agreement, the City shall not, without the prior written consent of Developer, impose any additional fees, taxes or assessments on all or any portion of the Development, except such fees, taxes and assessments as are described in or required by this Development Agreement and/or the Development Approvals. However, this Development Agreement shall not prohibit the application of fees, taxes or assessments upon the Site only and not on the New Digital Billboard or Developer directly, except as follows:

5.9.1. Developer shall be obligated to pay those fees, taxes or City assessments and any increases in same which exist as the Effective Date and applicable to the Development or are included in the Development Approvals;

5.9.2. Developer shall be obligated to pay any fees or taxes, and increases thereof, imposed on a City-wide basis such as, but not limited to, business license fees or taxes or utility taxes applicable to the Development;

5.9.3. Developer shall be obligated to pay all fees applicable to any permit applications as charged by the City at the time such application(s) are filed by Developer; and

5.9.4. Developer shall be obligated to pay any fees imposed pursuant to any Uniform Code that existed when the permit applications are filed by Developer or that exist when Developer applies for any Subsequent Development Approvals.

5.10. Changes. Notwithstanding anything to the contrary herein, if there is a change in such fees as compared to those fees in effect as of the Effective Date, or if any additional fees are charged and such additional or increased fees materially change Developer's costs or otherwise materially impacts its performance hereunder, Developer may terminate this Agreement upon ninety (90) days prior written notice to the City.

6. REVIEW FOR COMPLIANCE.

6.1. Annual Review. The City Council shall have the right to review this Agreement annually at the City's sole cost, on or before the Anniversary Date, to ascertain the good faith compliance by Developer with the terms of this Agreement ("Annual Review"). However, no failure on the part of the City to conduct or complete an Annual Review as provided herein shall have any impact on the validity of this Agreement. Developer shall cooperate with the City in the conduct of such any Annual Review and provide the following information and documentation to the City at least thirty (30) days before the anniversary of the commencement of the Term: (1) any updates to Developer's contact information related to complaints concerning the billboards, as required in the conditions at Exhibit "B", (2) status and amount of all payment obligations to the City required under this Agreement for the year in question and cumulatively beginning from the Commencement of the Development herein, (3) any easement or Lease changes that could in any way materially impact the City or the parties' obligations under this Agreement, but any disclosure shall be via a redacted Lease per Section 2.2, (4) any utility changes that could in any way materially impact the City or the parties' obligations under this Agreement, and (5) any maintenance issues addressed or needing to be addressed per the requirements of Exhibit "B".

6.2. Special Review. The City Council may, in its sole and absolute discretion, order a special review of compliance with this Agreement at any time at the City's sole cost ("Special Review"). Developer shall cooperate with the City in the conduct of such any Special Review.

6.3. City Rights of Access. Subject to the City's execution of a permit to enter in a form reasonably acceptable to Owner, the City and its officers, employees, agents and contractors shall have the right, at their sole risk and expense, to enter the Site without interfering with any railroad or other right-of-way, and at all reasonable times with as little interference as possible, for the purpose of conducting the review under this Article 4, inspection, construction, reconstruction, relocation, maintenance, repair or service of any public improvements or public facilities located on the Site, or to perform any rights of the City under Section 6.2 above. Any damage or injury to the Site or to the improvements constructed thereon resulting from such entry

shall be promptly repaired at the sole expense of the City. Notwithstanding the foregoing or any other provision in this Agreement (including without limitation Section 6.2 above) to the contrary, the City shall have no right whatsoever to enter the Site unless and until the City executes and delivers to Owner a permit to enter in a form reasonably acceptable to Owner (except that this provision is not intended to interfere with the City's police powers to address any nuisance, dangerous condition, or other condition pursuant to the City's ordinances). Notwithstanding anything to the contrary herein, in no event will the City's representatives ever climb up the pole of the New Digital Billboard during any inspection.

6.4. Procedure. Each party shall have a reasonable opportunity to assert matters which it believes have not been undertaken in accordance with this Agreement, to explain the basis for such assertion, and to receive from the other party a justification of its position on such matters. If, on the basis of the parties' review of any terms of this Agreement, either party concludes that the other party has not complied in good faith with the terms of this Agreement, then such party may issue a written "Notice of Non-Compliance" specifying the grounds therefore and all facts demonstrating such non-compliance. The party receiving a Notice of Non-Compliance shall have thirty (30) days to cure or remedy the non-compliance identified in the Notice of Non-Compliance, but if such cure or remedy is not reasonably capable of being cured or remedied within such thirty (30) day period, then the party receiving a Notice of Non-Compliance shall commence to cure or remedy the non-compliance within such thirty (30) day period and thereafter diligently and in good faith prosecute such cure or remedy to completion. If the party receiving the Notice of Non-Compliance does not believe it is out of compliance and contests the Notice of Non-Compliance, it shall do so by responding in writing to said Notice of Non-Compliance within thirty (30) days after receipt of the Notice of Non-Compliance. If the response to the Notice of Non-Compliance has not been received in the office of the party alleging the non-compliance within the prescribed time period, the Notice of Non-Compliance shall be conclusively presumed to be valid. If a Notice of Non-Compliance is contested, the parties shall, for a period of not less than fifteen (15) days following receipt of the response, seek to arrive at a mutually acceptable resolution of the matter(s) occasioning the Notice of Non-Compliance. In the event that a cure or remedy is not timely completed, the party alleging the non-compliance may thereupon pursue the remedies provided in Section 7; provided, however, that if the Notice of Non-Compliance is contested and the parties are not able to arrive at a mutually acceptable resolution of the matter(s) by the end of the fifteen (15) day period, then either party shall have the right to seek a judicial determination of such contested matter. Neither party hereto shall be deemed in breach if the reason for non-compliance is due to "force majeure" as defined in, and subject to the provisions of, Section 10.10.

6.5. Certificate of Agreement Compliance. If, at the conclusion of an Annual Review or a Special Review, Developer is found to be in compliance with this Agreement, the City shall, upon request by Developer, issue within ten (10) days of receipt of the request, a written confirmation ("Certificate") to Developer stating that, after the most recent Annual Review or Special Review, and based upon the information known or made known to the City Manager and the City Council, that (1) this Agreement remains in effect, and (2) Developer is in compliance. The Certificate, whether issued after an Annual Review or Special Review, shall be in recordable form if requested by Developer, and shall contain information necessary to communicate constructive record notice of the finding of compliance. Developer may record the Certificate with the County Recorder. Additionally, Developer may, at any time, request from the City a Certificate stating, in addition to the foregoing, which specific obligations under this Agreement have been fully satisfied with respect to the Site and City shall respond within ten (10) days of receipt of the

request. If the City fails to respond to a Developer's request pursuant to this Section 6.5, the Developer is presumed to be in compliance with this Agreement or any obligation that is the subject of the Developer's request.

7. DEFAULT AND REMEDIES.

7.1. Termination of Agreement.

7.1.1. *Termination of Agreement for Material Default of Developer.* The City, in its discretion, may terminate this Agreement for any material failure of Developer to perform any material duty or obligation of Developer hereunder or to comply in good faith with the terms of this Agreement (hereinafter referred to as "default" or "breach"); provided, however, the City may terminate this Agreement pursuant to this Section only after following the procedures set forth in Section 6.4. In the event of a termination by the City under this Section 7.1.1, Developer acknowledges and agrees that the City may retain all fees accrued up to the date of the termination, including the Processing Fee and the Development Fee or Alternative Fee, as applicable, paid up to the date of termination, and Developer shall pay the prorated amount of the Development Fee or Alternative Fee, as applicable, within sixty (60) days after the date of termination and removal of the New Digital Billboard that equates to the percentage of time elapsed in the year of the Term at the time of termination.

7.1.2. *Termination of Agreement for Material Default of City.* Developer, in its discretion, may terminate this Agreement for any material failure of the City to perform any material duty or obligation of the City hereunder or to comply in good faith with the terms of this Agreement; provided, however, Developer may terminate this Agreement pursuant to this Section only after following the procedures set forth in Section 6.4. In addition, Developer may terminate this Agreement if, despite Developer's good faith efforts, (1) it is unable to secure the necessary permits and/or compliance with requirements under laws necessary to effectuate the Development, or (2) any governmental agency has concluded a taking or regulatory taking of the Site and/or the Development or (3) the Lease is terminated, or (4) it is unable to profitably operate the Development. In the event of a termination by Developer under this Section 7.1.2, Developer acknowledges and agrees that the City may retain all fees, including the Processing Fee and the Development Fee or Alternative Fee, as applicable, paid up to the date of termination, and Developer shall pay the prorated amount of the Development Fee or Alternative Fee, as applicable, within sixty (60) days after the date of termination and removal of the New Digital Billboard that is so terminated that equates to the percentage of time elapsed in the year of the Term at the time of termination.

7.1.3. *Rights and Duties Following Termination.* Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to (i) any obligations to have been performed prior to said termination of this Agreement, (ii) any default in the performance of the provisions of this Agreement which has occurred prior to said termination of this Agreement, (iii) Developer's obligation to remove the terminated New Digital Billboard pursuant to Section 2.3, or (iv) any continuing obligations to indemnify other parties.

8. INSURANCE, INDEMNIFICATION AND WAIVERS.

8.1. Insurance.

8.1.1. *Types of Insurance.*

(a) *Liability Insurance.* Beginning on the Effective Date hereof and until completion of the Term, Developer shall, at its sole cost and expense, keep or cause to be kept in force for Developer comprehensive broad form general liability insurance against claims and liabilities covered by the indemnification provisions of Section 8.2. Developer has agreed to indemnify the City hereunder to the extent of the liability insurance coverage with respect to its use, occupancy, disuse or condition of the Site, improvements or adjoining areas or ways, affected by such use of the Site or for property damage, providing protection of at least One Million Dollars (\$1,000,000) for bodily injury or death to any one person, at least Two Million Dollars (\$2,000,000) for any one accident or occurrence, and at least One Million Dollars (\$1,000,000) for property damage. Developer shall also furnish or cause to be furnished to the City evidence that any contractors with whom Developer has contracted for the performance of any work for which Developer is responsible maintains the same coverage required of Developer.

(b) *Worker's Compensation.* Developer shall also furnish or cause to be furnished to the City evidence that any contractor with whom Developer has contracted for the performance of any work for which Developer is responsible hereunder carries worker's compensation insurance as required by law.

8.1.2. *Insurance Policy Form, Sufficiency, Content and Insurer.* All insurance required by express provisions hereof shall be carried only by responsible insurance companies qualified to do business by California with an AM Best Rating of no less than "A". All such policies shall be non-assignable and shall contain language, to the extent obtainable, to the effect that (i) the insurer waives the right of subrogation against the City and against the City's agents and representatives except as provided in this Section; (ii) the policies are primary and noncontributing with any insurance that may be carried by the City, but only with respect to the liabilities assumed by Developer under this Agreement; and (iii) the policies cannot be canceled or materially changed except after written notice by the insurer to the City or the City's designated representative as expeditiously as the insurance company agrees to provide such notice. Developer shall furnish the City with certificates evidencing the insurance required to be procured by the terms of this Agreement.

8.1.3. *Failure to Maintain Insurance and Proof of Compliance.* Developer shall deliver to the City, in the manner required for notices, copies of certificates of all insurance policies required of each policy within the following time limits:

(a) For insurance required above, within seven (7) days after the Effective Date or consistent with the requirements of Exhibit "D" (Schedule of Performance), Item No. 8.

(b) The City can request to see updated copies of the current certificates of all insurance policies required. The City reserves the right to obtain copies of the entire insurance policy, including endorsements.

(c) If Developer fails or refuses to procure or maintain insurance as required hereby or fails or refuses to furnish the City with required proof that the insurance has

been procured and is in force and paid for, the City, after complying with the requirements of Section 6.4, may view such failure or refusal to be a default hereunder.

8.2. Indemnification.

8.2.1. **General.** Developer shall indemnify the City and Owner, and their respective officers, employees, and agents against, and will hold and save them and each of them harmless from, any and all actions, suits, claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions, or liabilities (herein “claims or liabilities”) that may be asserted or claimed by any person, firm, or entity arising out of or in connection with the work, operations, or activities of Developer, its agents, employees, subcontractors, or invitees, hereunder, upon the Site.

(a) Developer will defend any action or actions filed in connection with any of said claims or liabilities covered by the indemnification provisions herein and will pay all costs and expenses, including reasonable legal costs and attorneys’ fees incurred in connection therewith, which attorneys will be the attorneys hired by the insurance company where insurance coverage applies.

(b) Developer will promptly pay any judgment rendered against the City or Owner or their respective officers, agents, or employees for any such claims or liabilities arising out of or in connection with such work, operations, or activities of Developer hereunder, and Developer agrees to save and hold the City and Owner and their respective its officers, agents, and employees harmless therefrom.

8.2.2. **Exceptions.** The foregoing indemnity shall not include claims or liabilities arising from the negligence or willful misconduct of the City, or its officers, agents or employees who are directly responsible to the City.

8.2.3. **Additional Coverage.** Without limiting the generality of the foregoing, Developer’s indemnity obligation shall include any liability arising by reason of:

(a) Any accident or other occurrence in or on the Site causing injury to any person or property whatsoever caused by Developer;

(b) Any failure of Developer to comply with performance of all of the provisions of this Agreement;

(c) Any harm, delays, injuries or other damages incurred by any party as a result of any subsurface conditions on the Site caused solely by Developer, including but not limited to, the presence of buried debris, hazardous materials, hydrocarbons, or any form of soil contamination.

8.2.4. **Loss and Damage.** Except as set forth below, the City shall not be liable for any damage to property of Developer, Owner or of others located on the Site, nor for the loss of or damage to any property of Developer, Owner or others by theft or otherwise. Except as set forth below, the City shall not be liable for any injury or damage to persons or property resulting from fire, explosion, steam, gas, electricity, water, rain, dampness or leaks from any part of Site

or from the pipes or plumbing, or from the street, or from any environmental or soil contamination or hazard, or from any other latent or patent defect in the soil, subsurface or physical condition of Site, or by any other cause of whatsoever nature. The foregoing two (2) sentences shall not apply (i) to the extent the City or its agents, employees, subcontractors, invitees or representatives causes such injury or damage when accessing the Site, or (ii) to the extent covered in any permits to enter executed by the City, or (iii) under the circumstances set forth in Section 8.2.2 above.

8.2.5. *Period of Indemnification.* The obligations for indemnity under this Section 8.2 shall begin upon the Effective Date and shall survive termination of this Agreement.

8.3. *Waiver of Subrogation.* Developer and the City mutually agree that neither shall make any claim against, nor seek to recover from the other or its agents, servants, or employees, for any loss or damage to Developer or the City or to any person or property relating to this Agreement, except as specifically provided hereunder, which include but is not limited to a claim or liability to the extent arising from the negligence or willful misconduct of the City or Developer, as the case may be, or their respective officers, agents, or employees who are directly responsible to the City and Developer, as the case may be.

9. *MORTGAGEE PROTECTION.* The parties hereto agree that this Agreement shall not prevent or limit Developer, in any manner, at Developer's sole discretion, from encumbering Site or any portion thereof or the Development or any improvement on the Site thereon by any mortgage, deed of trust or other security device securing financing with respect to the Site. The City acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and the City agrees upon request, from time to time, to meet with Developer or Owner and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. Subject to compliance with applicable laws, the City will not unreasonably withhold its consent to any such requested interpretation or modification, provided the City determines such interpretation or modification is consistent with the intent and purposes of this Agreement. Upon reasonable approval by the City Attorney, the City authorizes the City Manager to execute any Notices of Consent to Assignment on behalf of the City or similar financial documentation. Any Mortgagee of the Site shall be entitled to the following rights and privileges:

9.1.1. Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Development of the Site or any mortgage of the Site made in good faith and for value, unless otherwise required by law.

9.1.2. The Mortgagee of any mortgage or deed of trust encumbering the Development of the Site or any mortgage or deed of trust encumbering the Site, or any part thereof, which Mortgagee has submitted a request in writing to the City in the manner specified herein for giving notices, shall be entitled to receive written notification from the City of any default by Developer in the performance of Developer's obligations under this Agreement.

9.1.3. If the City timely receives a request from a Mortgagee requesting a copy of any Notice of Non-Compliance given to Developer under the terms of this Agreement, the City shall make a good faith effort to provide a copy of that Notice of Non-Compliance to the Mortgagee within ten (10) days of sending the Notice of Non-Compliance to Developer. The Mortgagee shall have the right, but not the obligation, to cure the non-compliance during the period that is the

longer of (i) the remaining cure period allowed such party under this Agreement, or (ii) sixty (60) days.

9.1.4. Any Mortgagee who comes into possession of the Development or the Site, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Development or the Site, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of Developer's obligations or other affirmative covenants of Developer hereunder, or to guarantee such performance; except that (i) to the extent that any covenant to be performed by Developer is a condition precedent to the performance of a covenant by the City, the performance thereof shall continue to be a condition precedent to the City's performance hereunder, and (ii) in the event any Mortgagee seeks to develop or use any portion of the Development or the Site acquired by such Mortgagee by foreclosure, deed of trust, or deed in lieu of foreclosure, such Mortgagee shall strictly comply with all of the terms, conditions and requirements of this Agreement and the Development Approvals applicable to the Development or the Site or such part thereof so acquired by the Mortgagee.

10. MISCELLANEOUS PROVISIONS.

10.1. Recordation of Agreement. This Agreement shall be recorded in "short form" version with the County Recorder by the City Clerk within 10 days of execution, as required by Government Code Section 65868.5. Amendments approved by the parties, and any cancellation, shall be similarly recorded.

10.2. Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties with respect to the subject matter set forth herein, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

10.3. Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, then that term, provision, covenant or condition of this Agreement shall be stricken and the remaining portion of this Agreement shall remain valid and enforceable if that stricken term, provision, covenant or condition is not material to the main purpose of this Agreement, which is to allow the Development to be permitted and operated and to provide the Development Fee to the City; otherwise, this Agreement shall terminate in its entirety, unless the parties otherwise agree in writing, which agreement shall not be unreasonably withheld.

10.4. Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning, to achieve the objectives and purposes of the parties hereto. The rule of construction, to the effect that ambiguities are to be resolved against the drafting party or in favor of the non-drafting party, shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

10.5. Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

10.6. Singular and Plural. As used herein, the singular of any word includes the plural.

10.7. Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

10.8. Waiver. Failure of a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

10.9. No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit for the parties and Owner and their respective successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

10.10. Force Majeure. Notwithstanding any provision to the contrary herein, neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by earthquakes, other acts of God, fires, rains, winds, wars, terrorism, riots or similar hostilities, strikes and other labor difficulties beyond the party's control (including the party's employment force), government actions and regulations (other than those of the City), court actions (such as restraining orders or injunctions), or other causes beyond the party's reasonable control. If any such events shall occur the term of this Agreement then the time for performance shall be extended for the duration of each such event, provided that the Term of this Agreement shall not be extended under any circumstances for more than five (5) years beyond the date it would have otherwise expired, and further provided that if such delay is longer than six (6) months, Developer may terminate this Agreement upon written notice to the City and the City shall return to Developer any portion of the Development fee paid for any period after the effective date of such termination.

10.11. Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

10.12. Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

10.13. Litigation. Any action at law or in equity arising under this Agreement or brought by any party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of Los Angeles, State of California, or such other appropriate court in said county. Service of process on the City shall be made in accordance with California law. Service of process on Developer shall be made in any manner permitted by California law and shall be effective whether served inside or outside California. In the event of any action between the City and Developer seeking enforcement of any of the terms and conditions to this Agreement, the prevailing party in such action shall be awarded, in addition to such relief to which such party is entitled under this

Agreement, its reasonable litigation costs and expenses, including without limitation its expert witness fees and reasonable attorneys' fees.

10.14. Covenant Not To Sue. The parties to this Agreement, and each of them, agree that this Agreement and each term hereof are legal, valid, binding, and enforceable. The parties to this Agreement, and each of them, hereby covenant and agree that each of them will not commence, maintain, or prosecute any claim, demand, cause of action, suit, or other proceeding against any other party to this Agreement, in law or in equity, which is based on an allegation, or assert in any such action, that this Agreement or any term hereof is void, invalid, or unenforceable.

10.15. Development as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the Development is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between the City and Developer is that of a government entity regulating the development of private property, on the one hand, and the holder of a legal or equitable interest in such private property on the other hand. The City agrees that by its approval of, and entering into, this Agreement, that it is not taking any action which would transform this private development into a "public work" development, and that nothing herein shall be interpreted to convey upon Developer any benefit which would transform Developer's private development into a public work project, it being understood that this Agreement is entered into by the City and Developer upon the exchange of consideration described in this Agreement, including the Recitals to this Agreement which are incorporated into this Agreement and made a part hereof, and that the City is receiving by and through this Agreement the full measure of benefit in exchange for the burdens placed on Developer by this Agreement.

10.16. Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement.

10.17. Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by the City of its power of eminent domain or Developer's right to seek and collect just compensation or any other remedy available to it.

10.18. Amendments in Writing/Cooperation. This Agreement may be amended only by written consent of both parties specifically approving the amendment (which approval shall not be unreasonably withheld, conditioned or delayed) and in accordance with the Government Code provisions for the amendment of development agreements. The parties shall cooperate in good faith with respect to any amendment proposed in order to clarify the intent and application of this Agreement, and shall treat any such proposal on its own merits, and not as a basis for the introduction of unrelated matters. Minor, non-material modifications may be approved on behalf of the City by the City Manager upon reasonable approval by the City Attorney.

10.19. Assignment. Developer shall have the right to transfer or assign its rights and obligations under this Agreement (collectively, an “Assignment”) to any person or entity (an “Assignee”) in connection with a transfer or assignment of all of Developer’s interest in the Lease without the prior approval of the City; provided that, (a) Developer shall notify City in writing of such proposed Assignment at least thirty (30) days prior to the effective date of any proposed Assignment, and (b) Developer and Assignee shall enter into a written assignment and assumption agreement, executed in recordable form, pursuant to which Assignee shall agree to assume all duties and obligations of Developer under this Agreement remaining to be performed at the time of the Assignment.

10.20. Corporate Authority. The person(s) executing this Agreement on behalf of each of the parties hereto represent and warrant that (i) such party, if not an individual, is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other agreement to which such party is bound.

10.21. Notices. All notices under this Agreement shall be effective when delivered by United States Postal Service mail, registered or certified, postage prepaid return receipt requested, and addressed to the respective parties as set forth below, or to such other address as either party may from time to time designate in writing by providing notice to the other party:

If to the City: City of Santa Fe Springs
 11710 E. Telegraph Road
 Santa Fe Springs, CA 90670
 Attn: City Manager

If to Developer: Becker Boards Small, LLC
 4234 E. Indian School Rd
 Phoenix, AZ 85018
 Attn: _____

With a copy to: _____

10.22. Nonliability of City Officials. No officer, official, member, employee, agent, or representatives of the City shall be liable for any amounts due hereunder, and no judgment or execution thereon entered in any action hereon shall be personally enforced against any such officer, official, member, employee, agent, or representative.

10.23. No Brokers. The City and Developer each represent and warrant to the other that it has not employed any broker and/or finder to represent its interest in this transaction. Each party agrees to indemnify and hold the other free and harmless from and against any and all liability, loss, cost, or expense (including court costs and reasonable attorneys’ fees) in any manner connected with a claim asserted by any individual or entity for any commission or finder’s fee in

connection with this Agreement or arising out of agreements by the indemnifying party to pay any commission or finder's fee.

10.24. No Amendment of Lease. Nothing contained in this Agreement shall be deemed to amend or modify any of the terms or provisions of the Lease. Nothing contained in this Agreement shall constitute or be deemed to constitute a limit on any of Developer's obligations under the Lease, or any of Owner's rights or remedies against Developer under the Lease.

[Signatures on the following page]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first set forth above.

CITY:

CITY OF SANTA FE SPRINGS
a California municipal corporation

By: _____
Mayor

DEVELOPER:

BECK BOARDS SMALL, LLC
a California Corporation

By: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF _____

On _____, _____, before me, _____
(here insert name and title of the officer)

personally appeared _____

,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of _____ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature (Seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF _____

On _____, _____, before me, _____
(here insert name and title of the officer)

personally appeared _____

,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of _____ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature (Seal)

EXHIBIT “A”

LEGAL DESCRIPTION OF SITE

All that certain real property located in the City of Santa Fe Springs, County of Los Angeles, State of California more particularly described as follows:

Legal Description to be provided by applicant

APN: 8069-016-006

EXHIBIT "B"

SCOPE OF DEVELOPMENT

Developer and the City agree that the Development shall be undertaken in accordance with the terms of the Agreement, which include the following:

1. The Development. Developer shall install the New Digital Billboard in accordance with the terms of this Agreement. The New Digital Billboard consists of one (1) 60 foot tall, "bulletin" size V-Shaped freeway-oriented billboard with a total of two (2) digital displays (each display measuring 14' x 48' within the billboard frame) on the 5 Freeway. Before the issuance of final inspection of the Final Permits, Developer shall underground all utilities necessary for the New Digital Billboard and the Site shall be maintained in accordance with the conditions at Paragraph 3 below.

2. Building Fees. Developer shall pay all applicable City building fees, as described at Section 2.4 of the Agreement, at the time that the building permit is issued for the installation of the New Digital Billboard.

3. Maintenance and Access. Developer, for itself and its successors and assigns, hereby covenants and agrees to be responsible for the following:

(a) Maintenance and repair of the New Digital Billboard (where authorized pursuant to the Agreement, and including but not limited to, the displays installed thereon, and all related on-site improvements and, if applicable, easements and rights-of-way, at its sole cost and expense), including, without limitation, landscaping, poles, lighting, signs and walls (as they relate to the Development) in good repair, free of graffiti, rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction over the Site, unless those federal, state, and local bodies have an exception for a legal nonconforming use. Such, maintenance and repair shall include, but not be limited to, the following: (i) sweeping and trash removal related to the Development; (ii) the care and replacement of all shrubbery, plantings, and other landscaping or the painted backing in a healthy condition if damaged by the Development; (iii) the ongoing maintenance by Developer of any access road to the New Digital Billboard if damaged by the Development and to minimize dust caused by the Development; and (iii) the repair, replacement and repainting of the New Digital Billboard's structures and displays as necessary to maintain such billboards in good condition and repair.

(b) Maintenance of the New Digital Billboard and surrounding portion of the Site in such a manner as to avoid the reasonable determination of a duly authorized official of the City that a public nuisance has been created by the absence of adequate maintenance of the Development such as to be detrimental to the public health, safety or general welfare, or that such a condition of deterioration or disrepair causes appreciable harm or is materially detrimental to property or improvements within three hundred (300) feet of the Site.

(c) Developer shall reasonably coordinate with any neighboring property owners who share utilities or access roads to their separate respective billboards. The City may

designate alternative access for planning purposes so long as such alternative access allows Developer to access its billboard and related utilities.

4. Other Rights of the City. In the event of any violation or threatened violation of any of the provisions of this Exhibit “B”, then in addition to, but not in lieu of, any of the rights or remedies the City may have to enforce the provisions of the Agreement, the City shall have the right, after complying with Section 6.4 of the Agreement, (i) to enforce the provisions hereof by undertaking any maintenance or repairs required by Developer under Paragraph 3 above (subject to the execution of a permit to enter in form reasonably acceptable to Owner) and charging Developer for any actual maintenance costs incurred in performing same, and (ii) to withhold or revoke, after giving written notice of said violation, any building permits, occupancy permits, certificates of occupancy, business licenses and similar matters or approvals pertaining to the Development or any part thereof or interests therein as to the violating person or one threatening violation.

5. No City Liability. The granting of a right of enforcement to the City does not create a mandatory duty on the part of the City to enforce any provision of the Agreement. The failure of the City to enforce the Agreement shall not give rise to a cause of action on the part of any person. No officer or employee of the City shall be personally liable to Developer, its successors, transferees or assigns, for any default or breach by the City under the Agreement.

6. Conditions of Approval. The following additional conditions shall apply to the installation of the New Digital Billboard and, where stated, landscaping adjacent to New Digital Billboard, which billboard and landscaping or painted backing adjacent to the billboard, respectively, shall conform to all applicable provisions of the Development Approvals and the following conditions, in a manner subject to the approval of the Director of Planning or his or her designee:

(a) A building permit will be required, and structural calculations shall be prepared by a licensed civil engineer and approved by the City’s Building Official.

(b) The Billboard shall be located in the portion of the Site shown on Exhibit “C-1”, and shall be of the dimensions described in Section 1, above.

(c) The size of each sign display of the New Digital Billboard shall not exceed the dimensions set forth in the Ordinance, and shall not to exceed the maximum height set forth in the Ordinance, including all extensions, and shall be spaced at intervals from any other billboard on the same side of the freeway and measured parallel to the freeway as set forth in the Ordinance and depicted in the Site Plan at Exhibit “C-1”, Billboard Elevation at Exhibit “C-2”, and Screening Rendering & Pole Cover at Exhibit “C-3” as approved by the City as part of the Development Approvals.

(d) The New Digital Billboard pole shall have a column cover as depicted in the Billboard Elevation within Exhibits “C-2” & “C-3”.

(e) Plans and specifications for the proposed installation of the New Digital Billboard shall be submitted to the City Planning and Building Departments for plan check and approval prior to the issuance of building permits. Plans and specifications for the proposed

installation of the undergrounding of all utilities, shall be submitted to the City Planning and Building Departments for plan check and approval prior to the issuance of electrical permits.

(f) Prior to the approval of the final inspection, all applicable conditions of approval and all mandatory improvements shall be completed to the reasonable satisfaction of the City.

(g) Developer shall maintain the New Digital Billboard and use thereof in full compliance with all applicable codes, standards, policies and regulations imposed by the City, county, state or federal agencies by any duly and valid City, county or state ordinance with jurisdiction over the facilities, unless the Development is exempted as a legal nonconforming use.

(h) Developer shall, at all time, comply with the approval for the New Digital Billboard from the California Department of Transportation Outdoor Advertising Division, and shall maintain acceptable clearance between proposed billboards and Southern California Edison distribution lines.

(i) Developer shall pay any and all applicable fees due to any public agency prior to the final issuance of the applicable building or electrical permits.

(j) The activities proposed in the Agreement shall be conducted completely upon the Site and shall not use or encroach on any public right-of-way.

(k) Developer shall ensure that all access to the New Digital Billboard is kept restricted to the general public to the extent permitted under local laws and by the Development Approvals.

(l) If any portion of the landscaping or painted backing installed adjacent to the New Digital Billboard is damaged by the Development or becomes damaged, unhealthy or otherwise in need of replacement, as determined by the City's Director of Planning or his or her designee, Developer shall ensure that the replacement is accomplished within fourteen (14) days of notification by the City, unless such time is extended by the City's Director of Planning or his or her designee if Developer shows unusual circumstances requiring more time to accomplish such replacement. Developer or Owner may trim such landscaping so as not to block the billboards or with the reasonable consent of the Director of Planning, the Developer at the Developer's own cost, can remove and relocate any landscaping.

(m) Developer shall be required to install all utilities underground in connection with the New Digital Billboard in conformance with Ordinance 1036 and 1092. Developer shall coordinate its work with the requirements of Southern California Edison to achieve the undergrounding of all utilities.

(n) Developer shall comply with all necessary federal National Pollutant Discharge Elimination System (NPDES) requirements pertaining to the proposed use, to the extent applicable.

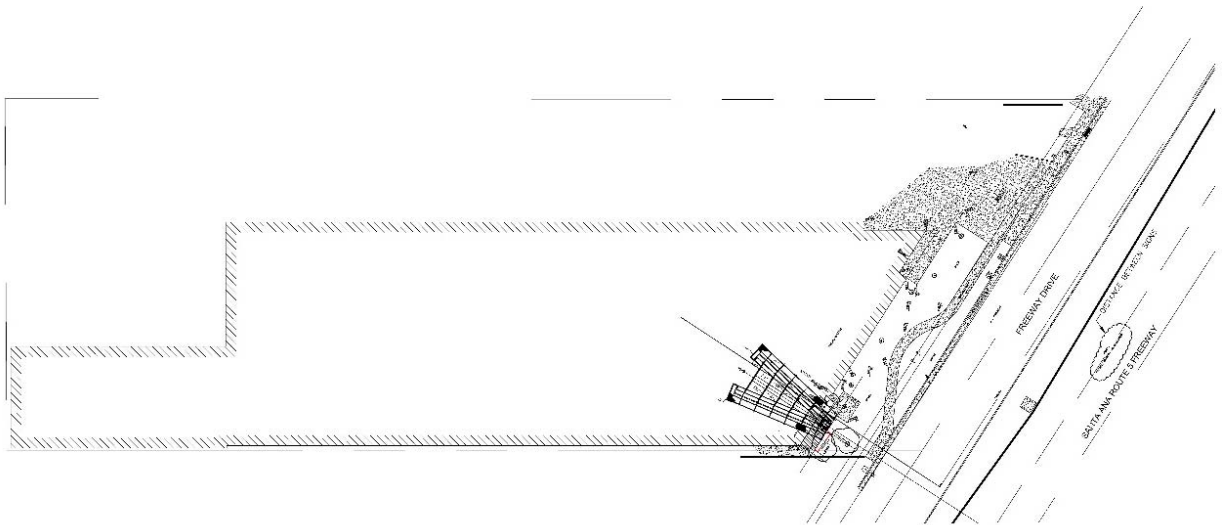
(o) All graffiti shall be adequately and completely removed or painted over within 48 hours of notice to Developer of such graffiti being affixed on the Development.

(p) Prior to final sign off of the building permit for the New Digital Billboard, the applicable landscaping or painted backing shall be installed at the Site.

(q) Developer shall comply with State law regarding the limitation of light or glare or such other standards as adopted by the Outdoor Advertising Association of America, Inc. (OAAA), including but not limited to, the 0.3 foot-candles limitation over ambient light levels and ensuring additional flexibility in reducing such maximum light level standard given the lighting environment, the obligation to have automatic dimming capabilities, as well as providing the City's Director of Planning or his or her designee with a designated Developer employee's phone number and/or email address for emergencies or complaints that will be monitored 24 hours a day/7 days per week. Upon any reasonable complaint by the City's Planning Officer or designee, Developer shall dim the display to meet these guidelines and further perform a brightness measurement of the display using OAAA standards and provide the City with the results of same within 5 days of the City's complaint.

EXHIBIT "C-1"

SITE PLAN



PARTIAL SITE PLAN

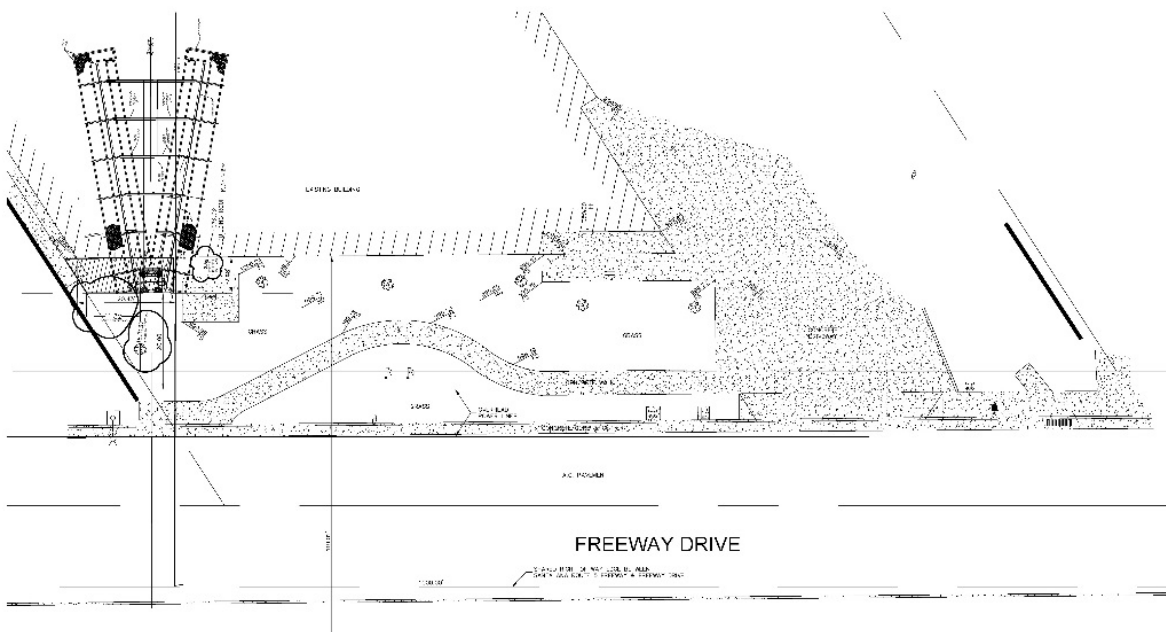
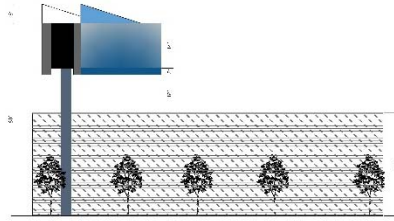
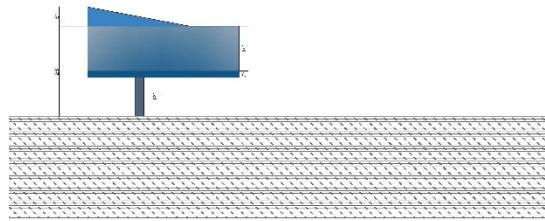


EXHIBIT "C-2"

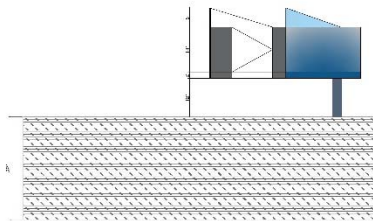
BILLBOARD ELEVATIONS



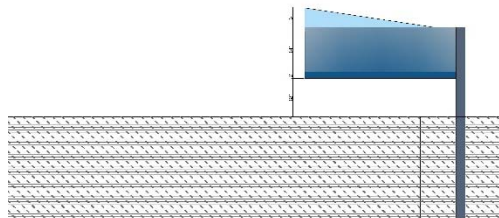
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

EXHIBIT "C-3"

SCREENING RENDERING & POLE COVER

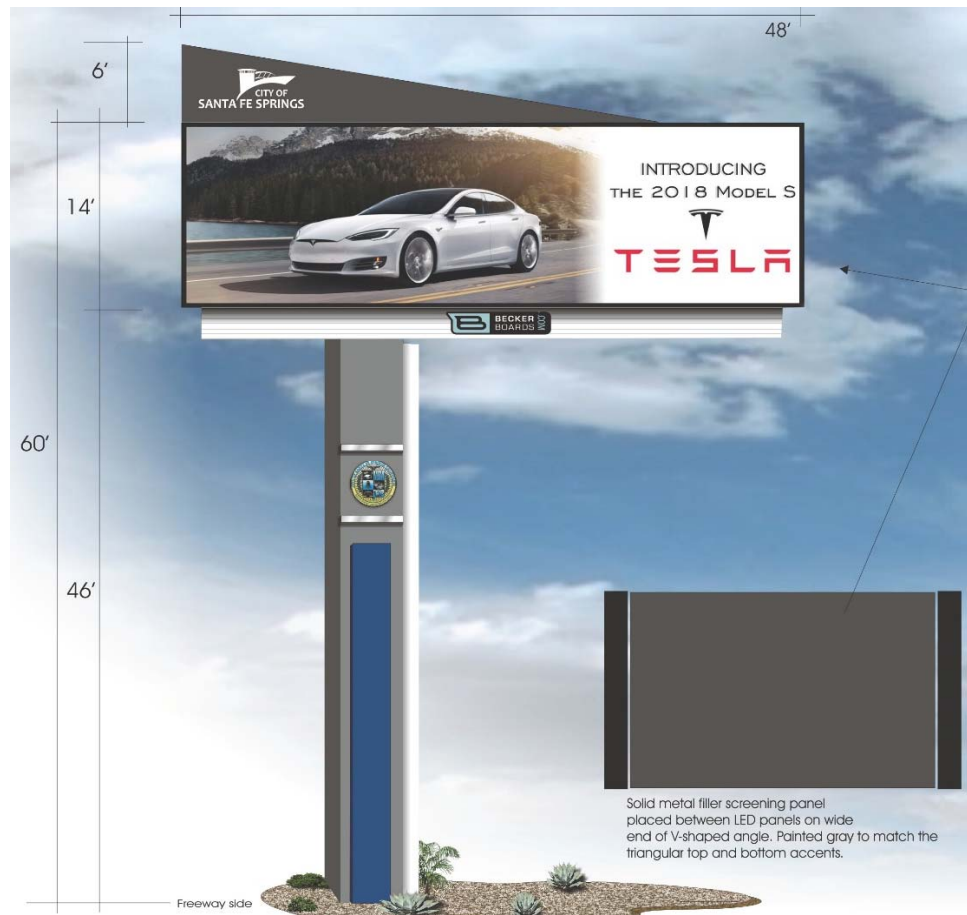


EXHIBIT “D”

SCHEDULE OF PERFORMANCE

| ITEM OF PERFORMANCE | TIME FOR PERFORMANCE | REFERENCE |
|--|---|-----------|
| 1. City's Planning Commission holds public hearing and recommends approval of Agreement and Conditions of Approval | | Recitals |
| 2. City's City Council holds hearings to approve Agreement and first and second reading of Ordinance | _____, 2019 (1st Reading); _____, 2019 (2nd Reading), provided Developer has fully executed the Agreement | Recitals |
| 3. Effective Date of this Agreement. | 30 days following City Council's second reading of Ordinance, or _____, 2019 | N/A |
| 4. Developer prepares and submits to City working drawings specifications and engineering, the City commences approval process. | Within 120 days of the Council's second reading of the Ordinance approving this Agreement | 5.4 |
| 5. City to approve all construction and engineering drawings and specifications with a plan check approval, and issue a building permit and an electrical permit. City agrees to any necessary building or electrical permits need for Developer to acquire the Caltrans approvals. Developer agrees not to commence construction until it receives the applicable Caltrans approvals. | Within 30 days of City's receipt of Developer's construction drawings and specifications addressing all of City's comments. | |

| ITEM OF PERFORMANCE | TIME FOR PERFORMANCE | REFERENCE |
|---|--|-----------|
| 6. Developer to provide copy of Caltrans approval to City | Prior to commencing any inspections and work on the Development. | 5.3, 5.4 |
| 7. Developer to submit proof of insurance to City. | Prior to commencing any inspections and work on the Development | 8.1.2 |
| 8. Developer pays Processing Fee | Thirty days from the date that the building official releases the electrical meter to Southern California Edison (Commencement Date) | 2.4 |
| 9. Developer pays City annual installments of the Development Fee or Alternate Development Fee. | Within ninety (90 days) following the Anniversary Date and after the termination of the Term. | 2.5, 2.6 |
| 10. Developer pays the Alternative Fee if in excess of the Development Fee. | Within 90 days of the end of each calendar year of the Term | 2.6 |

It is understood that this Schedule of Performance is subject to all of the terms and conditions of the text of the Agreement. The summary of the items of performance in this Schedule of Performance is not intended to supersede or modify the more complete description in the text; in the event of any conflict or inconsistency between this Schedule of Performance and the text of the Agreement, the text shall govern.

The time periods set forth in this Schedule of Performance may be altered or amended only by written agreement signed by both Developer and the City. Notwithstanding any extension of the Term in the manner described in, and subject to the provisions of Section 5.5 of the Agreement, the City Manager shall have the authority to approve extensions of time set forth in this Schedule of Performance without action of the City Council, not to exceed a cumulative total of 180 days.

Attachment 9: Caltrans Determination

**DEPARTMENT OF TRANSPORTATION
OFFICE OF OUTDOOR ADVERTISING**

P.O. BOX 942873, MS-36
SACRAMENTO, CA 94273-0001
PHONE (916) 654-6473
FAX (916) 651-9359
TTY 711

www.dot.ca.gov/trafficops



*Making Conservation
a California Way of Life.*

September 12, 2019

CERTIFIED MAIL: 7016 3010 0000 5882 2232

Wayne Morrell
City of Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670

Re: Outdoor Advertising Preliminary Application Number P07-3525

Dear Wayne Morrell:

Thank you for your outdoor advertising preliminary review application for an outdoor advertising display comprised of a back to back display to be placed in the County of Los Angeles, adjacent to northbound Interstate 5, at Post Mile marker 2.200R, and 1306 feet south of Carmenita Road. A true and correct copy of your application is attached hereto for your reference. Unfortunately, the display location does not conform to the requirements of the Outdoor Advertising Act codified at California Business and Professions Code section 5200 et seq.; therefore, the application cannot be approved for the following reason:

- Outdoor Advertising Act section 5405(d)(1) states that no message center display may be placed within 1,000 feet of another message center display on the same side of the highway. According to the Department's records, there is an on-premise message center display 463 feet north of the proposed display location.

Therefore, your preliminary review application is denied. The preliminary determination application process is designed to provide applicants with the Department's preliminary determination as to whether a particular site would qualify for a permit if a permit application were submitted; it is not intended to substitute for the permit application process, which provides an actual decision on an actual outdoor advertising permit application. A preliminary determination is non-binding-it neither compels nor denies any further action- and thus, it does not qualify for any legal remedy such as an appeal process.

If you have any questions, please contact our office at (916) 654-6473.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G Anzo'.

George Anzo
Area Manager

Enc.:

Outdoor Advertising Permit Applications and:

- Photographs of on-premise message center display
- Copy of 4 BPC § 5216.4 & 5405

OUTDOOR ADVERTISING (ODA) DISPLAY PERMIT APPLICATION

ODA-0002 (REV 01/2019)

Page 1 of 2

| | | | | | | | | | |
|---|--|--|--|--|-------------------------------------|--------------------|-------|-----------|------------------------|
| PERSONAL INFORMATION NOTICE | | | | | DO NOT WRITE IN SHADED AREAS | | | | |
| Pursuant to the Federal Privacy Act (Section 552, et seq.) and the Information Practices Act of 1977 (IPA) (Civil Code Sections 1798, et seq.), notice is hereby given for the request of personal information by this form. The requested personal information is voluntary. The principal purpose of the voluntary information is to facilitate the processing of this form. The failure to provide all or any part of the requested information may delay processing of this form. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.24 of the IPA of 1977. Each individual has the right upon request and proper identification, to inspect all personal information in any record maintained on the individual by an identifying particular. | | | | | DISTRICT | COUNTY | ROUTE | POST MILE | PERMIT NUMBER |
| | | | | | 07 | LA | 5 | 2.200R | |
| | | | | | ROAD / STREET / ADDRESS | | | | |
| | | | | | CSR NUMBER | APPLICATION NUMBER | | | |
| | | | | | PERMIT ISSUE DATE | | | | PERMIT EXPIRATION DATE |

COMPLETE ALL SECTIONS. ISSUANCE OF A PERMIT WILL BE DELAYED UNLESS ALL ITEMS ARE FILLED IN AND THE PROPER FEES REMITTED. IF APPROVED, A COPY WILL BE RETURNED FOR YOUR RECORDS. www.dot.ca.gov/oda

MAIL TO: DEPARTMENT OF TRANSPORTATION, Division of Traffic Operations, Office of ODA MS-36, P.O. Box 942874, Sacramento, CA 94274-0001

SECTION 1 - FEES (NO CASH ACCEPTED BY MAIL)

MAKE CHECK PAYABLE TO: DEPARTMENT OF TRANSPORTATION, OR PROVIDE THE INFORMATION BELOW TO APPLICABLE CREDIT CARD.

| | | |
|--|---|---------------------|
| APPLICATION (non-refundable) | <input type="checkbox"/> \$300 | PERMIT FEES: |
| PENALTY (required if display was placed prior to obtaining permit) | <input type="checkbox"/> \$100 | 2019-2023 |
| PRELIMINARY REVIEW REQUEST (If approved, \$100 will be applied towards the application fee per BPC Section 5486) | <input checked="" type="checkbox"/> \$200 | 2019** |

The Department operates on a 5-year billing cycle: 2019-2023.
 **Companies that have more than 40 permitted displays may pay on an annual basis.

TOTAL FEES PAID (Application + Permit Fees): \$ 200.00

| | | | | | |
|--|--|-------------------------------------|---|-----------------------------------|------------------------|
| METHOD OF PAYMENT: <input type="checkbox"/> CHECK NUMBER | <input checked="" type="checkbox"/> VISA | <input type="checkbox"/> MASTERCARD | <input type="checkbox"/> AMERICAN EXPRESS | <input type="checkbox"/> DISCOVER | Expiration Date: 02/13 |
| CHARGE ACCOUNT NUMBER | TOTAL FEES CHARGED | AUTHORIZED SIGNATURE | | | |
| | \$200.00 | <i>Theresa Cavale</i> | | | |

SECTION 2 - DISPLAY TYPE (CHECK THE APPROPRIATE BOX(ES))

☐ STATIC DISPLAY ☒ TRI-VISION/MESSAGE CENTER DISPLAY ☐ PRIVATE DIRECTIONAL DISPLAY ☐ PUBLIC DIRECTIONAL DISPLAY

SECTION 3 - APPLICANT

| | | | | |
|--|--------------------------|--|-------------------|------------------------------------|
| PERMIT APPLICANT (Please print or type name of firm or individual desiring permit) City of Santa Fe Springs | | ODA LICENSED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | LICENSE NUMBER |
| STREET ADDRESS (CANNOT be a Post Office Box) 11710 Telegraph Road | CITY Santa Fe Springs | STATE CA | ZIP CODE 90670 | BUSINESS PHONE NO. 562-868-0511 |
| MAILING ADDRESS, IF DIFFERENT (Street Address or P.O. Box) | CITY | STATE | ZIP CODE | |

SECTION 4 - PROPERTY

| | | | | |
|--|--------------------------|---------------------------------------|-------------------|--------------------|
| PROPERTY OWNER (Person in control of property upon which display is situated) Hurlen Leasing, LLC | | ASSESSOR'S PARCEL NO. 8069-016-006 | | ZONING M-2-FOZ |
| STREET ADDRESS / P.O. BOX 13539 Freeway Drive | CITY Santa Fe Springs | STATE CA | ZIP CODE 90670 | BUSINESS PHONE NO. |

SECTION 5 - DISPLAY LOCATION INFORMATION

| | | | |
|-----------------------------|---|------------------------------------|---|
| COUNTY NAME Los Angeles | CITY NAME (If incorporated) Santa Fe Springs | (circle) ON THE N S E W SIDE OF | STATE ROUTE NUMBER OR ROAD/STREET NAME Santa Ana (5) Freeway |
| FEET/MILES 1306' & 1506' | (circle) NAME OF NEAREST CROSSROAD, OVER/UNDERPASS Carmenita Overpass | | |

IDENTIFY A BUSINESS ACTIVITY BY THE NAME THAT IS WITHIN 1,000 FEET OF THE DISPLAY LOCATION
 Carmenita Truck Center

STREET ADDRESS OF THE BUSINESS ACTIVITY
 13443 Freeway Drive, Santa Fe Springs 90670

SECTION 6 - DISPLAY CONFIGURATION

NOTE: V-Shaped structures are separate displays and require separate applications.

COPY: ☐ ONE SIDE ☒ BOTH SIDES ☐ 1/2 OF A V-SHAPED DISPLAY

| | | |
|---|----------------------------|---|
| PANEL: HEIGHT 14' | LENGTH 48' | DISPLAY NUMBER (optional) |
| UPRIGHTS: NUMBER | SIZE | MATERIAL <input type="checkbox"/> METAL <input type="checkbox"/> WOOD <input type="checkbox"/> OTHER |
| ILLUMINATION? <input type="checkbox"/> YES <input type="checkbox"/> NO | INDICATE FACING N S E W | DISTANCE FROM BOTTOM PANEL TO GROUND 36' |

MESSAGE CENTER: ☐ ELECTRONIC BOARD ☒ L.E.D. ☐ TRI-VISION

SECTION 7 - REQUIRED DOCUMENTS

Applications submitted without ALL of the following documents will be returned:

☐ Building Permit (City or County written permission) **
☒ Detailed plot map of the proposed display location
☐ Evidence of Property Owner's Consent **
☒ Assessor's Parcel Map
☒ Assessor's Property Ownership Information
 ** (NOTE: Not required if submitting a preliminary review)

Check One ☐ An imprint is placed at the location.
☐ An imprint will be placed by: _____ (Date)
☐ Display is in place (upgrade)
 An imprint is a flag, or some type of marker, at the exact location of the desired display.

SECTION 8 - SIGNATURE

| | | | |
|--|---|------------------------------------|--------------------|
| NAME (Please print) City of Santa Fe Springs (Wayne M. Morrell) | SIGNATURE OF APPLICANT OR AUTHORIZED AGENT <i>Wayne M. Morrell</i> | BUSINESS PHONE NO. 562-868-0511 | DATE 04/29/2019 |
| ADDRESS 11710 Telegraph Road | CITY Santa Fe Springs | STATE CA | ZIP CODE 90670 |

The applicant hereby agrees to place and maintain the advertising display described above in accordance with the provisions of the Outdoor Advertising Act, State Regulations, and local zoning ordinances. The applicant certifies that the statements made in this application are true, and understands that an incorrect statement of fact may be grounds for permit denial or for permit revocation.

For outdoor advertising information, contact the Office of Outdoor Advertising at (916) 654-6473.



BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11] (*Heading of Division 3 added by Stats. 1939, Ch. 30.*)

CHAPTER 2. Advertisers [5200 - 5486] (*Chapter 2 repealed and added by Stats. 1970, Ch. 991.*)

ARTICLE 7. Regulations [5400 - 5419] (*Article 7 added by Stats. 1970, Ch. 991.*)

Notwithstanding any other provision of this chapter, no advertising display shall be placed or maintained within 660 feet from the edge of the right-of-way of, and the copy of which is visible from, any interstate or primary highway, other than any of the following:

5405.

(a) Directional or other official signs or notices that are required or authorized by law, including, but not limited to, signs pertaining to natural wonders and scenic and historical attractions, and which comply with regulations adopted by the director relative to their lighting, size, number, spacing, and any other requirements as may be appropriate to implement this chapter which are consistent with national standards adopted by the United States Secretary of Transportation pursuant to subdivision (c) of Section 131 of Title 23 of the United States Code.

(b) Advertising displays advertising the sale or lease of the property upon which they are located, if all advertising displays within 660 feet of the edge of the right-of-way of a bonus segment comply with the regulations adopted under Sections 5251 and 5415.

(c) Advertising displays which advertise the business conducted, services rendered, or goods produced or sold upon the property upon which the advertising display is placed, if the display is upon the same side of the highway as the advertised activity; and if all advertising displays within 660 feet of the right-of-way of a bonus segment comply with the regulations adopted under Sections 5251, 5403, and 5415; and except that no advertising display shall be placed after January 1, 1971, if it contains flashing, intermittent, or moving lights (other than that part necessary to give public service information, including, but not limited to, the time, date, temperature, weather, or similar information, or a message center display as defined in subdivision (d)).

(d) (1) Message center displays that comply with all requirements of this chapter. The illumination or the appearance of illumination resulting in a message change of a message center display is not the use of flashing, intermittent, or moving light for purposes of subdivision (b) of Section 5408, except that no message center display may include any illumination or message change that is in motion or appears to be in motion or that changes in intensity or exposes its message for less than four seconds. No message center display may be placed within 1,000 feet of another message center display on the same side of the highway. No message center display may be placed in violation of Section 131 of Title 23 of the United States Code.

(2) Any message center display located beyond 660 feet from the edge of the right-of-way of an interstate or primary highway and permitted by a city, county, or city and county on or before December 31, 1988, is in compliance with Article 6 (commencing with Section 5350) and Article 7 (commencing with Section 5400) for purposes of this section.

(3) Any message center display legally placed on or before December 31, 1996, which does not conform with this section may continue to be maintained under its existing criteria if it advertises only the business conducted, services rendered, or goods produced or sold upon the property upon which the display is placed.

(4) This subdivision does not prohibit the adoption by a city, county, or city and county of restrictions or prohibitions affecting off-premises message center displays which are equal to or greater than those imposed by this subdivision, if that ordinance or regulation does not restrict or prohibit on-premises advertising displays, as defined in Chapter 2.5 (commencing with Section 5490).

(e) Advertising displays erected or maintained pursuant to regulations of the director, not inconsistent with the national policy set forth in subdivision (f) of Section 131 of Title 23 of the United States Code and the standards promulgated thereunder by the Secretary of Transportation, and designed to give information in the specific interest of the traveling public.

(Amended by Stats. 2000, Ch. 787, Sec. 10. Effective January 1, 2001.)



BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11] (*Heading of Division 3 added by Stats. 1939, Ch. 30.)*

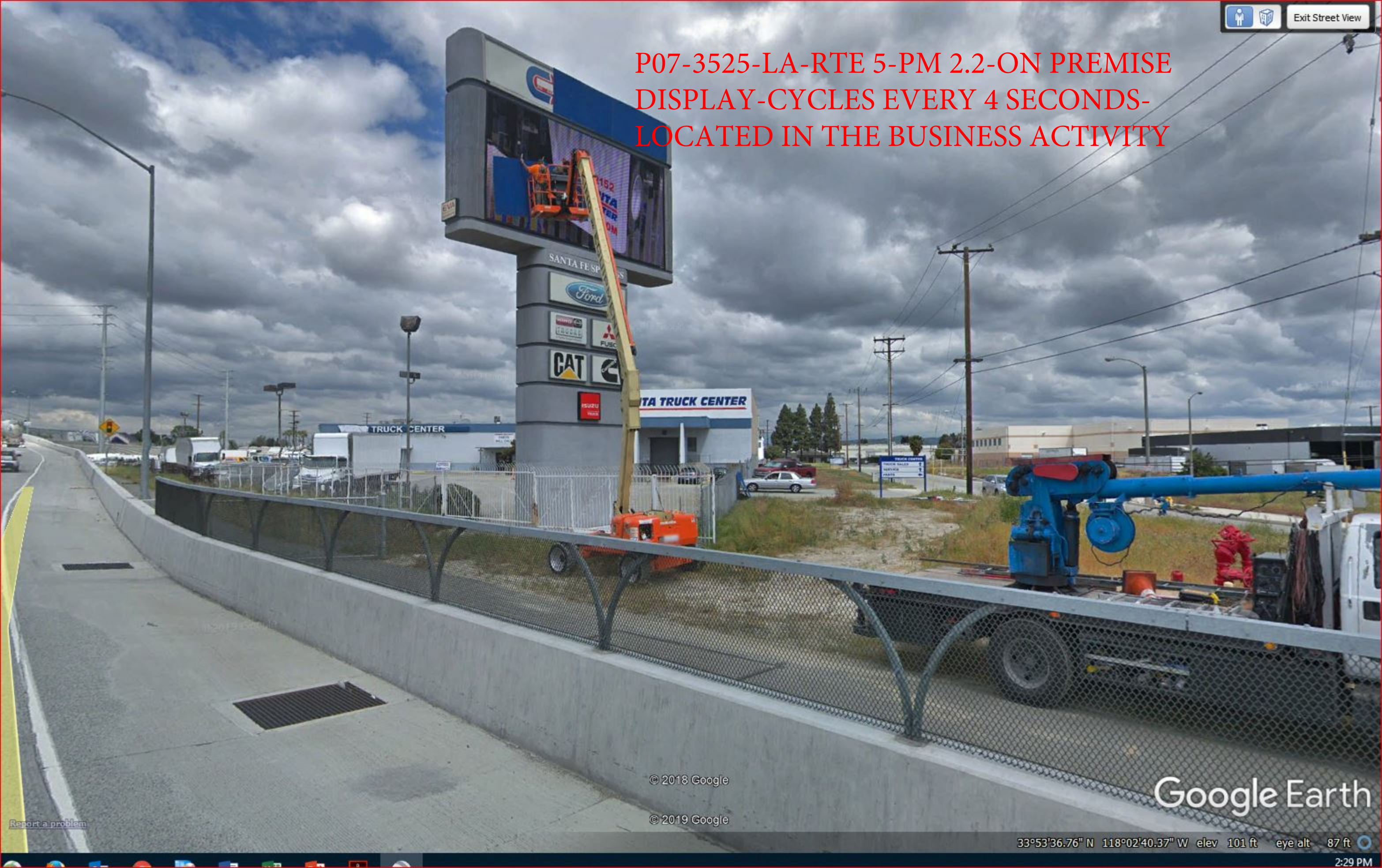
CHAPTER 2. Advertisers [5200 - 5486] (*Chapter 2 repealed and added by Stats. 1970, Ch. 991.)*

ARTICLE 1. General Provisions [5200 - 5231] (*Article 1 added by Stats. 1970, Ch. 991.)*

“Message center” is an advertising display where the message is changed more than once every two minutes, but no more than once every four seconds.

5216.4. (Added by Stats. 2000, Ch. 787, Sec. 5. Effective January 1, 2001.)

P07-3525-LA-RTE 5-PM 2.2-ON PREMISE
DISPLAY-CYCLES EVERY 4 SECONDS-
LOCATED IN THE BUSINESS ACTIVITY



© 2018 Google

© 2019 Google

Google Earth

33°53'36.76" N 118°02'40.37" W elev 101 ft eye alt 87 ft

2:29 PM

Report a problem

Video taken 7/31/2019, confirms that the display operates as a message center per B&P 5216.4

Time Stamp 00:01



00:01



Video taken 7/31/2019, confirms that the display operates as a message center per B&P 5216.4

Time stamp 00:08



00:08



TOM'S TRUCK CENTER
 **TRANSIT
IS HERE**


SANTA FE SPRINGS




TOM'S TRUCK CENTER

TRUCK CENTER

FUSO

TOM'S TRUCK CENTER

TOM'S
TRUCK CENTER

TTRUCK.COM



New 2017 Ford Transit
Connect Van XL

\$206 / mo.

SANTA FE SPRINGS



TOM'S TRUCK
www.ttruck.com

DM'S TRUCK CENTER

TOM'S TRUCK CENTER
TRUCK SALES
SERVICE
PARTS

P07-3525-LA-RTE 5-
PM 2.2

33.893195, -118.044335 business

imprint

point B

I-5 NORTH

I-5 SOUTH

Ruler

Line Path Polygon Circle 3D path 3D polygon

Measure the distance between two points on the ground

Map Length: 463.14 Feet

Ground Length: 463.14

Heading: 299.15 degrees

☒ Mouse Navigation

Save

Clear

© 2018 Google

Google Earth

1994

Imagery Date: 6/8/2018 33°53'32.21" N 118°02'39.27" W elev 78 ft eye alt 717 ft

Attachment 10: Resolution 150-2020

CITY OF SANTA FE SPRINGS
RESOLUTION NO. 150-2020

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS DENYING CONDITIONAL USE PERMIT CASE NO. 795, ZONE VARIANCE CASE NO. 82, ZONE VARIANCE CASE NOS. 84-87, AND DEVELOPMENT AGREEMENT No. 01-2020

WHEREAS, the applicant, Becker Boards, has requested approval for a Conditional Use Permit (CUP Case No. 795) to construct and operate a new 50-foot tall V-shaped digital billboard on the southwest corner of the property located at 13539 Freeway Drive (APN: 8069-016-006); and

WHEREAS, a request was concurrently filed for Zone Variance (ZV Case No. 82) to allow the subject digital billboard to project over the roof of a building, contrary to Section 155.384 (E)(1) of the City's Zoning Ordinance; and

WHEREAS, a request was concurrently filed for Zone Variance (ZV Case No. 84) to allow the subject digital billboard to be located less than 25' from the front property line, contrary to Section 155.384 (H)(6) of the City's Zoning Ordinance; and

WHEREAS, a request was concurrently filed for Zone Variance (ZV Case No. 85) to allow the subject digital billboard to be located less than 25' from the side property line, contrary to Section 155.384 (H)(6) of the City's Zoning Ordinance; and

WHEREAS, a request was concurrently filed for Zone Variance (ZV Case No. 86) to allow the subject digital billboard to be located less than 25' from the adjacent building, contrary to Section 155.384 (H)(6) of the City's Zoning Ordinance; and

WHEREAS, a request was concurrently filed for Zone Variance (ZV Case No. 87) to allow the removal of an existing on-site tree, contrary to Section 155.384 (I)(3) of the City's Zoning Ordinance, in order to locate the subject digital billboard; and

WHEREAS, a request was concurrently filed for a Development Agreement (DA No. 01-2020) by and between the City of Santa Fe Springs and Becker Boards which would set forth the rules and regulations under which the proposed billboard would be allowed; and

WHEREAS, the subject property is comprised of a single parcel measuring approximately 1.85-acre and located at 13539 Freeway Drive, with Accessor's Parcel Numbers of 8069-016-006, as shown in the latest rolls of the Los Angeles County Office of the Assessor; and

WHEREAS, the property owner is Hurlen Leasing LLC, 9841 Bell Ranch Drive, Santa Fe Springs, CA 90670; and WHEREAS, the proposed project which includes Conditional Use Permit (CUP) Case No. 795, Zone Variance (ZV) Case No. 82, Zone

Variance (ZV) Case Nos. 84-87, and Development Agreement (DA) No. 01-2020 is considered a project as defined by the California Environmental Quality Act (CEQA), Article 20, Section 15378(a); and

WHEREAS, the City of Santa Fe Springs Planning and Development Department, on December 26, 2019, 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 also mailed said public hearing notice on December 23, 2019 to each property owner within a 500 foot radius of the project site in accordance with state law; and

WHEREAS, On January 13, 2020, the Planning Commission conducted a duly noticed public hearing on the Project. At which time all interested persons were permitted the opportunity to address the Planning Commission. After seeing that no one was present to speak on the matter, and at the request made by the applicant prior to the meeting, the Planning Commission continued the hearing to the adjourned Planning Commission meeting scheduled for February 12, 2020 at 6:00 p.m.; and

WHEREAS, the City of Santa Fe Springs Planning Commission has held a duly noticed public hearing and considered the application, the written and oral staff report, the General Plan and zoning of the subject property, the public testimony, written comments, or other materials presented at the Planning Commission Meeting on February 12, 2020 concerning the environmental findings and determination, Conditional Use Permit (CUP) Case No. 795, Zone Variance (ZV) Case No. 82, Zone Variance (ZV) Case Nos. 84-87, and Development Agreement (DA) No. 01-2020.

WHEREAS, the following findings of fact have been made in regard to the subject billboard project:

1. The proposed billboard, with a total of five (5) Zone Variances, is not consistent with the overall Purpose and intent of the City's billboard ordinance which, although recognizes billboards as a legitimate form of commercial use in the city, provides necessary controls including but not limited to, the size, number, location and illumination of billboards to minimize their influence on the city's visual environment and thus ensure general community welfare; and
2. The proposed billboard, with a total of five (5) Variances, is not consistent with the principal purpose of the Freeway Overlay Zone (FOZ) which strives to present a positive community identity and ensure orderly and consistent development throughout the FOZ by maintaining high standard of design and quality improvements; and
3. The proposed billboard project is not consistent with goals, policies or programs of the General Plan:
 - a. Goal 4 of the General Plan Land Use Element states that "Where incompatible land uses are in proximity to one another, provide for buffering, transitional uses or other controls which will reduce the

conflict to the maximum extent possible.” The subject billboard does not provide the necessary setbacks as specified in the City’s Zoning Ordinance nor does it provide the minimum 1,000-foot separation from another message center display as per the Outdoor Advertising Act section 5405(d)(1) which was intended to promote the public safety, health, welfare, convenience and enjoyment of public travel, to protect the public investment in such highways, to preserve the scenic beauty of lands bordering on such highways, and to insure that information in the specific interest of the traveling public is presented safely and effectively, recognizing that a reasonable freedom to advertise is necessary to attain such objectives.

- b. Goal 12 of the General Plan Land Use Element states that the City shall “Encourage high quality, appropriate private investment in commercial areas of Santa Fe Springs.” The subject billboard is proposed to be constructed over an existing building which is specifically prohibited by the existing Zoning Ordinance, thus does not provide a “high quality” design per said goal. Additionally, the design of the subject billboard is identical to another digital billboard recently approved at 13534 Firestone Boulevard. Unlike other previously approved digital billboards, the subject billboard does not provide any originality or unique design.
- c. Policy 9.1 of the General Plan Safety Element states that “City land use planning policies and decisions will take into consideration the crime and traffic safety impacts of the uses.” Since the proposed billboard does not comply with either the City’s billboard ordinance or the California Business and Professions Code, which provides minimum standards to not only minimize aesthetic impacts but also help prevent unsafe distractions to drivers, the Commission, therefore, finds that traffic safety impacts related to the subject billboard have not been adequately addressed.
- d. Goal 10.1 of the General Plan Safety Element states that the City shall “Continue to protect the Santa Fe Springs community from the loss of life and property from crime or traffic hazards.” Again, given that the proposed billboard does not comply with either the City’s billboard ordinance or the California Business and Professions Code, which are in place to help minimize unsafe distractions to drivers, the Commission finds that the subject billboard could be a traffic hazard which has the potential to result in the loss of life and property.

NOW, THEREFORE, be it RESOLVED that the PLANNING COMMISSION of the CITY OF SANTA FE SPRINGS does hereby RESOLVE, DETERMINE and ORDER AS FOLLOWS:

SECTION I. ENVIRONMENTAL FINDINGS AND DETERMINATION

California Environmental Quality Act (CEQA) Guidelines, Section 15061, includes a “Common Sense” exemption which states that CEQA does not apply to activities “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.”

The Planning Commission hereby finds and determines that an action to deny the proposed Project would fall under the “Common Sense” provisions, as outlined in Section 15061(b)(3) of the CEQA Guidelines, since it can be seen with certainty that an action to deny the project would not cause a direct or any reasonable foreseeable indirect physical change on or in the environment. Thus, the action to deny the project is found to be exempt from CEQA.

SECTION II. CONDITIONAL USE PERMIT

Pursuant to Section 155.716 of the City of Santa Fe Springs Zoning Ordinance, the Planning Commission, in their review and determination, finds that the applicant’s CUP request does not meet the necessary criteria set forth in §155.716 of the City’s Zoning Ordinance:

- (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; and.

The Planning Commission believes that the manner in which the billboard use is proposed will be detrimental to persons and properties in the immediate vicinity. The subject billboard, as proposed, does not meet the City’s billboard ordinance with respect to setbacks, will require the removal of a tree, and will overhang the existing building. As a result, a total of five (5) Zone Variances are required. When the billboard ordinance was adopted, it contained specific regulations to prohibit the types of variances that are being requested. These specific regulations were not derived in a vacuum, but were based on an observation of the existing freeway corridor within and beyond city limits, and on other billboard regulations at the time.

Approving a total of five variance without sufficient evidence to support the necessary findings would not only be unprecedented but could also result in a “de facto” amendment to the City’s billboard ordinance. Moreover, any variances that are approved for the subject billboard project would also set a precedent for future requests. The Planning Commission, therefore, finds that such precedence and potential “de facto” amendment to the City’s billboard ordinance would be detrimental to persons and properties 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.

Aside from the first digital billboard that was approved by the City, all other digital billboards were required to provide various architectural treatments (i.e. screening of cylindrical column, torsion bar, and areas in between the billboard face). It should be noted that the design of all previously approved billboards have each been unique. Although the applicant had originally proposed a unique design, said design was later changed to be an identical match to the recently approved billboard at 13534 Firestone Blvd (Outdoor Associates, LLC / Dynasty Suites). Such a design does provide the necessary architectural treatments, but the most obvious distinction is, unlike any other previously approved billboard, the proposed digital billboard will project over the roof of the existing building, will be located less than 3 feet from the existing building and will be located within the setback (front and side) areas. To accommodate the billboard as proposed will be precedent setting. The Commission, therefore, finds that the overall appearance, including its location, of the proposed billboard project does not adhere to the regulations of the existing billboard ordinance, nor does it uphold the minimum standards that have been requested and provided by other previously approved billboards, and thus would not preserve the general appearance and welfare of the community.

Additionally, pursuant to Section 155.384 (C) of the City of Santa Fe Springs Zoning Ordinance, the Planning Commission shall not approve a conditional use permit for any billboard project unless it can make a finding:

(C) *That the subject billboard will not constitute a hazard to the safe and efficient operation of vehicles upon a street or freeway.*

In accordance with the City's billboard ordinance and the California Business and Professions Code, the minimum separation between digital billboards/message center displays on the same side of the freeway is 1,000 feet. This control is in place to help minimize light pollution as well as prevent aesthetic clutter resulting from excessive sign displays, both of which can be unsafe distractions to drivers if not properly controlled. As proposed, the subject billboard will be located approximately 465 feet from the existing message center display just north of the subject property and therefore will be in conflict with the California Business and Professions Code. For the reasons mentioned above, the Planning Commission finds the proposed billboard will be a hazard to the safe and efficient operations of vehicles along the adjacent Interstate 5 Freeway.

SECTION III. ZONE VARIANCE

Pursuant to Section 155.675 of the City of Santa Fe Springs Zoning Ordinance, the Planning Commission shall satisfy itself that the applicant has shown that all of the following conditions apply. Based on the available information, the City of Santa Fe Springs Planning Commission hereby make the following findings:

- (A) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other properties or uses in the same vicinity and zone; and

Applicant Response:

Explain any special circumstances or conditions which apply to the land or the use involved in this application which DO NOT apply generally to other land or uses in the same vicinity and the same zone.

The addition of a digital dual faced billboard fits in to the industrial and heavy manufacturing- freeway overlay zone.

The response provided by the applicant simply provides an opinion statement, but does not clarify if there are any exceptional or extraordinary circumstances or conditions which apply to the subject billboard project that does not apply to other land or uses in the same vicinity and zone. The property is not irregularly shaped, is relatively flat, meets the City's development standards for lot area, lot width, lot depth, population density building height, and yard area. Additionally, the property, unlike other properties within the vicinity has not been impacted by Caltrans widening on Interstate 5, whereby portions of the property was required for the widening or portions of the building had to be removed. Notwithstanding, the applicant is requesting several Zone Variances. Although other previously approved billboards were granted variances to deviate from existing billboard regulations due to their unique circumstances, none of said billboards had required or received more than two variances. Granting a total of five (5) Zone Variances and the specific nature of the Variances, for a digital billboard project would be unprecedented. Therefore, the Planning Commission cannot make this required finding.

- (B) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone district, but which is denied to the property in questions; and

Applicant Response:

Explain why a Variance is necessary to maintain the same substantial property rights possessed by other property owners in the same vicinity and the same zone. (If your property can reasonably be developed and devoted to uses permitted in the existing zone, you are probably not being deprived of a substantial property right.)

1. A variance is requested in order to allow minimum setback of billboard column support from two property lines ; less than 25'-0" (Side and Front).

2. In addition we are requesting to allow the proposed billboard to overhang the existing building.

3. Lastly, a Variance requesting the relocation of 1 tree in the frontyard. We are limited to a small area that allows our proposed billboard to be the required 1000'-0" set back from the adjoining billboard.

The response provided by the applicant simply, again, identifies the variances being requested. It does not clarify or otherwise explain why such variances are necessary

for the preservation and enjoyment of a substantial property right by other properties in the same vicinity and zone district. It should be noted that the applicant's response is missing the request for a variance to the 25' minimum separation between the subject billboard and the adjacent building. Nevertheless, it should be noted that the subject property is already developed with an approximately 41,650 sq. ft. concrete tilt-up industrial building which is consistent with the City's development standards. The subject billboard is a property right only after a valid conditional use permit has first been obtained and a development agreement has been approved.

Section 155.384 (C) states that "the Planning Commission or City Council, as applicable, shall not approve a conditional use permit for any billboard project unless it can make a finding that the billboard will not constitute a hazard to the safe and efficient operation of vehicles upon a street or freeway. As stated previously, the subject billboard does not comply with the City's billboard ordinance or the California Business and Professions Code, which provides regulation to prevent and relieve needless distraction and aesthetic clutter resulting from excessive and confusing sign displays; to promote traffic safety; to safeguard and enhance property values; and to promote the public safety and general welfare. The Planning Commission, therefore finds that inconsistency from such regulations would be consider an unsafe distraction to drivers and thus would constitute a hazard to the safe and efficient operation of vehicles traveling the adjacent street and freeway.

- (C) That the granting of such variance will not be detrimental to the public welfare or injurious to the property or improvements of others in the vicinity; and

Applicant Response:

Demonstrate why the Variance requested will not be detrimental to other persons or properties in the same area, nor adversely affect the public welfare or the community in general.

The proposed billboard variance will not be detrimental to persons and properties in the vicinity because it will be located in an industrial zone and placed at the far southern end of the property. It will be set back 2.88' from the existing building and set back 11.32' from the south/west property line. The sign will be adjacent to Freeway Drive, which has minimum pedestrian use. The proposed billboard surroundings including the adjoining properties will be maintained, well kept and manicured to be visually appealing and will not adversely affect the public welfare or community.

Although the applicant's response does clarify the location and setback of the proposed billboard, it fails to acknowledge that such setbacks do not meet the City's Zoning Ordinance which are in place to not only safeguard and enhance property values but also to promote the public safety and general welfare of not only pedestrians but drivers as well. As proposed, the billboard project requires a total of five (5) Zone Variances. To date, no other billboard approved by the City has needed more than two variances. Approving an unprecedented total of five (5) Zone Variance for the subject billboard, therefore, would have an adverse effect the community in general, thus the Planning Commission cannot make this required finding.

- (D) That the granting of such variance will not adversely affect the master plan of the City.

Applicant Response:

Will the Variance requested adversely affect the General Plan of the City of Santa Fe Springs?

No, the billboard will be set back 1000' from adjoining billboard(s). The area in which the billboard is proposed is a heavy manufacturing area. The billboard and its surroundings including the adjoining properties will be maintained, well kept and manicured to be visually appealing.

The response provided by the response identifies conformance to the City's Zoning Ordinance with regards to the 1,000' separation of billboards on the same side of the freeway. However, said response fails to acknowledge that project still does not conform to the City's billboard ordinance as well as the California Business and Professions Code, which requires that digital billboards/message center displays on the same side of the freeway are a minimum of 1,000 feet apart. As proposed, the subject billboard will be located approximately 465 feet from the existing message center display just north of the subject property.

Nevertheless, as previously noted in the findings of fact, the proposed billboard project is not consistent with goals, policies or programs of the General Plan, specifically:

- a. Goal 4 of the General Plan Land Use Element states that "Where incompatible land uses are in proximity to one another, provide for buffering, transitional uses or other controls which will reduce the conflict to the maximum extent possible." The subject billboard does not provide the necessary setbacks as specified in the City's Zoning Ordinance nor does it provide the minimum 1,000-foot separation from another message center display as per the Outdoor Advertising Act section 5405(d)(1) which was intended to promote the public safety, health, welfare, convenience and enjoyment of public travel, to protect the public investment in such highways, to preserve the scenic beauty of lands bordering on such highways, and to insure that information in the specific interest of the traveling public is presented safely and effectively, recognizing that a reasonable freedom to advertise is necessary to attain such objectives.
- b. Goal 12 of the General Plan Land Use Element states that the City shall "Encourage high quality, appropriate private investment in commercial areas of Santa Fe Springs." The subject billboard is proposed to be constructed over an existing building which is specifically prohibited by the existing Zoning Ordinance, thus does not provide a "high quality" design per said goal. Additionally, the design of the subject billboard is identical to another digital billboard recently approved at 13534 Firestone Boulevard. Unlike other

previously approved digital billboards, the subject billboard does not provide any originality or unique design.

- c. Policy 9.1 of the General Plan Safety Element states that “City land use planning policies and decisions will take into consideration the crime and traffic safety impacts of the uses.” Since the proposed billboard does not comply with either the City’s billboard ordinance or the California Business and Professions Code, which provides minimum standards to not only minimize aesthetic impacts but also help prevent unsafe distractions to drivers, the Commission, therefore, finds that traffic safety impacts related to the subject billboard have not been adequately addressed.
- d. Goal 10.1 of the General Plan Safety Element states that the City shall “Continue to protect the Santa Fe Springs community from the loss of life and property from crime or traffic hazards.” Again, given that the proposed billboard does not comply with either the City’s billboard ordinance or the California Business and Professions Code, which are in place to help minimize unsafe distractions to drivers, the Commission finds that the subject billboard could be a traffic hazard which has the potential to result in the loss of life and property.

The Planning Commission, therefore, cannot make the required finding that the master plan of the City will not be adversely affected by the project.

SECTION IV. PLANNING COMMISSION ACTION

After consideration of the application materials, the written and oral staff report, the General Plan and zoning of the subject property, the public testimony, written comments, and any other materials presented at the February 12, 2020 Planning Commission Meeting, the Planning Commission hereby adopts Resolution No. 150-2020 to deny:

1. *CUP Case No. 795*: A request to allow the construction and operation of a new 50-foot tall v-shaped digital billboard with 14’ x 48’ display areas on the subject 1.85-acre property located at 13539 Freeway Drive (APN: 8069-016-006), within the M-2 FOZ (Heavy Manufacturing – Freeway Overlay Zone) zone.
2. *ZV Case No. 82*: A request to allow the subject digital billboard to project over the roof of a building as set forth in Section 155.384 (E)(1) of the City’s Zoning Ordinance.
3. *ZV Case No. 84*: A request to allow the subject digital billboard to be located less than 25’ from the front property line as set forth in Section 155.384 (H)(6) of the City’s Zoning Ordinance.
4. *ZV Case No. 85*: A request to allow the subject digital billboard to be located less than 25’ from the side property line as set forth in Section 155.384 (H)(6) of the City’s Zoning Ordinance.

5. *ZV Case No. 86:* A request to allow the subject digital billboard to be located less than 25' from the adjacent building as set forth in Section 155.384 (H)(6) of the City's Zoning Ordinance;
6. *ZV Case No. 87:* A request to allow the removal of an existing on-site tree in order to locate the subject digital billboard as currently prohibited by Section 155.384 (I)(3) of the City's Zoning Ordinance.
7. *DA No. 01-2020:* A Development Agreement by and between the City of Santa Fe Springs and Becker Boards which would set forth the rules and regulations under which the proposed billboard would be allowed.

PASSED AND ADOPTED this 12th day of February, 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS.

Frank Ybarra, Chairperson

ATTEST:

Teresa Cavallo, Planning Secretary



City of Santa Fe Springs

Adjourned Planning Commission Meeting

February 12, 2020

PUBLIC HEARING

Adoption of Mitigated Negative Declaration

Tentative Parcel Map (TPM) No. 82709

Specific Plan Amendment Case No. 1

Development Plan Approval (DPA) Case No. 964

TPM No. 82709 A request for approval to consolidate seven (7) existing parcels into a single parcel, measuring ± 25.33 -acres (APN: 8167-002-025, 026, 030, 050, 051, 052, and 053)

Specific Plan Amendment Case No. 1: A request for approval to amend the Wasted Disposal, Inc. (WDI) Specific Plan to allow for large truck access to the project site along Los Nietos Road; allow for direct line of sight to the adjacent school property; and to prohibited separate leases for the open yard area.

DPA Case No. 964: A request for approval to construct a new 216,500 square foot industrial building located at 9883 Greenleaf Avenue, which is comprised of seven (7) existing parcels, measuring ± 25.33 -acres (APN: 8167-002-025, 026, 030, 050, 051, 052, and 053).

RECOMMENDATIONS:

- Open the Public Hearing and receive any comments from the public regarding Tentative Parcel Map No. 82709; Development Plan Approval Case No. 964; Specific Plan Amendment Case No. 1; and related Environmental Documents, and thereafter, close the Public Hearing; and
- Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan; and
- Find that Tentative Parcel Map No. 82709 meets the standards set forth in Sections 66474 and 66474.6 of the Subdivision Map Act for the granting of a tentative or final map; and
- Find that Specific Plan Amendment Case No. 1 meets the criteria set forth in Section 65454 of the State Planning, Zoning and Development Laws, for amending the Waste Disposal Inc. (WDI) Specific Plan; and
- Find that the applicant's DPA requests meet the criteria set forth in §155.739 of the City's Zoning Regulations, for the granting of a Development Plan Approval; and

RECOMMENDATIONS (Cont.)

- Approve and adopt the proposed Mitigated Negative Declaration which, based on the findings of the initial study, indicates that although potential significant effects on the environment have been identified, revisions in the project plan or proposal made by, or agreed to by, the applicant, would avoid the effects or mitigate the effects to a point where clearly no significant effects on the environment would occur, and there is no substantial evidence in light of the whole record that the project, as revised, may have a significant effect on the environment; and
- Approve the proposed Mitigation Monitoring and Reporting Program (MMRP) for the proposed project; and
- Approve Tentative Parcel Map No. 82709; Development Plan Approval Case No. 964; and Specific Plan Amendment Case No. 1, subject to the conditions of approval as contained with Resolution No. 152-2020; and
- Adopt Resolution No. 152-2020, which incorporates the Planning Commission's findings and actions regarding this matter.

GENERAL INFORMATION

| | |
|-------------------------|---|
| A. Applicant: | CenterPoint Properties 725 South Figueroa Street, Suite 3005 Los Angeles, California 90017 (949) 281-9912 rkelleher@centerpoint.com |
| B. Property Owner: | CenterPoint Properties 725 South Figueroa Street, Suite 3005 Los Angeles, California 90017 (949) 281-9912 |
| C. Subject Property: | 9883 Greenleaf Avenue Santa Fe Springs, CA 90670 |
| D. Existing Zone: | M-2 (Heavy Manufacturing – WDI Specific Plan) |
| E. General Plan: | Industrial |
| F. CEQA Recommendation: | Mitigated Negative Declaration |
| G. Hearing Date: | January 13, 2020 |

H. Staff Contact:

Jimmy Wong, Planning Consultant
Jimmywong@santafesprings.org
Phone: (562)-868-0511 Ext 7451

LOCATION / BACKGROUND

The subject property, located at the northwest corner of Greenleaf Avenue and Los Nietos Road with additional frontage on Santa Fe Springs Road, is comprised of seven (7) parcels (APN: 8167-002-025, 026, 030, 050, 051, 052, 053), measuring ± 25.33 acres. The property is currently zoned M-2 (Heavy Manufacturing) and within the Waste Disposal, Inc (WDI) Specific Plan area.

The Waste Disposal, Inc (WDI) Site, contains a buried reservoir constructed for the storage of crude oil. The reservoir was decommissioned as a storage vessel in the early 1940's, and by the late-1940's the reservoir and surrounding areas were used for the disposal of a variety of liquid and solid wastes. This disposal continued until the mid-1960. Wastes disposed at the Site include petroleum chemicals, solvents, sludges, construction debris, drilling mud, and similar waste materials. During the late 1960s, the reservoir and portions of the site were capped by an engineered capping system that is periodically monitored under the oversight of the US Environmental Protection Agency. The Site was added to the Environmental Protection Agency's National Priorities List – i.e., designated as a "Superfund" site in 1987. Currently, the solid waste still exists onsite and sits at approximately three feet (minimum) below grade and covers the majority of the central and western portions of the site, as well as a portion of the eastern side.

The applicant, CenterPoint Properties, is proposing to demo all existing building and to construct a new 216,500 square foot concrete tilt-up industrial building on the subject property. It should be noted that the proposed development will be located outside of the capped area and there will not be any action that would disturb the cap. In accordance with the City's Zoning Regulations, a Development Plan Approval is required for the construction of all new building. It should be noted that the applicant is concurrently requesting consideration and approval for a Tentative Parcel Map, and a Specific Plan Amendment.

PROJECT DESCRIPTION

The proposed project requires approval of the following entitlements:

TPM No. 82709: A request for approval to consolidate seven (7) existing parcels into a single parcel, measuring ± 25.33 acres (APN: 8167-002-025, 026, 030, 050, 051, 052, and 053)

Specific Plan Amendment Case No. 1: A request for approval to amend the WDI Specific Plan to allow for large truck access to the project site along Los Nietos Road; allow for direct line of sight to the adjacent school property; and to prohibit

separate leases for the open yard area.

DPA Case No. 964: A request for approval to construct a new 216,500 square foot industrial building located at 9883 Greenleaf Avenue, which is comprised of seven (7) existing parcels, measuring ± 25.33 acres (APN: 8167-002-025, 026, 030, 050, 051, 052, and 053).

TENTATIVE PARCEL MAP NO. 82709

The proposed Tentative Parcel Map will effectively consolidate the seven (7) parcels that currently make-up the subject site into one parcel. As shown in the attached plans, the Tentative Parcel Map will involve the removal of existing common property lines, resulting in a single parcel measuring ± 25.33 acres.

SPECIFIC PLAN AMENDMENT CASE NO. 1

The proposed Specific Plan Amendment will amend the existing WDI Specific Plan that was adopted in 2004. It should be noted that although a Specific Plan Amendment case number was assigned to the Project and referenced as such, no formal amendment to the Santa Fe Springs General Plan is being proposed for said development. The Specific Plan Amendment case number assigned is solely in reference to the proposed Specific Plan amendment.

The WDI Specific Plan was adopted as a guideline for the redevelopment of a federally-designated Superfund site known as the Wasted Disposal Inc. Site. The Site is generally described as the area north of Los Nietos Road, east of Santa Fe Springs Road, west of Greenleaf Avenue and south of the prolongation of Barton Road. The WDI Site is approximately 38 acres and encompassing 22 separate parcels.

Proposed Changes

The main purpose of the proposed Specific Plan Amendment is to accomplish the following:

1. *Allow for direct line of sight to the adjacent property.*

As outlined in Section 3.3.6 (Line of Sight) of the Specific Plan (page 15), no building on the project site is permitted to provide a direct line of sight from any windows or the rooftop to any portion of the adjacent school property. As proposed, the building's east elevation, which directly faces the adjacent campus of St. Paul High School, will include ground-level and clearstory window. Therefore, the inclusion of windows for this building elevation would require that the direct line of sight provision be removed. The alternative is for the proposed building to not have any windows along the east elevation, however, that would result in developing a less attractive building with no window treatment along the east elevation. It should be noted that the area where the proposed windows are located will be facing the parking lot of St.

Paul High School. The closest building from St. Paul High School is 450 feet away from the proposed building.

2. *Allow for large truck access to the project site along Los Nietos Road.*

As outlined in Section 3.3.7 (Site Access and Circulation) of the Specific Plan (page 15), the Specific Plan currently prohibits large truck access to the project site from future driveways along Los Nietos Road. The project as designed include driveways along Los Nietos Road and Santa Fe Springs, both of which will be used by large trucks. The proposed changes will allow for large truck access along Los Nietos Road. The alternative is to only allow for truck access along Santa Fe Springs Road, however, that would result in concentrating all truck traffic on Santa Fe Springs Road.

3. *Prohibited separate leases for the open yard area.*

The third specific plan amendment involves the addition of a new operational provision that prohibit leases limited to exterior open yard space only. Exterior open yard areas at the site shall only be leased to tenants that are concurrently leasing interior space within the on-site warehouse building.

Proposed Specific Plan Text Amendment

The change to the existing WDI Specific Plan involves amending Sections 3.2, 3.3.6 and 3.3.7 of the specific plan relating to "Proposed Land Uses", "Line of Sight" and "Site Access & Circulation".

NOTE: Proposed changes are shown as strikethrough and underlined text. All other requirements related to the WDI Specific Plan will remain the same.

3.2 Proposed Land Uses

- W) Other similar uses which the City, after study and deliberation, finds to be consistent with the purpose of the Zoning Ordinance, and which would be similar to the uses listed as permitted uses and would be compatible to those uses. All approved uses must be compatible with the remedy selected in the Amended Record of Decision.

Truck, trailer, chassis, outdoor storage or container storage uses shall only be permitted as an accessory uses to a permitted primary use. Exterior open yard areas at the Site shall only be operated by tenants that are leasing the interior space within the on-Site industrial building. For instance where the building is leased to multiple tenants, each tenant must operate a minimum of 25% of the interior warehouse space.

3.3.6 Line of Sight

It is established that the security of the adjacent high school is a major concern to the operators of the school site as well as the City Council. ~~No building on the WDI Site shall provide a direct line of sight from any windows or the rooftop of a building to any portion of the school property.~~ In addition, landscaping on the northern boundary of the Site adjacent to the school property shall be provided in such a manner as to screen all uses from the high school and provide an effective buffer. Such screening and landscaping shall discourage opportunities for vandalism and should provide sufficient access for maintenance of the landscaping and screening materials.

3.3.7 Site Access & Circulation

Access to the Site shall allow for effective circulation and maneuvering for large vehicles. At least one major access point for trucks shall be provided along Santa Fe Springs Road at a sufficient distance from the intersection of Los Nietos Road to not interfere with on-street circulation. No large truck access shall be provided along Greenleaf Avenue ~~or Los Nietos Road~~ and all ingress and egress points along Greenleaf Avenue shall be as far south as practicable. All loading docks must be screened from view from public streets by the building on the Site. Screen walls shall only be used in limited, necessary situations and shall be constructed in such a manner as to discourage opportunities for vandalism and provide sufficient access for maintenance of the screening materials. Street facing walls shall be subject to design review by the City.

DEVELOPMENT PLAN APPROVAL CASE NO. 964

Site Plan

The proposed development will consist of one 216,500 sq. ft. industrial building located along the northwest corner of Greenleaf Avenue and Los Nietos Road. The proposed building will be setback a minimum of 42' from the street facing property line along Santa Fe Springs Road, Greenleaf Avenue and Los Nietos Road. The proposed development will provide three driveways along Santa Fe Springs Road, Greenleaf Avenue and Los Nietos Road. Driveways along Santa Fe Springs Road and Los Nietos Road are proposed to be use for truck ingress and egress. Driveway along Greenleaf Avenue will be restricted for passenger vehicle only. Parking for the subject property is distributed evenly throughout the property.

Floor Plan

There will be two main entrances to the proposed building located at the southeast corner and southwest corner of the building.

The proposed development will consist of two 8,000 sq. ft. of office areas located at the southeast corner and southwest corner of the proposed building. The remaining

200,500 sq. ft. will be dedicated for industrial use.

Elevations

The elevations indicate that the proposed industrial building will have a contemporary design. Each entry to the office areas are provided with extensive glazing, canopy, color variation, height variation, recessed walls, and materials used. The remaining elevations have also been provided with a combination of the aforementioned architectural treatments, resulting in an aesthetically pleasing building. Additionally, the proposed building will have a false entrance at the middle of the south elevation in order to soften the continuous elongated building mass.

The maximum height of the building will be 42'. It should be noted that because of the restriction on land penetrating the application is planning to raise portion of the property approximately 14' from the current grade. The application is proposing to import surcharge soil to the subject site. The proposed sectional plan provide a clear illustration of the proposed finish grading of the subject property.

Landscape Requirement

For maximum value, the majority of the landscaping will be provided along the setback areas that adjoins the two street frontages (Greenleaf Avenue and Los Nietos Road). Additionally, as required by the Code, the applicant will landscape at least 6% of the parking area. The minimum landscape requirement for the project, based on the overall street frontage of 439' and 41,207 sq. ft. of parking area is 13,448 sq. ft. According to the conceptual landscape plan, the applicant will be providing an overall total of 90,175 sq. ft. of landscaping throughout the site. The project, therefore, exceeds the minimum requirement set forth in the City's Zoning Regulation.

Parking Requirements

Per the City's Zoning Regulation, the subject property is required to provide a total of 258 parking stalls.

- Proposed Development – 216,500 sq. ft. of industrial use:

Industrial uses, including incidental office uses.

- (a) 0 - 20,000: one parking space per 500 square feet.
- (b) 20,001 - 100,000: one parking space per 750 square feet.
- (c) 100,001 - 200,000: one parking space per 1,000 square feet.
- (d) 200,001 and above: one parking space per 2,000 square feet.

A total of 262 parking stalls will be provided for the entire site: 250 standard stalls and 12 accessible stalls. The project, therefore, exceeds the minimum requirement set forth in the City's Zoning Regulations. It should be noted that due to the restriction of penetrating land above the cap, the area above the cap is only

permitted for open yard area. The applicant is required to pave the entire parking area.

Loading/ Roll Up Doors

According to the plan, the proposed building will have a total of forty-six (46) loading doors and one (1) dock high door along the north elevation. All loading doors are strategically placed so that they will not be directly visible from Greenleaf Avenue and Los Nietos Road.

Per the City's Zoning Ordinance, all off-street truck loading areas, zones, ramps, doors, wells, or docks shall be designed to provide and maintain a minimum unobstructed area of 120' to allow for proper truck maneuvering on-site. According to the site plan, the proposed design will provide the required unobstructed area in all necessary locations.

Trash Enclosures

According to the site plan, six (6) (1,240 sq. ft.) trash enclosure will be constructed along the northern and southern portion of the property. The proposed trash enclosures are strategically placed in areas that will not be visible or accessible to the public. The size of the trash enclosure might change should the Building Department find it to be deficient.

STREETS AND HIGHWAYS

The subject site is located along Greenleaf Avenue, Los Nietos Road and Santa Fe Springs Road. Santa Fe Springs Road is designated as a "Major" arterial. Greenleaf Avenue and Los Nietos Road are designated as a "Secondary" arterial, within the Circulation Element of the City's General Plan.

ZONING AND LAND USE

The subject property is currently zoned M-2, Heavy Manufacturing, with a general plan land use designation of "Industrial". The Zoning, General Plan and Land Use of the surrounding properties are shown in "Table 1":

Table 1
General Plan Consistency Analysis

| <i>Direction</i> | <i>Zoning District</i> | <i>General Plan</i> | <i>Land Use</i> |
|------------------|------------------------|---------------------|--|
| North | PF | Public Facility | 9635 Greenleaf Avenue – St. Paul High School |
| South | M-2 | Industrial | 10015 Greenleaf Avenue – Dynamic Enterprises Inc |

| | | | |
|------|-----|------------|--|
| East | M-2 | Industrial | 12905 Los Nietos – Vacant (Proposed new industrial building) |
| West | M-2 | Industrial | 9719 Santa Fe Springs Road – Zumar Industries Inc |

LEGAL NOTICE OF PUBLIC HEARING

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

Legal notice of the Public Hearing 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 December 18, 2019. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and the City's Town Center kiosk on December 18, 2019, and published in a newspaper of general circulation (Whittier Daily News) December 18, 2019, as required by the State Zoning and Development Laws and by the City's Zoning Regulations. As of the date of this report, staff has not received any comments and/or inquiries regarding the proposed project.

ENVIRONMENTAL DOCUMENTS

The environmental analysis provided in the Initial Study indicates that the proposed project will not result in any significant adverse immitigable impacts on the environment, therefore, the City caused to be prepared and proposed to adopt a Mitigated Negative Declaration (MND) for the proposed project. The MND reflects the independent judgment of the City of Santa Fe Springs, and the environmental consultant, PlaceWorks, Inc.

Draft MND Review:

The Draft Initial Study/Mitigated Negative Declaration reflects the independent judgment of the City of Santa Fe Springs and the environmental consultant, PlaceWorks, Inc, as to the potential environmental impacts of the proposed project on the environment. The Draft Initial Study/Mitigated Negative Declaration was circulated through the State's Clearinghouse for the required 30-day public review and comments from November 17, 2019 to December 17, 2019. A copy of the Initial Study/Mitigated Negative Declaration was also mailed to all responsible and trustee agencies as well as surrounding cities for their review and comment. Additionally, all materials were made available for review at the following locations:

- Planning Department Counter - City Hall (11710 Telegraph Road)

- The City of Santa Fe Springs Library
- Los Angeles County Recorder's Office
- On the City's Website:

When reviewing the Mitigated Negative Declaration/Initial Study, the focus of the review should be on the project's potential environmental effects. If persons believe that the project may have a significant effect, they should, (a) Identify the specific effect; (b) Explain why they believe the effect would occur, and; (c) Explain why they believe the effect would be significant.

Individuals who believe there are significant effects as outlined above, should also explain the basis for their comments and submit data or reference offering facts, reasonable assumptions based on facts or expert opinion supported by facts in support of the comments. Pursuant to CEQA Guidelines, an effect shall not be considered significant in the absence of substantial evidence.

Potentially Affected Environmental Factors:

The draft Initial Study/Mitigated Negative Declaration has identified several factors that may be potentially affected by the subject project which include: *Air Quality, Biological Resources, Noise, and Transportation*. These factors and their respective pertinent issues are discussed and analyzed within the Initial Study/Mitigated Negative Declaration. Mitigations, where necessary, were implemented to help ensure potential impacts are reduced to a less than significant level. A detailed analysis can be found in the Initial Study/Mitigated Negative Declaration and corresponding Mitigated Monitoring and Reporting Program.

Mitigation Monitoring:

The monitoring and reporting on the implementation of these measures, including the monitoring action, monitoring agency, and the period for implementation, are identified in the Mitigation and Monitoring Program (attachment 4).

Responses to Initial Study/Mitigated Negative Declaration:

Staff has received four correspondences relating to the proposed Initial Study/Mitigated Negative Declaration from Los Angeles County Sanitation District, California Air Resource Board, Southern California Air Quality Management District, and California Department of Transportation. A response to comment letter was sent to each of the correspondences (attachment 5).

STAFF REMARKS

Based on the findings set forth in the attached Resolution (152-2020), Staff finds that the applicant's request meets the criteria set forth in §155.739 of the City's Zoning Ordinance, for the granting of a Development Plan Approval. Staff finds that the applicants request meets the criteria set forth in Section 66412 of the State's

Subdivision Map Act, for the granting of Tentative Parcel Map No. 82709. Staff also finds that the applicants request meets the criteria set forth in Section 65454 of the State Planning, Zoning and Development laws set forth the procedures for amending the WDI Specific Plan.

CONDITIONS OF APPROVAL

Conditions of approval for TPM 82709, DPA 964, and SPA 1 is attached to Resolution 152-2020 as Exhibit A.


Wayne M. Morrell
Director of Planning

Attachments:

1. Aerial Photograph
2. Public Hearing Notice
3. Draft Mitigated Negative Declaration (previously delivered to PC on 11/17//2019)
4. Mitigation Monitoring and Reporting Program
5. CEQA Comment Letters
6. Resolution 152-2020
 - a. Exhibit A –Conditions of Approval
7. Full Set of Proposed Plans
8. WDI Specific Plan (with marked-up)

Attachment 1: Aerial Photograph



Tentative Parcel Map Case No. 82709
Specific Plan Amendment Case No. 1
Development Plan Approval Case No. 964
Applicant: CenterPoint Properties

Attachment 2: Public Hearing Notice**FILE COPY**11710 Telegraph Road • CA • 90670-3679 • (562) 868-0511 • Fax (562) 868-7112 • www.santafesprings.org*"A great place to live, work, and play"*FIRST-CLASS MAIL
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041L11257783

**CITY OF SANTA FE SPRINGS
NOTICE OF PUBLIC HEARING
TENTATIVE PARCEL MAP CASE NO. 82709;
DEVELOPMENT PLAN APPROVAL CASE NO. 964; AND
GENERAL PLAN AMENDMENT CASE NO. 28**

NOTICE IS HEREBY GIVEN: that a Public Hearing will be held before the City of Santa Fe Springs Planning Commission for the following:

TENTATIVE PARCEL MAP NO. 82709: A request for approval to consolidate seven (7) existing parcels into a single parcel, measuring 25.33-acres (APN: 8167-002-025, 026, 030, 050, 051, 052, and 053)

DEVELOPMENT PLAN APPROVAL CASE NO. 964: A request for approval to construct a new 216,500 square foot industrial building located at the northerly portion of the WDI site, which comprised of seven (7) existing parcels, measuring 25.33-acres (APN: 8167-002-025, 026, 030, 050, 051, 052, and 053).

GENERAL PLAN AMENDMENT CASE NO. 28: A request for approval to amend the WDI Specific Plan to allow for large truck access to the project site along Los Nietos Road; and allow for direct line of sight to the adjacent school property.

APPLICANT / PROJECT LOCATION: CenterPoint Properties / Northerly Portion of WDI Site (APN: 8167-002-025, 026, 030, 050, 051, 052, and 053)

CEQA STATUS: Upon review of the proposed project, staff has determined that additional environmental analysis is required to meet the requirements of the California Environmental Quality Act (CEQA). The applicant has since retained PlaceWorks Inc. to prepare the necessary CEQA documents and associated Traffic Study. Staff is currently working with the applicant's CEQA consultant on finalizing the Initial Study, subsequent Mitigated Negative Declaration (MND), and Traffic Study. The draft CEQA documents are finalized and an NOI (Notice of Intent) to adopt the Mitigated Negative Declaration was posted in State's Clearinghouse to initiate the mandatory 30-day public review period on November 18, 2019. 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.

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, January 13, 2020 at 6:00 p.m.**

ALL INTERESTED PERSONS are invited to attend the Public Hearing before Planning Commission and express their opinion on the subject items listed above. You should note that if you challenge the afore-mentioned project in court, you may be limited to raising only those issues

Attachment 4: Mitigation Monitoring and Reporting Program

4. Mitigation Monitoring and Reporting Program

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 34. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The matrix also identifies all conditions of approval applicable to the Project, as identified throughout this Initial Study. The mitigation matrix serves as the basis for scheduling the implementation of, and compliance with, all mitigation measures and conditions of approval.

Table 34 Mitigation Monitoring Requirements

| Mitigation Measures | | Responsibility for Implementation | Timing | Responsibility for Monitoring | Monitor (Signature Required) (Date of Compliance) |
|---------------------|--|---|--|--|---|
| Air Quality | | | | | |
| AQ-1 | <p>The project construction contractor shall, at a minimum, use equipment that meets the United States Environmental Protection Agency's (USEPA) Tier 4 Final emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower for all drilling, rough grading, fine grading, and trenching activities, unless it can be demonstrated to the City of Santa Fe Springs Planning and Development Department that such equipment is not available. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by Tier 4 Final emissions standards for a similarly-sized engine, as defined by the California Air Resources Board's regulations.</p> <p>Prior to the commencement of construction, the project engineer shall ensure that all construction plans (e.g., demolition, grading) clearly indicate the requirement for USEPA Tier 4 Final emissions standards for construction equipment over 50 horsepower for the specific activities</p> | Project Applicant and Construction Contractor | Prior to the commencement of and during construction | City of Santa Fe Springs Planning and Development Department | |

4. Mitigation Monitoring and Reporting Program

Table 34 Mitigation Monitoring Requirements

| Mitigation Measures | Responsibility for Implementation | Timing | Responsibility for Monitoring | Monitor (Signature Required) (Date of Compliance) |
|---|--|--|---|---|
| <p>stated above. During construction, the construction contractor shall maintain a list of all operating equipment in use on the construction site for verification by the City of Santa Fe Springs Planning and Development Department. The construction equipment list shall state the makes, models, Equipment Identification Numbers, and number of construction equipment onsite. Equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations. The construction contractor shall also ensure that all nonessential idling of construction equipment is restricted to 5 minutes or less in compliance with Section 2449 of the California Code of Regulations, Title 13, Article 4.8, Chapter 9.</p> | | | | |
| Biological Resources | | | | |
| <p>BIO-1 To maintain compliance with the Migratory Bird Treaty Act and California Fish and Game Code, if ground-disturbing and/or vegetation-clearing activities are scheduled to occur during the avian nesting season (typically February 15 through August 31), a pre-construction nesting bird survey shall be conducted in and adjacent to the project site by a qualified biologist. Surveys shall be conducted within three days prior to initiation of any ground-disturbing and/or vegetation-clearing activities and shall be conducted between dawn and noon.</p> <p>If an active nest is detected during the nesting bird survey, avoidance buffers shall be implemented as determined by a qualified biologist, in consultation with the construction contractor. The buffer shall be of a distance to ensure avoidance of adverse effects to the nesting bird by accounting for topography, ambient conditions, species, nest location, and activity type. All nests shall be monitored as determined by the qualified biologist until nestlings have</p> | <p>Project Applicant, Construction Contractor, and Biologist</p> | <p>Prior to any ground-disturbing and/or vegetation-clearing activities scheduled to occur during the avian nesting season</p> | <p>City of Santa Fe Springs Planning and Development Department</p> | |

4. Mitigation Monitoring and Reporting Program

Table 34 Mitigation Monitoring Requirements

| Mitigation Measures | | Responsibility for Implementation | Timing | Responsibility for Monitoring | Monitor (Signature Required) (Date of Compliance) |
|--|---|--|--|--|---|
| fledged and dispersed or it is confirmed that the nest has been unsuccessful or abandoned. The monitoring biologist shall prepare a survey report/memorandum summarizing his/her findings and recommendations of the preconstruction survey. Any active nests observed during the survey shall be mapped on a current aerial photograph, including documentation of GPS coordinates, and included in the survey report/memorandum. The completed survey report/memorandum shall be submitted to the City of Santa Fe Springs Planning and Development Department. | | | | | |
| Noise | | | | | |
| NOI-1 | If paving is required within 20 feet of adjacent commercial/industrial structures, the use of a static roller shall be employed in lieu of a vibratory roller | Project Applicant and Construction Contractor | During construction | City of Santa Fe Springs Planning and Development Department | |
| Transportation | | | | | |
| TRANS-1 | Prior to the issuance of an occupancy permit, a 100-foot long (consistent with the existing left-turn lane) southbound right-turn only lane shall be striped adjacent to the curb on Greenleaf Avenue. Striping a separate southbound right-turn only lane would result in a 12-foot through lane and a 12-foot right-turn lane. The resulting southbound lane configurations on Greenleaf Avenue would be one left-turn only lane, one through lane, and one right-turn only lane. No widening of the roadway shall be required. | Project Applicant, Construction Contractor, and Civil Engineer | Prior to the issuance of an occupancy permit | City of Santa Fe Springs Planning and Development Department | |

Attachment 5: CEQA Comment Letters



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"A great place to live, work, and play"

Date: December 19, 2019
To: California Air Resources Board
From: City of Santa Fe Springs
Subject: Responses to Public Review Comments

A. Response to Comments from the California Air Resources Board

- A-1 The comment focuses on the potential exposure of disadvantaged communities to elevate air pollution and indicates that the census tract containing the project site is within the top one percent for Pollution Burden and is considered a disadvantaged community. The comment urges that the City ensures that the proposed project would not adversely impact neighboring disadvantaged communities. The potential for project-related construction and operational activities to expose sensitive receptors to substantial pollutant concentrations are evaluated in impact questions c) of Section 3.3, Air Quality, of the Initial Study (pages 54 through 59). This section evaluates localized project-related construction and operational emissions to the screening-level localized significance thresholds (LSTs) established by the South Coast Air Quality Management District (SCAQMD). Additionally, this section provides quantitative operational and construction health risk analyses. As substantiated in this section, construction and operation of the proposed project would not result in construction- or operation-related LST or health risk impacts. Therefore, it is not anticipated that development and operation of the proposed project would result in significant localized air quality impacts to nearby sensitive receptors.
- A-2 The commenter recommends either prohibiting cold storage capabilities and use of transport refrigeration units (TRU) through contractual language in tenant lease agreements or, including a condition requiring a restrictive covenant that prohibits the use of TRUs on the property unless an amendment to the conditional use permit to allow use of TRUs is sought and received. In addition, the commenter recommends other measures related to reducing operation-related air pollutant emissions. As substantiated in Section 3.3, Air Quality, of the Initial Study, the proposed project would not result in generating operation-related emissions that would exceed the regional and localized significance thresholds and would therefore not require mitigation under CEQA guidelines. However, in respond to the commenter, the following condition of approval pertaining to TRUs will be included for the proposed project:

Juanita Trujillo, Mayor • William K. Rounds, Mayor Pro Tem
City Council
John M. Mora • Annette Rodriguez • Joe Angel Zamora
City Manager
Raymond R. Cruz



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Within the first 5 years following completion of the warehouse shell building, in the event that a tenant of the property proposes to operate trucks with transport refrigeration units (TRUs), the developer/owner shall submit additional technical information (i.e., air quality/greenhouse gas emissions modeling, health risk assessment) to the City of Santa Fe Springs as they may reasonably require. The City shall use this additional technical information to determine whether substantial evidence exists that additional air quality, greenhouse gas, and/or health risk impacts would occur beyond those disclosed in the adopted Mitigated Negative Declaration (and related technical studies) for the Greenleaf Business Center Project (State Clearinghouse No. 2019119061), and whether such impacts warrant further environmental analysis under the California Environmental Quality Act and the adoption of additional feasible mitigation measures.

- A-3 As stated in the response to Comment A-2, the proposed project would not result in generating operation-related air pollutant emissions that would exceed the applicable SCAQMD regional and localized thresholds for operation and would not require mitigation pursuant to CEQA guidelines.

If you have any questions, please contact me at (562) 868-0511 x7451 or jimmywong@santafesprings.org.

Sincerely,

Jimmy Wong
Contract Planner
Department of Planning and Development

Attachment:

CARB Staff Comments - Draft Greenleaf Business Center Comment Letter - 12.13.2019

Juanita Trujillo, Mayor • William K. Rounds, Mayor Pro Tem
City Council
John M. Mora • Annette Rodriguez • Joe Angel Zamora
City Manager
Raymond R. Cruz

December 13, 2019

Jimmy Wong
Contract Planner
City of Santa Fe Springs
11710 East Telegraph Road
Santa Fe Springs, California 90670

Dear Jimmy Wong:

Thank you for providing California Air Resources Board (CARB) staff with the opportunity to comment on the Greenleaf Business Center Project (Project) Initial Study and Mitigated Negative Declaration (IS/MND), State Clearinghouse No. 2019119061. The Project consists of the construction and operation of a non-cold storage warehouse and distribution business totaling 216,500 square feet, which includes 200,500 square feet of industrial/warehouse space and 16,000 square feet of office space. The project also features a large interior truck trailer parking and storage area providing approximately 459 truck trailer parking spaces and a loading dock for up to 46 loading dock positions. Once in operation, the Project is projected to introduce an additional 697 total vehicle trips daily, including 582 daily passenger vehicle trips and 115 daily truck trips. The Project is located within the City of Santa Fe Springs (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

Freight facilities, such as warehouse and distribution facilities, can result in high daily volumes of heavy-duty diesel truck traffic and operation of on-site equipment (e.g., forklifts, yard tractors, etc.) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change. CARB staff has reviewed the IS/MND and is concerned about the air pollution impacts that would result should the City approve the Project.

I. The Project Would Increase Exposure to Air Pollution in Disadvantaged Communities

The Project, if approved, will expose nearby disadvantaged communities to elevated air pollution. Residences are located immediately east of the Project with the closest residences located approximately 100 feet from the Project's eastern boundary. In addition to residences, 7 schools (St. Paul High School, Sierra Vista High School, Frontier High School, Richard L. Graves Middle School, Lake Marie Elementary School, Laurel Elementary School, and Evergreen Elementary School) are located within 1 mile of the Project. The community is surrounded by existing toxic diesel particulate matter (diesel PM) emission sources, which include existing warehouses as well as Valla Rail Yard. Due to the Project's proximity to residences and schools already

disproportionately burdened by multiple sources of air pollution, CARB staff is concerned with the potential cumulative health impacts associated with the construction and operation of the Project.

The State of California has placed additional emphasis on protecting local communities from the harmful effects of air pollution through the passage of Assembly Bill 617 (AB 617) (Garcia, Chapter 136, Statutes of 2017). AB 617 is a significant piece of air quality legislation that highlights the need for further emission reductions in communities with high exposure burdens, like those in which the Project is located. Diesel PM emissions generated during the construction and operation of the Project would negatively impact the community, which is already disproportionately impacted by air pollution from existing freight facilities and Valla Rail Yard.

Through its authority under Health and Safety Code section 39711, the California Environmental Protection Agency (CalEPA) is charged with the duty to identify disadvantaged communities. CalEPA bases its identification of these communities on geographic, socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, section 39711, subsection (a)). In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25 percent of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 3.0 (CalEnviroScreen). CalEnviroScreen uses a screening methodology to help identify California communities currently disproportionately burdened by multiple sources of pollution. The census tract containing the Project is within the top 1 percent for Pollution Burden¹ and is considered a disadvantaged community. Therefore, CARB staff urges the City to ensure that the Project does not adversely impact neighboring disadvantaged communities.

II. Recommend Mitigation Measures

According to Section 1.7.5 (Operational Characteristics) of the IS/MND, there will be no refrigerated uses associated with the operation of the proposed warehouse facility upon completion of the Project. Although the Project, as proposed in the IS/MND, will not include refrigerating spaces, CARB staff urges the City to include a Project design measure requiring contractual language in tenant lease agreements that prohibits tenants from operating TRUs within the Project site. This is critical because the operation of refrigerated warehouse facilities would include trucks with transport refrigeration units (TRU) that emit significantly higher levels of toxic diesel PM, nitrogen oxides (NO_x), and greenhouse gases, than trucks without TRUs. Alternatively, the City can include a condition requiring a restrictive covenant over the parcel that prohibits the applicant's use of TRUs on the property unless the applicant seeks and receives an amendment to its conditional use permit allowing such use. If the City does allow TRUs

¹ Pollution Burden represents the potential exposures to pollutants and the adverse environmental conditions caused by pollution.

within the Project site under a restrictive covenant, CARB staff recommends the City require all loading/unloading docks and trailer spaces be equipped with electrical hookups for trucks with TRU or auxiliary power units and reevaluate the Project's health impacts in a recirculated health risk assessment.

CARB staff also urges the City to implement the measures listed below to further reduce the Project's construction and operation air pollutant emissions.

1. Include contractual language in tenant lease agreements that requires tenants to use the cleanest technologies available, and to provide the necessary infrastructure to support the zero-emission vehicles and equipment that will be operating on site.
2. Include contractual language in tenant lease agreements that requires future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.
3. Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the project site to be zero-emission. This equipment is widely available.
4. Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the project site to be model year 2014 or later, expedite a transition to zero-emission vehicles, and be fully zero-emission beginning in 2030.
5. Include contractual language in tenant lease agreements that requires the tenant be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation,² Periodic Smoke Inspection Program (PSIP),³ and the Statewide Truck and Bus Regulation.⁴

² In December 2008, CARB adopted a regulation to reduce greenhouse gas emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation is available at: <https://www.arb.ca.gov/cc/hdghg/hdghg.htm>.

³ The PSIP program requires that diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. CARB's PSIP program is available at: <https://www.arb.ca.gov/enf/hdvp/hdvp.htm>.

⁴ The regulation requires newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. CARB's Statewide Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

6. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than five minutes while on site during project operation.
7. Include rooftop solar panels for each proposed warehouse to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.

III. Conclusion

CARB staff encourages the applicant and City to implement the measures listed above in order to reduce the Project's construction and operational air pollution emissions. CARB staff appreciates the opportunity to comment on the IS/MND for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed.

If you have questions, please contact Michaela Nucal, Air Pollution Specialist, at (916) 324-0226 or via email at michaela.nucal@arb.ca.gov.

Sincerely,



Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division

cc: See next page.

Jimmy Wong
December 13, 2019
Page 5

cc: State Clearinghouse
P.O. Box 3044
Sacramento, California 95812

Morgan Capilla
NEPA Reviewer
U.S. Environmental Protection Agency
Air Division, Region 9
75 Hawthorne Street
San Francisco, California 94105

Carlo De La Cruz
Sierra Club
714 West Olympic Boulevard, Suite 1000
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South Coast Air Quality Management District
21865 Copley Drive
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Michaela Nucal
Air Pollution Specialist
Risk Analysis Section
Transportation and Toxics Division



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"A great place to live, work, and play"

Date: January 8, 2020
To: Department of Transportation
From: City of Santa Fe Springs/ Traffic Consultant (Kittelson & Associates, Inc.)
Subject: Responses to Public Review Comments

A. The City of Santa Fe Springs has chosen to analyze the project's transportation impact in terms of Level of Service (LOS). As a reminder, Senate Bill 743 (2013) mandates that Vehicle Miles Traveled (VMT) be used as the primary metric in identifying transportation impacts of all future development projects under CEQA, starting July 1, 2020.

A-1 Although the technical advisory about Senate Bill 743 (SB743) published by the California Governor's Office of Planning and Research has general guidelines about how to approach VMT analysis, the document defers to local agencies to develop the thresholds to be used to determine significant impacts caused by a project's VMT. The City of Santa Fe Springs has not yet developed local guidelines and thresholds to utilize the SB743 VMT methodology to determine significant impacts. Per their current General Plan and TIA Guidelines, as well as through discussions, the City of Santa Fe Springs staff has indicated that the preferred methodology to determine significant impacts should remain the ICU methodology as currently utilized for the Greenleaf Business Center TIA.

B. Due to the size of the project and its proximity to state highway facilities, the following locations within the State highway system might need to be included in the Transportation Impact Analysis (TIA): Santa Fe Springs Road where it intersects eastbound SR-72, SR-72, Washington Boulevard, and Pickering Avenue; I-605 Northbound On Ramp & Telegraph Road; I-605 Northbound Off Ramp & Slauson Avenue. Please refer to the latest Caltrans Transportation Impact Study Guide (TISG) for trip generation thresholds that would trigger the inclusion of any of the above locations in a revised TIA.

B-1 The latest TISG published by Caltrans state that the following criterion is a starting point in determining when a TIS is needed: when a project generates over 50 peak hour trips assigned to a State highway facility and affected State highway facilities are experiencing noticeable delay or approaching unstable traffic flow conditions. Based on the trip generation and trip assignment presented in the Greenleaf Business Center TIA, no trips were assigned to and from the north on Santa Fe Springs. As such, no project trips would be added to Santa Fe Springs Road where it intersects eastbound SR-72, SR-72, Washington Boulevard, and Pickering

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Avenue. Fewer than 16 passenger car equivalent (PCE) trips would be added to the I-605 Northbound On Ramp & Telegraph Road and fewer than eight (8) passenger car equivalent (PCE) trips would be added to the I-605 Northbound Off Ramp & Slauson Avenue. The Project trips at these locations are well below the suggested TIS thresholds, as such, no additional locations were included in the TIA.

- C. Caltrans encourages the Lead Agency to integrate transportation and land use in a way that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions, as well as facilitates a high level of non-motorized travel and transit use. We encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (TIS) applications to reduce VMT impacts. Caltrans also supports the TDM measures included in this project, such as providing bicycle parking stalls as well as new sidewalk facilities along Greenleaf Avenue and a portion of Los Nietos Road.**

C-1 As noted in the comment, the Greenleaf Business Center project will provide the following:

- 14 bicycle stalls on site
- Construction of new sidewalk along the project frontage on Greenleaf Avenue and Los Nietos Road

No other TDM or active transportation improvement measures were required to mitigate any significant impacts caused by the project or requested by the City of Santa Fe Springs staff.

If you have any questions, please contact me at (562) 868-0511 x7451 or jimmywong@santafesprings.org.

Sincerely,

Jimmy Wong
Contract Planner
Department of Planning and Development

Juanita Trujillo, Mayor • William K. Rounds, Mayor Pro Tem
City Council
John M. Mora • Annette Rodriguez • Joe Angel Zamora
City Manager
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Attachment:

DOT Staff Comments - Draft Greenleaf Business Center Comment Letter - 12.16.2019

Juanita Trujillo, Mayor • William K. Rounds, Mayor Pro Tem
City Council
John M. Mora • Annette Rodriguez • Joe Angel Zamora
City Manager
Raymond R. Cruz



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a California Way of Life.

DEPARTMENT OF TRANSPORTATION

DISTRICT 7 – Office of Regional Planning
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www.dot.ca.gov

Received

DEC 23 2019

December 16, 2019

Planning Department

Mr. Jimmy Wong
City of Santa Fe Springs
11710 E. Telegraph Road
Santa Fe Springs, CA 90670

RE: Greenleaf Business Center – Mitigated
Negative Declaration (MND)
SCH # 2019119061
GTS # 07-LA-2019-02929
Vic. LA-72/PM: 4.259

Dear Mr. Jimmy Wong:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced MND. The proposed project involves the construction and operation of a new warehouse and distribution facility on a mostly vacant site. The warehouse and distribution business would operate out of a proposed building that would encompass a total of 216,500 square feet, comprising 200,500 square feet of light industrial and warehouse space, and 16,000 square feet of ancillary office space to support the industrial tenant. The project would also feature a large interior truck trailer parking and storage area, as well as a loading dock for up to 46 loading dock positions. Other project components include vehicular and pedestrian access and circulation improvements, including 693 parking spaces. The City of Santa Fe Springs is considered the Lead Agency under the California Environmental Quality Act (CEQA).

The nearest State facilities to the proposed project are the State Route 72 (SR-72), State Route 605 (SR-605), and Interstate 5 (I-5). The approximate distance to each of these facilities from the project is as follows:

- **SR-72:** 1.5 miles
- **SR-605:** 2 miles
- **I-5:** 3 miles

In terms of alternative transportation facilities located near the project, according to the MND currently there are public sidewalks on Greenleaf Avenue and Los Nietos Road, however, the sidewalk on Los Nietos Road does not extend past the portion of the project that abuts this road. There are no bicycle lanes or facilities adjacent to the project, however there are Class II bike lanes on parts of Santa Fe Springs Road and Greenleaf Avenue near the project. Finally, Norwalk Transit System (NTS) and Los Angeles County Metropolitan Transportation Authority (Metro) provide the following public transit bus services near the project: NTS Route 3, NTS Route 7, and LA Metro Route 120. The closest NTS bus stops are approximately 0.25 miles west of the project site, at the Greenleaf Avenue & Los Nietos Road intersection. The closest Metro bus stops are approximately 0.5 miles south of the site, at the Greenleaf Avenue & Telegraph Road intersection.

After reviewing the MND, Caltrans has the following comments:

- The City of Santa Fe Springs has chosen to analyze the project's transportation impacts in terms of Level of Service (LOS). As a reminder, Senate Bill 743 (2013) mandates that Vehicle Miles Traveled (VMT) be used as the primary metric in identifying transportation impacts of all future development projects under CEQA, starting July 1, 2020. For information on determining transportation impacts in terms of VMT on the State Highway System, see the Technical Advisory on Evaluating Transportation Impacts in CEQA by the California Governor's Office of Planning and Research, dated December 2018: http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf.
- Due to the size of the project and its proximity to state highway facilities, the following locations within the State highway system might need to be included in the Transportation Impact Analysis (TIA):
 - Santa Fe Springs Road, where it intersects with eastbound SR-72 and where it intersects with SR-72, Washington Boulevard, and Pickering Avenue
 - I-605 northbound on-ramp & Telegraph Road
 - I-605 northbound off-ramp & Slauson Avenue
- Please refer to the latest Caltrans Transportation Impact Study Guide (TISG) for trip generation thresholds that would trigger the inclusion of any of the above locations in a revised TIA.
- If it is found that the project might cause a significant impact at the above locations, please refer to the latest Caltrans TISG to perform all analyses. Specifically, follow this guide to perform diverging/merging, weaving, delay, and queuing analyses. Furthermore, if the analyses show that any of the above facilities will operate at a LOS based on Caltrans' Measures of Effectiveness (as described in the latest TISG) that is worse than D, mitigation measures for these locations must be included in the revised TIA. If the existing conditions of any of the significantly impacted locations are already worse than LOS D, and the existing LOS is not maintained or improved after project implementation, mitigation measures must also be provided for these locations.

The following information is included for your consideration.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. Therefore, Caltrans encourages the Lead Agency to integrate transportation and land use in a way that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions, as well as facilitates a high level of non-motorized travel and transit use. We encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications to reduce VMT impacts. Caltrans also supports the TDM measures included in this project, such as providing bicycle parking stalls as well as new sidewalk facilities along Greenleaf Avenue and a portion of Los Nietos Road. Additional potential strategies for this project include:

- Create crosswalks with high visibility continental stripes at the following intersections: Los Nietos Road & Santa Fe Springs Road, Los Nietos Road & Greenleaf Avenue, Reis Street & Greenleaf Avenue, Barton Road & Greenleaf Avenue, Sorensen Avenue & Santa Fe Springs Road, Santa Fe Springs Road & Mulberry Drive, Santa Fe Springs Road & Ann Street, and Ann Street & Greenleaf Avenue.
- Close the gap in existing Class II bike lane along Santa Fe Springs Road from Mulberry Drive to Los Nietos Road to facilitate bicycle access to the Norwalk/Santa Fe Springs Metrolink Transit Station.

- Implement bicycle conflict paint at the intersection of Mulberry Drive & Santa Fe Springs Road.
- Install a pedestrian High Intensity Activated Crosswalk (HAWK) signal at Santa Fe Springs Road & Ann Street.
- Extend the Class II bike lane along Greenleaf Avenue to Los Nietos Road to improve access to adjacent high schools.
- Create or update sidewalks along Santa Fe Springs Road between Mulberry Drive and Los Nietos Road to meet current ADA standards.
- Design new ADA-compliant sidewalks on both sides of Ann Street between Santa Fe Springs Road and Greenleaf Avenue.
- Provide curb extensions at the following intersections: Ann Street & Santa Fe Springs Road, Barton Road & Greenleaf Avenue, and Reis Street & Greenleaf Avenue.
- Ensure that the Norwalk Transit bus stops along Santa Fe Springs Road and Telegraph Road have shelters and lighting.
- Decrease parking requirements by providing additional bicycle storage and carpool/vanpool preferential parking.

For additional TDM options that can reduce VMT, please refer to:

- *Quantifying Greenhouse Gas Mitigation Measures* by the California Air Pollution Control Officers Association (CAPCOA), available at: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>, or
- *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8) by the Federal Highway Administration (FHWA), available at: <https://ops.fhwa.dot.gov/publications/fhwahop12035/index.htm>.

Also, any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. We support limiting large size truck trips to off-peak commute periods. If construction traffic, including truck haul traffic, is expected to cause delays on any State facilities, such as the I-605 off/on ramps on Telegraph Road, please submit a construction traffic management plan detailing these delays for Caltrans' review.

Finally, storm water run-off is a sensitive issue for Los Angeles county. Please be mindful that the project needs to be designed to discharge clean run-off water.

If you have any questions about these comments, please contact Emily Gibson, the project coordinator, at Emily.Gibson@dot.ca.gov, and refer to GTS # 07-LA-2019-02929.

Sincerely,



MIYA EDMONSON
IGR/CEQA Branch Chief
cc: Scott Morgan, State Clearinghouse



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Date: January 3, 2020
To: Sanitation Districts of Los Angeles County
From: City of Santa Fe Springs
Subject: Responses to Public Review Comments

A. Response to Comments from the Sanitation Districts of Los Angeles County

We have noted the comments regarding the proposed project and will ensure all connection fee will be paid prior to permitting.

If you have any questions, please contact me at (562) 868-0511 x7451 or jimmywong@santafesprings.org.

Sincerely,

Jimmy Wong
Contract Planner
Department of Planning and Development

Attachment:

Sanitation Districts of Los Angeles County Staff Comments – NOI Response For Greenleaf Business Center Project - 12.17.2019

Juanita Trujillo, Mayor • William K. Rounds, Mayor Pro Tem
City Council
John M. Mora • Annette Rodriguez • Joe Angel Zamora
City Manager
Raymond R. Cruz

Received

DEC 19 2019

Planning Department

Robert C. Ferrante

Chief Engineer and General Manager

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
(562) 699-7411 • www.lacsd.org

December 17, 2019

Ref. DOC 5424002

Mr. Jimmy Wong, Contract Planner
Development Department
City of Santa Fe Springs
11710 East Telegraph Road
Santa Fe Springs, CA 90670

Dear Mr. Wong:

NOI Response for Greenleaf Business Center Project

The Sanitation Districts of Los Angeles County (Districts) received a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the subject project on November 11, 2019. The proposed project is located within the jurisdictional boundaries of District No. 18. We offer the following comments:

1. Wastewater Treatment Facilities, page 144, first paragraph – Wastewater from the City's service area is collected and treated at the Los Coyotes water Reclamation Plant (LCWRP) and the Joint Water Pollution Control Plant (JWPCP). LCWRP has a capacity of 37.5 million gallons per day (mgd) and currently produces an average recycled water flow of 21.7 mgd. JWPCP has a capacity of 400 mgd and currently produces an average flow of 261.1 mgd.
2. Wastewater Treatment Facilities, page 144, second paragraph – The information indicates the amount of wastewater that would be generated is much less than one percent of LCWRP and LBWRP's total remaining daily treatment capacity. It should be noted the wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' South Whittier Outfall Trunk Sewer Section 4, located in Santa Fe Springs Road south of the Southern Pacific Railroad. The Districts' 21-inch diameter trunk sewer has a capacity of 3.7 mgd and conveyed a peak flow of 0.6 mgd when last measured in 2018. Ultimately the wastewater generated by the proposed project will be treated at the LCWRP.
3. Wastewater Treatment Facilities, page 144, second paragraph – The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System for increasing the strength or quantity of wastewater discharged from connected facilities. In determining the impact to the Sewerage System and if connection fees are applicable, the Districts' Chief Engineer and General Manager will determine the user category (e.g. Condominium, Single Family home, etc.) that best represents the actual or anticipated use of the parcel or facilities on the parcel. For more specific information regarding the connection fee application procedure and if fees are applicable to your specific project, the developer should contact the Districts' Wastewater Fee Public Counter. If a connection fee is

Mr. Jimmy Wong

-2-

December 17, 2019

applicable, payment will be required before a permit to connect to the sewer is issued. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project.

All other information concerning Districts' facilities and sewerage service contained in the document is current. If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Adriana Raza', with a stylized flourish at the end.

Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar



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Date: January 3, 2020
To: Sanitation Districts of Los Angeles County
From: City of Santa Fe Springs
Subject: Responses to Public Review Comments

B. Response to Comments from the South Coast Air Quality Management District, dated December 12, 2019.

B-1 The commenter recommends either evaluating exposures to off-site workers from project emissions or to provide a justification for not evaluating risks to off-site workers to the northwest (along Santa Fe Springs Road) and the southwest (along Los Nietos Road). As substantiated in Appendix B, Health Risk Assessment, of the Initial Study, the proposed project would not result in incremental cancer risks which exceed the South Coast Air Quality Management District CEQA significance threshold of 10 in one million for nearby residents, students, and school workers. An off-site worker scenario is included in the health risk assessment (HRA) in the school worker scenario, although not all off-site worker receptors were specifically evaluated. As described in Section 4 of the HRA, the prevailing wind in the vicinity of the project is to the north-northeast. Therefore, the health risks determined for the off-site school worker at St. Paul High School immediately north-northeast of the site would likely be similar or higher than those predicted as worker receptors to the west and northwest.

In general, worker receptors would be present on-site fewer days per year (i.e. typically 250 school days per year) as compared to residential receptors (i.e., 350 days per year). Additionally, health risk calculations for adult workers would use a different age range (i.e. ages 16 to 70, age sensitivity factor of 1) than child residents (i.e., third trimester pregnancy to age 2, age sensitivity factor of 10; ages 2 to 16, age sensitivity factor of 3). Thus, the determined health risks for residents would be multiplied by the larger age sensitivity factors of 10 and 3 to account for early life exposure as compared to adult workers. Given the closer proximity of the warehouse truck bays to St. Paul High School and residences to the northeast, shorter exposure frequency of off-site workers compared to residents, and no age sensitivity factors for workers compared to residents/students, the health risk determination was conservatively based on the nearby (and downwind) residential receptors and students and staff at St. Paul High School.

B-2 The commenter states the Lead Agency determined the cancer risk to students at St. Paul High School using an exposure duration of 4 years. The commenter

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City Council
John M. Mora • Annette Rodriguez • Joe Angel Zamora
City Manager
Raymond R. Cruz



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describes the protocol for determining a 30-year residential cancer risk per the 2015 revised Office of Environmental Health Hazard Assessment (OEHHA) guidelines. The comment is noted. As substantiated in Appendix B, Health Risk Assessment, of the Initial Study, the proposed project would not result in incremental cancer risks which exceed the South Coast Air Quality Management District CEQA significance threshold of 10 in one million for nearby residents, students, and school workers. The exposure durations for each receptor type (i.e., 30-year resident, 4-year high school student, 25-year school worker) are based on the 2015 OEHHA guidelines. A typical high school exposure duration of 4 years for ages 13 to 17 were utilized as high school students would not be exposed for 30-years, starting at the 3rd trimester pregnancy through age 30.

- B-3 The comment provides recommended measures to reduce operation-related emissions and to further reduce construction-related emissions. As substantiated in Section 3.3, Air Quality, of the Initial Study, the proposed project would not result in generating operation-related emissions that would exceed the regional and localized significance thresholds and would, therefore, not require mitigation under CEQA guidelines. Additionally, as discussed in Section 3.3.b., and acknowledged in the comment, implementation of Mitigation Measures AQ-1 would suffice in reducing the maximum daily construction-related NOX emissions to below the South Coast Air Quality Management District regional significance threshold of 100 pounds per day. Thus, no additional mitigation measures would be required under CEQA guidelines.

If you have any questions, please contact me at (562) 868-0511 x7451 or jimmywong@santafesprings.org.

Sincerely,

Jimmy Wong
Contract Planner
Department of Planning and Development

Attachment:

South Coast Air Quality Management District Staff Comments – Mitigated Negative Declaration (MND) for the Proposed Greenleaf Business Center Project - 12.12.2019

Juanita Trujillo, Mayor • William K. Rounds, Mayor Pro Tem
City Council
John M. Mora • Annette Rodriguez • Joe Angel Zamora
City Manager
Raymond R. Cruz

Received

DEC 23 2019

Planning Department



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:

JimmyWong@santafesprings.org

Jimmy Wong, Contract Planner

City of Santa Fe Springs, Planning Development Department

11710 East Telegraph Road

Santa Fe Springs, CA 90670

December 12, 2019

Mitigated Negative Declaration (MND) for the Proposed Greenleaf Business Center Project

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final MND.

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to construct a 216,000-square-foot, non-refrigerated warehouse/distribution facility with 46 dock doors on 25 acres (Proposed Project). The Proposed Project is located on the northwest corner of Los Nietos Road and Greenleaf Avenue in the City of Santa Fe Springs. Construction of the Proposed Project is anticipated to occur over 12 months and will include 20,000 haul truck trips¹ and 115 truck trips per day once operational². Upon reviews of Figure 3: *Aerial Photograph* in the MND and aerial photographs, South Coast AQMD staff found that the Proposed Project is located immediately south of St. Paul High School, and within close proximity of existing residential uses³. The Proposed Project is anticipated to be operational by 2020⁴.

South Coast AQMD Staff's Summary of the Air Quality and Health Risk Assessment Analyses

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to South Coast AQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analysis, the Lead Agency found that the Proposed Project's regional construction air quality impacts would be significant for NOx at 182 pounds per day (lbs/day) when compared to South Coast AQMD's CEQA air quality significance threshold of NOx for construction, at 100 lbs/day. With implementation of Mitigation Measure AQ-1, which requires that the project construction contractor use, at minimum, Tier 4 Final emissions standards for off-road diesel construction equipment with more than 50 horsepower when feasible, construction NOx emissions would be reduced to less than significant at 96 lbs/day⁵. The Lead Agency also found that the Proposed Project's regional and localized operational air quality impacts would be less than significant, and no operational air quality mitigation measures were included. The Lead Agency performed a Health Risk Assessment (HRA) analysis and found that the maximum incremental cancer risks for residents, students, and school workers would be 2.5 in one million, 0.04 in one million, and 0.06 in one million, respectively, and all of which are below South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk⁶.

¹ MND, Page 52.

² *Ibid.* Page 132.

³ *Ibid.* Page 59.

⁴ *Ibid.* Page 20.

⁵ *Ibid.* Page 53.

⁶ *Ibid.* Page 59.

South Coast AQMD Staff's General Comments

South Coast AQMD staff has comments on the cancer risk calculations for the HRA analysis. Please see the attachment for more information. To further reduce exposures of sensitive receptors to the Proposed Project's construction and operational air quality impacts, the attachment includes additional mitigation measures that the Lead Agency should review and incorporate in the Final MND.

Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, responses should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and the public who are interested in the Proposed Project. Further, when the Lead Agency makes the finding that the additional recommended mitigation measures are not feasible, the Lead Agency should describe the specific reasons for rejecting them in the Final MND (CEQA Guidelines Sections 15070 and 15074.1).

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Margaret Isied, Assistant Air Quality Specialist, at misied@aqmd.gov or (909) 396-2543, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS:MI

LAC191119-03

Control Number

ATTACHMENT**Health Risk Assessment Analysis**

1. The Lead Agency calculated cancer risks for residents, school children, and teachers (as off-site workers) at St. Paul High School. Upon reviews of aerial photographs, South Coast AQMD staff found additional off-site workers are located to the northwest (along Santa Fe Springs Road) and the southwest (along Los Nietos Road) of the Proposed Project. South Coast AQMD staff recommends that the Lead Agency evaluate the exposure to the maximum exposed individual workers at these off-site locations, or provide a justification for not evaluating the risk exposure to these off-site workers.
2. The Lead Agency used four years of exposure to calculate cancer risk to students at St. Paul High School, consisting of risk exposures for the 2 to 16 years age bin, and the 16 to 30 years age bin⁷. The 2015 revised Office of Environmental Health Hazard Assessment (OEHHA) guidelines acknowledge that children are more susceptible to exposures to air toxics and have revised the way cancer risks are estimated to take this into account. When calculating cancer risk to students, South Coast AQMD staff recommends that the Lead Agency start from the third trimester, calculate cancer risk for each individual age group (i.e., the third trimester to 0 year age bin, the 0 to 2 years age bin, the 2 to 9 years age bin, and the 9 to 16 years age bin), assign proper exposure parameters for each individual age group, sum cancer risks for individual age groups to estimate cancer risk for a 30-year exposure, and compare the summed cancer risk to South Coast AQMD CEQA significance threshold of 10 in a million for cancer risk to determine the level of significance in the Final MND.

Additional Recommended Mitigation Measures for Construction Air Quality Impacts

3. As stated above, the Proposed Project's construction NOx emissions were mitigated to 96 lbs/day, which were slightly below South Coast AQMD air quality CEQA significance threshold of 100 lbs/day for NOx emissions. To further reduce the Proposed Project's construction NOx emissions from mobile sources (e.g., 20,000 haul truck trips), and in addition to Mitigation Measure AQ-1, South Coast AQMD staff recommends that the Lead Agency incorporate the following mitigation measures in the Final MND. For more information on potential mitigation measures as guidance to the Lead Agency, please visit South Coast AQMD's CEQA Air Quality Handbook website⁸.
 - a) Require the use of zero-emission (ZE) or near-zero emission (NZE) on-road haul trucks (e.g., material delivery trucks and soil import/export) such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emission standard at 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators of heavy-duty trucks visiting the Proposed Project during operation commit to using 2010 model year⁹ or newer and cleaner engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and the CARB's adopted optional NOx emission standard of 0.20 g/bhp-hr for NOx emissions. Include analyses to evaluate and identify sufficient power available for ZE trucks and supportive infrastructures in the Energy and Utilities and Service Systems Sections of the Final MND, where appropriate.
 - b) To monitor and ensure ZE, NZE, or 2010 model year trucks are used at the Proposed Project, the Lead Agency should require that operators maintain records of all trucks associated with the

⁷ *Ibid.* Appendix B. Health Risk Assessment.

⁸ South Coast AQMD. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

⁹ CARB adopted the statewide On-Road Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulations is available here: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

Proposed Project's construction and make these records available to the Lead Agency upon request. The records will serve as evidence to prove that each truck called to the Proposed Project during construction meets the minimum 2010 model year engine emission standards. Alternatively, the Lead Agency should require periodic reporting and provision of written records by contractors and conduct regular inspections of the records to the maximum extent feasible and practicable.

- c) Maintain equipment maintenance records for the construction portion of the Proposed Project. All construction equipment must be tuned and maintained in compliance with the manufacturer's recommended maintenance schedule and specifications. All maintenance records for each equipment and their construction contractor(s) should be made available for inspection and remain on-site for a period of at least two years from completion of construction.
- d) Encourage construction contractors to apply for South Coast AQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially-available low-emission heavy-duty engines to achieve near-term reduction of NOx emissions from in-use off-road diesel vehicles. More information on this program can be found at South Coast AQMD's website: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-dieselengines>.
- e) Restrict non-essential diesel engine idle time to not more than five consecutive minutes or another time-frame as allowed by the California Code of Regulations, Title 13 section 2485 - CARB's Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. For any vehicle delivery that is expected to take longer than five minutes, each project applicant, project sponsor, or public agency will require the vehicle's operator to shut off the engine. Notify the vendors of these idling requirements at the time that the purchase order is issued and again when vehicles enter the gates of the facility. To further ensure that drivers and operators understand the idling requirement, include the idling requirement in the training materials for drivers, operators, and vendors, post signs at the entry of the construction site and throughout the Proposed Project site stating that idling longer than five minutes is not permitted.

Recommended Mitigation Measures for Operational Air Quality Impacts

- 4. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse impacts. Due to close proximity to St. Paul High School and residences, South Coast AQMD staff recommends that the Lead Agency incorporate the following operational air quality mitigation measures in the Final MND.
 - a) Require the use of ZE) or NZE on-road haul trucks during operation, such as trucks with natural gas engines that meet the CARB's adopted optional NOx emission standard at 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, the Lead Agency may require that operators of heavy-duty trucks visiting the Proposed Project during operation commit to using 2010 model year or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. When requiring ZE or NZE on-road haul trucks, the Lead Agency should include analyses to evaluate and identify sufficient power and supportive infrastructure available for ZE/NZE trucks in the Energy and Utilities and Service Systems Sections of the Final MND, where appropriate.
 - b) To monitor and ensure ZE, NZE, or 2010 model year trucks are used at the Proposed Project, the Lead Agency should require that operators maintain records of all trucks associated with

the Proposed Project's construction and make these records available to the Lead Agency upon request. The records will serve as evidence to prove that each truck called to the Proposed Project during construction meets the minimum 2010 model year engine emission standards. Alternatively, the Lead Agency should require periodic reporting and provision of written records by contractors and conduct regular inspections of the records to the maximum extent feasible and practicable.

- c) Design the warehouse use of the Proposed Project as farthest away as feasible from St. Paul High School and residences that are located to the north and northeast of the Proposed Project. For example, the warehouse use may be located along the western boundary of the Proposed Project, such that the 46 dock doors, which are currently located near the eastern boundary of the Proposed Project adjacent to St. Paul High School and residences, will be facing west and away from the school and residences to minimize exposures to DPM from trucks entering/exiting and idling at the Proposed Project during operation.
- d) Require trucks visiting the Proposed Project to use the Santa Fe Springs designated truck route (i.e., Los Nietos Road to Santa Fe Springs Road to the I-605) that was used to analyze the Proposed Project's air quality and HRA analyses in the Final MND.
- e) Enforce primary truck access via the driveway on Santa Fe Springs Road and Los Nietos roads to ensure that trucks are as far away as possible from sensitive uses.
- f) Have truck routes clearly marked with trailblazer signs (e.g., no trucks traveling north on Greenleaf Avenue¹⁰), so that trucks will not enter residential areas that are adjacent to portions of the designated truck routes analyzed in the Final MND.
- g) Design the Proposed Project such that any check-in point for trucks is well inside the Proposed Project site to ensure that there are no trucks queuing outside of the facility and that truck traffic within the Proposed Project site is located away from the property line(s) closest to the sensitive receptors (e.g., residences and school).
- h) Establish area(s) within the Proposed Project site for repair needs and ensure that these designated areas are away from sensitive receptors (e.g., residences and school).

¹⁰ MND, Page 132.

Attachment 6: Resolution 152-2020

CITY OF SANTA FE SPRINGS
RESOLUTION NO. 152-2019

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SANTA FE SPRINGS REGARDING
TENTATIVE PARCEL MAP NO. 82709;
DEVELOPMENT PLAN APPROVAL CASE NO. 964; AND
SPECIFIC PLAN AMENDMENT CASE NO. 1**

WHEREAS, a request was filed for Tentative Parcel Map No. 82709 to allow the consolidation of seven (7) existing parcels that make up the subject property (APN's: 8167-002-025, 026, 030, 050, 051, 052, and 053), into a single parcel measuring ±25.33 acres; and

WHEREAS, a request was concurrently filed for Specific Plan Amendment Case No. 1 to amend the Waste Disposal Inc (WDI) Specific Plan for properties located to the north of Los Nietos Road, east of Santa Fe Springs Road, west of Greenleaf Avenue, and south of the prolongation of Barton Street, to allow for large truck access to the project site along Los Nietos Road; allow for direct line of sight to the adjacent school property; and to prohibited separate leases for the open yard area; and

WHEREAS, a request was concurrently filed for Development Plan Approval Case No. 964 to allow the construction of a new 216,500 square foot industrial building located at 9883 Greenleaf Avenue, and comprised of seven (7) existing parcels; and

WHEREAS, the subject property is located in the M-2, Heavy Manufacturing Zone, and WDI Specific Plan Area; and

WHEREAS, the subject property is located at 9883 Greenleaf Avenue, with Accessor's Parcel Numbers of 8167-002-025, 026, 030, 050, 051, 052, and 053, as shown in the latest rolls of the Los Angeles County Office of the Assessor; and

WHEREAS, the property owner is CenterPoint Properties, 725 South Figueroa Street, Suite 3005, Los Angeles, California 90017; and

WHEREAS, the proposed development which includes Tentative Parcel Map No. 82709, Specific Plan Amendment Case No. 1, and Development Plan Approval Case No. 964 is considered a project as defined by the California Environmental Quality Act (CEQA), Article 20, Section 15378(a); and

WHEREAS, based on the information received from the applicant and staff's assessment, it was found and determined that the proposed project will not have a significant adverse effect on the environment following mitigation, therefore, the City caused to be prepared and proposed to adopt an Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed project; and

WHEREAS, On December 18, 2019, 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 also mailed said public hearing notice on December 18, 2019 to each property owner within a 500 foot radius of the project site in accordance with state law; 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 subject property, the testimony, written comments, or other materials presented at the Adjourned Planning Commission Meeting on February 12, 2020 concerning Tentative Parcel Map No. 82709, Specific Plan Amendment Case No. 1, and Development Plan Approval Case No. 964.

NOW, THEREFORE, be it RESOLVED that the PLANNING COMMISSION of the CITY OF SANTA FE SPRINGS does hereby RESOLVE, DETERMINE and ORDER AS FOLLOWS:

SECTION I. ENVIRONMENTAL FINDINGS AND DETERMINATION

The proposed development 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 environmental analysis provided in the Initial Study indicated that the proposed project will not result in any significant adverse immitigable impacts to the environment, therefore, the City required the preparation and adoption of a Mitigated Negative Declaration (MND) for the proposed Project. The MND reflects the independent judgment of the City of Santa Fe Springs, and the City's environmental consultant, PlaceWorks Inc.

The Initial Study determined that the proposed project is not expected to have any significant adverse environmental impacts. The following findings can be made regarding the Mandatory Findings of Significance set forth in Section 15065 of the CEQA Guidelines based on the results of this Initial Study:

- The proposed project *will not* have the potential to degrade the quality of the environment.
- The proposed project *will not* have the potential to achieve short-term goals to the disadvantage of long-term environmental goals.
- The proposed project *will not* have impacts that are individually limited, but cumulatively considerable, when considering planned or proposed development in the immediate vicinity.
- The proposed project *will not* have environmental effects that will adversely affect humans, either directly or indirectly.

In addition, pursuant to Section 21081(a) of the Public Resources Code, findings must be adopted by the decision-maker coincidental to the approval of a Mitigated Negative Declaration, which relates to the Mitigation Monitoring and Reporting Program. These findings shall be incorporated as part of the decision-maker's findings of fact, in

response to AB-3180 and in compliance with the requirements of the Public Resources Code. In accordance with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the City of Santa Fe Springs can make the following additional findings:

- A mitigation reporting or monitoring program will be required; and,
- An accountable enforcement agency or monitoring agency shall be identified for the mitigation measures adopted as part of the decision-maker's final determination.

A number of mitigation measures have been recommended as a means to reduce or eliminate potential adverse environmental impacts to insignificant levels. AB-3180 requires that a monitoring and reporting program be adopted for the recommended mitigation measures.

SECTION II. TENTATIVE PARCEL MAP DETERMINATION

Pursuant to Section 154.07 of the Municipal Code, a tentative map shall not be approved unless the Planning Commission finds that the proposed subdivision, together with the provisions for its design and improvements, is consistent with the general plan as required by Section 66473.5 of the Subdivision Map Act. Additionally, the Planning Commission shall deny a tentative map if it makes any of the findings set forth in Sections 66474 and 66474.6 of the Subdivision Map Act.

(A) Section 66473.5 and Sections 66474(a) and (b) of the Subdivision Map Act require tentative maps to be consistent with the general plan and specific plans.

The proposed Tentative Parcel Map, subject to the attached conditions, is in accordance with the Subdivision Map Act in that:

Approval of the proposed Tentative Parcel Map would promote a number of Specific General Plan Goal and Policies as described in "Table 1" on the following page:

Table 1
General Plan Consistency Analysis

| General Plan Element | Policy | Project Consistency |
|-----------------------------|--|--|
| Land Use | Goal 9: Provide for growth and diversification of industry and industrial related activities within the Santa Fe Springs industrial area. | The consolidation of the individual parcels will produce one lot that will provide industrial uses that provide a more viable development opportunity of the subject site. |

| | | |
|--|--|--|
| | Policy 9.4: Encourage the grouping of adjoining small or odd shaped parcels in order to create more viable development. | The project involves the consolidation of seven (7) existing parcels measuring approximately ± 25.33 ac. into one (1) parcel. |
| | Goal 11: Support and encourage the viability of the industrial and commercial areas of Santa Fe Springs. | The consolidation of the existing parcels will support and facilitate the development of a new industrial building within city limits. |

The proposed Tentative Parcel Map, subject to the attached conditions, is compatible with the goals and objectives of various elements of the City of Santa Fe Springs General Plan, and therefore, is in compliance with Government Code Sections 66473.5, and 66474(a) and (b).

- (B) Sections 66474(c) and (d) of the Subdivision Map Act require the site to be physically suitable for the type of development and proposed density of development.

The proposed consolidation will allow a new industrial building to be located within a single parcel within the Industrial land-use designation. Therefore, the subject site is physically suitable for the proposed development.

- (C) Sections 66474(e) and (f) of the Subdivision Map Act require that the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat or is likely to cause serious public health concerns.

The proposed consolidation is located in an urbanized area that does not contain habitats or would otherwise injure fish and wildlife. Additionally, as required by the California Environmental Quality Act (CEQA), an Initial Study (IS)/Mitigated Negative Declaration (MND) was prepared for the proposed industrial project. According to the IS/MND, the project is not expected to have any impacts on biological resources or cause serious public health problems.

- (D) Section 66474(g) of the Subdivision Map Act requires that the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

New easements for utility or roadways, if necessary, will be provided prior to final map approval.

- (E) In accordance with Government Code Section 66474.6, it has been determined that the discharge of waste from the proposed subdivision, subject to the attached conditions, into the existing sewer system will not result in a violation of the requirements prescribed by the Regional Water Quality Control Board in that the developer is required to comply with the IS/MND Mitigation Monitoring and Reporting Program, submit an erosion control plan and comply with the NPDES Best Management Practices during the grading and construction phases of the project.

The project is conditioned to meet all federal, state, and local ordinances and requirements including, but not limited to, the California Regional Water Quality Control Board.

- (F) That the proposed subdivision shall be in accordance with Government Code Section 66473.1, entitled "Design of Subdivisions to provide for Future Passive or Natural Heating and Cooling Opportunities."

Future Passive or Natural Heating and Cooling Opportunities will be incorporated with the proposed developments. To the extent feasible, staff will review the proposed developments to ensure that energy-saving devices or materials, including, but not limited to, insulation, double-pane windows, and high efficiency central heating and cooling systems will be incorporated.

SECTION III. SPECIFIC PLAN AMENDMENT FINDINGS

Pursuant to Section 5 of the WDI Specific Plan, this Specific Plan may be amended as often as necessary by the City Council pursuant to Section 65453(a) of the Government Code as long as it is found to be consistent with the General Plan (§65454):

- (A) That the Amendment will not distort or disturb the harmonious relationships of land use designations shown on the General Plan Map and would not disturb the relationship of the various elements of the General Plan.

1. The current General Plan land use designation and Zoning designation for the entire ±25.33-acre property is M-2, Heavy Manufacturing, with a General Plan land use designation of Industrial. The proposed amendment only involve modifying and adding provisions within the existing WDI Specific Plan. The General Plan and Zoning for the subject property will remain unchanged.
2. The following table (Table 2) illustrates how the proposed Specific Plan Amendment will be consistent with the goals and policies of the General Plan.

Table 2

General Plan Consistency Analysis

| Element | Goal & Policy | Project Consistency/comment |
|---------------------------|--|--|
| <u>Land Use</u> | Goal 9: Provide for growth and diversification of industry and industrial related activities within the Santa Fe Springs industrial area. | The propose Specific Plan Amendment will allow for the construction of a new industrial building that will provide a more viable development opportunity of the subject site. |
| | Policy 9.1: Encourage new industries to locate in Santa Fe Springs and providing for the expansion of existing industries | The propose Specific Plan Amendment will prohibit the use of open storage yard within the WDI Specific Plan Area. This will encourage other higher viable industries to operate the subject site. |
| <u>Circulation</u> | Goal 4: Provide for a truck circulation system that facilitates the effective transport of commodities while minimizing the negative impacts throughout the City. | The existing specific plan only allow for trucks access through Santa Fe Springs Road. The propose amendment will diverse some of the truck traffic to Los Nietos Road to create a better circulation system for the subject site. |

SECTION IV. DEVELOPMENT PLAN APPROVAL FINDINGS

Pursuant to Section 155.739 of the City of Santa Fe Springs Zoning Regulations, the Planning Commission shall consider the following findings in their review and determination of the subject Development Plan Approval. Based on the available information, the City of Santa Fe Springs Planning Commission hereby make the following findings:

- (A) *That the proposed development is in conformance with the overall objectives of this chapter.*

The proposed project is located within the M-2, Heavy Manufacturing, Zone. Pursuant to Section 155.240 of the Zoning Regulations, "The purpose of the M-2 Zone is to preserve the lands of the city appropriate for heavy industrial uses, to protect these lands from intrusion by dwellings and inharmonious commercial uses, to promote uniform and orderly industrial development, to create and protect property values, to foster an efficient, wholesome and aesthetically

pleasant industrial district, to attract and encourage the location of desirable industrial plants, to provide an industrial environment which will be conducive to good employee relations and pride on the part of all citizens of the community and to provide proper safeguards and appropriate transition for surrounding land uses.”

The proposed project is consistent with the purpose of the M-2 Zone in the following manner:

1. The land is appropriate for industrial uses based on its zoning, M-2, Heavy Manufacturing and its General Plan Land Use designation of Industrial.
2. The proposed project will result in a new concrete tilt-up speculative industrial building, therefore the land is being maintained for industrial uses.
3. The new building offers new construction with modern amenities (i.e. greater ceiling height, energy efficient, etc.) that will help to attract local industrial businesses to either locate or remain in Santa Fe Springs.

(B) That the architectural design of the proposed structures is such that it will enhance the general appearance of the area and be in harmony with the intent of this chapter.

As mentioned previously, the subject site is currently underutilized. The applicant is proposing to a new concrete-tilt up industrial building on the subject site. The proposed building have been designed with variation in the provided setback, height, color, and materials used. The result is an attractive project with contemporary building that are comparable to other high quality office/industrial projects here in Santa Fe Springs.

(C) That the proposed structures be considered on the basis of their suitability for their intended purpose and on the appropriate use of materials and on the principles of proportion and harmony of the various elements of the building or structures.

The proposed building is well-designed and should be highly suitable for a variety of office, manufacturing and/or warehouse-type users. The design of the proposed building provide quality architectural design, as demonstrated by glazing, pop-outs, and variations in height, materials, and color. These architectural design elements break up the mass of the building, and present an attractive, distinctive façade to visitors. As designed, the new building is suitable for their intended users, and the distinctive design of the building represents the architectural principles of proportion and harmony.

(D) That consideration be given to landscaping, fencing and other elements of the proposed development to ensure that the entire development is in harmony with the objectives of this chapter.

Extensive consideration has been given to numerous elements associated with the proposed project to achieve harmony with the City's Zoning Regulations. The majority of the landscaping will be provided along Los Nietos Road and Greenleaf Avenue for maximum aesthetic value. Additionally, the majority of truck wells and dock doors have been strategically placed so that they will not be directly visible from the public right-of-way. And lastly, the proposed trash enclosures have been strategically placed where they are not visible or easily accessible by the public.

- (E) *That it is not the intent of this subchapter to require any particular style or type of architecture other than that necessary to harmonize with the general area.*

As stated previously, the proposed building is contemporary in design. The architect used variations in the provide setback, materials and color. The style and architecture of the proposed building are consistent with other high quality building in the general area. The architect has applied an extensive amount of glazing, color variation, height variation, and recessed areas into the overall design.

- (F) *That it is not the intent of this subchapter to interfere with architectural design except to the extent necessary to achieve the overall objectives of this chapter.*

Pursuant to Section 155.736 of the Zoning Regulations "The purpose of the development plan approval is to assure compliance with the provisions of this chapter and to give proper attention to the siting of new structures or additions or alterations to existing structures, particularly in regard to unsightly and undesirable appearance, which would have an adverse effect on surrounding properties and the community in general." The Planning Commission believes that proper attention has been given to the location, size, and design of the proposed building. The Planning Commission, therefore, finds that the new contemporary industrial building is well-designed and thus will be an enhancement to the overall area.

SECTION V. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts Resolution No. 152-2020 to approve Tentative Parcel Map No. 82709 to allow the consolidation of seven (7) existing parcels into a single parcel, measuring ±25.33-acres (APN: 8167-002-025, 026, 030, 050, 051, 052, and 053); recommend approval of Specific Plan Amendment Case No. 1 to amend the WDI Specific Plan to allow for large truck access to the project site along Los Nietos Road, allow for direct line of sight to the adjacent school property, and prohibited separate leases for the open yard area; to approve Development Plan Approval Case No. 964 to allow the construction of a new 216,500 square foot industrial building located at 9883 Greenleaf Avenue; and also to approve and adopt the proposed Initial Study/Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program (IS/MND/MMRP) for the subject property located at 9883 Greenleaf Avenue, subject to

conditions attached hereto as Exhibit A.

ADOPTED and APPROVED this 13th day of January, 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS.

Frank Ybarra, Chairperson

ATTEST:

Teresa Cavallo, Planning Secretary

DRAFT CONDITIONS OF APPROVAL
9883 GREENLEAF AVENUE
CENTERPOINT PROPERTIES

TENTATIVE PARCEL MAP CASE NO. 82709

ENGINEERING / PUBLIC WORKS DEPARTMENT:
(Contact: Robert Garcia 562-868-0511 x7545)

1. Final parcel map checking of \$4,970 plus \$295 per parcel shall be paid to the City. Developer shall comply with Los Angeles County's Digital Subdivision Ordinance (DSO) and submit final maps to the City and County in digital format.
2. The applicant shall provide at no cost to the City, one mylar print of the recorded parcel map from the County of Los Angeles Department of Public Works, P.O. Box 1460, Alhambra, CA 91802-1460, Attention: Bill Slenniken (626) 458-5131.

PLANNING AND DEVELOPMENT DEPARTMENT:
(Contact: Jimmy Wong 562-868-0511 x7451)

3. Provisions shall be made for appropriate television systems and for communication systems, including, but not limited to, telephone and internet services. Appropriate cable television systems, as used, means those franchised or licensed to serve the geographical area in which the subdivision is located.
4. The Final Map to be recorded with the Los Angeles County Recorder shall substantially conform to the Tentative Parcel Map submitted by the applicant and on file with the case.
5. Currently, the County of Los Angeles Department of Public Works is utilizing a computerized system to update and digitize the countywide land use base. If the parcel map is prepared using a computerized drafting system, the applicant or their civil engineer shall submit a map in digital graphic format with the final Mylar map to the County of Los Angeles Department of Public Works for recordation and to the City of Santa Fe Springs Department of Public Works for incorporation into its GIS land use map. The City of Santa Fe Springs GIS Coordinate System shall be used for the digital file.
6. Tentative Parcel Map No. 82709 shall expire 24 months after Planning Commission approval, except as provided under the provisions of California Government Code Section 66452.6. During this time period the final map shall be presented to the City of Santa Fe Springs for approval. The subdivision proposed by Tentative Parcel Map No. 82709 shall not be effective until such time that a final map is recorded.
7. The "Subdivider" 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 the subdivision when action is brought within the time period provided for in Government Code, Section 66499.37. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the subdivider of such claim, action or proceeding and shall cooperate fully in the defense thereof.

DEVELOPMENT PLAN APPROVAL CASE NO. 964

ENGINEERING / PUBLIC WORKS DEPARTMENT: **(Contact: Robert Garcia 562-868-0511 x7545)**

STREETS

1. That the applicant shall pay a flat fee of \$131,644.00 to reconstruct/resurface the existing street frontage to centerline for Los Nietos Road and Greenleaf Avenue.
2. The applicant shall pay the costs associated with the installation of an Emergency Vehicle Preemption System (OPTICOM) at the intersection of Los Nietos Road at Greenleaf Avenue as determined by the City Engineer and Fire Chief.
3. That the applicant shall design and construct a 5-foot wide meandering sidewalk per City standards and dedicate an easement along the Los Nietos Road and Greenleaf Avenue street frontages. Dedicated easements shall be shown on the Parcel/Tract Map. Furthermore, said meandering sidewalk shall be shown on both the civil and landscape plans.
4. All oil wells, pipelines, tanks, and related lines within the public right-of-way shall be removed from the right-of-way unless otherwise approved by the City Engineer.
5. That adequate "on-site" parking shall be provided per City requirements, and all streets abutting the development shall be posted "No Stopping Any Time." The City will install the offsite signs and the applicant shall pay \$2,200 to install (11) new signs.
6. The applicant shall reimburse the City for the actual cost for the installation, replacement or modification of street name signs, traffic control signs, striping and pavement markings required in conjunction with the development. The City will complete the work.
7. That the applicant shall design and construct A.D.A. compliant access ramp and associated sidewalk improvements with black truncated domes to be constructed at north west corner of Los Nietos Road and Greenleaf Avenue per Standard Plan A88A. Construction shall be paid for by the owner/ developer.

8. That common driveways shall not be allowed unless approved by the City Engineer.
9. That applicant shall construct all driveway approaches, curb, & gutter per city standard plan R-6.4C along Greenleaf Avenue and Santa Fe Springs Road. Proposed driveways shall be located/constructed to clear existing fire hydrants, street lights, SCE Poles, water meters, pull boxes, crosswalks etc. The applicant shall remove all existing driveways and construct curb & gutter per city standard plan R-7.
10. The applicant and/or developer shall pay for the design, installation, and inspection of undergrounding all overhead existing utilities on private property.

CITY UTILITIES

11. Storm drains, catch basins, connector pipes, retention basin and appurtenances built for this project shall be constructed in accordance with City specifications Los Nietos Road and Greenleaf Avenue. Storm drain plans shall be approved by the City Engineer.
12. Fire hydrants shall be installed as required by the Fire Department. Existing public fire hydrants adjacent to the site, if any, shall be upgraded if required by the City Engineer. That the applicant shall pay to the City the entire cost of design, engineering, installation and inspection of Fire hydrants.
13. That sanitary sewers shall be constructed in accordance with City specifications to serve the subject development. The plans for the sanitary sewers shall be approved by the City Engineer. A sewer study (including a sewer flow test) shall be submitted along with the sanitary sewer plans.
14. All buildings shall be connected to the sanitary sewers.
15. That the fire sprinkler plans, which show the proposed double-check valve detector assembly location, shall have a stamp approval from the Planning Department and Public Works Department prior to the Fire Department's review for approval. Disinfection, pressure and bacteriological testing on the line between the street and detector assembly shall be performed in the presence of personnel from the City Water Department. The valve on the water main line shall be operated only by the City and only upon the City's approval of the test results.
16. That the applicant shall obtain a Storm Drain Connection Permit for any connection to the storm drain system.
17. The applicant shall have an overall site utility master plan prepared by a Registered Civil Engineer showing proposed location of all public water mains, reclaimed water mains, sanitary sewers and storm drains. This plan shall be approved by

the City Engineer prior to the preparation of any construction plans for the aforementioned improvements.

TRAFFIC

18. That all point of access to the proposed development shall be reviewed and approved by the City Engineer. Left turns may be prohibited as designated by the City Engineer.

FEES

19. That the applicant shall comply with Congestion Management Program (CMP) requirements and provide mitigation of trips generated by the development. The applicant and/or developer will receive credit for the demolition of any buildings that formerly occupied the site. For new developments, the applicant and/or developer cannot meet the mitigation requirements, the applicant and/or developer shall pay a mitigation fee to be determined by the City Engineer for off-site transportation improvements.
20. That the applicant shall comply with all requirements of the County Sanitation District, make application for and pay the sewer maintenance fee.
21. That the applicant shall pay the water trunkline connection fee of \$3,700 per acre upon application for water service connection or if utilizing any existing water service.

MISCELLANEOUS

22. That a grading plan shall be submitted for drainage approval to the City Engineer. The applicant shall pay drainage review fees in conjunction with this submittal. A professional civil engineer registered in the State of California shall prepare the grading plan.
23. That a hydrology study shall be submitted to the City if requested by the City Engineer. The study shall be prepared by a Professional Civil Engineer.
24. That upon completion of public improvements constructed by developers, the developer's civil engineer shall submit mylar record drawings and an electronic file (AutoCAD Version 2004 or higher) to the office of the City Engineer.
25. That the applicant shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMPs) on all construction sites in accordance with the current MS4 Permit. The applicant will also be required to submit a Certification for the project

and will be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) and Low Impact Development Plan (LID).

DEPARTMENT OF FIRE - RESCUE (FIRE PREVENTION DIVISION):
(Contact: Raúl Díaz 562-906-3813)

26. The applicant shall comply with the applicable Fire Safety conditions defined in the 2004 Adopted Specific Plan for the Development of the Waste Disposal, Inc. Site or any amendment thereof.

DEPARTMENT OF FIRE - RESCUE (ENVIRONMENTAL DIVISION):
(Contact: Tom Hall 562-868-0511 x3715)

27. The applicant shall comply with the applicable environmental conditions defined in the 2004 Adopted Specific Plan for the Development of the Waste Disposal, Inc. Site or any amendment thereof, with the exception of the soil cleanup standards (Appendix I) which are no longer applicable.

POLICE SERVICES DEPARTMENT:
(Contact: Lou Collazo 562-868-0511 x3335)

28. The applicant shall submit and obtain approval of a proposed lighting (photometric) plan for the property from the City's Department of Police Services. The photometric plan shall be designed to provide adequate lighting (minimum of 1 foot candle power) throughout the subject property. Further, all exterior lighting shall be designed/installed in such a manner that light and glare are not transmitted onto adjoining properties in such concentration/quantity as to create a hardship to adjoining property owners or a public nuisance. The photometric plans shall be submitted to the designated contact person from the Department of Police Services no later than sixty (60) day from the date of approval by the Planning Commission. PDF formatted plans are acceptable and shall be emailed to luiscollazo@santafesprings.org.
29. The applicant shall provide an emergency phone number and a contact for the person or persons involved in the supervision of the construction to the Department of Police Services. The name, telephone number, fax number and e-mail address of that person shall be provided to the Director of Police Services 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.
30. In order to facilitate the removal of unauthorized vehicles parked on the property (after construction of the building is completed), the applicant shall post, in plain view and at each entry to the property, a sign not less than 17" wide by 22" long. The sign shall prohibit the public parking of unauthorized vehicles and indicate that unauthorized vehicles will be removed at the owner's expense and also contain

the California Vehicle Code that permits this action. The sign shall also contain the telephone number of the local law enforcement agency (Police Services Center (562) 409-1850). The lettering within the sign shall not be less than one inch in height. The applicant shall contact the Police Services Center for an inspection no later than 30 days after the project has been completed and prior to the occupancy permit being issued.

31. All tenants occupying the premises are to be notified that all respective work shall be conducted inside at all times including, but not limited to, all loading and unloading of trucks and trailers. Items and/or merchandise shall not be left out awaiting loading.
32. Trucks are not to back-in from the street or block traffic at any time; drivers are subject to citations.
33. Off-street parking areas shall not be reduced or encroached upon at any time.
34. 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.
35. During the construction phase of the proposed project, the contractor shall provide an identification number (i.e. address number) at each building and/or entry gate to direct emergency responders in case of an emergency. The identification numbers may be painted on wood boards and fastened to the temporary construction fence. The boards may be removed after each building has been identified with their individual permanent number address. **DO NOT PAINT NUMBERS ON THE BUILDING.**
36. It shall be the responsibility of the job-supervisor to maintain the job site in a clean and orderly manner. Dirt, dust, and debris that has migrated to the street or neighboring properties shall be immediately cleaned. Porta-potties, or equal, shall not be visible from the public street and maintained on a regular basis.
37. All construction debris shall be placed in trash/recycle bins at the end of every work day and shall not be left visible from public view.
38. The property owner and/or lease agent shall notify any potential tenants they are mandated to comply with the ambient noise requirements as required by Santa Fe Springs Zoning Code Section 155.424.
39. The property owner and/or lease agent shall notify any potential tenants that the parking areas and their respective aisles shall not be reduced or encroached upon with outdoor storage. Moreover, outdoor storage is prohibited at all times.

40. All parking stalls and/or designated parking areas shall be constantly available to all employees during their business hours. Parking Stalls shall not be sectioned off for reserved or preferred parking. Temporary reduction of parking stalls for building construction material, repairs, or the like is permitted and/or for servicing wells, or other underground utilities.
41. The fencing around the perimeter of the property shall be made of expanded metal fence type or equal with small openings to prevent climbing. The fence shall be a minimum height of 11'-0" and shall not have barbed wire, razor wire or other similar additions. The fence along the adjacent school may be subject to full screening if items are visible from the school grounds.

WASTE MANAGEMENT:

(Contact: Wayne Morrell 562-868-0511 x7362)

42. 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.
43. All projects over \$50,000 are subject to the requirements of Ordinance No. 914 to reuse or recycle 75% of the project waste. Contact the Recycling Coordinator, Teresa Cavallo at (562) 868-0511 x7309.
44. 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: Jimmy Wong 562-868-0511 x7451)

45. Within the first 5 years following completion of the warehouse shell building, in the event that a tenant of the property proposes to operate trucks with transport refrigeration units (TRUs), the developer/owner shall submit additional technical information (i.e., air quality/greenhouse gas emissions modeling, health risk assessment) to the City of Santa Fe Springs as they may reasonably require. The City shall use this additional technical information to determine whether substantial evidence exists that additional air quality, greenhouse gas, and/or health risk impacts would occur beyond those disclosed in the adopted Mitigated Negative Declaration (and related technical studies) for the Greenleaf Business Center Project (State Clearinghouse No. 2019119061), and whether such impacts warrant further environmental analysis under the California Environmental Quality Act and the adoption of additional feasible mitigation measures.
46. The developer shall provide the City of Santa Fe Springs with a good faith estimate of the total daily and A.M. and P.M. peak hour traffic trips to be generated by tenant(s) intending to lease the building within the first 5 years following completion

of the warehouse shell building. If such estimated traffic trips exceed the quantity of trips disclosed in the "Traffic Impact Analysis for the Greenleaf Business Center Project" dated September 24, 2019 (the "TIA"), the developer shall submit additional information as the City may reasonably require. The City shall use this additional information to determine whether substantial evidence exists that additional traffic impacts would occur beyond those disclosed in the Traffic Impact Analysis for the Greenleaf Business Center Project, and whether such impacts warrant the adoption of additional feasible mitigation measures.

47. Prior to the issuance of any building permit for the subject development, the Developer/Applicant shall provide the City's Planning and Development Department with a copy of the US EPA's written approval of the Project's proposed building and related improvements.
48. To prevent the travel of combustible methane gas into any structure, all slab or foundation penetrations, including plumbing, communication and electrical penetrations must be sealed with an appropriate material. In addition, underground electrical conduits penetrating the slab or foundation of the structure, shall comply with the National Electrical Code (NEC), replete with a seal-off device normally required for classified electrical installations, so as to prevent the travel of combustible methane gas into the structure through conduit runs. Refer to California Electrical Code, Chapter 5, Sections 500 and 501.
49. The subject property is located within the "Methane Zone". As such, the owner/developer shall indicate the subject property is located within the Methane Zone on the first page of the building construction plans. Said indication shall be clearly printed with a minimum 20 point front size.
50. The Mitigation Monitoring and Reporting Program, which was prepared for the proposed project and adopted by the Planning Commission upon completion of the Initial Study/Mitigated Negative Declaration, shall be made part of the conditions of approval for the subject development. The Mitigation Monitoring and Reporting Program is listed as an attachment in Resolution No. 152-2020.
51. The applicant shall be responsible for implementing mitigation measures pursuant to the Mitigation Monitoring and Reporting Program and provide all necessary documentation. Planning Department staff will verify compliance prior to the issuance of the Certificate of Occupancy. On-going monitoring shall be reported to the City every six (6) months.
52. The Department of Planning and Development requires that the double-check detector assembly be placed as far back as practical, screened by shrubs or other materials, and painted forest green. All shrubs shall be planted a minimum distance of two (2) feet surrounding the detector assembly; however, the area in front of the OS and Y valves shall not be screened. The screening shall also only be applicable to the double-check detector assembly and shall not include the fire department connector (FDC). Notwithstanding, the Fire Marshall shall have

discretionary authority to require the FDC to be located a minimum distance from the double-check detector assembly. There shall also be a maximum height of two (2) feet from the ground to the bottom of the valve shut off wheel.

53. Applicant shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 1054.
54. Prior to submitting plans to the Building Division for plan check, the applicant shall submit Mechanical plans that include a roof plan that shows the location of all roof mounted equipment. All roof-mounted mechanical equipment and/or duct work which projects above the roof or roof parapet of the proposed development and is visible from an adjacent property or a public street shall be screened by an enclosure which is consistent with the architecture of the building and approved by the Director of Planning or designee.
 - a. To illustrate the visibility of equipment and/or duct work, the following shall be submitted along with the Mechanical Plans:
 - i. A roof plan showing the location of all roof-mounted equipment;
 - ii. Elevations of all existing and proposed mechanical equipment; and
 - iii. A building cross-section drawing which shows the roof-mounted equipment and its relation to the roof and parapet lines.
55. It shall be unlawful for any person to operate equipment or perform any outside construction or repair work on buildings, structures, or projects, other than emergency work, between 7:00 p.m. on one day and 7:00 a.m. of the following day, if such maintenance activity produces noise above the ambient levels as identified in the City's Zoning Regulations.
56. Applicant shall submit for approval a detailed landscape and automatic irrigation plan pursuant to the Landscaping Guidelines of the City. Said landscape plan shall indicate the location and type of all plant materials, existing and proposed, to be used and shall include shrubs designed to fully screen the interior yard and parking areas from public view and 24" box trees along the street frontage. *Said plans shall be consistent with AB 1881 (Model Water Efficient Landscape Ordinance).*
57. The landscaped areas shall be provided with a suitable, fixed, permanent and automatically controlled method for watering and sprinkling of plants. This operating sprinkler system shall consist of an electrical time clock, control valves, and piped water lines terminating in an appropriate number of sprinklers to insure proper watering periods and to provide water for all plants within the landscaped area. Sprinklers used to satisfy the requirements of this section shall be spaced to assure complete coverage of all landscaped areas. *Said plan shall be consistent with AB 1881 (Model Water Efficient Landscape Ordinance).*
58. Upon completion of the new landscaping and landscape upgrade, 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.

59. The electrical plans, which show the location of electrical transformer(s), shall be subject to approval by the Planning Department. Transformers shall not be located within the front yard setback area. The location of the transformer(s) shall be subject to the prior approval of the Director of Planning and Development or designee. The electrical transformer shall be screened with shrubs consistent with Southern California Edison's Guidelines which requires three foot clearance on sides and back of the equipment, and eight foot clearance in front of the equipment. Additionally, the landscaping irrigation system shall be installed so that they do not spray on equipment. A copy of "Landscaping Around Commercial Pad-mounted Transformers" guidelines is available at the Planning Department.
60. All activities shall occur inside the building. 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.
61. 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.
62. 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.
63. 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.
64. A sufficient number of approved outdoor trash enclosures shall be provided for the development subject to the approval of the Director of Planning or designee. The calculation to determine the required storage area is: 1% of the first 20,000 sq. ft. of floor area + ½% of floor area exceeding 20,000 sq. ft., but not less than 4 ½ feet in width nor than 6 feet in height. (*Calculations are subject to change*)
65. The applicant shall not allow commercial vehicles, trucks and/or truck tractors to queue on Greenleaf Avenue, Santa Fe Springs Road, or Los Nietos Road, use streets as a staging area, or to back up onto the street from the subject property.
66. The proposed building shall be constructed of quality materials. Any material shall be replaced when and if the material becomes deteriorated, warped, discolored or rusted.

67. 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.
68. Prior to issuance of demolition, grading or building permits, the applicant shall comply with the following conditions to the satisfaction of the City of Santa Fe Springs:
 - a. Covenants.
 1. Applicant shall provide a written covenant to the City that, based on reasonable investigation and inquiry, to the best of applicant's knowledge, it does not know or have reasonable cause to believe that it is in violation of any notification, remediation or other requirements of any federal, state or local agency having jurisdiction concerning the environmental conditions of the Property.
 - b. Applicant understands and agrees that it will comply with all terms, conditions and restrictions that pertain to and protect the remedy that the U.S. EPA has approved to address any and all contamination on or under any land or structure affected by this approval and issuance of related building permits (Environmental Remedy Conditions). The City, Commission, Planning Commission or their employees, by this approval and by issuing related building permits, in no way warrants that said land or structures are free from contamination or health hazards.
 - c. Applicant understands and agrees that any representations, actions or approvals by the City, Planning Commission or their employees do not indicate any representation that regulatory permits, approvals or requirements of any other federal, state or local agency have been obtained or satisfied by the applicant and, therefore, the City, Planning Commission or their employees do not release or waive any obligations the applicant may have to obtain all necessary regulatory permits and comply with all other federal, state or other local agency regulatory requirements. Applicant, not the City, Planning Commission or their employees will be responsible for any and all penalties, liabilities, response costs and expenses arising from any failure of the applicant to comply with such regulatory requirements.
 - d. United States Environmental Protection Agency (US EPA)/Qualified Environmental Professional Approvals:
 1. Prior to and as a condition of the City's issuance of any demolition permit for the Project, Applicant shall provide the

Planning Department either: (i) a copy of the US EPA's written approval of Applicant's demolition plans for which the permit is sought, or (ii) a copy of a written determination by a person who qualifies as an environmental professional under US EPA's standards in 40 CFR Section 312.10(b) (Qualified Environmental Professional) that such demolition plans comply with the Environmental Remedy Conditions.

2. Prior to and as a condition of the City's issuance of any grading permit for the Project, Applicant shall provide the Planning Department either: (i) a copy of the US EPA's written approval of Applicant's grading plans for which the permit is sought, or (ii) a copy of a written determination by a Qualified Environmental Professional that such grading plans comply with the Environmental Remedy Conditions.
 3. Prior to and as a condition of the City's issuance of any building permit for any Project improvement, Applicant shall provide the Planning Department either: (i) a copy of the US EPA's written approval of Applicant's plans for any Project improvement for which the permit is sought, or (ii) a copy of a written determination by a Qualified Environmental Professional that such plans comply with the Environmental Remedy Conditions.
69. 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 the Business License Clerk at (562) 868-0511, extension 7527, or through the City's web site (www.santafesprings.org).
70. 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 not be accepted for Plan Check without the conditions of approval incorporated into the construction drawings.*
71. 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 Business License Clerk, at (562) 868-0511, extension 7527 for additional information. A business license application can also be downloaded at www.santafesprings.org.

72. The final plot plan, floor plan and elevations of the proposed development and all other appurtenant improvements, textures and color schemes shall be subject to the final approval of the Director of Planning.
73. All loading and unloading shall occur within the interior of the building. Parking by trucks, cars or any other type of vehicles would compromise the width of the fire line. Should the width of fire line be compromised, the owner shall, within 60 days upon receipt of notice from the Planning Department, frame-in the door. This process requires plans to be submitted for approval to the Building Division and Planning Department.
74. 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.
75. The applicant shall be responsible for ensuring that information contained in construction drawings and/or landscape & irrigation plans are consistent among architectural, structural, electrical, mechanical, plumbing, fire, utility and public improvement plans as well as other civil drawings. This responsibility may be transferred by the applicant to the project architect. While the City aims to correct inconsistencies, it is the ultimate responsibility of the applicant/project architect to remedy, up to and including completion of construction revisions prior to receiving final occupancy approvals.
76. Applicant shall clarify on the construction drawings that all roof drains facing streets shall be provided along the interior walls and not along the exterior of the building.
77. All other requirements of the City's Zoning Ordinance, WDI Specific Plan, 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.
78. Applicant, CenterPoint Properties, agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards arising from or in any way related to the subject Development Plan Approval, or any actions or operations conducted pursuant thereto. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the applicant of such claim, action or proceeding, and shall cooperate fully in the defense thereof.
79. It is hereby declared 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.

Attachment 7: Full Set of Plan

CONSULTANT

PROFESSIONAL SEALS

WDI DEVELOPMENT
PROJECTGREENLEAF / LOS NIETOS ROAD
SANTA FE SPRINGS, CACENTERPOINT PROPERTIES
725 S. FIGUEROA STREET
SUITE 3005
LOS ANGELES, CA 90017
CONTACT: WILLIAM LU
PH: 213-488-8695

| DD | 08/8/19 | PLANNING RESUBMITTAL |
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| DD | 07/29/19 | PLANNING RESUBMITTAL |
| DD | 04/29/19 | PLANNING RESUBMITTAL |
| DD | 01/07/19 | PLANNING SUBMITTAL |
| SD | 10/17/18 | SCHEMATIC DESIGN |
| MARK | DATE | DESCRIPTION |

RGA PROJECT NO.: 18019-00
OWNER PROJECT NO.: 00000-00
CAD FILE NAME: 18019-00-A1-1P
DRAWN BY: MG
CHK'D BY: CSCOPYRIGHT
RGA, OFFICE OF ARCHITECTURAL DESIGN

SHEET TITLE

SITE PLAN

TRASH AREA CALCULATION

REQUIRED TRASH AREA:
1% FOR THE FIRST 20,000 SF
1/2% FOR AFTER 20,000 SF
TOTAL REQUIRED

PROVIDED TRASH AREA

200 SF
968 SF
1,168 SF

1,240 SF

APPLICANT

RGA, OFFICE OF ARCHITECTURAL DESIGN, INC.
15231 ALTON PARKWAY SUITE 100
IRVINE CA, 92618
PH: (949) 341-0920
FAX (949) 341-0922
CONTACT: MIKE GILL

OWNER

CENTERPOINT PROPERTIES
725 S. FIGUEROA STREET, SUITE 3005
LOS ANGELES CA, 90017
PH: (213) 488-8695
CONTACT: WILLIAM LU

PROJECT SUMMARY

ZONE: HEAVY MANUFACTURING (M-2)
SITE AREA: 1,103,831 SF / 25.33 AC
OVERALL SITE AREA: 1,103,831 SF / 25.33 AC
FOOTPRINT AREA: 208,500 SF
FIRST FLOOR OFFICE: 8,000 SF
SECOND FLOOR AREA: 8,000 SF
WAREHOUSE AREA: 200,500 SF
TOTAL BUILDING AREA: 216,500 SF
SITE LOT COVERAGE: 19.25 %
SITE F.A.R.: 19.81 %
PARKING REQUIRED:
0 - 25,000 SF (1/500 SF) 50 STALLS
25,001 SF - 100,000 SF (1/750 SF) 100 STALLS
100,001 SF - 200,000 SF (1/1,000 SF) 100 STALLS
200,001 SF AND ABOVE (1/2,000 SF) 8 STALLS
TOTAL STALLS: 258 STALLSPARKING PROVIDED:
ACCESSIBLE STALLS 12 STALLS
STANDARDS STALLS 250 STALLS
COMPACT STALLS (25% MAX) 100 STALLS
TOTAL STALLS: 262 STALLSBICYCLE PARKING STALLS 5% OF MOTORIZED VEHICLES (CAL. GREEN)
1-BICYCLE STALL SHALL BE DESIGNATED FOR LONG TERM PARKING
TOTAL BICYCLE STALLS PROVIDED 13 STALLSLANDSCAPE REQUIRED:
25 SF PER 1 FT OF FRONTAGE: 439' X 25 SF 10,975 SF
PLUS:
(8% OF PARKING AREA) PARKING AREA IS 41,207 SF 2,473 SF
TOTAL LANDSCAPE REQUIRED 13,448 SF
LANDSCAPE PROVIDED: 90,175 SFREQUIRED TRAILER:
TRAILER PARKING (1/4 DOCK DOORS) 46 DOCK DOORS / 4 = 12 TRAILERS
PROVIDED TRAILER PARKING: 431 TRAILER POSITIONS

PROJECT INFORMATION

ASSESSOR PARCEL NUMBERS: 8167-002-025, 026, 030, 050, 051, 052
8163-002-053

GENERAL PLAN DESIGNATION: INDUSTRIAL

ZONE DESIGNATION: HEAVY MANUFACTURING (M-2)

CONSTRUCTION TYPE: III-B

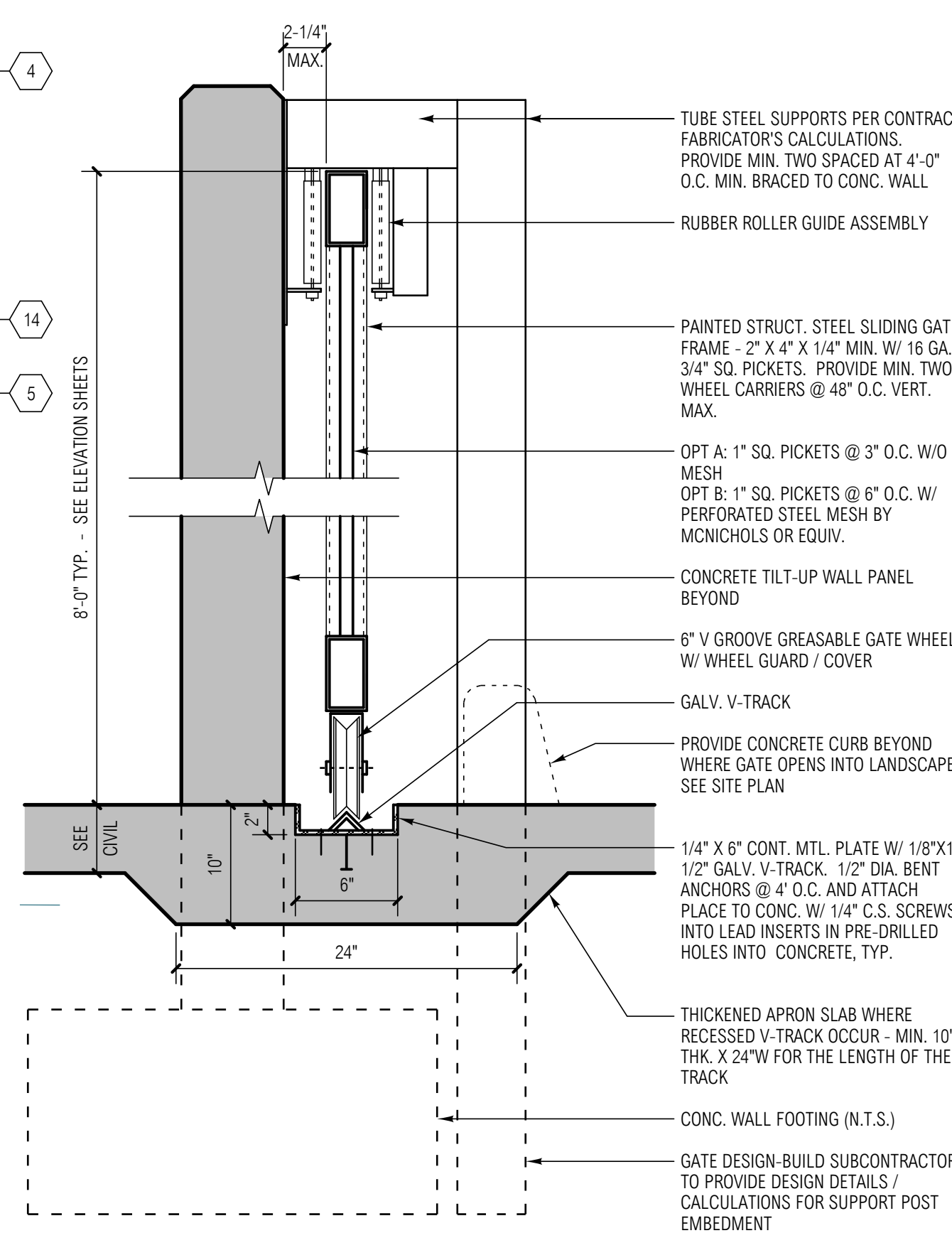
OCCUPANCY: B / S-1

KEYNOTES:

- PROPOSED PAINTED CONCRETE TILT-UP INDUSTRIAL BUILDING.
- TYPICAL PARKING STALL - 8.5' X 19'. STRIPING PER CITY STANDARDS W/ 2'-0" OVERHANG
- TRUCK YARD W/ DOCK HIGH AND GRADE LEVEL TRUCK DOORS.
- LANDSCAPING - SEE CONCEPT LANDSCAPE PLAN.
- PRIMARY BUILDING ENTRANCE.
- 6'-0" CONCRETE PAINTED TRASH ENCLOSURE LOCATIONS.
- CONCRETE 12'-0" HIGH SCREENWALL WITH TUBE STEEL SLIDING GATE.
- PROPOSED PROPERTY LINES.
- 8'-0" HIGH BLACK TUBE STEEL FENCE.
- ELECTRICAL TRANSFORMER TO BE SCREENED BY LANDSCAPE.
- ELECTRICAL EQUIPMENT TO BE LOCATED IN THE ELECTRICAL ROOM.
- BIKE RACK LOCATION.
- TRAILER PARKING POSITIONS PER CITY STANDARDS.
- GABION WALLS 42" AFF ABOVE GRADE - SEE ELEVATIONS FOR FURTHER INFORMATION.

GENERAL NOTES:

- EXISTING STRUCTURES ONSITE TO BE REMOVED.
- CONCEPTUAL MONUMENT SIGN LOCATIONS ARE PROVIDED ONLY. NO SIGNS ARE PROPOSED WITH THIS APPLICATION PACKAGE.
- ALL PROPOSED NEW ON-SITE UTILITY SERVICES SHALL BE UNDERGROUNDED.
- DRIVEWAYS SHALL BE CONSTRUCTED PER CITY STANDARD PLAN.
- DAMAGED SECTIONS OF CURB & GUTTER ALONG THE PROJECTS FRONTAGE SHALL BE REPAIRED.
- STATE OF CALIFORNIA "GENERAL CONSTRUCTION NPDES PERMITS AND WQID NUMBERS MUST BE OBTAINED PRIOR TO PERMIT.
- PROVIDE 1 FOOTCANDLE MIN. THROUGH-OUT THE DEVELOPMENT.

NOTES:
1. FINAL GATE DESIGN PER CONSTRUCTION DRAWINGS - DETAIL SHOWN HERE FOR PLANNING REFERENCE.

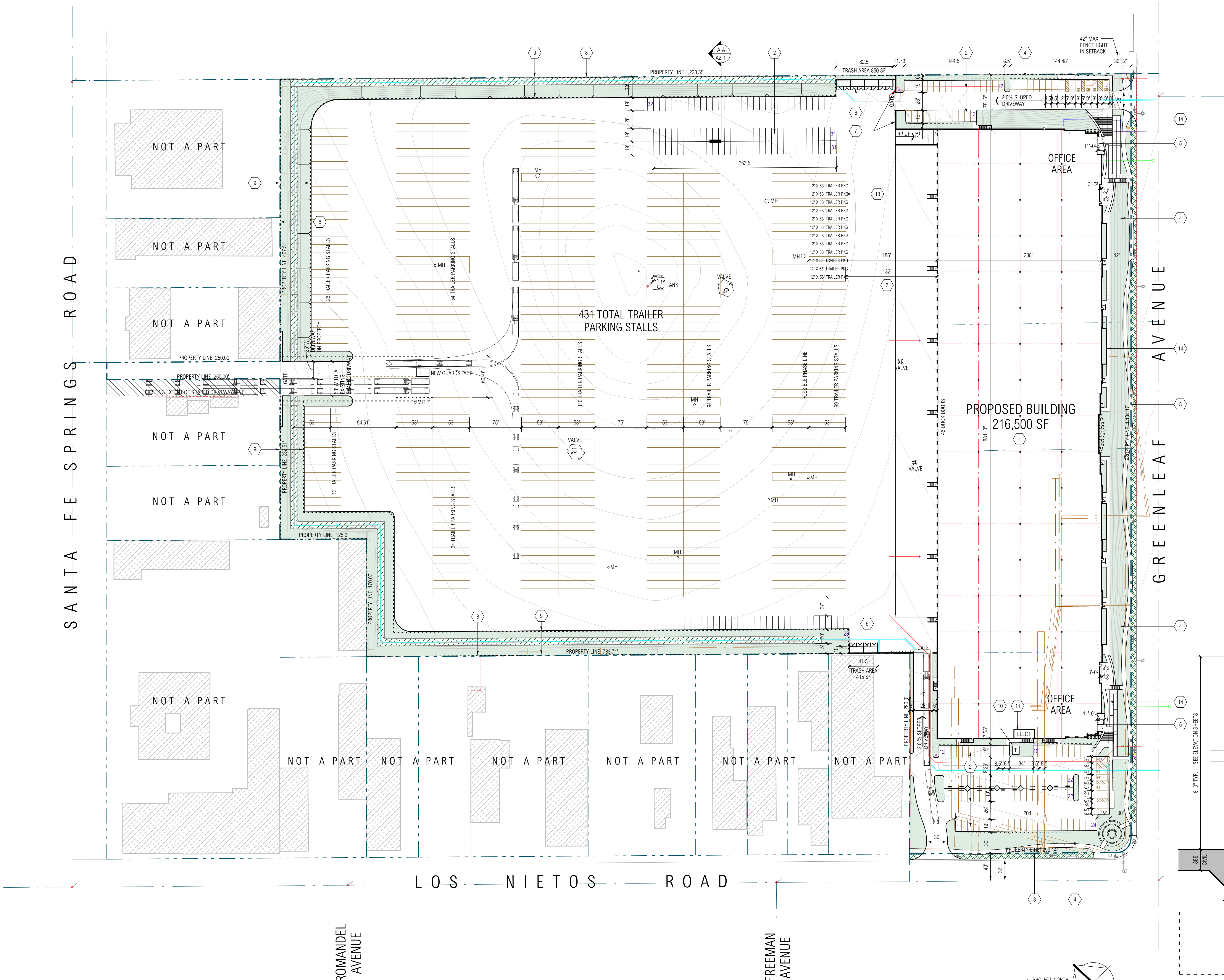
SINGLE ROLLING GATE

SCALE: 1-1/2\"/>

A

SITE PLAN

SCALE: 1\"/>



CONSULTANT

PROFESSIONAL SEALS

WDI DEVELOPMENT
PROJECTGREENLEAF / LOS NIETOS ROAD
SANTA FE SPRINGS, CACENTERPOINT PROPERTIES
725 S. FIGUEROA STREET
SUITE 3005
LOS ANGELES, CA 90017
CONTACT: WILLIAM LU
PH: 213-488-8695

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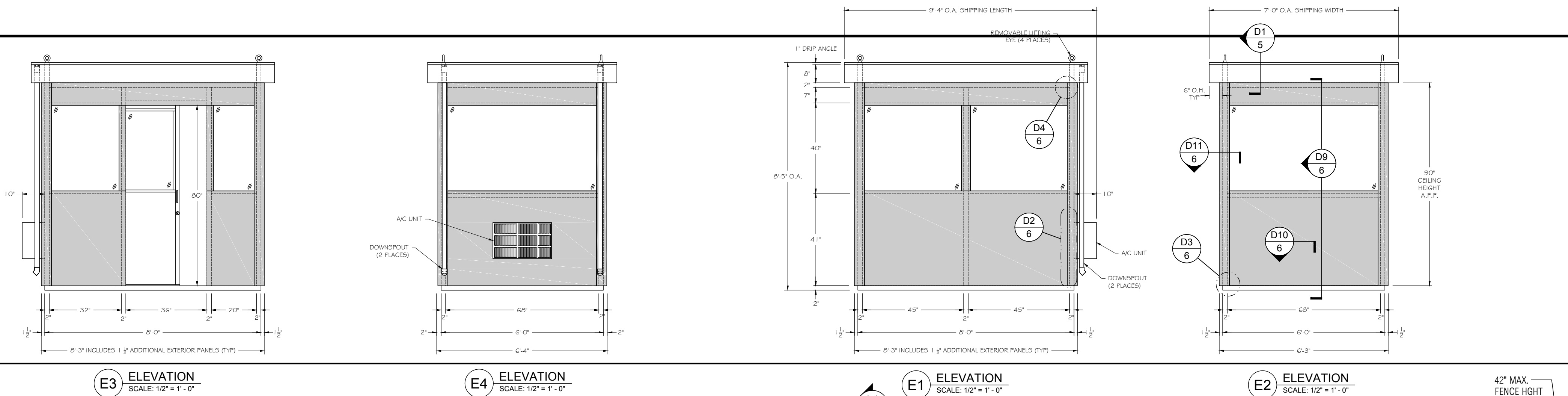
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CAD FILE NAME: 18019-00-A1-1P
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FENCE PLAN

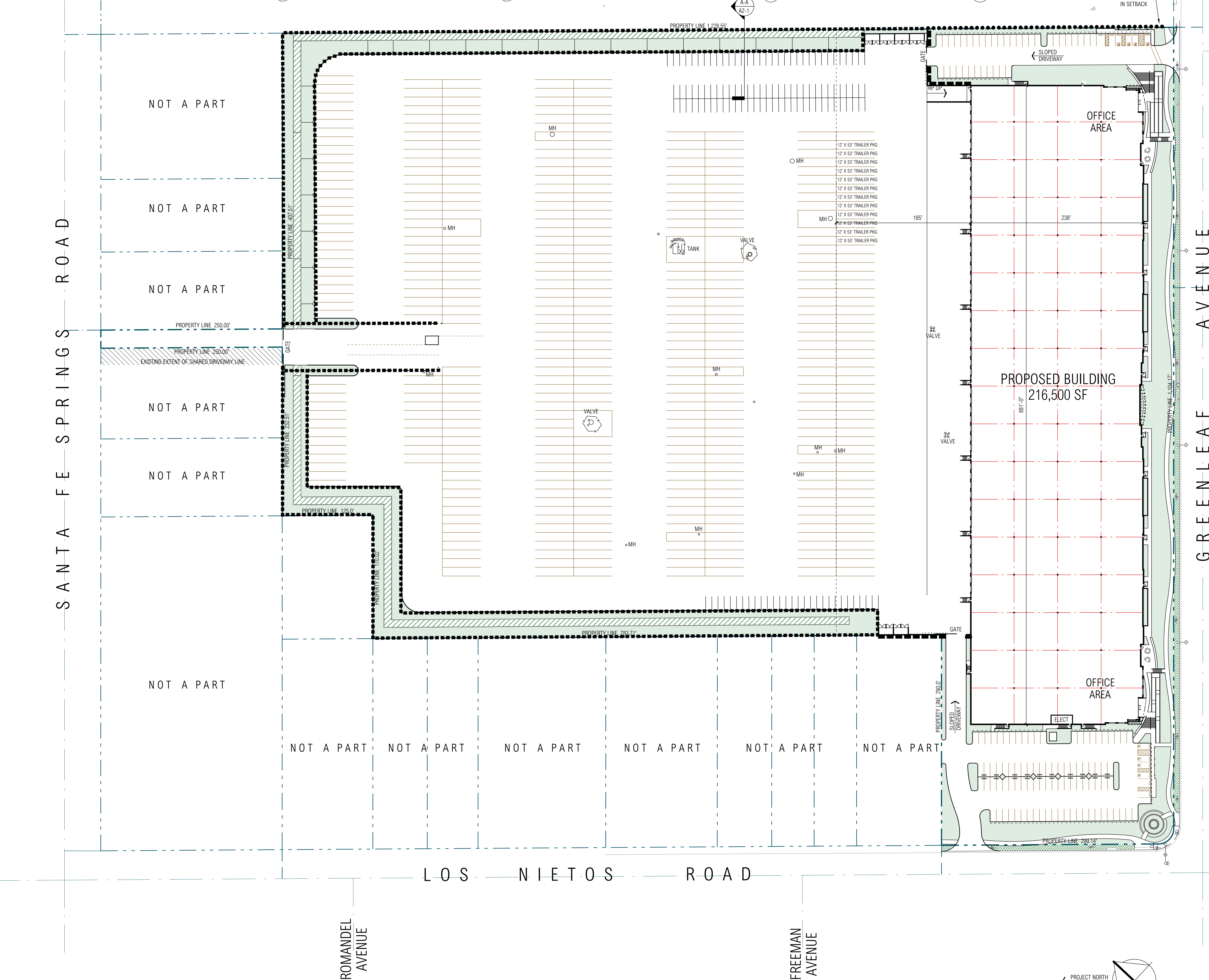
GUARDSHACK ELEVATIONS

SCALE: 1" = 60'-0"



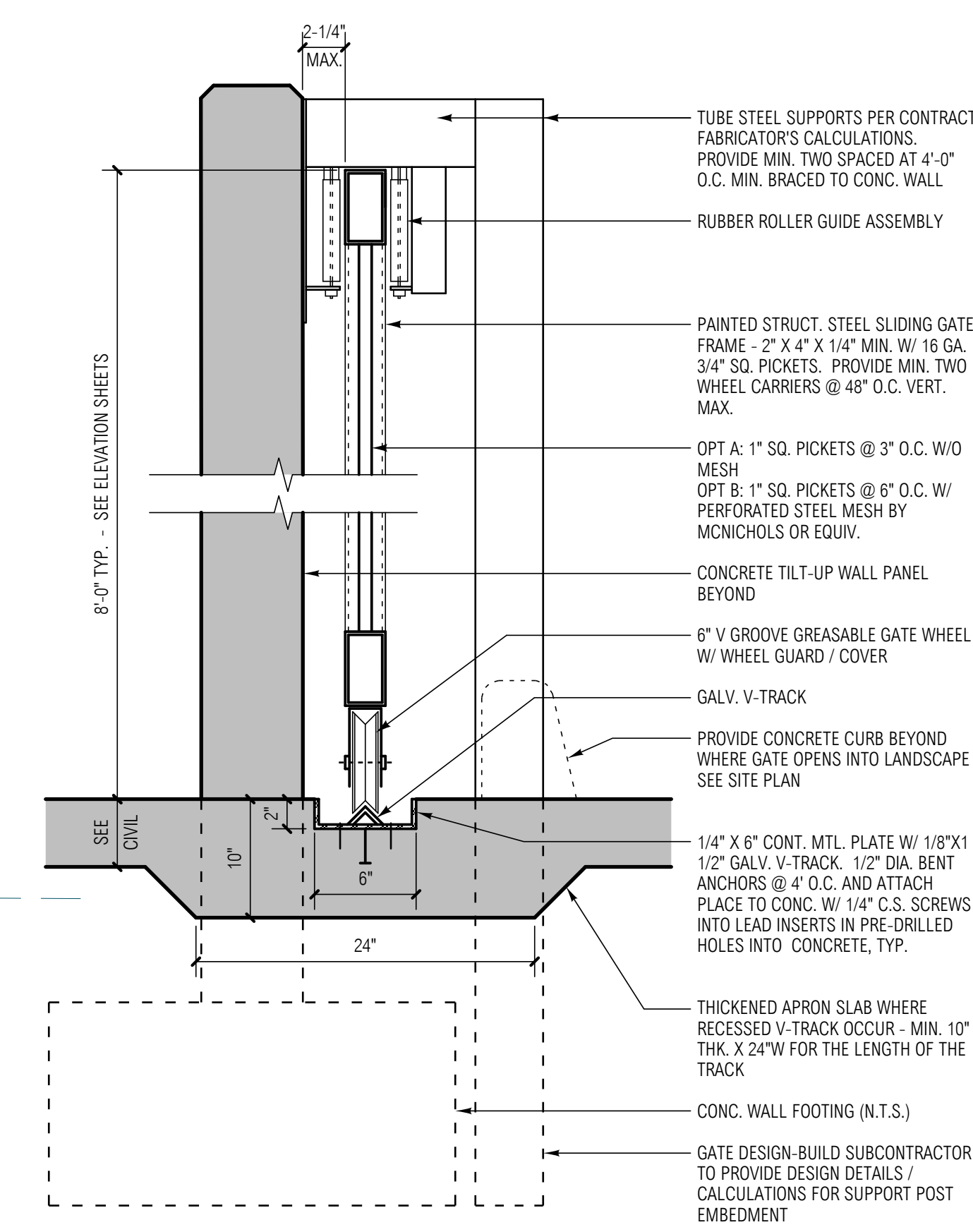
SCREENING LEGEND

- 5'-0" BLACK PAINTED TUBULAR STEEL PICKET FENCE.
- 8'-0" BLACK PAINTED TUBULAR STEEL PICKET FENCE.
- 13'-6" PAINTED CONCRETE SCREEN WALL PAINT AND REVEALS



FENCE PLAN

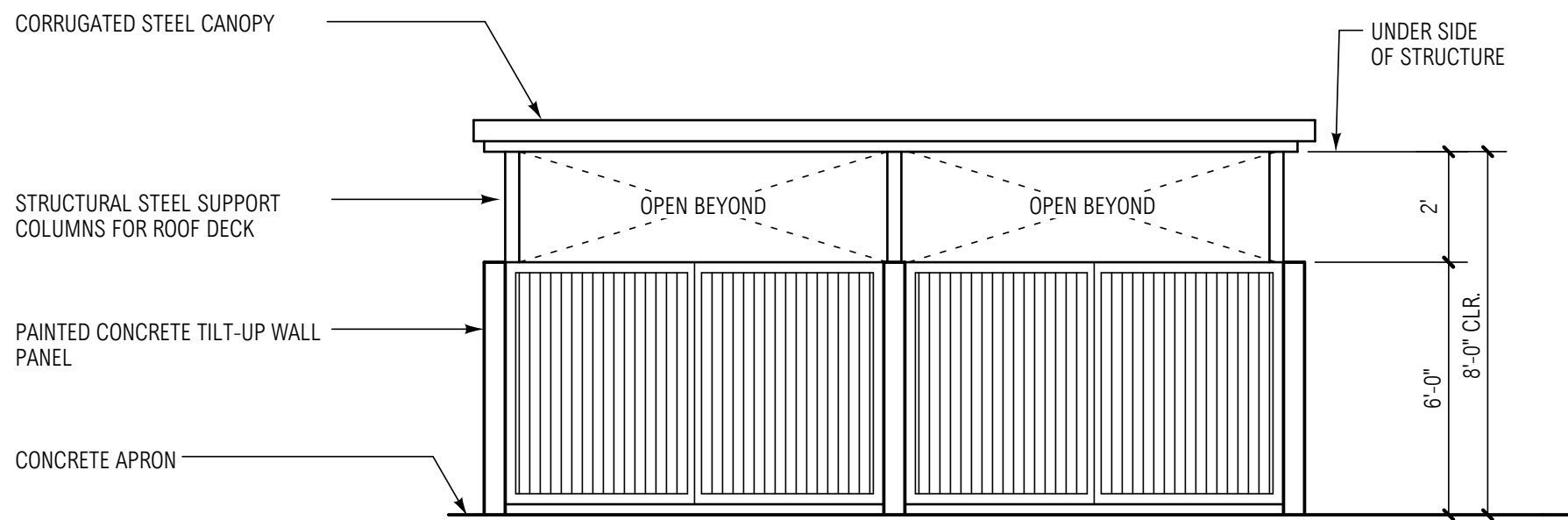
SCALE: 1" = 60'-0"

NOTES:
1. FINAL GATE DESIGN PER CONSTRUCTION DRAWINGS - DETAIL SHOWN HERE FOR PLANNING REFERENCE.

SINGLE ROLLING GATE

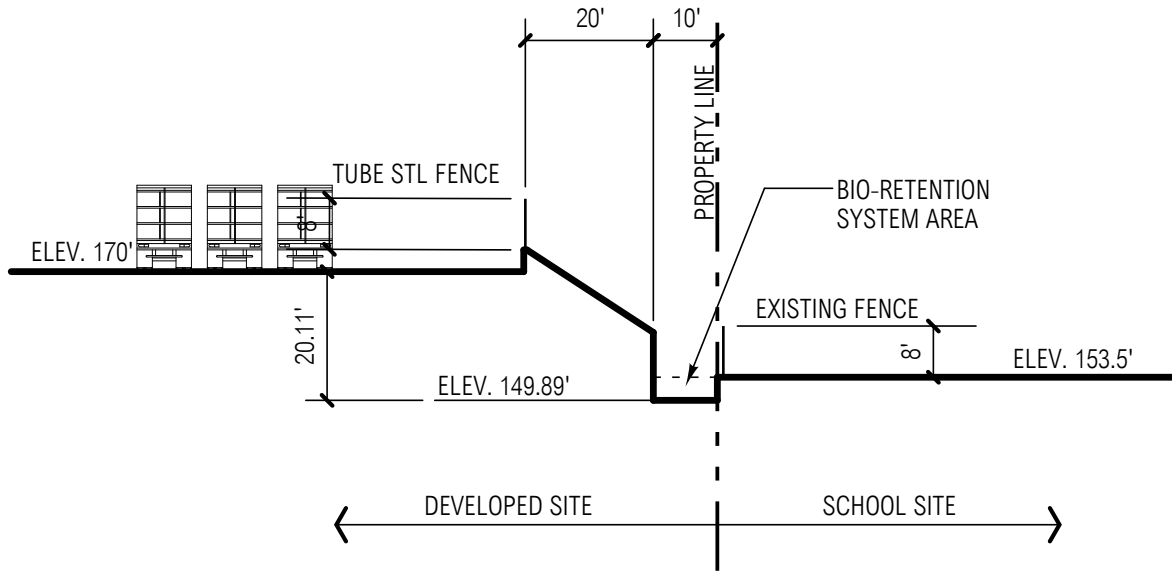
SCALE: 1-1/2" = 1'-0"

A



TRASH ENCLOSURE FRONT ELEVATIONS

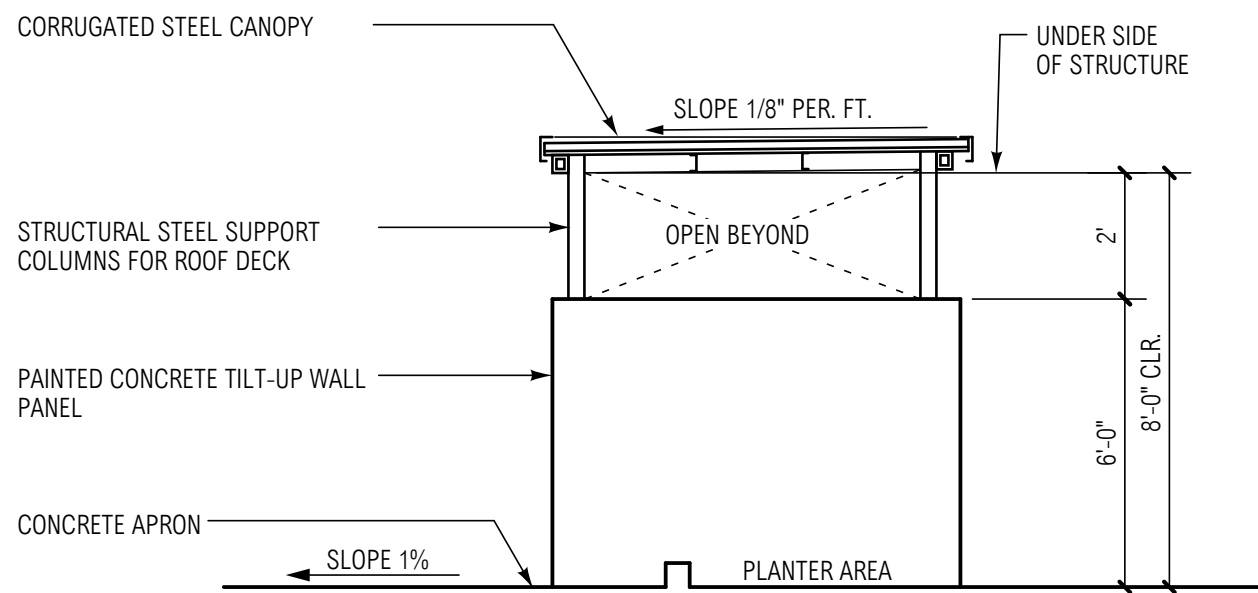
SCALE: 1/4" = 1'-0"



SECTION A-A

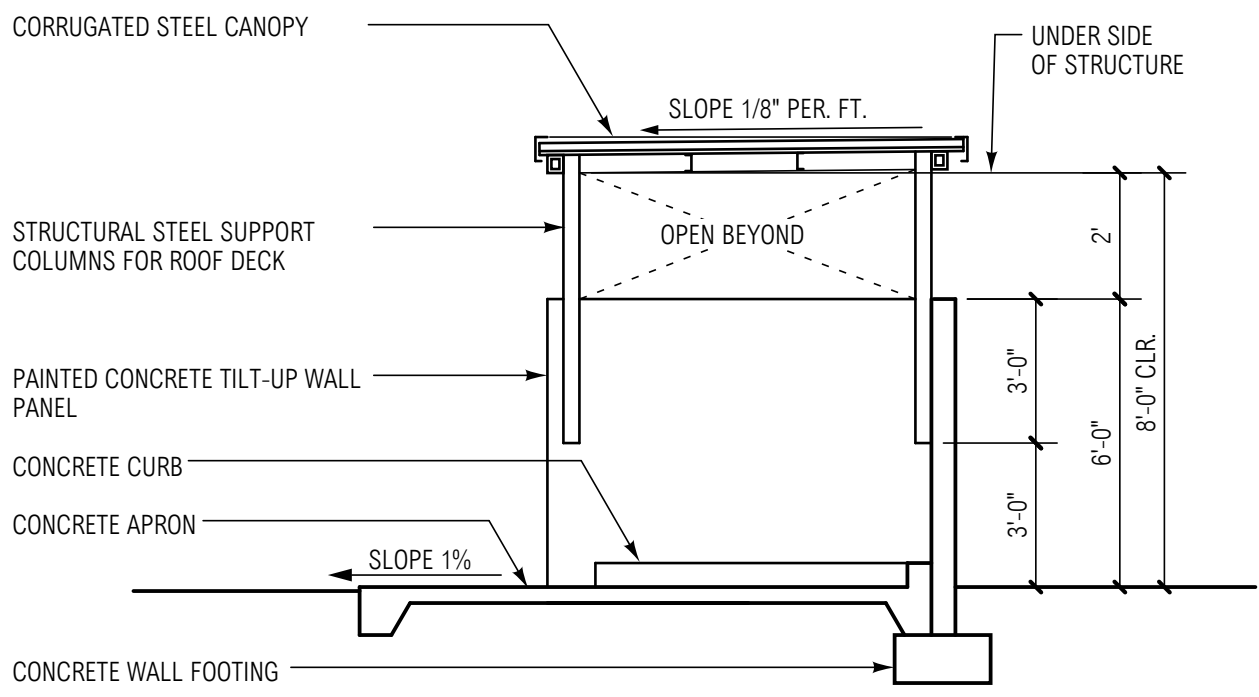
SCALE: 1/30" = 1'-0"

A-A



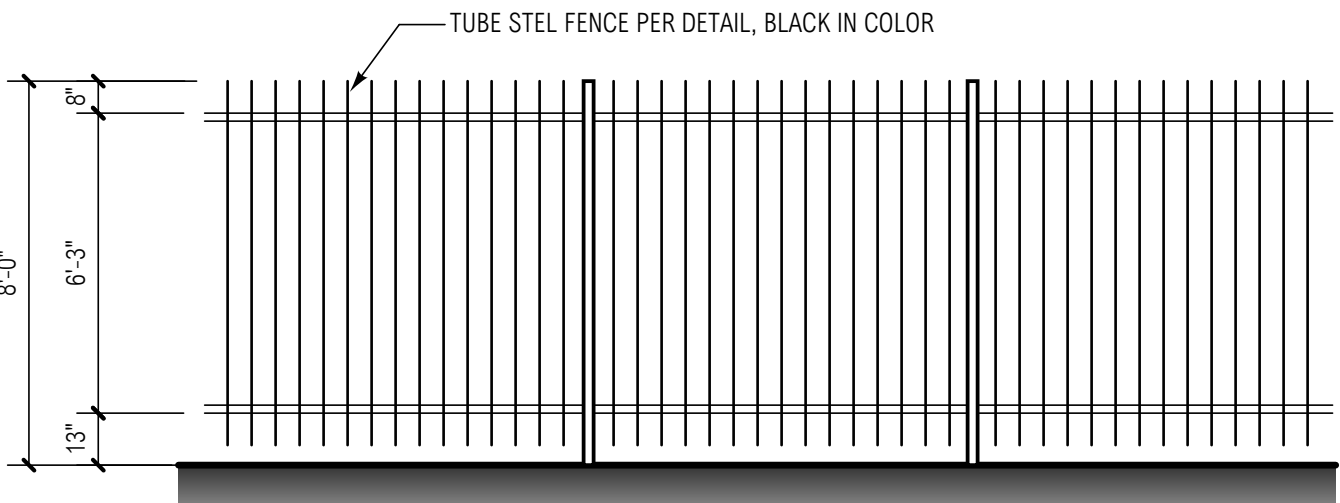
TRASH ENCLOSURE SIDE ELEVATIONS

SCALE: 1/4" = 1'-0"



TYPICAL TRASH ENCLOSURE SECTION

SCALE: 1/4" = 1'-0"



TYPICAL TUBE STEEL FENCE ELEVATION

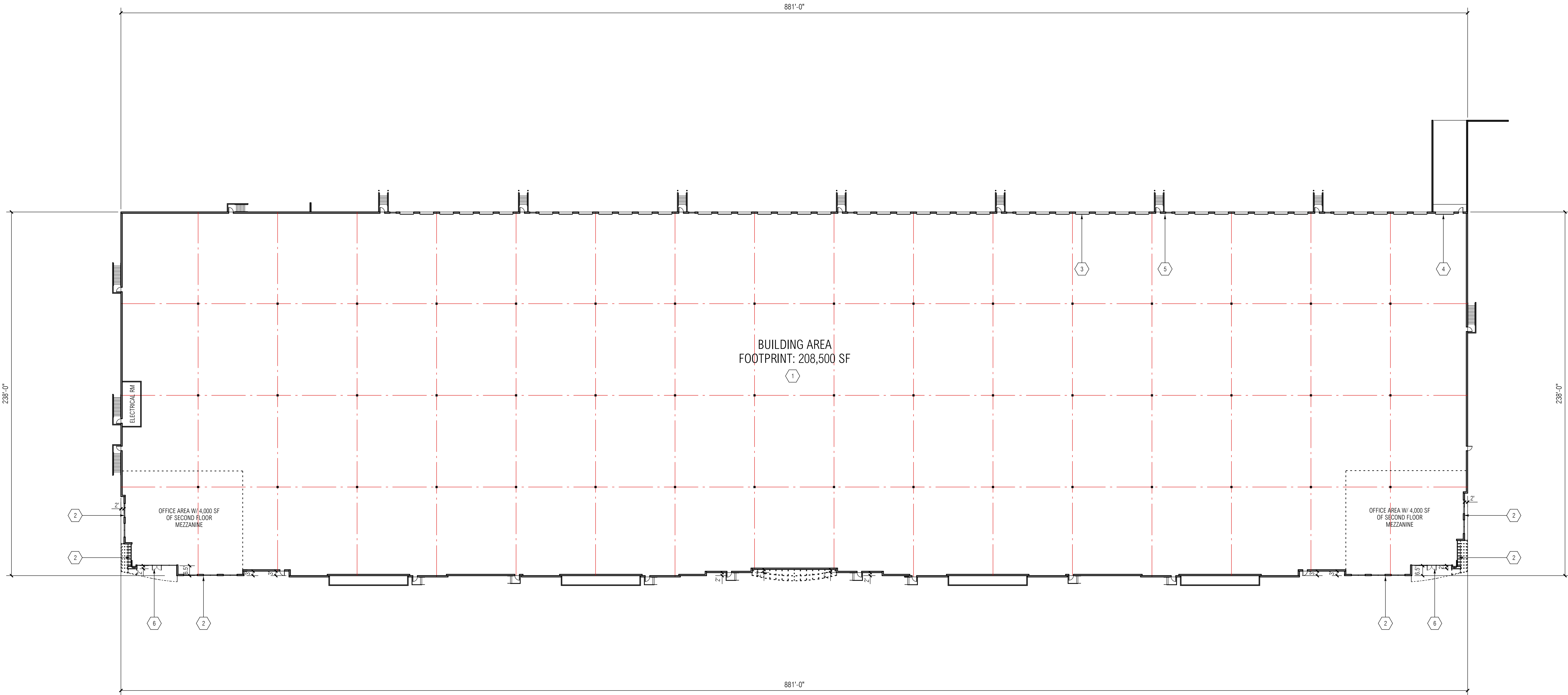
SCALE: 1/4" = 1'-0"

KEYNOTES

1. PAINTED CONCRETE TILT-UP WALL PANEL WITH 2" WIDE RECESSED REVEAL LINES.
2. STOREFRONT: BLUE GLAZING SET IN CLEAR ANODIZED ALUMINUM 2" X 4 1/4" MIN. OFFSET GLAZING SYSTEM.
3. PAINTED 9' X 10' DOCK HIGH METAL TRUCK DOORS.
4. PAINTED 12' X 14' GRADE LEVEL METAL TRUCK DOORS.
5. PAINTED METAL ACCESS MAN DOORS.
6. PRIMARY BUILDING ENTRANCE WITH PAINTED STEEL CANOPY ASSEMBLY

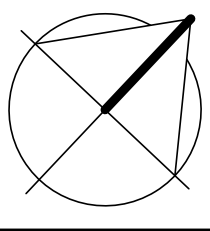
FINISH SCHEDULE:

- | | |
|----|--|
| 1. | FIELD COLOR FRAZEE - CL 3211W - WASH BASIN |
| 2. | LIGHT ACCENT COLOR FRAZEE - CL 3214M - WAVELENGTH |
| 3. | DARK ACCENT COLOR FRAZEE - CL 3215D - ELF |
| 4. | DARK ACCENT COLOR FRAZEE - CL 3216A - BRAINCHILD |
| 5. | CANOPIES - ALUCOBOND: NATURAL BRUSHED GRAPHITE |
| 6. | GLASS - PRIMARY WINDOW PPG SOLARCOOL PACIFICA |
| 7. | GLASS - ACCENT COLOR AT ENTRIES PPG VISTACOOOL PACIFICA |



FLOOR PLAN

SCALE: 1" = 30'-0"



RG

Office of Architectural Design

15231 Alton Parkway, Suite 100
Irvine, CA 92618

T 949-341-0920
FX 949-341-0922

CONSULTANT

PROFESSIONAL SEALS

WDI DEVELOPMENT
PROJECT

GREENLEAF / LOS NIETOS ROAD
SANTA FE SPRINGS, CA

CENTERPOINT PROPERTIES
725 S. FIGUEROA STREET
SUITE 3005
LOS ANGELES, CA 90017
CONTACT: WILLIAM LU
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| SD | 10/17/18 | SCHEMATIC DESIGN |

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| RG | OWNER PROJECT NO: | 00000.00 |
| RG | CAD FILE NAME: | 18019-00-A2-1P |
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| RG | CHKD BY: | CS |

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SHEET TITLE

FLOOR PLAN

SHEET:

A2-1P

SCALE: 1-1/2" = 1'-0"



SCALE: 1/16"=1'-0"





RENDERING IMAGE1



RENDERING IMAGE2

RGAA

Office of Architectural Design

15231 Alton Parkway, Suite 100
Irvine, CA 92618

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FX 949-341-0922

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PROFESSIONAL SEALS

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| SD | | |
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| RGAA PROJECT NO: | 18019-00 |
| OWNER PROJECT NO: | 00000.00 |
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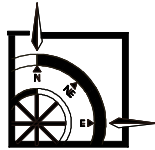
SHEET TITLE
RENDERING IMAGES

Attachment 8: WDI Specific Plan (with marked-up)

Adopted Specific Plan For the Development of The Waste Disposal, Inc. Site City of Santa Fe Springs, California

Department of Planning & Development
11710 Telegraph Road
Santa Fe Springs, California 90670
Tel: (562) 868-0511

Prepared By:



A.C. Lazzaretto & Associates
P.O. Box 3073
Burbank, California 91504
Tel: (818) 569-4526
Email: andy@aclazz.com
Project Manager: Andrew C. Lazzaretto

Approved by the City Council
May13, 2004

City Council

Gustavo R. Velasco, Mayor
Betty Putnam, Mayor Pro-Tempore
Louie Gonzalez
Ronald S. Kernes
Joseph D. Serrano, Jr.

City Staff

Fredrick W. Latham, City Manager
Robert G. Orpin Director of Planning & Development
Paul Ashworth, Director of Housing and Community Preservation
Neal Welland, Fire Chief

Key Project Participants

Environmental Protection Agency, Region IX
State Department of Toxic Substances Control
Dave Klunk, Former Director of Environmental Services
Waste Disposal, Inc. Site Citizens Participation Committee
Osborn Architects
KPFF Consulting Engineers
Mia Lehrer + Associates
Waste Disposal Inc. Group
Project Navigator

TABLE OF CONTENTS

| | | |
|----------|--|-----------|
| 1 | INTRODUCTION..... | 4 |
| 1.1 | STATEMENT OF PURPOSE..... | 4 |
| 1.2 | LOCATION OF PROJECT..... | 5 |
| 1.3 | OBJECTIVES OF THE PLAN | 5 |
| 1.4 | STATUS OF THE SPECIFIC PLAN | 6 |
| 1.5 | DEVELOPMENTAL OVERSIGHT FOR WDI..... | 6 |
| 1.6 | SUMMARY OF PREPARATION PROCESS | 7 |
| 2 | BACKGROUND AND SETTING..... | 7 |
| 2.1 | STATUTORY AUTHORITY | 7 |
| 2.2 | HISTORICAL CONTEXT | 7 |
| 2.3 | EXISTING LAND USES | 8 |
| 2.4 | PROJECT AREA DESIGNATION | 9 |
| 2.5 | SITE REMEDIATION | 9 |
| 2.6 | ENVIRONMENTAL RESTRICTION COVENANTS..... | 9 |
| 3 | LAND USE REGULATIONS..... | 10 |
| 3.1 | STATEMENT OF OBJECTIVES AND POLICIES | 10 |
| 3.2 | PROPOSED LAND USES..... | 11 |
| 3.3 | DEVELOPMENT STANDARDS..... | 13 |
| 3.3.1 | Development on the Dial | 13 |
| 3.3.2 | Minimum Lot Site..... | 14 |
| 3.3.3 | Building Setbacks | 14 |
| 3.3.4 | Building Height..... | 15 |
| 3.3.5 | Building Mass | 15 |
| 3.3.6 | Line of Sight..... | 15 |
| 3.3.7 | Site Access & Circulation..... | 15 |
| 3.3.8 | Parking | 16 |
| 3.3.9 | Perimeter Landscaping..... | 17 |
| 3.3.10 | Landscaping | 18 |
| 3.4 | METHANE ISSUES | 19 |
| 3.5 | EXCAVATION & GRADING..... | 19 |
| 3.6 | SITE DRAINAGE..... | 20 |
| 3.7 | RECYCLING | 21 |
| 3.8 | FIRE SAFETY | 21 |
| 3.9 | PUBLIC UTILITIES | 22 |
| 3.10 | SOIL SCREENING & MITIGATION | 22 |
| 3.11 | OTHER ISSUES | 22 |
| 4 | IMPLEMENTATION PROGRAM FOR THE SPECIFIC PLAN..... | 22 |
| 4.1 | PHASING PLAN | 23 |
| 4.2 | DEVELOPMENT ENTITLEMENTS | 23 |

| | | |
|-----|---|-----------|
| 4.3 | CEQA COMPLIANCE..... | 25 |
| 4.4 | ENVIRONMENTAL COMPLIANCE..... | 25 |
| 4.5 | HAZARDOUS MATERIALS..... | 25 |
| 5 | SPECIFIC PLAN AMENDMENT PROCEDURES | 25 |
| 6 | APPENDIX A - SELECTED STATUTES | 27 |
| 7 | APPENDIX B - LEGAL DESCRIPTION OF THE SPECIFIC PLAN AREA | 28 |
| 8 | APPENDIX C - COPY OF ADOPTING RESOLUTION..... | 33 |
| 9 | APPENDIX D – LOCATION OF THE DIAL | 34 |
| 10 | APPENDIX E – SAMPLE SITE DESIGNS | 35 |
| 11 | APPENDIX F – ORDINANCE 915 STORMWATER MITIGATION REQUIREMENTS..... | 36 |
| 12 | APPENDIX G – ORDINANCE 914 RECYCLING REQUIREMENTS | 37 |
| 13 | APPENDIX H – SAMPLE ENVIRONMENTAL RESTRICTION COVENANT..... | 38 |
| 14 | APPENDIX I – SOIL SCREENING GUIDELINES & SITE MITIGATION PROCEDURES FOR INDUSTRIAL SITES | 45 |

Specific Plan

For the Development of

The Waste Disposal, Inc. Site

City of Santa Fe Springs, California

1 Introduction

1.1 Statement of Purpose

This Specific Plan is being prepared to guide the redevelopment of a federally designated Superfund site known generally as the Waste Disposal, Inc. Site (“the Site”, or “the WDI Site”). The primary need for the Specific Plan is to ensure that the remedy selected by the Environmental Protection Agency (“EPA”) for the Site remains protective of human health and the environment and the building and design standards of the City of Santa Fe Springs are met if development occurs on the Site. The implementation of this Specific Plan will lead to the redevelopment and reuse of the Site, assure environmental safety on the project site, improve the visual atmosphere and function of the immediate area, and ensure that any future development will ultimately enhance the community of Santa Fe Springs and the surrounding area.

Any developer of the Site, whether a current or future property owner, must ensure that the development and related plans conform to the land and water use restrictions found in any recorded Environmental Restriction Covenants (ERCs) recorded at the Site, pursuant to EPA’s Amended Record of Decision (ROD). The ERCs implement the institutional controls selected in the Amended ROD and are or will be recorded with the County of Los Angeles. The ERCs “run with the land” for individual land parcels on the Site, once they are recorded. In addition, developers are required to adhere to the requirements of this Specific Plan. In the event that there is a conflict between this Specific Plan or the City’s development standards and the remedial measures established by the EPA, the EPA requirements

Figure 1 – Santa Fe Springs Regional Map

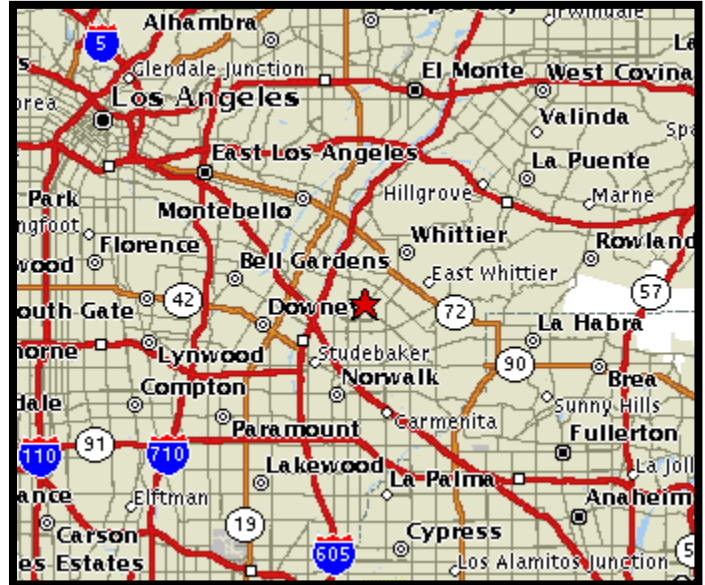
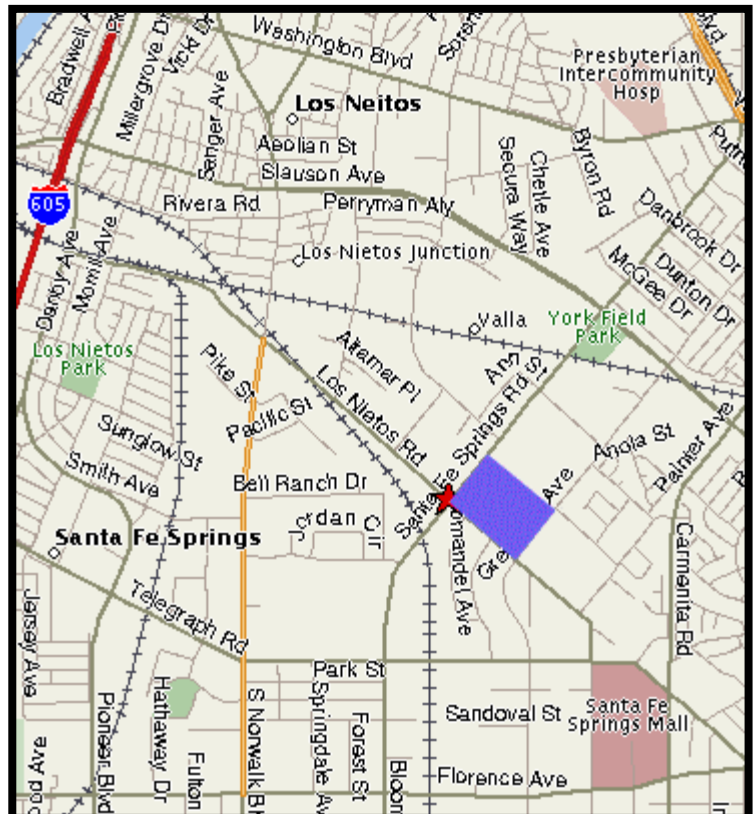


Figure 2 – Local Area Map



shall take precedence.

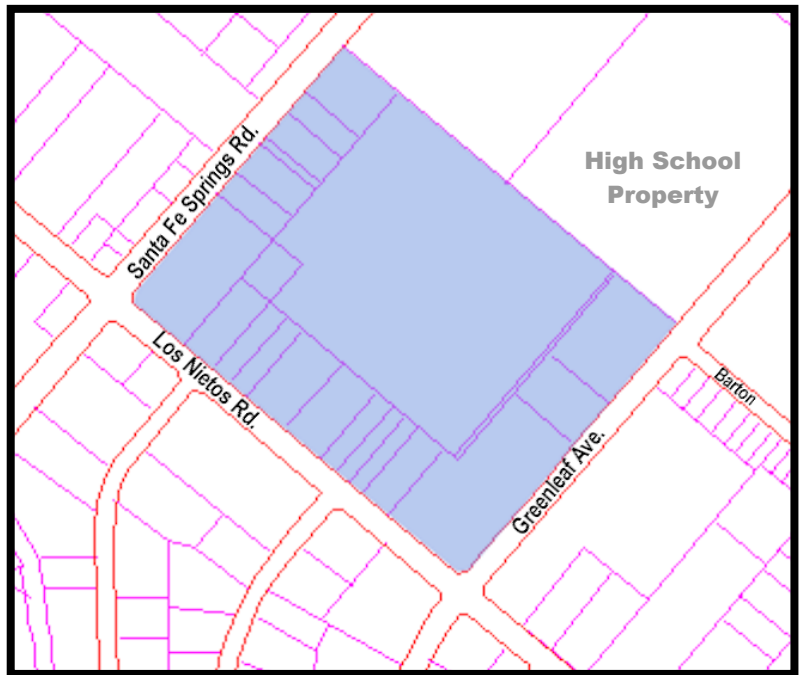
1.2 Location of Project

The WDI Site is located in the City of Santa Fe Springs, Los Angeles County, California. The City is located approximately 13 miles southeast of downtown Los Angeles with neighboring cities of Whittier, La Mirada, Cerritos, Norwalk, Downey, and Pico Rivera (see Figure 1, where the project location is identified by the star in the center of the map).

The WDI Site is generally described as those properties north of Los Nietos Road, east of Santa Fe Springs Road, west of Greenleaf Avenue, and south of the prolongation of Barton Street (see Figures 2 & 3, where the project location and area is identified by the blue square). The total acreage of the WDI Site is approximately 38 acres encompassing 22 separate parcels. A legal description of the parcels included in the Specific Plan is attached as Appendix B. Within the project Site there are over 36 independent, viable businesses that employ dozens of people. In addition, many other persons regularly visit the Site on business.

For the purposes of this document, Santa Fe Springs Road shall be considered the western boundary of the Site, Los Nietos Road shall be known as the southern boundary, Greenleaf Avenue shall be considered the eastern boundary, and the boundary running along the southern boundary of the high school, parallel to the apparent prolongation of Barton Street shall be designated the northern boundary of the Site.

Figure 3 – Specific Plan Area



1.3 Objectives of the Plan

It is the intention of the City to encourage future redevelopment of the WDI Site that does not interfere with or compromise the remedy implemented under the Amended Record of Decision. As such, the cleanup remedy established by the EPA must be implemented during or prior to development of the Site, whether that development takes place all at once or in distinct phases, as provided in this Plan. The City also wishes to encourage developments at the WDI Site that are viable in both the short- and long-term and which help eliminate non-conforming buildings and improvements. To the extent possible, the City also hopes this Plan will enable property owners to blend existing buildings into the long-term redevelopment goals. The City intends to avoid policies that compromise the feasibility of a project by enacting regulations without justification. Finally, the City wishes to ensure that any eventual development of the WDI Site does not adversely impact adjoining or nearby properties. Building setbacks, landscaping, circulation, and parking on the Site should be constructed in such a manner as to remove or minimize any negative outcomes to the surrounding area.

The City also wishes to meld the efforts of the EPA, the potentially responsible parties, and the Community Development Commission to ensure that the remediation does not result in the creation of an unsightly,

blemished mass of vacant land.

Furthermore, the City intends to ensure, to the extent possible, that redevelopers will be required to undertake mitigation if EPA determines that redevelopment could hinder or adversely impact the remedial systems on Site.

In summary, the City wishes to provide a clear policy document in order to expedite the redevelopment process and will further this goal by providing for timely approvals for development proposals that adhere to the tenets of this Plan. The overall goal of this document is to provide a framework for future developers to follow that enables them to obtain development approvals without encountering unnecessary jurisdictional obstacles and delays. It is not the goal of the City to undertake a wholesale displacement of the existing tenants or property owners. It is the desire of the City to work with the property owners at the Site to bring about the goals of this Plan.

1.4 Status of the Specific Plan

This Specific Plan is intended to serve as an established policy statement by the City of Santa Fe Springs for development of the WDI Site. As such, any development proposals for the WDI Site are expected to adhere to the adopted Specific Plan; however, the City Council has the discretion to override any controls established in this Specific Plan to better serve the goals and policies of the City's General Plan. Where the Specific Plan provides additional controls not discussed in the General Plan, those controls should be met by the project proponent. In all other areas, the City's General Plan and Zoning Ordinance shall be strictly adhered to. Any development at the WDI Site, whether proposed by a current or future property owner, will be reviewed by the Planning Commission and the Community Development Commission through duly noticed public hearings in order to verify that the proposed development is consistent with the requirements of this Specific Plan, the General Plan, the Zoning Ordinance, and the Consolidated Redevelopment Plan. Through the public hearings conducted by these bodies, the public will have opportunities to review and comment on any proposed development at the WDI Site.

While this Specific Plan attempts to identify the various components of the Amended Record of Decision (Amended ROD) that might affect future redevelopment of the Site, developers and interested parties are encouraged to review the Administrative Record for the WDI Site in order to view the detailed information contained therein.

1.5 Developmental Oversight for WDI

Development at the WDI Site can only proceed if the performance standards, environmental statutes, and regulations imposed by Federal and State agencies are adhered to in addition to the requirements of this Specific Plan. As such, it will be essential for prospective Site developer(s) to coordinate all efforts with these oversight agencies as well as with the City of Santa Fe Springs to ensure that all regulations are understood and met through the proposed development.

A copy of the Administrative Record for the WDI Site is available for review in the Santa Fe Springs Library. Many of these documents contain information that would be pertinent to redevelopment of the WDI Site, including summaries of the site investigations, monitoring reports, the Supplemental Feasibility Study, the Amended ROD, remedial design documents, and work plans. The EPA adds new documents to the Administrative Record as they become available. Any such supplemental documents will be available for review at the City Library.

1.6 Summary of Preparation Process

This Specific Plan has been prepared by the City of Santa Fe Springs, Department of Planning and Development, with the guidance and assistance of the Citizens Participation Committee – a group of interested property owners, business owners, adjacent property owners, and neighboring residents – and has been reviewed by the Environmental Protection Agency, the State Department of Toxic Substances Control, and the Waste Disposal, Inc. Group prior to formal circulation. All site plans that are included in this document have been prepared by the team of Osborn Architects, Mia Lehrer + Associates, and KPFF Consulting Engineers and were generated through multiple meetings and discussions with the project stakeholders and interested parties, including the Citizens Participation Committee. Prior to adoption, this Specific Plan was circulated to appropriate State and local agencies, and the public generally for review and comment and appropriate environmental documents have been created, circulated, and adopted in conjunction with this Plan.

2 Background and Setting

2.1 Statutory Authority

This Specific Plan has been prepared in accordance with Section 65451 of the California Government Code, which mandates that a Specific Plan be structured as follows:

- (a) A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail:
 - (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
 - (2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
 - (3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
 - (4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).
- (b) The specific plan shall include a statement of the relationship of the specific plan to the general plan.

The pertinent code sections for this Specific Plan document are included in Appendix A at the rear of this document.

2.2 Historical Context

At its center, the WDI Site contains a buried 42 million-gallon reservoir constructed for the storage of crude oil (petroleum), commonly referred to as the “Dial”. The bottom of the earthen, concrete-lined reservoir was built several feet below the original ground surface, and was approximately 600 feet in diameter. The reservoir was decommissioned as a storage vessel in the early 1940's, and by the late-1940's the reservoir and surrounding areas were being used for the disposal of a variety of liquid and solid wastes; this disposal continued until the mid-1960's. Wastes disposed at the Site include petroleum chemicals, solvents, sludges, construction debris, drilling mud, and similar waste materials. During the late-1960's, the reservoir and

portions of the Site were covered with soil. The Site was added to the Environmental Protection Agency's National Priorities List – i.e., designated as a “Superfund” site in 1987.

The WDI Site lies adjacent to an historic oil field that is transitioning into a prime industrial area. The California Division of Oil and Gas records reveal that there are no known abandon oil wells within the boundaries of the Site. Throughout the community, the City has had great success in converting “Brownfield”¹ sites into higher more productive land uses; it is the City's goal to experience this same success at the WDI Site.

Since 1987, the EPA has worked with the Potentially Responsible Parties in order to identify and implement a cleanup strategy for the WDI Site. That effort has resulted in the development of the Amended Record of Decision (ROD), which identifies the specific components of the remediation strategy and outlines the specific controls and oversight measures that will be in place to protect persons who use the property in the future.

In 2000, the City received a grant from the EPA. The purpose of the Superfund Redevelopment Initiative (SRI) grant is to assist the City in undertaking a planning process that will evaluate opportunities and alternatives for beneficial reuse of the WDI Site, including industrial redevelopment, that are compatible with the EPA's selected remedy for the Site. This Specific Plan document is one of the key products of that effort, which has also included public outreach efforts and coordination with State, Federal, and local public agencies. Through multiple meetings with the Citizens Participation Committee – a group of interested stakeholders, including business owners, property owners, adjacent property owners, and neighboring residents – as well as ongoing meetings with the Potentially Responsible Parties (identified as the WDIG), the EPA, and other oversight agencies, the City has attempted to develop a planning document designed to meet the diverse goals and objectives of all interested persons and groups.

2.3 Existing Land Uses

Under the City's General Plan, the WDI Site is wholly designated as “Industrial” land use. Industrial areas generally surround the Site to the northwest, west, and south, residential areas exist to the east (primarily outside City boundaries), and a high school (designated in the General Plan as Open Space) borders the site along the northeastern corner.

The City's Zoning Ordinance, Chapter 155 of the City's Municipal Code, identifies the entire WDI Site as being in the M-2, Heavy Manufacturing Zone. Controls for this zone are established in Sections 155.240 through 155.269. Such zoning designation and controls shall continue under this Specific Plan unless specifically identified herein.

According to the Zoning Ordinance, the purpose of the M-2 Zone is to preserve the lands of the city appropriate for heavy industrial uses, to protect these lands from intrusion by dwellings and inharmonious commercial uses, to promote uniform and orderly industrial development, to create and protect property values, to foster an efficient, wholesome and aesthetically pleasant industrial district, to attract and encourage the location of desirable industrial plants, to provide an industrial environment which will be conducive to good employee relations and pride on the part of all citizens of the community and to provide proper safeguards and appropriate transition for surrounding land uses.

¹ With certain legal exclusions and additions, the term “Brownfield” refers to property on which the expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

2.4 Project Area Designation

The subject Site lies within the former Norwalk Boulevard Redevelopment Project Area, which has been merged into the Consolidated Redevelopment Project, adopted by the Community Development Commission of the City of Santa Fe Springs. As such, any development on the WDI Site is subject to the conditions imposed by the Redevelopment Plan. In addition, any development site plans submitted for the WDI Site are subject to approval by the Planning Commission and Community Development Commission of the City of Santa Fe Springs.

2.5 Site Remediation

Remediation of the Waste Disposal, Inc. Site is being completed in a manner consistent with the Amended Record of Decision as adopted by the EPA. The selected remedy, identified as Alternative 2 in the Amended ROD, includes the following general components:

1. A Resource Conservation and Recovery Act (RCRA)-equivalent cap over the central area of the Site;
2. Engineered capping systems over areas containing waste materials outside the Dial area;
3. Soil-gas collection, extraction, and treatment systems beneath the RCRA-equivalent cap;
4. Liquids collection, treatment, and disposal for leachate that accumulates at the base of the reservoir over the Dial;
5. Engineering Controls at and/or within existing or new buildings or demolition and removal of buildings and relocation of occupants, if necessary;
6. Gas migration control measures or additional gas extraction systems outside the Dial area;
7. Institutional Controls required by EPA and other regulatory agencies;
8. Long-term groundwater monitoring; and
9. Long-term operations, maintenance, and monitoring of all remedial systems and remedial components.

The Amended ROD anticipates that the WDI Site may be redeveloped at some point in the future by other entities and implementation of the selected remedy is intended to not preclude redevelopment from occurring.

The environmental restriction covenants that EPA anticipates will be recorded on all of the properties at the Site will include a process to enable an owner or developer to seek EPA approval for an exception to one or more of the land use restrictions set forth in the covenant. If a developer proposes to take an action that would disturb the cap, EPA would only approve the action if the developer took all the necessary steps to replace the cap or provide equivalent protection.

2.6 Environmental Restriction Covenants

The EPA's Amended ROD describes the remedy selected for the cleanup of the WDI Site. This decision follows EPA's extensive investigative work at the Site to evaluate remedial alternatives and its release of the Proposed Plan for the remedy in June 2001. EPA's selected remedy is based on its policy for using containment as the presumptive remedy for landfills. The remedy includes installation of capping systems, environmental control systems for soil gas, liquids, and monitoring systems to address the threats posed by contamination at the Site. In addition, as part of this remedy, institutional controls will be implemented in order to ensure the long-term integrity of the remedy and to prevent exposure to waste remaining at the Site. EPA expects that Environmental Restriction Covenants (ERCs) will eventually be executed and recorded on all of the properties at the WDI Site. The EPA will oversee compliance with these agreements. Where an ERC has been recorded, the requirements must be integrated into the redevelopment proposal for the Site in order to make them compatible with the Amended ROD.

As stated above, the ERCs will run with the land and will be enforceable under California Law against all future property owners and tenants. Such agreements will provide access to the EPA, the State, and any potentially responsible parties charged with conducting the remedial action and their contractors, for the following purposes:

1. Monitoring the remedial action and operation, monitoring, and maintenance;
2. Verifying any data or information submitted to the EPA or the State;
3. Conducting investigations relating to contamination at or near the Site;
4. Obtaining samples;
5. Assessing the need for, planning, or implementing additional response actions at or near the Site;
6. Assessing implementation of quality assurance and quality control practices as defined in the approved Quality Assurance Project Plans;
7. Implementing the remedial action and operation, monitoring, and maintenance;
8. Assessing compliance with the access easements and environmental restrictions; and
9. Determining whether the Site or other property is being used in a manner that is prohibited or restricted by the environmental restrictions, or that may need to be prohibited or restricted.

In addition, the ERCs include land and water use restrictions to prohibit and restrict certain activities at the Site unless expressly approved by the EPA. Those entities seeking exceptions to the land and water use restrictions will be required to submit an Application for Exceptions, along with supporting documentation, to the EPA for review and approval. The level of detail required to support an Application for Exceptions may vary depending on the nature and scope of the proposed activity. It is anticipated that the review process for the Application for Exemptions would coincide with the City's entitlement process.

Developers will need to review all ERCs that would be affected by a potential development prior to seeking entitlements from the City. While each of the ERCs will be adopted individually and, therefore, may contain slightly different terms and conditions, a sample ERC is attached to this Specific Plan as Appendix H.

3 Land Use Regulations

3.1 Statement of Objectives and Policies

It is the intention of the City of Santa Fe Springs to encourage redevelopment of the WDI Site. As such, the cleanup remedy established by the EPA must be implemented prior to or during development or redevelopment of the Site.

The City also wishes to encourage developments at the WDI Site that are viable in both the short- and long-term and which will help eliminate non-conforming buildings and improvements. The City intends to avoid enacting regulations and policies that could compromise the feasibility of redevelopment of the Site.

Finally, the City wishes to ensure that any eventual development of the WDI Site does not adversely impact adjoining or nearby properties. Building setbacks, landscaping, circulation, and parking on the Site should be constructed in such a manner as to remove or minimize any negative outcomes to the surrounding area.

3.2 Proposed Land Uses

The existing General Plan Land Use designation of “Industrial” shall remain in effect at the WDI Site. The zoning for the Site of M-2, Heavy Manufacturing shall also continue for the entire subject Site. Basic controls for this zone are established in Sections 155.240 through 155.269 of the Municipal Code. In addition, certain light manufacturing and/or open space uses would be considered after review by the Planning Commission and the City Council. As stated above, in accordance with the standards and controls established by the Zoning Ordinance and the EPA, the following uses shall not be permitted:

- Day care facilities
- Schools for people aged 21 and under
- Hospitals
- Extended care facilities
- Churches
- All residential uses
- Other uses by sensitive receptors

Permitted principal land uses for the WDI Site include the following, if not in conflict with the Institutional Controls described in the Amended ROD:

- A) Any uses permitted in the M-1 zone, excluding those that would not be compatible with the remedy selected in the Amended ROD;
- B) Oil field equipment manufacture, repair, supply, and exchange;
- C) The manufacturing and processing of the following:
 - 1) Abrasives
 - 2) Aircraft and aircraft accessories
 - 3) Aluminum products
 - 4) Automobiles, trucks and trailers
 - 5) Automotive accessories and parts
 - 6) Boats
 - 7) Bricks
 - 8) Burial vaults and caskets
 - 9) Candles
 - 10) Canvas
 - 11) Carpets and rugs
 - 12) Cement products
 - 13) Chalk
 - 14) Clay pipe and clay products
 - 15) Cleaning compounds
 - 16) Composition wallboard
 - 17) Glass, but excluding blast furnaces

- 18) Glazed tile
- 19) Graphite and graphite products
- 20) Hemp products
- 21) Industrial burners
- 22) Ink
- 23) Jute products
- 24) Linter
- 25) Metal foil
- 26) Metal products
- 27) Missiles and missile components, excluding explosive fuels
- 28) Motors and generators
- 29) Oakum products
- 30) Paraffin products
- 31) Plastics
- 32) Porcelain products
- 33) Pumice
- 34) Putty
- 35) Railroad equipment
- 36) Rubber products
- 37) Sand and lime products
- 38) Sisal products
- 39) Starch and dextrin
- 40) Steel products
- 41) Stone products
- 42) Structural steel products
- 43) Tile
- 44) Wire and wire products
- D) Machinery manufacture, including electrical, agricultural, construction, mining, air conditioning equipment, dishwashers, dryers, furnaces, heaters, stoves and washing machines;
- E) Metal fabricating, heat treating, pickling and stamping;
- F) Cold rolled reduction of steel and the annealing of steel;
- G) Manufacture of lead shot by shot tower process;
- H) Sterilizing and refurnishing of used bedding and upholstered furniture;
- I) Truck driver training schools and automotive equipment training schools;
- J) Machine tool manufacture, including metal lathes, presses and stamping machines, and woodworking machines;

- K) Food products manufacture, including such processes as cooking, roasting, refining and extraction involved in the preparation of such products as cereal, chocolate, cider, coffee, glucose, rice, flour, feed and grain, vegetable oils, and yeast, but not including fish or meat products;
- L) Lumber yards, lumber processing and woodworking, including sawmills, planing mills, plywood, veneering, wood-preserving, and laminating;
- M) Contractors shops, including building, masonry, painting, concrete, electrical, plumbing, refrigeration, roofing, heating, and air conditioning, but excluding open storage yards;
- N) Manufacture of cans, containers, boxes, barrels, bottles, and bags;
- O) Motor vehicle inspection/testing station;
- P) The parking, storage, rental, leasing and sale of boats, recreational trailers and vehicles, mobile homes, and office trailers;
- Q) Truck service or repair; provided that the site utilized does not exceed one acre in size;
- R) Repair garages, body and fender works and auto painting, providing all work is conducted within a completely enclosed structure;
- S) Foundries with furnaces not exceeding a capacity of 500 pounds per furnace or with a total combined capacity not in excess of 1,000 pounds;
- T) Public truck scales;
- U) Manufacturing of liquid detergents;
- V) Public utility service yards; and/or
- W) Other similar uses which the City, after study and deliberation, finds to be consistent with the purpose of the Zoning Ordinance, and which would be similar to the uses listed as permitted uses and would be compatible to those uses. All approved uses must be compatible with the remedy selected in the Amended Record of Decision.

Truck, trailer, chassis, permitted outdoor storage use or container storage uses shall only be permitted at the Site as accessory uses to on-Site industrial operations. Leases limited to exterior open yard space only are prohibited. Exterior open yard areas at the Site shall only be leased to tenants that are concurrently leasing interior space within the on-Site industrial building. For instance where the building is leased to multiple tenants, the split between exterior yard storage space and interior warehouse space shall be no greater than 75% and less than 25% respectively.

3.3 Development Standards

In addition to existing development standards identified in the City's Zoning Ordinance, the following controls are established for the WDI Site. Three samples of potential development schemes and patterns that meet the requirements identified below are attached as Appendix E. These examples are included for guidance and illustrative purposes and do not preclude other development schemes.

3.3.1 Development on the Dial

The northern-central portion of the WDI site contains a buried, concrete-lined reservoir, the Dial portion of the Site. The approximate location of the Dial is identified in Figure 4. The precise location of the Dial is identified in Appendix D, attached to this Specific Plan.

While EPA's cleanup remedy does not specifically ban construction of buildings over the top of the Dial, and other perimeter areas outside the Dial, the Amended ROD does require that such construction activities be

reviewed by EPA and that any development may not interfere with the approved remedy.

Based on the following issues, it is expected that no permanent structures could feasibly be located over the Dial area:

- (1) Preliminary engineering studies have shown that the soil in its current condition will not support a building due to the viscous and liquid nature of the buried wastes contained by the reservoir;
- (2) The EPA's remedy calls for leaving the buried wastes in place; therefore, the soil in the Dial area cannot be engineered and compacted to enable buildings to be supported; and
- (3) The structural integrity of the Dial cannot be altered in any way; therefore, drilling pilings or building supports through the bottom of the reservoir and into sufficiently compacted soil would not be possible.

As a result, this Specific Plan sets forth the restriction that no permanent structures should be permitted on top of the Dial or within five (5) feet of the top of its walls (see Figure 5). This requirement includes light standards, fences, and walls with footings 12 inches or more below grade. However, should a developer feel that it will be possible to engineer and construct a permanent structure over the Dial that will meet the controls established in the ERCs and ensure the health and safety of those entering the WDI Site, this Specific Plan does not prohibit such developer from submitting plans to the EPA and the City of Santa Fe Springs for review and consideration.

With prior City approval, temporary storage containers and parking uses are allowable on the Dial as well as aboveground landscaping such as potted plantings.

Please refer to the Amended ROD and the *Final Remedial Design* documents for additional design requirements and restrictions for the Dial area.

3.3.2 Minimum Lot Site

Upon any subdivision of the WDI Site, all lots shall conform to the standards of the M-2 Zone

3.3.3 Building Setbacks

As stated above, no building may be built within five (5) feet of the top of the Dial walls, as shown in the figure. In addition, no building may be located within 75 feet of the northern boundary of the Site between Greenleaf Avenue and western boundary of the high school property. The building setback for the remaining portion of the northern boundary of the Site shall be 20 feet as measured from the property line. Building

Figure 4 – Approximate Location of the Dial

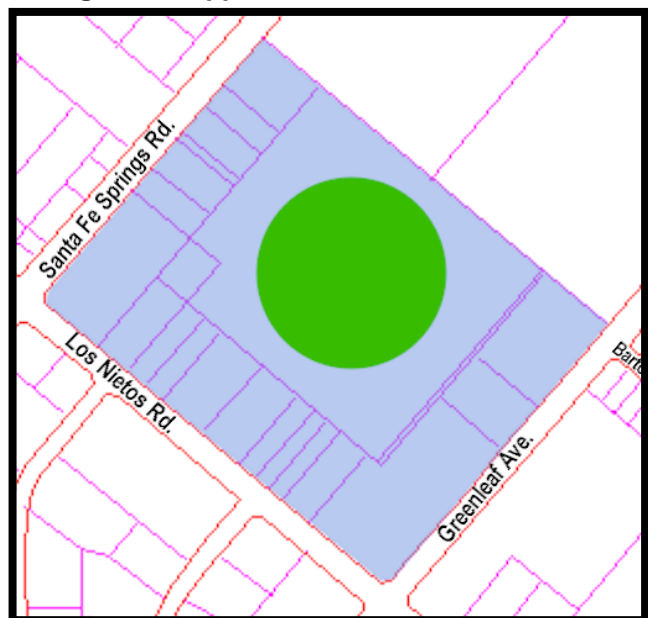
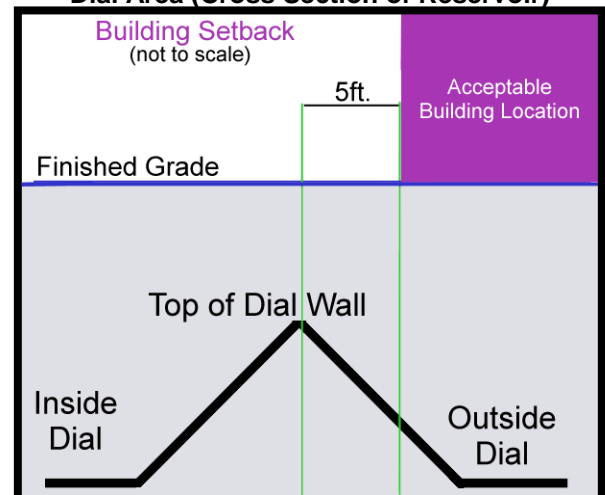


Figure 5 – Required Building Setback Near Dial Area (Cross Section of Reservoir)



setbacks along Greenleaf Avenue, Los Nietos Road, and Santa Fe Springs Road shall be 30 feet. Should the Site be subdivided into several properties, the established side, rear, and front yard setback requirements of the M-2 Zone will apply.

3.3.4 Building Height

There is no limit for building height on the Site. However, as identified later in paragraph 3.3.6, any building that would be located closest to the high school property to the north of the Site will need to provide design and landscaping features that would remove a direct line of sight to the high school.

3.3.5 Building Mass

There are no minimum or maximum building sizes established by this Specific Plan; however, the largest building or buildings on the WDI Site should be fronted along Santa Fe Springs Road. Buildings that are located along Greenleaf Avenue should be smaller and be less intense in scale than those along Los Nietos Road or Santa Fe Springs Road. The purpose of this requirement is to direct truck traffic to the major arterials surrounding the Site – specifically to encourage the use of Santa Fe Springs Road as a truck route – and to provide a buffer for Greenleaf Avenue as it transitions from an industrial area in the south to residential neighborhoods to the north of the Site.

Buildings must be at least one foot above the top of curb grade or one foot above the 25-year Hydraulic Grade Line whichever is higher. Certain components of the Site remedy will be designed to accommodate maximum probable precipitation (PMP) and 100-year storm events and development plans should integrate these components accordingly. Those seeking to develop on the Site will be required to coordinate with the EPA regarding design issues, to the extent required by any recorded ERCs.

It should be noted that the remedial process conducted to this point does not include performance standards with respect to the structural stability or load bearing capacities for buildings that could be located on the WDI Site. It will be the responsibility of the developer to conduct appropriate geotechnical investigations to facilitate the design of structures on the Site.

3.3.6 Line of Sight

It is established that the security of the adjacent high school is a major concern to the operators of the school site as well as the City Council. ~~No building on the WDI Site shall provide a direct line of sight from any windows or the rooftop of a building to any portion of the school property.~~ In addition, landscaping on the northern boundary of the Site adjacent to the school property shall be provided in such a manner as to screen all uses from the high school and provide an effective buffer. Such screening and landscaping shall discourage opportunities for vandalism and should provide sufficient access for maintenance of the landscaping and screening materials.

3.3.7 Site Access & Circulation

Access to the Site shall allow for effective circulation and maneuvering for large vehicles. At least one major access point for trucks shall be provided along Santa Fe Springs Road at a sufficient distance from the intersection of Los Nietos Road to not interfere with on-street circulation. No large truck access shall be provided along Greenleaf Avenue or ~~Los Nietos Road~~ and all ingress and egress points along Greenleaf Avenue shall be as far south as practicable. All loading docks must be screened from view from public streets by the buildings on the Site. Screen walls shall only be used in limited, necessary situations and shall be constructed in such a manner as to discourage opportunities for vandalism and provide sufficient access for maintenance of the screening materials. Street facing walls shall be subject to design review by the City.

Passenger vehicle and light duty truck access points may be provided anywhere along the perimeter of the Site as long as they do not interfere with circulation along the streets and are in compliance with the Zoning Ordinance.

The County of Los Angeles has developed a Countywide Deficiency Plan Toolbox of Strategies for new developments to mitigate Congestion Management Plan (CMP) deficiencies. Developers will be required to use these strategies to the fullest extent possible from the inception of building plan preparation and Site design. When a developer is developing speculative buildings, the developer will be required to certify that mitigation requirements will be implemented and passed on to tenants and/or future buyers. If a developer cannot meet the mitigation requirements, the developer will be required to pay a mitigation fee to the City for offsite transportation improvements. The City Engineer will determine said fee. It is the responsibility of the developer to propose and implement mitigation measures and provide compliance certification prior to issuance of building permits.

3.3.8 Parking

In accordance with the adopted Zoning Ordinance, parking requirements depend on the proposed use and building type. Parking requirements for the subject Site shall be the same as those required in the Zoning Ordinance, except for buildings in excess of 100,000 square feet of gross floor area that offer warehousing and distribution uses. Such buildings may provide parking on a tiered scale, as identified below:

| Building Size | Number of Spaces Required |
|-------------------------|---|
| First 25,000sf | 1 space per 500sf |
| 25,001 – 100,000sf | 1 space per 750sf exceeding 25,000sf |
| 100,001 – 200,000sf | 1 space per 1,000sf exceeding 100,000sf |
| Anything over 200,000sf | 1 space per 2,000sf exceeding 200,000sf |

For instance, a 100,000 square foot building would require 150 spaces (50 for the first 25,000sf, and 100 for the remaining 75,000sf), whereas a 250,000 square foot building would require 275 spaces (50 for the first 25,000sf, 100 for the next 75,000sf, 100 for the next 100,000sf, and 25 for the final 50,000sf).

Incidental office area(s) for warehousing and distribution facilities exceeding 15% of the gross building area will require one additional parking space for each 300 square feet of floor area exceeding 15%.

It is anticipated that the multi-layer cap over the Dial area will have the strength to support the weight of large vehicles; however, developers, at their own expense, are required to review the Administrative Record for the Site to determine the engineering qualities of the constructed remedy and will need to conduct the engineering studies necessary to authoritatively determine the structural capacity of the cap over the Dial. Should such review and studies determine that the Dial would support vehicles, placing employee and long term parking facilities over the Dial will be allowed and even encouraged by the City to maximize the developable portion of the WDI Site. It is important again to note that, to the extent required by any recorded ERC, the developer may need to submit all parking designs to the EPA for review and approval to ensure that the construction would not be detrimental to the protectiveness of the remedy.

Lighting for any parking areas over the Dial area shall be provided by above ground structures on the Dial or by placing lights mounted on buildings outside of the Dial area. No underground electrical wiring will be allowed over the Dial area.

3.3.9 Perimeter Landscaping

In order to enhance the overall character of the City and to provide additional open space, the Planning Commission has instituted an “urban forest” requirement on all new developments. The urban forest provides raised, meandering, and undulating sidewalks around the perimeters of properties in areas facing city streets. Appropriate street trees and raised lawns shall be planted along the right-of-ways. In addition, to further encourage the use of the areas as a form of open space, benches and trash receptacles should be placed intermittently near the walkways. The maximum height of the undulations spacing should be between approximately three (3) feet above street grade, with the minimum height being at least one (1) foot above street grade. Sidewalks should be built in a serpentine manner, with the extents moving in five (5) foot horizontal arcs over 125 foot lengths, using six (6) foot wide sidewalks. Street trees should be planted on both sides of the sidewalks. The sidewalks should be sloped at a two (2) percent grade toward exterior of the property to promote drainage from the concrete surfaces.

Figure 6 – Urban Forest Features

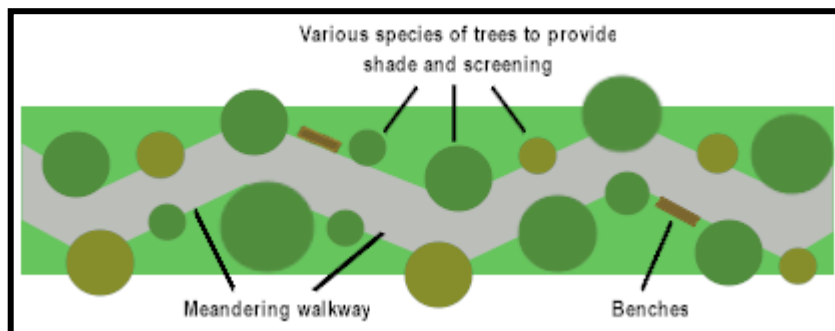
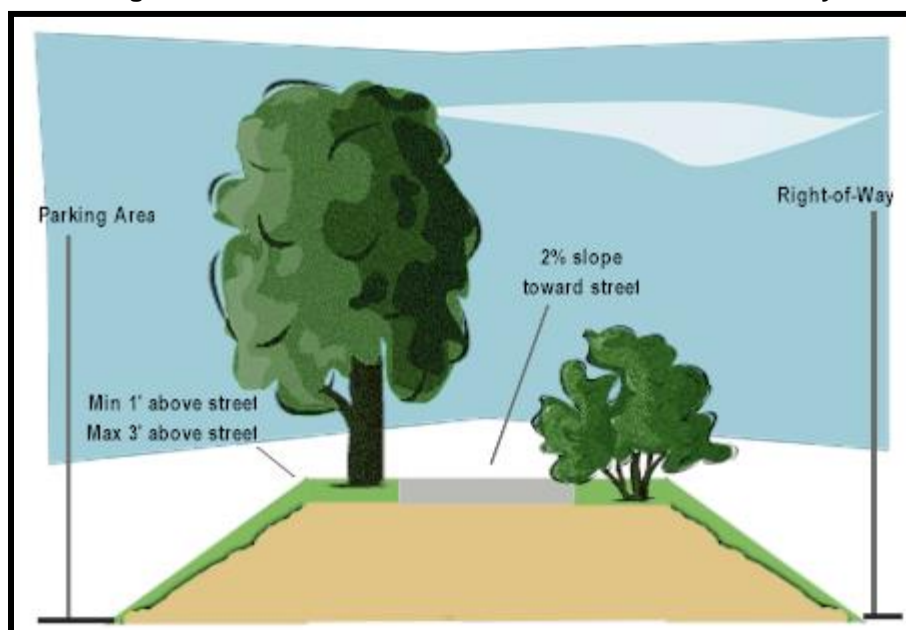


Figure 7 – Cross Section of Urban Forest Raised Walkway



Specific landscaping and irrigation plans for the urban forest must be submitted for approval to the Planning Department prior to development in order to ensure that the proposed development will meet the desired look and feel. Copies of an existing urban forest project, known as the Telegraph Corridor Beautification Project, should be reviewed for an illustration of the type of installation the City would expect. The urban forest area will be considered part of the landscaping setback for the project. Examples of the urban forest concept are included in Figures 6 through 8; however, landscape designers are encouraged to explore alternate layouts.

It should be noted that due to the remedial capping constraints and root depth limitations imposed by any recorded ERCs, landscape designers should pay special attention to the species and characteristics of plantings used on the Site. To the extent required by any recorded ERCs, all landscaping designs may be reviewed by the EPA’s Project Coordinator to ensure that they coincide with the approved remedy. Specifically, under recorded ERCs no deep rooting plants will be permitted that would affect the RCRA Subtitle C Cap over the Dial area or other specific design details contained in the *Final Remedial Design document*.

Figure 8 – Photo of the Urban Forest



3.3.10 Landscaping

Landscaping requirements shall generally follow those identified in the Zoning Ordinance of the City Code and must be consistent with the recorded ERCs and information contained in the Administrative Record, which contain several controls for landscaping and irrigation on the Site.

Landscaping shall be maintained privately and in a manner to allow easy access for regulatory agencies to conduct necessary monitoring. Landscaping over the Dial area must be provided in above ground planters and pots. No in-ground planter areas or permanent, planted vegetation will be allowed over the Dial area.

Vegetation to be used on the WDI Site should minimize the potential for pollens, leaves, seeds, and other debris to migrate or travel offsite. Plantings should also have low water consumption requirements and offer shallow root systems with high absorption ratios. Deep rooting plants – root systems that will penetrate more than two (2) feet below ground surface – shall not be planted above areas of known waste, pursuant to any recorded ERCs. In addition, pesticides and herbicides shall not be applied to the capped areas of the Site or to areas surrounding monitoring points.

Special attention should be paid to the landscaping along the northern boundary of the Site between the WDI Site's eastern boundary and the western boundary of the high school to the north of the Site. Such landscaping will need to shield the onsite uses from the high school property and will need to block any direct line of sight between the WDI Site and the high school. In addition, the landscaping for that portion of the Site shall prevent any drainage from the Site from going onto the high school property by establishing a tiered planter system and a surface canal running along the property lines toward the storm drains on Greenleaf Avenue.

Any landscaping and fence or wall designs for that portion of the Site will require one or more meetings with the owners of the high school property to review the proposed landscaping plan. Every effort should be made by a prospective developer to secure approval of the proposed landscaping plan from the owner of the high school property prior to submitting the landscaping plan to the Planning Commission for approval.

3.4 Methane Issues

Methane gas exposure is a significant concern on the Site. As such, proactive measures must be taken to ensure the safety of those using the Site. Any development on the Site shall comply with City Municipal Code Chapter 117. As part of the remedial action, the responsible parties have established methane-monitoring wells throughout the Site, which will serve as partial compliance with the requirements under Chapter 117 for initial soil gas testing prior to development, and therefore, no additional monitoring wells will be required by the City. However, developers will be expected to enact certain mitigation measures, as required by the City's Fire Chief. At a minimum, such mitigation measures will include, but are not limited to, passive venting systems using perforated pipe with monitoring ports under all new buildings on the Site. Under certain circumstances, based on the results of the ongoing methane monitoring conducted by the responsible parties, active venting systems may be required by the City.

It should be noted that ARAR 27 CCR §20931 in the Amended ROD requires methane monitoring inside buildings and in onsite structures such as vaults where gases can accumulate, both adjacent to, and on top of, waste deposit areas. This regulation requires that structures on top of waste be monitored continually.

With the prior approval of the Department of Planning and Development, the Fire Department, and the EPA, the existing methane monitoring wells may be relocated if they interfere with future development plans. The exact location and testing frequency of the relocated methane monitoring wells must comply with any standards established by the EPA and Municipal Code Chapter 117.

Extensive soil gas studies have been conducted on the property by the WDI Group under the direction of EPA; prior to any development on the Site, the results of the studies must be reviewed by the developer with the governmental bodies having jurisdiction over the Site. Any additional soil gas tests that may be required by the oversight agencies, including the City of Santa Fe Springs, must be conducted prior to the issuance of building permits. All appropriate mitigation measures required by the regulatory agencies must be implemented during redevelopment of the Site.

3.5 Excavation & Grading

While it is permissible for a developer to grade the Site during construction, all such grading must be closely coordinated with the EPA. Pursuant to the recorded ERCs, a developer seeking to conduct any onsite grading must seek EPA's prior written approval.

The Administrative Record for the Site contains detailed descriptions of minimum fill thickness that will be permitted over areas of known waste. Potential developers should review these controls as well as the City's **Soils Screening Guidelines** to ensure that all constraints are adhered to. In addition, hazardous materials certified and trained crews will be required for any grading and excavation that occurs anywhere on the Site.

Due to the topographical constraints of the Site, it is acknowledged that the entire Site will most likely need to be graded on at least some slope. The portion of the Site over the Dial area must be graded at two percent (2%) to provide for sufficient trench draining away from the Dial area. In all cases, no pooling or ponding shall be allowed over the Dial area. The remaining portions of the Site should be graded at between one-half and one percent (0.5% - 1.0%) and sloped toward the south, west, and east perimeters of the Site. This is intended not only to provide proper trench drainage but also to reduce the apparent mass of buildings on the

Site. Parking areas should also be graded up to building frontages to reduce the difference in height between the finished floors of the buildings and street and parking levels.

Building interiors may be sloped between one-half and one percent (0.5% - 1.0%) toward the south, west, and east perimeters of the Site to provide proper drainage and to reduce the difference between the parking areas and the finished floors of buildings.

Drainage shall not be blocked in the street. During all grading, streets shall be swept as frequently as determined by the City Engineer to keep public areas acceptably clean during grading and hauling operations. A street sweeper must be available for this purpose at all times. The sweeper shall be a double-gutter broom, self-loading motor sweeper with spray nozzles. Any soil spillage shall be removed immediately and the area cleaned.

The grading contractor shall install and maintain compacted untreated base material for a minimum distance of 75 feet from the curb face for ingress and egress prior to onsite paving. The thickness of the untreated base shall be a minimum of six (6) inches.

The curb shall be cut where future driveways will be installed. Only the curb cut area shall be used for ingress and egress during grading operations. Access to the Site over curbs shall be prohibited.

The grading contractor will be required to provide flag persons with red vests, hardhats, and signs approved by the City Engineer at any time the Engineer determines that flag persons are necessary for traffic control due to the grading contractor's operations.

The contractor will be required to apply for a temporary water meter during grading and excavation. Application will be made to the City's Finance Department. Failure to obtain a water meter from the City is a violation of the City Code, and punishable by fines and/or imprisonment. Only approved spanner wrenches may be used when operating fire hydrants.

The grading contractor will be required to implement control and high wind measures to mitigate the sources of fugitive dust under Air Quality Management District (AQMD) Rule 403. A list of reasonable, available fugitive dust control measures can be obtained from the Public Works Department.

3.6 Site Drainage

As stated previously, the Site must be graded at a minimum of two percent (2%) over the Dial area and one percent (1%) elsewhere to provide effective drainage. Measures should be taken to prevent storm water from draining into soils on the Site or from ponding over the Dial area. It is expected that all drainage will be provided through trench drains routed through the parking and circulation areas of the Site. The drainage patterns should pull water away from buildings and the Dial area and carry it through surface canals to the storm drains located on the perimeter of the Site. The surface canals will also be required to direct water flow away from sidewalks and driveways and no concentrated flow over curbs, sidewalks, and driveways will be allowed.

In addition, a drainage canal shall be established between the school property and the WDI Site to prevent any storm or irrigation waters from going onto the school property. Under no circumstances will it be permissible to divert surface water from the Site to another property. All storm water must be directed into storm drains.

All projects must conform to Chapter 52 of the City Code, and implements the requirements of the approved Standard Urban Storm Water Mitigation Plan (SUSMP). The SUSMP includes a requirement to implement

post-construction Best Management Practices (BMPs) to mitigate (infiltrate and treat) the first three-quarters of an inch (3/4") of runoff from all storm events and to control peak flow discharges. All onsite storm systems and filters must be maintained by the property owner.

All catch basins and storm drain inlet facilities must be stamped with the message "No Dumping, Drains to Ocean." per Chapter 52 of the City Code.

All contractors will be required to implement storm water and urban runoff pollution prevention controls, and BMPs on the Site in accordance with Chapter 52 of the City Code. The contractor will also be required to file a Notice of Intent with the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan (SWPPP) as specified in the State of California General Permit for Storm Water Discharges associated with construction activities.

The supervising Grading Engineer for each construction project shall inspect and certify the construction of onsite storm drain and drainage facilities and submit a statement that the completed work is in conformance with the approved Statement of Work grading plan and this Specific Plan prior to building occupancy.

The owner/developer for each project onsite must submit for approval a 24" x 36" drawing to the City Engineer showing the proposed plan and profile of onsite storm drain systems in order to obtain any construction permits. A Registered Civil Engineer must prepare such drawing. Upon completion of a project, the owner/developer will be required to submit a 24" x 36" record drawing, or "As-Built" for approval by the City Engineer. This plan shall be prepared by a Registered Civil Engineer and be reviewed and approved by the City Engineer prior to building occupancy.

The owner/developer will be required to submit to the City Engineer any drainage covenants, private easement documents, or reciprocal drainage provisions in the Covenants, Conditions, and Restrictions (CC&Rs) for cross-lot drainage flows to be recorded in the Office of the County Recorder prior to recording such documents.

No permanent ponding areas will be allowed anywhere on the WDI Site; however, proper indemnification clauses will be required to hold the City harmless for any losses or damages incurred should any flooding or ponding occur onsite during rainstorms. Minimal temporary ponding will be allowed at the perimeter of the Site in order to treat storm water prior to entering offsite public storm drains; however, such ponding areas will not be allowed over areas known to contain waste.

The developer must review the Administrative Record to ensure that any surface water management facilities that are installed as part of the Amended ROD are integrated into the development of the Site.

3.7 Recycling

All projects over \$50,000, including tenant improvements, are subject to the requirements of Ordinance 914 to reuse or recycle 75% of all the project waste. Prior to obtaining building permits, contractors will be required to submit a Waste Management Plan to the Planning Department and approval must be obtained prior to initiating construction. Upon completion of construction, prior to obtaining occupancy permits, contractors will be required to submit a report to the Planning Department identifying the actual recycling levels that were obtained.

3.8 Fire Safety

All buildings must be protected by an approved automatic fire sprinkler system. The Planning Department

shall approve the location of all double check valves prior to submittal to the Fire Department for review. All fire sprinkler plans shall have a stamp of approval from the Department of Planning & Development prior to submittal to the Fire Department.

Any buildings that are to be used for high piled storage shall be equipped with required access doors, per Article 81 of the Uniform Fire Code.

Fire Department access roadways will be required to obtain access throughout the Site. Such roadways must be a minimum of 26 feet in width and any turns must provide a sufficient turning radius for fire vehicles. Such turning radius must be a minimum of 52 feet. Interior gates or fences will not be permitted across required fire access roadways. Onsite fire hydrants, with a minimum flow of 2,500 gallons per minute, must be provided along such Fire Department access roadways.

Prior to submitting building plans to the Building Department or Planning Commission for approval, a preliminary site plan must be approved by the Fire Department for required access roadways and onsite fire hydrant locations. The plan must be on a scale between 1"=20' and 1"=40'. The following dimensions shall be used when planning for fire vehicle access: width of 11feet, length of 50 feet, height of 12 feet, and a turning radius of 52 feet.

3.9 Public Utilities

A preliminary study has been conducted to determine the potential need for public utilities improvements upon total build out of the WDI Site. It has been determined that existing electrical, sewer, and water capacities are sufficient to accommodate any typical developments that could take place on the WDI Site; however, any prospective developers or property owners have the responsibility to study these issues on their own and at their own expense prior to development.

3.10 Soil Screening & Mitigation

In addition to any soil cleanup standards implemented as part of the remedy, developers are expected to adhere to the City's **Soil Screening Guidelines and Site Mitigation Procedures for Industrial Sites** where not in conflict with, or where required actions are not repetitive of, the EPA's restrictions imposed on the Site. A copy of the City's Soil Screening Guidelines and Site Mitigation Procedures for Industrial Sites is attached to this Specific Plan as Appendix I.

3.11 Other Issues

The use of any septic tanks on the property shall be discontinued and such tanks shall be decommissioned in accordance with local regulations.

4 Implementation Program for the Specific Plan

Any and all other components of the City's development controls and zoning issues not identified herein, including public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities that would affect the development of the Specific Plan area, are subject to those standard requirements identified in the adopted City Code, General Plan, and Zoning Ordinance.

4.1 Phasing Plan

While it is acknowledged that the development of the WDI Site could occur in several distinct phases, there shall be no required phasing of the development of the WDI Site. Any phases of development would need to fully meet the requirements of this Specific Plan, just as if the Site were developed as a whole. Alternately, developers are required to present a detailed phasing plan to identify how the goals and objectives of this Specific Plan will be accomplished in each phase of development and provide evidence that all of the facets of this Plan will be met upon the completion of the final development phase.

4.2 Development Entitlements

The chart on the following page summarizes the entitlement process for the WDI Site in its most basic format. The process may be modified in the event that a developer sought a Conditional Use Permit or other land use entitlement. In addition, any of the actions identified below could be appealed to the City Council, which would serve to expand the process. It is not possible to predict the time required for the entitlement process, as each project would have individual characteristics, giving each required task a unique timeframe; however, upon receiving preliminary designs for a specific project, the Planning staff would be able to provide an estimate on the time required to complete the entitlement tasks.

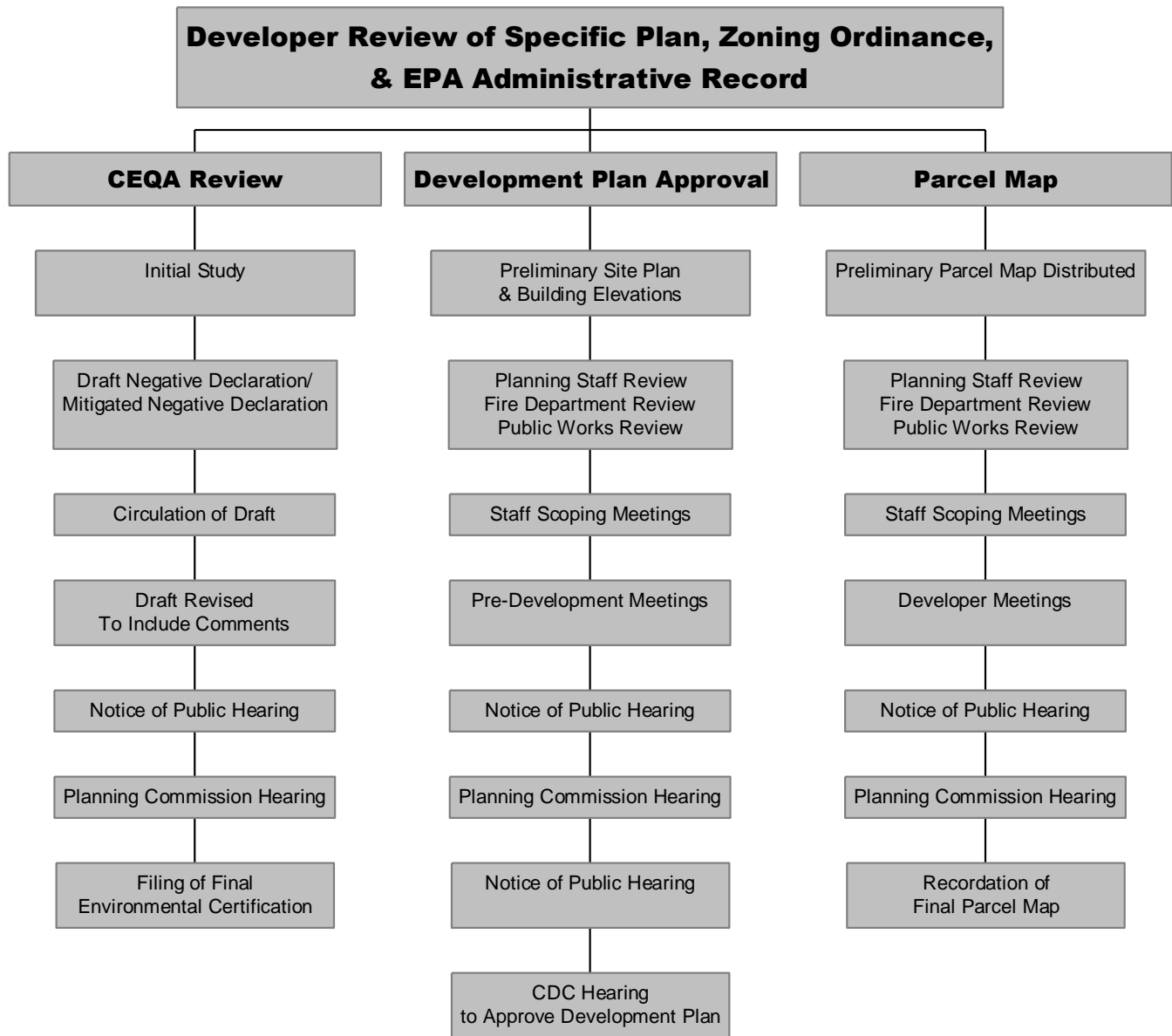
All fees associated with review and processing of entitlements are required to be paid in advance. A copy of the current schedule of fees is available in the Planning Department.

All approved projects (including public works projects), tentative maps, parcel maps, and Zoning Ordinance amendments within the area covered by this Specific Plan must be consistent with the adopted Specific Plan.

Redevelopment on the WDI Site can take place by the current owners of their respective parcels or by other interested parties, following the guidelines set forth in the adopted Specific Plan.

Entitlements Process

WDI Site



Note: Some or all aspects of a development plan may need to be reviewed and approved by EPA pursuant to any recorded ERCs. The prospective developer should request this separate review as early as possible in the entitlement process.

4.3 CEQA Compliance

While extensive environmental studies have been performed at the WDI Site by various agencies – including the adoption of an EIR for the General Plan Update, the Subsequent EIR for the Consolidated Project Area, and numerous studies performed by the EPA as part of the remedial action – every property development located on the WDI Site will nevertheless be required to perform an environmental review in accordance with the California Environmental Quality Act (CEQA). At minimum, the environmental review would include the preparation of an Initial Study. If the Initial Study identifies the need to perform a full project-specific, environmental impact report, the required documents shall be prepared.

4.4 Environmental Compliance

The developer/property owners for the Site shall secure, or cause to be secured, all permits and other approvals that may be required by the City and any other governmental agencies having jurisdiction as to the environmental condition of the property. Such agencies will include the EPA, the Regional Water Quality Control Board, and the California State Department of Toxic Substance Control.

Project applicants will be required to submit written covenants stating that, based upon reasonable investigation and inquiry, it does not know or have reasonable cause to believe that it is in violation of any notification, remediation, or other requirements of any federal, State, or local agency having jurisdiction over the WDI Site.

4.5 Hazardous Materials

Hazardous substances are buried on the WDI Site. The depth and character of these wastes are generally known to the EPA, the California State Department of Toxic Substance Control, and the parties responsible for the remedial action of the WDI Site; however, if during the excavation, grading, construction, or use of the property, any hazardous materials, wastes, or substances are uncovered, all work shall be stopped immediately and the area must be immediately evacuated. The property owner must then notify the EPA, DTSC, the City, and other appropriate responsible agencies. Any necessary and appropriate permits shall be obtained prior to moving or handling any potentially hazardous materials or substances. All hazardous materials must be handled by a hazardous materials certified and trained crew. The City will work with the developer/property owners to contact necessary oversight agencies for appropriate actions.

Should any underground tanks be uncovered on the Site, the developer/property owner must contact the City's Certified Unified Program Agency (CUPA) and the Fire Department to obtain the necessary permits and approvals.

5 Specific Plan Amendment Procedures

This Specific Plan may be amended as often as necessary by the City Council pursuant to Section 65453(a) of the Government Code as long as it is found to be consistent with the General Plan (§65454). This Specific Plan may be amended by the City Council after conducting a duly noticed public hearing, notice of which must be published in a local newspaper of general circulation at least ten (10) days prior to the hearing date.

If an amendment to this Specific Plan would affect the permitted uses or intensity of uses of real property, ten (10) day prior notice of the hearing must also be mailed or delivered directly to each of the following: (1) the

owner(s) of the property or the owner's duly authorized agent, and to the project applicant; (2) each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected; and (3) all owners of real property as shown on the latest equalized assessment roll within 300 feet of the boundaries of the real property that is the subject of the hearing (§65091). However, where the notice to nearby property owners would affect more than 1,000 persons, a 1/8-page newspaper advertisement may substitute for that part of the notice.

An amendment to the Specific Plan may be adopted by resolution of the City Council; however, the Planning Commission prior to adoption by the City Council shall review all changes to this Specific Plan.

6 Appendix A - Selected Statutes

SPECIFIC PLAN STATUTES
(Excerpted From The California Government Code)
TITLE 7. Planning and Land Use
DIVISION 1. Planning and Zoning
CHAPTER 3. Local Planning
Article 8. Specific Plans

Section 65450. Preparation of specific plans

After the legislative body has adopted a general plan, the planning agency may, or if so directed by the legislative body, shall, prepare specific plans for the systematic implementation of the general plan for all or part of the area covered by the general plan.

Section 65451. Content of specific plans

(a) A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail:

- (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
- (2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
- (3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
- (4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).

Section 65452. Optional subjects

The specific plan may address any other subjects which in the judgment of the planning agency are necessary or desirable for implementation of the general plan.

Section 65453. Adoption/amendment procedure

(a) A specific plan shall be prepared, adopted, and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body.

(b) A specific plan may be repealed in the same manner as it is required to be amended.

Section 65454. Consistency with the General Plan

No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan.

Section 65455. Zoning, tentative map, parcel map, and public works project consistency with specific plans

No public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended within an area covered by a specific plan unless it is consistent with the adopted specific plan.

7 Appendix B - Legal Description Of The Specific Plan Area

The Specific Plan area shall cover the properties described below. An Assessor's map of the Specific Plan Area follows the descriptions. In brief, the parcels subject to the Specific Plan are all of those properties identified on the County of Los Angeles Assessor's Map Book 8167, Page 2, with the exception of Parcel 8, which is not subject to this Specific Plan.

Assessor's Parcel Number 8167-002-007

THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD'S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT, SAID CORNER BEING A POINT IN THE CENTER LINE OF LOS NIETOS ROAD (60 FEET WIDE); THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT, 1165.00 FEET; THENCE NORTHWESTERLY PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT TO A POINT IN THE NORTHWESTERLY LINE OF SAID LOT; SAID POINT BEING ON THE CENTER LINE OF SANTA FE SPRINGS WHITTIER ROAD (40) FEET WIDE, THE TRUE POINT OF BEGINNING; THENCE SOUTHWESTERLY 200 FEET ALONG SAID NORTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT A DISTANCE OF 300 FEET; THENCE NORTHEASTERLY PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 200 FEET; THENCE NORTHWESTERLY PARALLEL WITH SAID SOUTHWESTERLY LINE A DISTANCE OF 300 FEET TO THE TRUE POINT OF BEGINNING.

Assessor's Parcel Number 8167-002-021

THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD'S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD, 40 FEET WIDE, AND LOS NIETOS ROAD, 60.00 FEET WIDE; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF THE LOS NIETOS ROAD, 300 FEET; THENCE NORTHEASTERLY ALONG A LINE PARALLEL WITH SAID CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD, 865.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTHWESTERLY ALONG SAID LAST MENTIONED PARALLEL LINE 100.00 FEET, TO THE MOST SOUTHERLY CORNER OF THE LAND DESCRIBED IN THE DEED TO CONTRACTORS READY MIX, RECORDED AUGUST 12, 1957 AS INSTRUMENT NO.321 IN BOOK 55303 PAGE 154, OFFICIAL RECORDS, OF SAID COUNTY; THENCE NORTHWESTERLY PARALLEL TO SAID CENTER LINE OF LOS NIETOS ROAD, 300 FEET, TO A POINT IN SAID CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD; THENCE SOUTHWESTERLY ALONG SAID LAST MENTIONED CENTER LINE 100.00 FEET TO A POINT THAT IS DISTANT 865.00 FEET ALONG SAID CENTER LINE FROM ITS INTERSECTION WITH THE CENTER LINE OF LOS NIETOS ROAD; THENCE SOUTHEASTERLY, PARALLEL TO SAID CENTER LINE OF LOS NIETOS ROAD 300 FEET TO THE TRUE POINT OF BEGINNING.

Assessor's Parcel Number 8167-002-022

PARCEL 1: THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD 'S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD 40.00 FEET WIDE, AND LOS NIETOS ROAD 60.00 FEET WIDE; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF LOS NIETOS ROAD, 300.00 FEET; THENCE NORTHEASTERLY ALONG A LINE PARALLEL WITH SAID CENTER LINE OF SANTA FE SPRINGS -WHITTIER ROAD 757.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY ALONG SAID LAST MENTIONED PARALLEL LINE 107.50 FEET; THENCE NORTHWESTERLY PARALLEL TO SAID CENTER LINE OF LOS NIETOS ROAD 300.00 FEET TO A POINT IN SAID CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD; THENCE SOUTHWESTERLY ALONG SAID LAST MENTIONED CENTER LINE 107.50 FEET TO A POINT THAT IS DISTANT 757.50 FEET ALONG SAID CENTER LINE FROM ITS INTERSECTION WITH THE CENTER LINE OF LOS NIETOS ROAD; THENCE SOUTHEASTERLY, PARALLEL TO SAID CENTER LINE OF LOS NIETOS ROAD 300.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2: AN EASEMENT TO BE USED IN COMMON WITH OTHERS, FOR ROAD AND UTILITY PURPOSES, OVER A 50.00 FOOT STRIP OF LAND DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD, 40.00 FEET WIDE, AND LOS NIETOS ROAD 60.00 FEET WIDE; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF LOS NIETOS ROAD 300.00 FEET; THENCE NORTHEASTERLY ALONG A LINE PARALLEL WITH SAID CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD 707.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY ALONG SAID LAST MENTIONED PARALLEL LINE 50.00 FEET; THENCE NORTHWESTERLY PARALLEL TO SAID CENTER LINE OF LOS NIETOS ROAD 300.00 FEET TO A POINT IN SAID CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD; THENCE SOUTHWESTERLY ALONG SAID

LAST MENTIONED CENTER LINE 50.00 FEET TO A POINT THAT IS DISTANT 707.50 FEET ALONG SAID CENTER LINE FROM ITS INTERSECTION WITH THE CENTER LINE OF LOS NIETOS ROAD; THENCE SOUTHEASTERLY, PARALLEL TO SAID CENTER LINE OF LOS NIETOS ROAD 300.00 FEET TO THE TRUE POINT OF BEGINNING.

Assessor's Parcel Number 8167-002-028 & 8167-002-029

THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD'S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD, 40.00 FEET WIDE, AND LOS NIETOS ROAD 60.00 FEET WIDE; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF LOS NIETOS ROAD, 300.00 FEET; THENCE NORTHEASTERLY ALONG A LINE PARALLEL WITH SAID CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD 500.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTHEASTERLY ALONG SAID LAST MENTIONED PARALLEL LINE 232.50 FEET; THENCE NORTHWESTERLY PARALLEL TO SAID CENTER LINE OF LOS NIETOS ROAD 300.00 FEET TO A POINT IN SAID CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD; THENCE SOUTHWESTERLY ALONG SAID LAST MENTIONED CENTER LINE 232.50 FEET TO A POINT THAT IS DISTANT 500.00 FEET ALONG SAID CENTER LINE FROM ITS INTERSECTION WITH THE CENTER LINE OF LOS NIETOS ROAD; THENCE SOUTHEASTERLY PARALLEL TO SAID CENTER LINE OF LOS NIETOS ROAD 300.00 FEET TO THE TRUE POINT OF BEGINNING.

Assessor's Parcel Number 8167-002-003 & 8167-002-024

PARCEL 1: THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD'S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF SAID LOT, BEING THE CENTER LINE OF LOS NIETOS ROAD, 60 FEET WIDE, WHICH POINT IS 300 FEET SOUTHEASTERLY FROM THE POINT OF ITS INTERSECTION WITH THE CENTER LINE OF SANTA FE SPRINGS WHITTIER ROAD (40 FEET WIDE); THENCE NORTHEASTERLY PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 300 FEET; THENCE SOUTHEASTERLY PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT, 125 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 300 FEET TO A POINT IN SAID SOUTHWESTERLY LINE OF SAID LOT; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT, 125 FEET TO THE POINT OF BEGINNING.

PARCEL 2: THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD'S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF SAID LOT, BEING THE CENTER LINE OF LOS NIETOS ROAD, 60 FEET WIDE, WHICH POINT IS 300 FEET SOUTHEASTERLY FROM THE POINT OF ITS INTERSECTION WITH THE CENTER LINE OF SANTA FE SPRINGS WHITTIER ROAD (40 FEET WIDE) ; THENCE NORTHEASTERLY PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 300 FEET, WHICH, IS THE TRUE POINT OF BEGINNING; THENCE CONTINUING IN NORTHEASTERLY DIRECTION, A DISTANCE OF 30 FEET; THENCE SOUTHEASTERLY PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 125 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT, 30 FEET; THENCE NORTHWESTERLY PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 125 FEET TO THE TRUE POINT OF BEGINNING. THE SOUTHWESTERLY LINE OF SAID PARCEL BEING THE SAME AS THE NORTHEASTERLY LINE OF A PARCEL OF GROUND CONVEYED BY DEED TO LESLIE M. HOLBROOK AND RAYMOND R. HOLBROOK RECORDED IN BOOK 45819 PAGE 251 OF OFFICIAL RECORDS, OF SAID COUNTY.

Assessor's Parcel Number 8167-002-012

THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD'S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF SAID LOT, BEING IN THE CENTER LINE OF LOS NIETOS ROAD 60 FEET WIDE DISTANT SOUTHEASTERLY THEREON 425 FEET FROM THE CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD 40 FEET WIDE; THENCE SOUTHEASTERLY ALONG THE SAID SOUTHWESTERLY LINE, A DISTANCE OF 75.00 FEET; THENCE NORTHEASTERLY PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT, A DISTANCE OF 330 FEET; THENCE NORTHWESTERLY PARALLEL WITH THE SAID SOUTHWESTERLY LINE, A DISTANCE OF 75 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE SAID NORTHWESTERLY LINE A DISTANCE OF 330 FEET TO THE SAID POINT OF BEGINNING.

Assessor's Parcel Number 8167-002-011

THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD'S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF SAID LOT, BEING IN THE CENTER LINE OF LOS NIETOS ROAD 60 FEET WIDE DISTANT SOUTHEASTERLY THEREON 500 FEET FROM THE CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD 40 FEET WIDE; THENCE SOUTHEASTERLY ALONG THE SAID SOUTHWESTERLY LINE, A DISTANCE OF 70 FEET; THENCE NORTHEASTERLY PARALLEL WITH THE NORTHWESTERLY LINE OF SAID

LOT, A DISTANCE OF 330 FEET; THENCE NORTHWESTERLY PARALLEL WITH THE SAID SOUTHWESTERLY LINE, A DISTANCE OF 70.00 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE SAID NORTHWESTERLY LINE A DISTANCE OF 330 FEET TO THE SAID POINT OF BEGINNING.

Assessor's Parcel Number 8167-002-044

THE NORTHWESTERLY 176 FEET, AS MEASURED ALONG THE SOUTHWESTERLY LINE OF THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD' S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT, SAID CORNER BEING A POINT IN THE CENTERLINE OF LOS NIETOS ROAD, 60.00 FEET WIDE; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT, 360.00 FEET; THENCE NORTHEASTERLY PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT, 330.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 330 FEET NORTHEASTERLY THEREOF, AS MEASURED PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE 233.44 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG LAST SAID PARALLEL LINE 404.89 FEET TO A POINT, SAID POINT BEING 570.00 FEET MEASURED ALONG THE NORTHWESTERLY PROLONGATION OF SAID PARALLEL LINE SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF SAID LOT, SAID NORTHWESTERLY LINE BEING THE CENTERLINE OF SANTA FE SPRINGS, WHITTIER ROAD, 40.00 FEET WIDE; THENCE SOUTHWESTERLY 290.00 FEET PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT TO A POINT 40.00 FEET NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY PARALLEL TO THE SOUTHWESTERLY LINE OF SAID LOT, 404.94 FEET TO A LINE PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT AND NORTHWESTERLY THEREOF 593.44 FEET MEASURED ALONG THE SOUTHWESTERLY LINE OF SAID LOT; THENCE NORTHEASTERLY ALONG LAST SAID PARALLEL LINE TO THE TRUE POINT OF BEGINNING.

Assessor's Parcel Number 8167-002-043

THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZARD'S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT, SAID CORNER BEING THE POINT IN THE CENTERLINE OF LOS NIETOS ROAD, 60.00 FEET WIDE; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT, 360.00 FEET; THENCE NORTHEASTERLY PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 330.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 330 FEET NORTHEASTERLY THEREOF AS MEASURED PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE 233.44 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG LAST SAID PARALLEL LINE 404.89 FEET TO A POINT, SAID POINT BEING 570.00 FEET MEASURED ALONG THE NORTHWESTERLY PROLONGATION OF SAID PARALLEL LINE, SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF SAID LOT, SAID NORTHWESTERLY LINE BEING THE CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD 40.00 FEET WIDE; THENCE SOUTHWESTERLY 290.00 FEET PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT TO A POINT 40.00 FEET NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY PARALLEL TO THE SOUTHWESTERLY LINE OF SAID LOT, 404.94 FEET TO A LINE PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT AND NORTHWESTERLY THEREOF 593.44 FEET; MEASURED ALONG THE SOUTHWESTERLY LINE OF SAID LOT; THENCE NORTHEASTERLY ALONG LAST SAID PARALLEL LINE TO THE POINT OF BEGINNING . EXCEPT THEREFROM THE NORTHWESTERLY 176 FEET AS MEASURED ALONG THE SOUTHWESTERLY LINE OF SAID LAND. ALSO EXCEPT THEREFROM THE SOUTHEASTERLY 75 FEET AS MEASURED ALONG THE SOUTHWESTERLY LINE OF SAID LAND.

Assessor's Parcel Number 8167-002-042

THE SOUTHEASTERLY 75 FEET, AS MEASURED ALONG THE SOUTHWESTERLY LINE OF THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD' S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT, SAID CORNER BEING A POINT IN THE CENTER LINE OF LOS NIETOS ROAD, 60.00 FEET WIDE; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT, 360.00 FEET; THENCE NORTHEASTERLY PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 330.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 330 FEET NORTHEASTERLY THEREOF, AS MEASURED PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT; THENCE NORTHEASTERLY ALONG SAID PARALLEL LINE 233.44 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG LAST SAID PARALLEL LINE 404.89 FEET TO A POINT, SAID POINT BEING 570.00 FEET, MEASURED ALONG THE NORTHWESTERLY PROLONGATION OF SAID PARALLEL LINE SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF SAID LOT, SAID NORTHWESTERLY LINE BEING THE CENTERLINE OF SANTA FE SPRINGS-WHITTIER ROAD, 40.00 FEET WIDE; THENCE SOUTHWESTERLY 290.00 FEET PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT TO A POINT 40.00 FEET NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM THE SOUTHWESTERLY LINE OF SAID LOT; THENCE SOUTHEASTERLY PARALLEL TO THE SOUTHWESTERLY LINE OF SAID LOT, 404.94 FEET TO A LINE PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT AND NORTHWESTERLY THEREOF 593.44 FEET, MEASURED ALONG THE SOUTHWESTERLY LINE OF SAID LOT; THENCE NORTHEASTERLY ALONG SAID PARALLEL LINE TO THE POINT OF BEGINNING.

Assessor's Parcel Number 8167-002-032

PARCEL 1: THE NORTHWESTERLY 58.36 FEET, AS MEASURED ALONG THE SOUTHWESTERLY LINE OF THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD' S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT, SAID CORNER BEING A POINT IN THE CENTER LINE OF LOS NIETOS ROAD, 60.00 FEET WIDE; THENCE NORTHWESTERLY, ALONG THE SOUTHWESTERLY LINE OF SAID LOT, 360.00 FEET; THENCE NORTHEASTERLY, PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 40.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID PARALLEL LINE 290.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 330.00 FEET NORTHEASTERLY THEREOF AS MEASURED PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT; THENCE NORTHWESTERLY, ALONG SAID PARALLEL LINE, 233.44 FEET; THENCE SOUTHWESTERLY, PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 290.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 40.00 FEET NORTHEASTERLY THEREOF; THENCE SOUTHEASTERLY, ALONG SAID PARALLEL LINE 233.44 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2: AN EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES OVER THE NORTHWESTERLY 15.00 FEET OF THE SOUTHEASTERLY 58.36 FEET OF THE NORTHWESTERLY 116.72 FEET, AS MEASURED ALONG THE SOUTHWESTERLY LINE OF THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD' S PLAT OF THE CULLEN TRACT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT, SAID CORNER BEING A POINT IN THE CENTER LINE OF LOS NIETOS ROAD, 60.00 FEET WIDE; THENCE NORTHWESTERLY, ALONG THE SOUTHWESTERLY LINE OF SAID LOT, 300.00 FEET; THENCE NORTHEASTERLY, PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 40.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE, CONTINUING ALONG SAID PARALLEL LINE 290.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 330.00 FEET NORTHEASTERLY THEREOF, AS MEASURED PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE 233.44 FEET; THENCE SOUTHWESTERLY, PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT, 290.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 40.00 FEET NORTHEASTERLY THEREOF; THENCE SOUTHEASTERLY ALONG SAID PARALLEL LINE, 233.44 FEET TO THE TRUE POINT OF BEGINNING.

Assessor's Parcel Number 8167-002-037

PARCEL 1: THE SOUTHEASTERLY 58.36 FEET OF THE NORTHWESTERLY 116.72 FEET; AS MEASURED ALONG THE SOUTHWESTERLY LINE OF THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD'S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT, SAID CORNER BEING A POINT IN THE CENTERLINE OF LOS NIETOS ROAD, 60.00 FEET WIDE; THENCE NORTHWESTERLY, ALONG THE SOUTHWESTERLY LINE OF SAID LOT, 360.00 FEET; THENCE NORTHEASTERLY, PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT, 40.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE, CONTINUING ALONG SAID PARALLEL LINE, 290.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 330.00 FEET NORTHEASTERLY THEREOF, AS MEASURED PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE, 233.44 FEET; THENCE SOUTHWESTERLY, PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT, 290.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 40.00 FEET NORTHEASTERLY THEREOF; THENCE SOUTHEASTERLY ALONG SAID PARALLEL LINE, 233.44 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2: AN EASEMENT FOR INGRESS AND EGRESS AND PUBLIC UTILITY PURPOSES, OVER, UNDER, AND ALONG THE SOUTHEASTERLY 15.00 FEET OF THE NORTHWESTERLY 58.36 FEET, AS MEASURED ALONG THE SOUTHWESTERLY LINE OF THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD'S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT, SAID CORNER BEING A POINT IN THE CENTERLINE OF LOS NIETOS ROAD, 60.00 FEET WIDE; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT, 360.00 FEET; THENCE NORTHEASTERLY PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT, 40.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID PARALLEL LINE 290.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 330.00 FEET NORTHEASTERLY THEREOF AS MEASURED PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE, 233.44 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT, 290.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 40.00 FEET NORTHEASTERLY THEREOF; THENCE SOUTHEASTERLY ALONG SAID PARALLEL LINE, 233.44 FEET TO THE TRUE POINT OF BEGINNING.

Assessor's Parcel Number 8167-002-041

THE SOUTHEASTERLY 116.72 FEET, MEASURED ALONG THE SOUTHWESTERLY LINE; OF THAT PORTION OF LOT 5 OF

RESURVEY OF GUNN AND HAZZARD ' S PLAT OF THE CULLEN TRACT OF THE CITY OF SANTA FE SPRINGS, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34, PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT, SAID CORNER BEING A POINT IN THE CENTER LINE OF THE LOS NIETOS ROAD, 60.00 FEET WIDE; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT, 360.00 FEET; THENCE NORTHEASTERLY, PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT, 40.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID PARALLEL LINE 290.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 330.00 FEET NORTHEASTERLY THEREOF AS MEASURED PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE 233.44 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT, 290.00 FEET TO A POINT IN A LINE PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT AND DISTANT 40.00 FEET NORTHEASTERLY THEREOF; THENCE SOUTHEASTERLY ALONG LAST MENTIONED PARALLEL LINE, 233.44 FEET TO THE TRUE POINT OF BEGINNING.

Assessor's Parcel Number 8167-002-026 & 8167-002-030 & 8167-002-025 & 8167-002-051

PARCEL A: THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD' S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF SAID LOT, SAID CORNER BEING THE INTERSECTION OF LOS NIETOS ROAD AND SANTA FE SPRINGS ROAD; THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF LOS NIETOS ROAD A DISTANCE OF 300 FEET; THENCE NORTHEASTERLY PARALLEL TO THE CENTER LINE OF SANTA FE SPRINGS ROAD A DISTANCE OF 500 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTHEASTERLY PARALLEL TO THE CENTER LINE OF LOS NIETOS ROAD A DISTANCE OF 125 FEET; THENCE SOUTHWESTERLY PARALLEL TO THE CENTER LINE OF SANTA FE SPRINGS ROAD , A DI STANCE OF 170 FEET ; THENCE SOUTHEASTERLY PARALLEL TO THE CENTER LINE OF LOS NIETOS ROAD A DISTANCE OF 843.33 FEET; THENCE NORTHEASTERLY ON A LINE PARALLEL TO THE CENTER LINE OF GREENLEAF AVENUE A DISTANCE OF 835.00 FEET; THENCE NORTH 50 DEGREES 30 MINUTES 00 SECONDS WEST PARALLEL TO THE CENTER LINE OF LOS NIETOS ROAD A DISTANCE OF 968.21 FEET; THENCE SOUTHWESTERLY PARALLEL TO THE CENTER LINE OF SANTA FE SPRINGS ROAD TO A POINT DISTANT NORTHEASTERLY THEREON 757.58 FEET FROM THE SOUTHWESTERLY LINE OF SAID LOT; THENCE NORTHWESTERLY, PARALLEL WITH SAID CENTER LINE OF LOS NIETOS ROAD, A DISTANCE OF 250.00 FEET TO THE SOUTHEASTERLY LINE OF SANTA FE SPRINGS ROAD AS IT EXISTED ON JANUARY 23, 1968; THENCE SOUTHWESTERLY, ALONG SAID ROAD 25.00 FEET; THENCE SOUTHEASTERLY PARALLEL WITH SAID CENTER LINE OF LOS NIETOS ROAD TO A LINE THAT IS PARALLEL WITH THE CENTER LINE OF SANTA FE SPRINGS ROAD AND DISTANT SOUTHEASTERLY 300 FEET THEREFROM, ALSO SAID LINE PASSING THROUGH SAID TRUE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG SAID PARALLEL LINE, TO THE TRUE POINT OF BEGINNING.

PARCEL B: PARCEL 3 OF PARCEL MAP NO.14608, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 149 PAGES 6 TO 8 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Assessor's Parcel Number 8167-002-050

PARCEL 2 OF PARCEL MAP NO.14608, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 149 PAGES 6 TO 8 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Assessor's Parcel Number 8167-002-004

THAT PORTION OF LOT 5 OF RESURVEY OF GUNN AND HAZZARD' S PLAT OF THE CULLEN TRACT, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 34 PAGE 64 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT, SAID CORNER BEING A POINT IN THE CENTER LINE OF LOS NIETOS ROAD (60 FEET WIDE); THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT TO A POINT IN THE NORTHWESTERLY LINE OF SAID LOT, SAID POINT BEING THE CENTER LINE OF SANTA FE SPRINGS-WHITTIER ROAD, (40 FEET WIDE), AND THE TRUE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY LINE A DISTANCE OF 500 FEET; THENCE SOUTHEASTERLY PARALLEL TO THE SOUTHWESTERLY LINE OF SAID LOT, A DISTANCE OF 300 FEET; THENCE SOUTHWESTERLY PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT, A DISTANCE OF 500 FEET, TO A POINT IN THE SOUTHWESTERLY LINE OF SAID LOT; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE, A DISTANCE OF 300 FEET TO THE TRUE POINT OF BEGINNING.

Assessor's Parcel Number 8167-002-049

PARCEL 1 OF PARCEL MAP NO.14608, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED °IN BOOK 149 PAGES 6 THROUGH 8 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

8 Appendix C - Copy of Adopting Resolution

RESOLUTION NO. 6968
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA FE SPRINGS REGARDING
THE ADOPTION OF A SPECIFIC PLAN FOR THE WASTE DISPOSAL INC. SITE
(SPECIFIC PLAN)

WHEREAS, the City of Santa Fe Springs proposes to adopt a Specific Plan to guide the redevelopment of a federally-designated Superfund site known generally as the Waste Disposal Inc. Site ("the Site" or the WDI Site"). The WDI Site is generally described as those properties north of Los Nietos Road, east of Santa Fe Springs Road, west of Greenleaf Avenue, and south of the prolongation of Barton Road. (See attached map marked Exhibit "A") The total acreage of the WDI Site is approximately 38 acres encompassing 22 separate parcels; and

WHEREAS, after study and deliberation by the Department of Planning and Development of the City, the City has prepared a Specific Plan for the Waste Disposal Inc. Site; and

WHEREAS, the Department of Planning and Development of the City, acting as Lead Agency, has prepared an Initial Study for the proposed Specific Plan for the WDI Site. The Initial Study supports the findings of the Negative Declaration that the adoption of the Specific Plan will not have a significant adverse effect on the environment within the meaning as defined in the California Environmental Quality Act (CEQA); and

WHEREAS, the Department of Planning and Development of the City, in addition to contacting Responsible and Trustee Agencies, mailed a copy of the draft Specific Plan, Initial Study, Notice of Intent to Adopt a Negative Declaration, and the proposed Negative Declaration to public agencies that have jurisdiction by law with respect to the project; each city or county that borders on a city or county within the project is located; state, federal, and local agencies that exercise authority over resources that may be affected by the project; and to all parties requesting notice; and

WHEREAS, the Planning Commission, at its meeting of April 26, 2004, held a Public Hearing and studied this matter; and

WHEREAS, Notice of the Public Hearing was given as required by law; and

WHEREAS, the Planning Commission has considered the testimony received at the Public Hearing and studied the facts and circumstances involved in the request to adopt the Specific Plan; and

WHEREAS, the Planning Commission found and determined that the adoption of a Specific Plan for the Waste Disposal Inc. Site would not distort or disturb the harmonious relationships of the land uses shown on the General Plan Map and would not distort the relationship of the various elements of the General Plan; that the Specific Plan is consistent with the overall purpose and objective of the Zoning Ordinance and that the Specific Plan is consistent with the goals, policies and programs of the City's General Plan.

NOW, THEREFORE, be it RESOLVED that the CITY COUNCIL of the CITY OF SANTA FE SPRINGS does hereby RESOLVE, DETERMINE and ORDER AS FOLLOWS:

The City Council hereby adopts the Specific Plan for the federally designated Superfund site known generally as the Waste Disposal, Inc. Site. The Site is generally described as the area north of Los Nietos Road, east of Santa Fe Springs Road, west of Greenleaf Avenue, and south of the prolongation of Barton Road, as shown on the map labeled "Exhibit A" attached hereto and made part of this Resolution.

The City Council hereby instructs the Mayor and City Clerk to certify that said map has been properly adopted by the City Council of the City of Santa Fe Springs.

PASSED and ADOPTED this 13th day of May, 2004 by the following roll call vote:

AYES: Gustavo R. Velasco, Mayor, Betty Putnam, Mayor Pro-Tempore, Louie Gonzalez, Ronald S. Kernes, Joseph D. Serrano, Jr.

NOES: None ABSENT: None

SS// Gustavo R. Velasco
Mayor

9 Appendix D – Location of the Dial



10 Appendix E – Sample Site Designs



11 **Appendix F – Ordinance No. 915 Storm Water Mitigation Requirements**

Ordinance No. 915 has been codified and can be found in the Santa Fe Springs Municipal Code, **CHAPTER 52: STORM WATER RUNOFF**. The Municipal code can be assessed by visiting the City's Home Page: www.santafesprings.org.

12 Appendix G – Ordinance No. 914 Recycling Requirements

Ordinance No. 914 has been codified and can be found in the Santa Fe Springs Municipal Code, **CHAPTER 50: SOLID WASTE PROVISIONS**. The Municipal code can be assessed by visiting the City's Home Page: www.santafesprings.org.

13 Appendix H – Sample Environmental Restriction Covenant

RECORDING REQUESTED BY:

WHEN RECORDED, MAIL TO:

Michael J. Skinner
Trustee of the WDIG Site Trust
Michael J. Skinner Consulting, LLC
230 Kings Highway East, #300
Haddonfield, NJ 08033

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COVENANT TO RESTRICT USE OF PROPERTY

ENVIRONMENTAL RESTRICTION

(Re: Assessor's Parcel No. _____; _____, Santa Fe Springs, CA)

This Covenant and Agreement ("Covenant") is made by and between _____ (the "Covenantor"), the current owner of property situated in Santa Fe Springs, County of Los Angeles, State of California, described in Exhibit A, attached hereto and incorporated herein by this reference (the "Property"), and the WDIG Site Trust ("WDIG Site Trust" or "Trust"). Pursuant to Civil Code section 1471(c), this Covenant is reasonably necessary to protect present or future human health or safety or the environment as a result of the presence on the land of hazardous substances as defined in 42 U.S.C. § 9601(14), pollutants or contaminants under 42 U.S.C. § 9601(33), and in California Health and Safety Code ("H&SC") Section 25260. The Covenantor and the Trust, collectively referred to as the "Parties," hereby agree pursuant to Civil Code section 1471(c) and H&SC section 25355.5 that the use of the Property be restricted as set forth in this Covenant. The Parties further intend that the provisions of this Covenant also be for the benefit of the U.S. Environmental Protection Agency ("EPA") and the California Department of Toxic Substances Control ("DTSC") as third party beneficiaries.

ARTICLE I

STATEMENT OF FACTS

1.01. The Property is more particularly described and depicted in Exhibit A, attached hereto and incorporated herein by this reference. The Property is located in the area now generally bounded by Los Nietos Road, Greenleaf Avenue, and Santa Fe Springs Road, in the County of Los Angeles, State of California. This property is more specifically described as Los Angeles County Assessor's Parcel No.: _____.

1.02. The Property is a portion of the Waste Disposal, Inc. Superfund Site and was listed on the National Priority List on July 22, 1987 by EPA. A map of the Site is attached as Exhibit B. Remediation of the Site is being conducted pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601 et seq ("CERCLA"). EPA has selected a remedy for the Site, which is documented in the Amended Record of Decision ("Amended ROD") signed by EPA on June 21, 2002. The remedy includes construction of a RCRA-equivalent cap over the reservoir area in Area 2, use of engineered caps in portions of Areas 1, 2, 4, 5, 6, 7, and 8, installation and use of an active soil vapor extraction system and/or a soil gas monitoring system, use of a liquids collection system under the RCRA-equivalent cap, institutional controls, engineering controls in buildings overlying buried waste or soil gas noncompliance areas, use of in-business ambient air monitoring, long-term soil gas monitoring, long-term groundwater monitoring, and long-term operations, maintenance and monitoring. The Administrative Record for the Site is available for review at the Santa Fe Springs Public Library located at 11700 Telegraph Road in Santa Fe Springs, and at EPA's Region IX Records Center, located at 95 Hawthorne St., San Francisco, CA 94104.

1.03 Because waste will remain in place at the Site, EPA selected institutional controls as part of the remedy selected in the Amended ROD. The institutional controls will be implemented in order to ensure the long-term integrity of the remedy and to prevent exposure to waste remaining at the site. The Amended ROD provides for restrictive environmental covenants to be recorded on the properties at the Site to fulfill the purposes of protecting the remedy and preventing certain activities on and uses of the properties.

ARTICLE II

DEFINITIONS

- 2.01. DTSC. "DTSC" means the California Department of Toxic Substances Control and includes its successor agencies, if any.
- 2.02. EPA. "EPA" means the United States Environmental Protection Agency and includes its successor agencies, if any.

2.03. Owner. "Owner" means the Covenantor, its successors in interest, and their successors in interest, including heirs and assigns, who at any time hold title to or an ownership interest in, all or any portion of the Property.

2.04. Occupant. "Occupant" means Owners and any person or entity entitled by ownership, leasehold, or other legal relationship to the right to occupy any portion of the Property, and their successors in interest.

2.05. CERCLA Lead Agency. "CERCLA Lead Agency" means the governmental entity having the designated lead responsibility to implement response action under the National Contingency Plan ("NCP"), 40 C.F.R. Part 300. EPA is the CERCLA Lead Agency at the time of the recording of this instrument.

2.06 WDIG Site Trust. "WDIG Site Trust" means the grantee and Covenantee of this environmental restriction and its Trustee, and their successors in interest.

2.07 Waste Materials. "Waste Materials" means (1) any "hazardous substance" under Section 101(14) of CERCLA, 42 U.S.C. § 9601(14); (2) any pollutant or contaminant under Section 101(33), 42 U.S.C. § 9601(33); (3) any "solid waste" under Section 1004(27) of RCRA, 42 U.S.C. § 6903(27); (4) any "hazardous substance" under California Health and Safety Code §§ 25316 and 25317; and (5) all material identified as waste or sump material in site investigations conducted prior to the date this Covenant is recorded, irrespective of whether it is classified as a hazardous substance, pollutant or contaminant, or solid waste under the above statutes.

ARTICLE III

GENERAL PROVISIONS

3.01. Restrictions to Run with the Land. This Covenant sets forth protective provisions, covenants, restrictions, and conditions (collectively referred to as "Restrictions"), subject to which the Property and every portion thereof shall be improved, held, used, occupied, leased, sold, hypothecated, encumbered, and/or conveyed. Covenantor covenants that each and every Restriction: (a) runs with the land pursuant to H&SC section 25355.5(a)(1)(C) and Civil Code section 1471; (b) inures to the benefit of and passes with each and every portion of the Property, (c) is for the benefit of and enforceable by the WDIG Site Trust (d) is for the benefit of EPA and DTSC as third party beneficiaries, and (e) is imposed upon the entire Property unless expressly stated as applicable only to a specific portion thereof.

3.02. Binding upon Owners/Occupants. Pursuant to H&SC section 25355.5(a)(1)(C), this Covenant binds all Owners of the Property, their heirs, successors, and assignees, and the agents, employees, and lessees of the Owners, heirs, successors, and assignees. Pursuant to Civil Code section 1471(b), all successive Owners of the Property are expressly bound hereby for the benefit of the WDIG Site Trust, EPA, and DTSC.

3.03. Written Notice of the Presence of Hazardous Substances. Prior to the sale, lease, sublease, assignment or other transfer of the Property, or any portion thereof, the Owner or Occupant or any other, lessor, sublessor, assignor or other transferor shall give the buyer, lessee, sublessee, assignee or other transferee written notice that hazardous substances are located on or beneath the Property, and provide written notice thereof to the WDIG Site Trust, EPA and DTSC.

3.04. Incorporation into Deeds and Leases. The Restrictions set forth herein shall be incorporated by reference in each and all deeds, leases, assignments, or other transfers of all or any portion of the Property which are hereafter executed or renewed. Further, each Owner or Occupant shall include in any instrument conveying any interest in all or any portion of the Property, including but not limited to deeds, leases, and mortgages, a notice which is in substantially the following form:

NOTICE: THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL RESTRICTION AND COVENANT TO RESTRICT USE OF PROPERTY, RECORDED IN THE OFFICIAL RECORDS OF LOS ANGELES COUNTY, CALIFORNIA, ON ____ [DATE] ____, AS INSTRUMENT NO. _____, IN FAVOR OF AND ENFORCEABLE BY THE WDIG SITE TRUST, AND FOR THE BENEFIT OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY AND THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL.

3.05. Conveyance of Property. The Owner shall provide notice to the WDIG Site Trust, and to EPA and DTSC not later than thirty (30) days after any conveyance of any ownership interest in the Property (excluding mortgages, liens, and other non-possessory encumbrances). The WDIG Site Trust, EPA, and DTSC shall not, by reason of this Covenant, have authority to approve, disapprove, or otherwise affect such proposed conveyance, except as otherwise provided by law, by administrative order, consent decree or by a specific provision of this Covenant.

ARTICLE IV

RESTRICTIONS

4.01 New or Modified Buildings. The Covenantor covenants that if Owner or an Occupant constructs a new building or other permanent structure on the Property, or substantially modifies an existing building or other permanent structure on the Property, and such modification requires a City of Santa Fe Springs building or other land use permit, Owner or Occupant shall implement and maintain any necessary engineered capping system(s) and any necessary engineering control(s) related to the new or modified building or other permanent structure, in conformance with the provisions of the Amended ROD and as specified by EPA. Such capping system and engineering controls shall be implemented only with the prior written approval of EPA.

4.02 Prohibited Uses. The Property shall not be used in any manner that would interfere with or adversely affect the implementation, integrity, or protectiveness of the remedial measures to be performed pursuant to the Amended ROD or any future response actions required by EPA. Owner and Occupants shall ensure compliance by all users of the Property with the following land/water use restrictions, except as otherwise authorized by EPA to implement the remedy selected in the Amended ROD or any future response action required by EPA.

- (a) Placement of warning signs or other posted information shall be allowed and, once posted, no removal or interference with such signs or information shall be permitted.
- (b) Placement of site access controls, such as gates or fencing, shall be allowed and shall not be damaged or circumvented.
- (c) The Property shall not be used in any manner that may interfere with or affect the integrity of the remedial cap or other components of the remedy, as constructed pursuant to the Amended ROD.
- (d) Construction not approved by EPA that impacts any of the remedial capping or other remedy components shall not occur.
- (e) No interferences with or alterations to the grading, vegetation and surface water and drainage controls shall be made.
- (f) Portions of the Property underlain by Waste Materials and in soil gas noncompliance areas shall not be regraded.
- (g) Areas of asphalt or concrete pavement shall not be removed or improved.
- (h) No penetrations through or interferences (including, but not limited to, utility trench excavations, excavations for fence posts, excavations for planting trees or large bushes, foundation excavations, and foundation piles) with the remedial cap or any other areas with remedial controls shall be made.
- (i) Deep-rooting plants (plants whose root systems will penetrate more than two feet below ground surface) shall not be planted.
- (j) Obtain approval from EPA for settings of irrigation controls in areas underlain by Waste Materials. Such settings shall not be changed without the prior written approval of EPA in accordance with Section 5.01 unless such settings are approved by EPA as part of the remedy selected in the Amended ROD.
- (k) Drainage channels and pipes shall not be blocked, rerouted or otherwise interfered with.
- (l) No new openings shall be made in building floor slabs in buildings located over Waste Materials or over soil gas noncompliance areas.
- (m) Integrity of existing and future foundations shall be maintained in areas underlain by Waste Materials and in soil gas noncompliance areas. All cracks or damage in such foundations shall be reported to the WDIG Site Trust and EPA and the Covenantor covenants that such cracks or damage shall be repaired by the Owner or Occupant.
- (n) Indoor gas controls shall not be circumvented.
- (o) Indoor gas sensors or alarms shall not be turned off or interfered with.
- (p) Soil gas control systems shall not be turned off or interfered with.
- (q) Monitoring points, including but not limited to groundwater monitoring wells, soil gas probes, reservoir leachate collection wells, soil gas vents, and survey monuments, shall not be blocked or otherwise obstructed.
- (r) Monitoring wells shall not be opened; nothing shall be placed into the monitoring wells.
- (s) Liquids recovery systems, liquids treatment systems, and treated liquids storage facilities shall not be turned off or interfered with.
- (t) Groundwater supply or monitoring wells shall not be constructed.
- (u) Owners of the Property shall disclose all land/water use restrictions to all Occupants on the property.
- (v) Owners shall inform the WDIG Site Trust and EPA of the identities of all Occupants on the Property.
- (w) During construction, excavation, or grading of any type on the Property, Owner or Occupant shall take measures to ensure that there is no offsite migration of dust, odors or organic vapors. During such activities, Owner or Occupant shall take appropriate measures to protect the health and welfare of onsite personnel and workers and to prevent offsite impacts.
- (x) Owner or Occupant must obtain prior written approval for all building or site modifications on the Property from EPA in accordance with Section 4.01 and Section 5.01.
- (y) Owner or Occupant shall not excavate Waste Materials on the Site, except as authorized by EPA.
- (z) No new construction shall occur on the Property without the prior written approval of EPA in accordance with Section 5.01 and the following requirements:

(i) New construction shall be supported by subsurface explorations and analytical laboratory data to characterize the construction area for the possible existence of Waste Materials.

(ii) If Waste Materials are discovered in the construction area, they shall be remediated or buildings and structures must be appropriately designed to protect occupants.

(iii) Appropriate worker and public health and safety precautions, including but not limited to dust control, safety plans, and other forms of worker protection, must be taken prior to approval of construction.

- (aa) Boreholes, foundation piles, or other subsurface penetrations into the reservoir or any other area of the site which could create conduits allowing Waste Materials to migrate to groundwater shall not be made.
- (bb) Construction workers shall be provided with appropriate personal protective equipment while they are working at the site.
- (cc) Pesticides or herbicides shall not be applied to the capped areas of the site or to areas surrounding monitoring points, except as approved by EPA for use in implementing the remedy selected in the Amended ROD.
- (dd) Use of any septic tanks on the property shall be discontinued and such tanks shall be decommissioned in accordance with local regulations.
- (ee) The Property shall not be used or redeveloped for residential use; use as a hospital, school for people aged 21 and under, or day care center; or other uses by sensitive receptors.

4.03. Access for the WDIG Site Trust. The WDIG Site Trust and EPA, and through them, their respective employees, agents, contractors, subcontractors, consultants, and other third parties authorized by the WDIG Trust and EPA shall have reasonable right of entry and access to the Property for implementing any response actions, inspection, monitoring, and other activities consistent with the purposes of this Covenant as deemed necessary by EPA in order to protect the public health or safety, or the environment. Such activities shall include, but not be limited to:

- (a) Maintaining and monitoring the remedial action selected in the Amended ROD;
- (b) Verifying any data or information submitted to EPA;
- (c) Conducting investigations relating to Waste Materials at or near the Property;
- (d) Obtaining samples;
- (e) Assessing the need for, planning, or implementing additional response actions at or near the Property, if authorized by EPA;
- (f) Assessing implementation of quality assurance and quality control practices as defined in the Quality Assurance Project Plans approved by EPA for the remedial actions;
- (g) Implementing the remedy selected in the Amended ROD;
- (h) Assessing Owner's or Occupant's compliance with this Covenant; and
- (i) Determining whether the Property is being used in a manner that is prohibited or restricted, or that may need to be prohibited or restricted, in accordance with the Amended ROD.

Nothing in this instrument shall limit or otherwise affect EPA's right of entry and access, or EPA's authority to take response actions under CERCLA, the National Contingency Plan, 40 C.F.R. Part 300, and its successor provisions, or any federal law.

4.04. Enforcement. The WDIG Site Trust shall be entitled to enforce the terms of this instrument by resort to specific performance or legal process and injunctive relief. Failure of the Covenantor, Owner or Occupant to comply with any of the Restrictions specifically applicable to it shall be grounds for the WDIG Site Trust to require that the Covenantor, Owner, or Occupant modify or remove any improvements ("Improvements" herein shall mean all buildings, other structures, landscaping, roads, driveways, and paved parking areas) constructed or placed upon any portion of the Property in violation of the Restrictions. All remedies available hereunder shall be in addition to any and all other remedies at law or in equity, including CERCLA or state law, and violation of this Covenant shall be grounds for the WDIG Site Trust to file civil actions as provided by law or equity. The WDIG Site Trust for itself and on behalf of any person or entity responsible for any response action authorized or required by EPA (collectively "Responsible Parties") shall be entitled to recover damages for any violation of the terms of this Covenant, including but not limited to, the costs incurred by the WDIG Site Trust or by the Responsible Parties to repair any damage to any remedial facilities or any other feature of any response action or to perform the maintenance of the Improvements, and any expenditures incurred by the Trust or such Responsible Parties to reimburse EPA for the agencies' oversight and enforcement costs related to this Covenant or violations thereof. Enforcement of the terms of this Covenant shall be at the discretion of the Covenantor and the third party beneficiaries and any forbearance, delay or omission to exercise their rights under this Covenant for breach hereof shall not be deemed a waiver by them of any such breach or subsequent breach of any term of this Covenant, or of any of their rights under this Covenant.

4.05 Attorneys' Fees. The WDIG Site Trust shall be entitled to recover its attorneys' fees and any costs from Owner and/or Occupant for any efforts, including but not limited to any legal actions, by the WDIG Site Trust to enforce the terms of this Covenant if the WDIG Site Trust prevails in such efforts or legal action.

ARTICLE V

EXCEPTIONS, TERMINATION, AND TERM

5.01 Exceptions to Land/Water Use Restrictions. If Owner or an Occupant seeks an exception to the land/water use restrictions in Section 4.01, Owner or Occupant shall obtain the prior written approval of EPA. Owner or Occupant shall submit a request in writing to EPA and to DTSC, with all necessary supporting documentation (such documentation may include appropriate design documents, work plans, and/or calculations). EPA shall respond to such request within a reasonable time, by: 1) providing written approval for the exception; 2) requesting further information in

support of the request; 3) providing written approval of the exception with modification; or 4) denying the request. The decision of EPA shall be final and shall not be subject to judicial review. If requested by EPA, any approved exception shall be recorded in the Official Records of Los Angeles County in an Amended and restated Covenant by the person or entity granted the exception.

5.02 Modification. The land/water use restrictions of this Covenant may only be modified upon the written agreement of the Owner and the WDIG Site Trust, with the prior express written approval of EPA. Such modifications shall become effective when they are incorporated into this Covenant and such modified and restated Covenant is executed by Owner and the WDIG Site Trust and recorded by the Owner.

5.03 Termination. Covenantor, or any other aggrieved person, may apply to the EPA for a termination of the Restrictions or other terms of this Covenant as they apply to all or any portion of the Property. The decision of EPA regarding any such request shall be final and not subject to judicial review.

5.04 Term. Unless ended in accordance with the Termination paragraph above or by law, this Covenant shall continue in effect in perpetuity.

5.05 Assignment. The WDIG Site Trust, EPA and DTSC may freely assign their interests in this Covenant to any other parties without the approval of the Covenantor. The WDIG Site Trust shall obtain the written consent of EPA prior to any assignment of its interests under this Covenant.

ARTICLE VI

MISCELLANEOUS

6.01. No Dedication or Taking. Nothing set forth in this Covenant shall be construed to be a gift or dedication, or offer of a gift or dedication, of the Property, or any portion thereof to the general public or anyone else for any purpose whatsoever. Further, nothing set forth in this Covenant shall be construed to effect a taking under state or federal law.

6.02. Notices. Whenever any person gives or serves any Notice ("Notice" as used herein includes any demand or other communication with respect to this Covenant), each such Notice shall be in writing and shall be deemed effective: (1) when delivered, if personally delivered to the person being served or to an officer of a corporate party being served, or (2) three (3) business days after deposit in the mail, if mailed by United States mail, postage paid, certified, return receipt requested:

To Owner:

To WDIG Site Trust:

Michael J. Skinner
Trustee of the WDIG Site Trust
Michael J. Skinner Consulting, LLC
230 Kings Highway East, #300
Haddonfield, NJ 08033

To EPA:

Russell Mechem
Remedial Project Manager
U.S. Environmental Protection Agency, Region IX
75 Hawthorne St.
San Francisco, CA 94105
Re: WDI Superfund Site
Sarah E. Mueller
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region IX
75 Hawthorne St.
San Francisco, CA 94105
Re: WDI Superfund Site

To DTSC:

Sara Amir
Chief, Southern California Cleanup Operations Branch
Department of Toxic Substances Control
1011 N. Grandview Ave.
Glendale, CA 91201

Any party may change its address or the individual to whose attention a Notice is to be sent by giving written Notice in compliance with this paragraph.

6.03. Partial Invalidity. If any portion of the Restrictions or other terms set forth herein is determined by a court of competent jurisdiction to be invalid for any reason, the surviving portions of this Covenant, or the application of such portions to persons or circumstances other than those to which it is found to be invalid, shall remain in full force and effect as if such portion found invalid had not been included herein.

6.04. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this instrument shall be liberally construed to effect the purpose of this instrument and the policy and purpose of CERCLA. If any provision of this instrument is found to be ambiguous, an

interpretation consistent with the purpose of this instrument that would render the provision valid shall be favored over any interpretation that would render it invalid.

6.05. Third Party Beneficiary. EPA's and DTSC's rights as third party beneficiaries of this Covenant shall be construed pursuant to principles of contract law under the statutory and common law of the State of California.

6.06. Statutory References. All statutory references include successor provisions.

6.07. Waiver of Certain Defenses. Covenantor hereby waives any defense of laches, estoppel or prescription.

6.08. Covenants. Covenantor hereby covenants to and with the Covenantee that the Covenantor is the owner in fee of the Property; that Covenantor has a good and lawful title and has the right and power to impose this Covenant on the Property; that the Property is free and clear of encumbrances as of the date hereof, except [List any agreed-to exceptions]. Notwithstanding the foregoing, nothing herein shall prevent, preclude, limit or otherwise restrict the filing or recording against the Property of any liens (including but not limited to mortgages, deeds of trust and/or security agreements), encumbrances, covenants, conditions, restrictions, or other documents or instruments, provided that any such liens, encumbrances, covenants, conditions, restrictions, or other documents or instruments shall be subject and subordinate to this Covenant.

6.09. Controlling Law. Except as otherwise provided in Section 7.06, the interpretation and performance of this Covenant shall be governed by the laws of the United States or, if there are no applicable federal laws, by the law of the State of California.

6.10. Joint Obligations. If there are two or more parties identified as Covenantor in the Covenant, the obligations imposed by this Covenant upon them shall be joint and several.

6.11. Captions. The captions in this Covenant have been inserted solely for convenience of reference and are not a part of this Covenant and shall have no effect upon construction or interpretation.

6.12. Counterparts. The parties may execute this Covenant in two or more counterparts, which shall, in the aggregate, be signed by both parties; each counterpart shall be deemed an original instrument as against any party who has signed it. In the event of any disparity between the counterparts produced, the recorded counterpart shall be controlling.

IN WITNESS WHEREOF, the Parties execute this Covenant.

Covenantor:

By: _____ Title: _____ Date: _____

WDIG Site Trust:

By: _____ Title: _____ Date: _____

STATE OF CALIFORNIA)

COUNTY OF _____)

On this _____ day of _____, in the year _____,

before me _____, personally appeared

_____ ,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is /are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Exhibit A

PARCEL NUMBER _____

Legal Description:

14 Appendix I – Soil Screening Guidelines & Site Mitigation Procedures for Industrial Sites

On July 22, 2004 the Santa Fe Springs City Council adopted ORDINANCE NO. 961:

AN ORDINANCE OF THE CITY OF SANTA FE SPRINGS ADDING NEW SECTION 97.800 TO CHAPTER 97 OF THE CITY CODE TO CODIFY THE REQUIREMENT FOR COMPLIANCE WITH THE CITY'S SOIL ASSESSMENT AND REMEDIATION GUIDELINES FOR COMMERCIAL/INDUSTRIAL SITES

The Soil Assessment and Remediation Guidelines approved by the City Council with the adoption of Ordinance No. 961, can be found on the City's website, by accessing the Fire Department Home Page and linking to the CUPA-related documents.



City of Santa Fe Springs

Adjourned Planning Commission Meeting

February 12, 2020

PUBLIC HEARING

CEQA Exemption Section 15061(b)(3)

Zone Determination Case No. 2020-01

A request that the Planning Commission determine that manufacturing and assembly of trade show displays is a similar and compatible use with other similarly listed uses permitted in the City's ML, Limited Manufacturing – Administration and Research, Zone. (Beaver Exhibit Inc.)

RECOMMENDATIONS:

- Open the Public Hearing and receive any comments from the public regarding Zone Determination Case No. 2020-01, and thereafter, close the Public Hearing; and
- Find that Zone Determination Case No. 2020-01 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 and will not adversely affect the community in general; and
- Find that pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA), the proposed Zone Determination is exempt; and
- Approve Zone Determination Case No. 2020-01, determining that the manufacturing and assembly of trade show displays is a similar and compatible use with other similarly listed uses permitted in the ML, Limited Manufacturing – Administration and Research, Zone; and
- Adopt Resolution No. 154-2020, which incorporates the Planning Commission's findings and actions regarding this matter.

GENERAL INFORMATION

- | | | |
|----|-----------------------|--|
| A. | Applicant: | Beaver Exhibit, Inc. 9923 Pioneer Boulevard Santa Fe Springs, CA 90670 |
| B. | Property Owner: | AMB US LOGISTICS FUND 1800 Wazee Street Denver, CO 80202 |
| C. | Location of Proposal: | 9923 Pioneer Boulevard Santa Fe Springs, CA 90670 |
| D. | Existing Zone: | ML (Limited Manufacturing – Administration and Research) |

- E. General Plan: Business Park
- F. CEQA Status: CEQA Exemption – Section 15061(b)(3)
- G. Staff Contact: Vince Velasco, Planning Consultant
vincevelasco@santafesprings.org

LOCATION / BACKGROUND

Allen Chon has submitted a Zone Determination application on behalf of Beaver Exhibit Incorporated, located at 9923 Pioneer Boulevard and within the City's ML, Limited Manufacturing – Administrative and Research, Zone. The applicant is requesting that the Planning Commission review and determine that manufacturing and assembly of trade show displays is a similar and compatible use with other similarly listed uses permitted in the City's ML Zone.

Manufacturing and assembly of trade show displays is not specifically identified as a permitted, accessory, or conditional use within the City's ML Zone; and therefore, it is technically not allowed. Section 155.181 (II), however, allows for similar uses which the Planning Commission, after study and deliberation, finds not to be inconsistent with the purpose of the City's ML Zone, and which would be similar to the uses listed as permitted uses and would be compatible with those uses.

| Code Section: | Principal Permitted Uses |
|---------------|---|
| 155.181 (II) | <u>Section 155.181</u> (II) Other similar uses which the Commission, after study and deliberation, finds not to be inconsistent with the purposes of this section, and which would be similar to the uses listed as permitted uses, and which would be compatible to these uses. |

| Code Section: | Purpose |
|---------------|---|
| 155.180 | <u>Section 155.180</u> The purpose of the ML Zone is to provide an environment suitable for the establishment of administrative offices of business and industrial concerns, scientific research offices and laboratories, restricted manufacturing and appurtenant uses compatible to the development of an industrial park, and to provide for special needs housing in the form of emergency shelters. The restrictions and conditions applied to this zone shall be those designed to develop a park-like atmosphere which will be conducive to the erection of industrial buildings pleasing in appearance and which will harmonize with other surrounding land uses. |

The applicant was previously located in the City of Anaheim, within their Anaheim Canyon Specific Plan (SP 2015-1) area. The purpose of the Anaheim Canyon

Specific Plan was to create a regional employment center, which provides for a wide variety of industrial and related uses, a range of services and commercial support facilities, and a limited amount of mixed-use transit oriented development. The Specific Plan is separated into seven (7) internal areas, comprising of industrial, recycling, transit-oriented, local commercial, general commercial, open/water space, and flex area. Beaver Exhibit Inc. was located in what the City of Anaheim designated as DA-2 recycling area. This internal area of the Specific Plan was adjacent to the DA-1 industrial area and DA-4 local commercial area. In summary, the applicant was previously located near various industrial, office, and commercial type uses which would be similar to the land uses in or immediately adjacent to the City's ML Zone.

Beaver Exhibit, Inc. has since relocated their operations from the City of Anaheim to the City of Santa Fe Springs in lieu of a larger facility. On November 26, 2019, Mr. Chon requested approval to obtain a Business Operation Tax Certificate for the manufacturing and assembly of trade show displays on property located at 9923 Pioneer Boulevard. Since the business, as described, is not listed within the City's Zoning Ordinance; specifically, the City's ML, Limited Manufacturing – Administrative and Research, Zone, Staff conveyed to the applicant that a Zone Determination would be required.

ZONE DETERMINATION CASE NO. 2020-01

The subject property, located between Alburdis Avenue and Pioneer Boulevard, is comprised of a single parcel, measuring 387,248 sq. ft. (8.89 acres). The property is currently developed with five (5) concrete tilt-up industrial buildings, ranging from 26,400 sq. ft. to 58,215 sq. ft., with a total gross building area of 192,669 sq. ft. The applicant intends to occupy a 21,826 sq. ft. portion of Building E, which has a total building area of 58,215 sq. ft. Industrial uses surround the subject building on all sides.

The applicant, Beaver Exhibit, Inc., is proposing to use 70% of their tenant space for assembling/fabrication, 25% for storage, and the remaining 5% for office area. The materials used in the making of trade show displays include: glass, plastic, textile, and pre-cut wood. The tools required to fabricate and assemble the displays include: table saw, orbital sander, and screw drivers. While the manufacturing, assembling, compounding, packaging and processing of glass, plastics, and textiles are considered to be principally permitted uses within the City's ML Zone, there is no mentioning of wood as an allowable material, whether it be an accessory, principally permitted or conditional use.

As previously mentioned, wood material is not specifically listed in the City's ML Zone; however, Section 155.181 (O) of the City's Zoning Ordinance allows for the manufacturing of cutlery, hardware, hand tools and kitchen utensils. Although these products are mostly composed of various materials listed within the principally

permitted section, the finishing's of these products can sometimes be comprised of wood material. The applicant intends to have a majority of the materials pre-fabricated off-site and rely on their facility to only make minor modifications and ultimately, complete the assembling process. Therefore, staff has determined the limited use of wood involved in the subject manufacturing and assembly of trade show displays is similar to the manufacturing of cutlery, hardware, hand tools and kitchen utensils and thus, would be compatible with other ML Zone uses.

STREETS AND HIGHWAYS

The subject site is located on the west side of Pioneer. Pioneer Boulevard is designated as a "Major Arterial", within the Circulation Element of the City's General Plan.

ZONING AND LAND USE

The subject property is zoned ML, Limited Manufacturing – Administrative and Research. The property has a General Plan Land Use designation of Business Park. The zoning, General Plan and land use of the surrounding properties are as follows:

| Surrounding Zoning, General Plan Designation, Land Use | | | |
|---|---|---------------------|--|
| Direction | Zoning District | General Plan | Land Use (Address/Business Name) |
| North | ML, Limited Manufacturing – Administrative and Research, Zone | Business Park | <u>Manufacturing/Distribution</u> (9905 Pioneer Blvd./Polymershapes) |
| South | ML, Limited Manufacturing – Administrative and Research, Zone | Business Park | <u>Television Studio</u> (11705 Willake St./Punch TV Studio) |
| East | ML, Limited Manufacturing – Administrative and Research, Zone | Business Park | <u>Manufacturing/Distribution</u> (9929 Pioneer Blvd./T-1 Lighting, Inc.) |
| West | ML, Limited Manufacturing – Administrative and Research, Zone | Business Park | <u>Warehouse/Distribution</u> (9754 Alburtis Ave./DPTL LLC) |

LEGAL NOTICE OF PUBLIC HEARING

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 January 31, 2020. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and the City's Town Center kiosk on January 31, 2020, and published in a newspaper of general circulation (Whittier Daily News) January 31, 2020, as required by the State Zoning and Development Laws and by the City's Zoning Ordinance. As of the date of this report, staff has not received any comments and/or inquiries regarding the proposed project

ENVIRONMENTAL DOCUMENTS

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 Section 15061(b)(3) "Common Sense Rule" of the California Environmental Quality Act (CEQA). This exemption is covered by the Common Sense Exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

CRITERIA FOR GRANTING A ZONE DETERMINATION

Pursuant to Section 155.181 (II) of the Zoning Ordinance, the City's ML Zone allows for similar uses which the Planning Commission, after study and deliberation, finds not to be inconsistent with the purpose of the code section, and which would be similar to the uses listed as permitted uses and would be compatible with those uses.

Additionally, the Commission should note that in accordance with Section 155.181 (II) of the City's Zoning Ordinance, before approving a Zone Determination, the Commission shall find that all of the following apply:

- 1) That the subject use is similar to one (1) or more permitted use in the zone within it is proposed to be located; and
- 2) That the subject use and its operation would be compatible with the uses currently permitted in the zone within it is proposed to be located; and
- 3) That the subject use will not adversely affect persons or property in the zone within which it is proposed to be located, nor in the community in general.

STAFF REMARKS

Based on the findings set forth in the attached Resolution (154-2020), Staff finds that the manufacturing and assembly of trade show displays does meet the criteria set forth in Section 155.181 (II), for the granting of a Zone Determination.

Wayne M. Morrell
Director of Planning

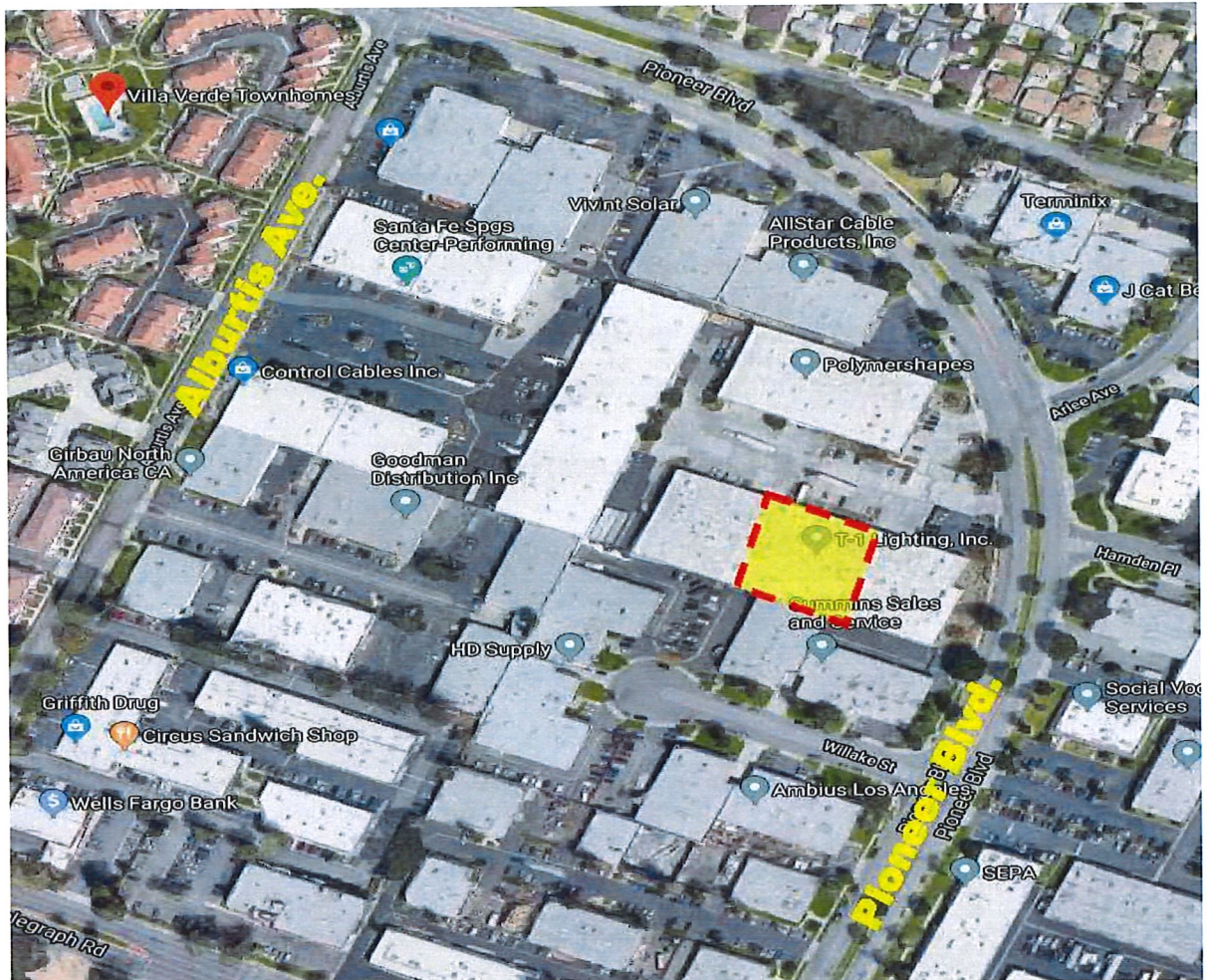
Attachments:

1. Aerial Photograph
2. Public Hearing Notice
3. Radius Map for Public Hearing Notice
4. Proposed Business Description
5. Resolution 154-2020
6. Proposed Floor Plan

Attachment 1: Aerial Photograph



CITY OF SANTA FE SPRINGS



AERIAL PHOTOGRAPH

ZONE DETERMINATION CASE NO. 2020-01



NORTH

9923 Pioneer Boulevard
(Applicant: Beaver Exhibit, Inc.)

Attachment 2: Public Hearing Notice



CITY OF SANTA FE SPRINGS NOTICE OF PUBLIC HEARING ZONE DETERMINATION CASE NO. 2020-01

NOTICE IS HEREBY GIVEN: that the Planning Commission of the City of Santa Fe Springs will hold a Public Hearing at an adjourned meeting on **Wednesday, February 12, 2020 at 6:00 p.m.** in the City Council Chambers within City Hall located at 11710 Telegraph Road, Santa Fe Springs, California 90670. The hearings will be to consider the following:

ZONE DETERMINATION CASE NO. 2020-01: A request that the Planning Commission determine that manufacturing and assembling of trade show displays is a similar and compatible use with other similarly listed uses permitted in the ML, Limited Manufacturing, Zone.

APPLICANT / PROJECT LOCATION: Beaver Exhibit Inc./ 9923 Pioneer Boulevard (APN: 8005-008-034)

CEQA STATUS: The proposed Zone Determination is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) and 15060(c)(3) of the State of California Guidelines for Implementation of the CEQA (California Code of Regulations, Title 14, Chapter 3), because it will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not a project as defined in Section 15378 of the CEQA Guidelines.

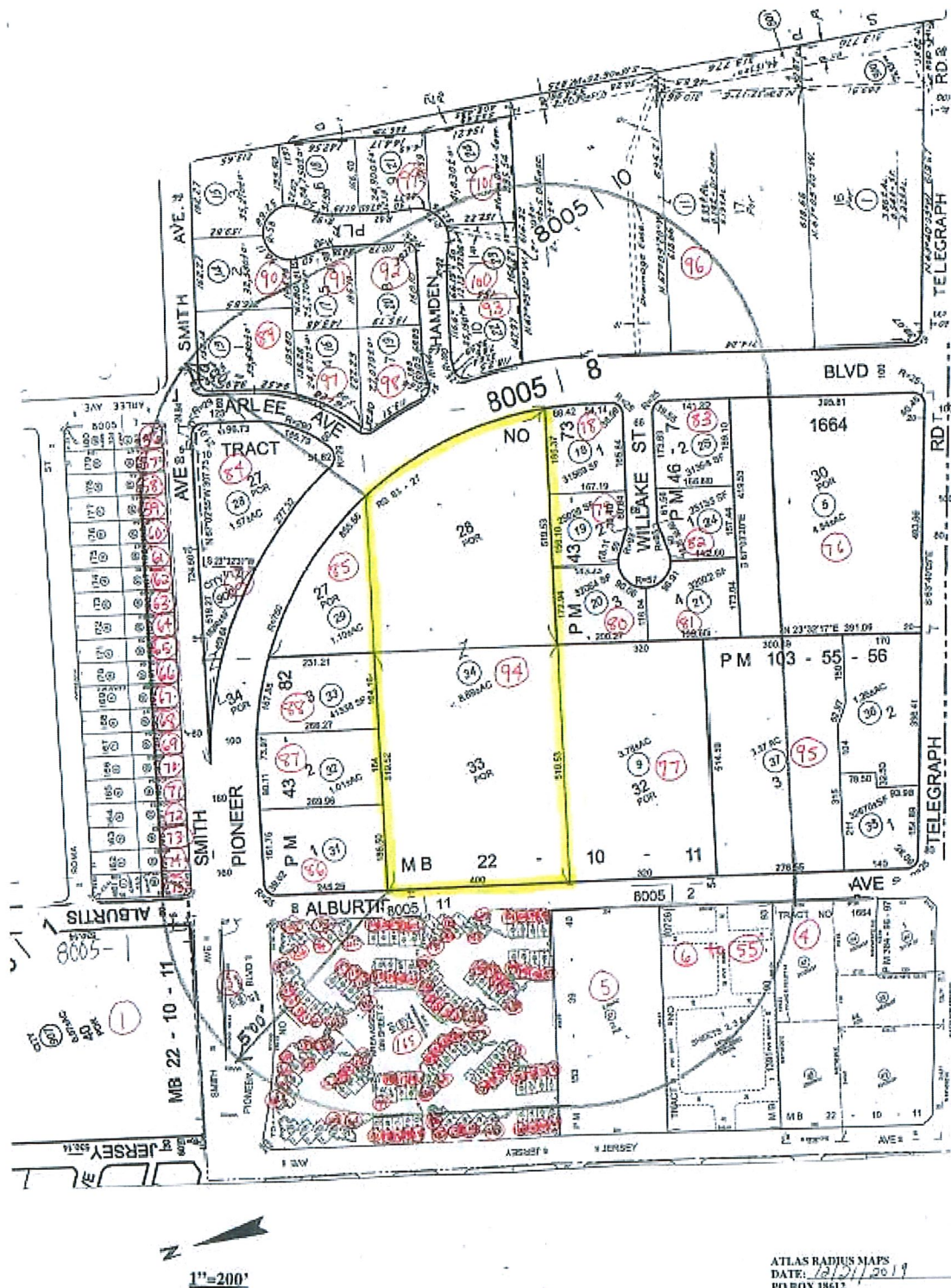
ALL INTERESTED PERSONS are invited to attend the Public Hearing before Planning Commission and express their opinion on the subject items listed above. You should note that if you challenge the afore-mentioned Development Plan Approval in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the office of the Commission at, or prior to, the Public Hearing.

FURTHER INFORMATION on this item may be obtained at the City of Santa Fe Springs Planning Department, 11710 Telegraph Road, Santa Fe Springs, California 90670 or by telephone or e-mail: (562) 868-0511, extension 7353, vincevelasco@santafesprings.org.

Wayne M. Morrell
Director of Planning
City of Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670

William K. Rounds, Mayor • John M. Mora, Mayor Pro Tem
City Council
Juanita Trujillo • Annette Rodriguez • Joe Angel Zamora
City Manager
Raymond R. Cruz

Attachment 3: Radius Map for Public Hearing Notice



Attachment 4: Resolution 154-2020

CITY OF SANTA FE SPRINGS
RESOLUTION NO. 154-2020

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SANTA FE SPRINGS REGARDING
ZONE DETERMINATION CASE NO. 2020-01**

WHEREAS, a request was filed for Zone Determination Case No. 2020-01 to determine that manufacturing and assembling of trade show displays is a similar and compatible use with other similarly listed uses permitted in the ML, Limited Manufacturing, Zone; and

WHEREAS, the subject ML-zoned property is located on the west side of Pioneer Boulevard, with Accessor's Parcel Number of 8005-008-034, as shown in the latest rolls of the Los Angeles County Office of the Assessor; and

WHEREAS, the property owner is AMB US Logistics Fund, 1800 Wazee Street, Denver, CO 80202; and

WHEREAS, the proposed project which includes Zone Determination Case No. 2020-01 is considered a project as defined by the California Environmental Quality Act (CEQA), Article 20, Section 15378(a); and

WHEREAS, based on the information received from the applicant and staff's assessment, the Planning Commission finds that the proposed project meets the criteria for an exemption, pursuant to California Environmental Quality Act (CEQA), Section 15061(b)(3) (Common Sense Rule); and

WHEREAS, the City of Santa Fe Springs Planning and Development Department on January 31, 2020 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 also mailed said public hearing notice on January 31, 2020 to each property owner within a 500 foot radius of the subject property in accordance with state law; 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 subject property, the public testimony, written comments, or other materials presented at the adjourned Planning Commission Meeting on February 12, 2020 concerning Zone Determination Case No. 2020-01 and the environmental findings and determination.

NOW, THEREFORE, be it RESOLVED that the PLANNING COMMISSION of the CITY OF SANTA FE SPRINGS does hereby RESOLVE, DETERMINE and ORDER AS FOLLOWS:

SECTION I. ENVIRONMENTAL FINDINGS AND DETERMINATION

Pursuant to Section 15061(b)(3) (Common Sense Rule) of the California Environmental Quality Act (CEQA), the Planning Commission hereby finds and determines that the project is exempt. The Common Sense Exemption affirms that CEQA applies only to projects which have the potential for causing a significant effect on the environment. If it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment than additional environmental analysis is not necessary to meet the requirements of CEQA. A determination that manufacturing and assembly of trade show displays is a similar and compatible use with other similarly listed uses permitted in the City's ML, Limited Manufacturing – Administrative and Research, Zone would essentially convey that it would also have no adverse effect on persons or property in the zone within which it is proposed to be located, nor in the community in general.

SECTION II. ZONE DETERMINATION FINDINGS

Pursuant to Section 155.181 (II) of the City of Santa Fe Springs Zoning Regulations, the Planning Commission has made the following findings:

- (A) *That the subject use is similar to one (1) or more uses permitted in the zone within it is proposed to be located.*

After researching businesses whose operations involve the manufacturing and assembling of trade show displays, it has been determined that said use is similar to the following principal permitted use currently listed within the City's ML Zone:

| Code Section: | Principal Permitted Uses |
|---------------|--|
| 155.181 | <u>Section 155.181</u> (O) Manufacture of cutlery, hardware, hand tools and kitchen utensils. |

The subject use shares many similar characteristics with the abovementioned use in that they involve the manufacturing, assembling, compounding, packaging and processing of plastics, glass, and wood. In both cases, the wood materials are ancillary to the other various materials primarily used. Although wood materials are used, it's usage is insignificant to the overall operation.

- (B) *That the subject use and its operation are compatible with the uses permitted in the zone.*

The manufacturing and assembly of trade show displays is an industrial use that is not any more intense than the aforementioned permitted use identified in the preceding finding. The characteristics of the two uses are similar; with the sole difference being the end product design.

(C) That the subject use will not adversely affect persons or property in the zone within which it is proposed to be located, nor in the community in general.

As previously stated, the use is similar and compatible with, and not potentially more detrimental or obnoxious than other principal permitted uses currently listed in the City's ML Zone. It should be noted that since wood materials is ancillary to other materials primarily used, the dust collector is a compact model that will be installed inside the building. Typical noise and visual impacts associated with larger dust collectors, used in operations where wood products are more predominate, will not occur with the subject use. Additionally, similar to any new equipment, the installation or said dust collector will also be required to meet all building code requirements. As such, there are no known reasons to conclude that uses involving manufacturing and assembling of trade show displays, will adversely affect persons or property in the zone, or the community in general

SECTION IV. PLANNING COMMISSION ACTION

The Planning Commission hereby adopts Resolution No. 154-2020 to approve Zone Determination Case No. 2020-01 in which the commission has determined that manufacturing and assembling of trade show displays is a similar and compatible use with other similarly listed uses permitted in the ML, Limited Manufacturing, Zone.

ADOPTED and APPROVED this 12th day of February, 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS.

Frank Ybarra, Chairperson

ATTEST:

Teresa Cavallo, Planning Secretary

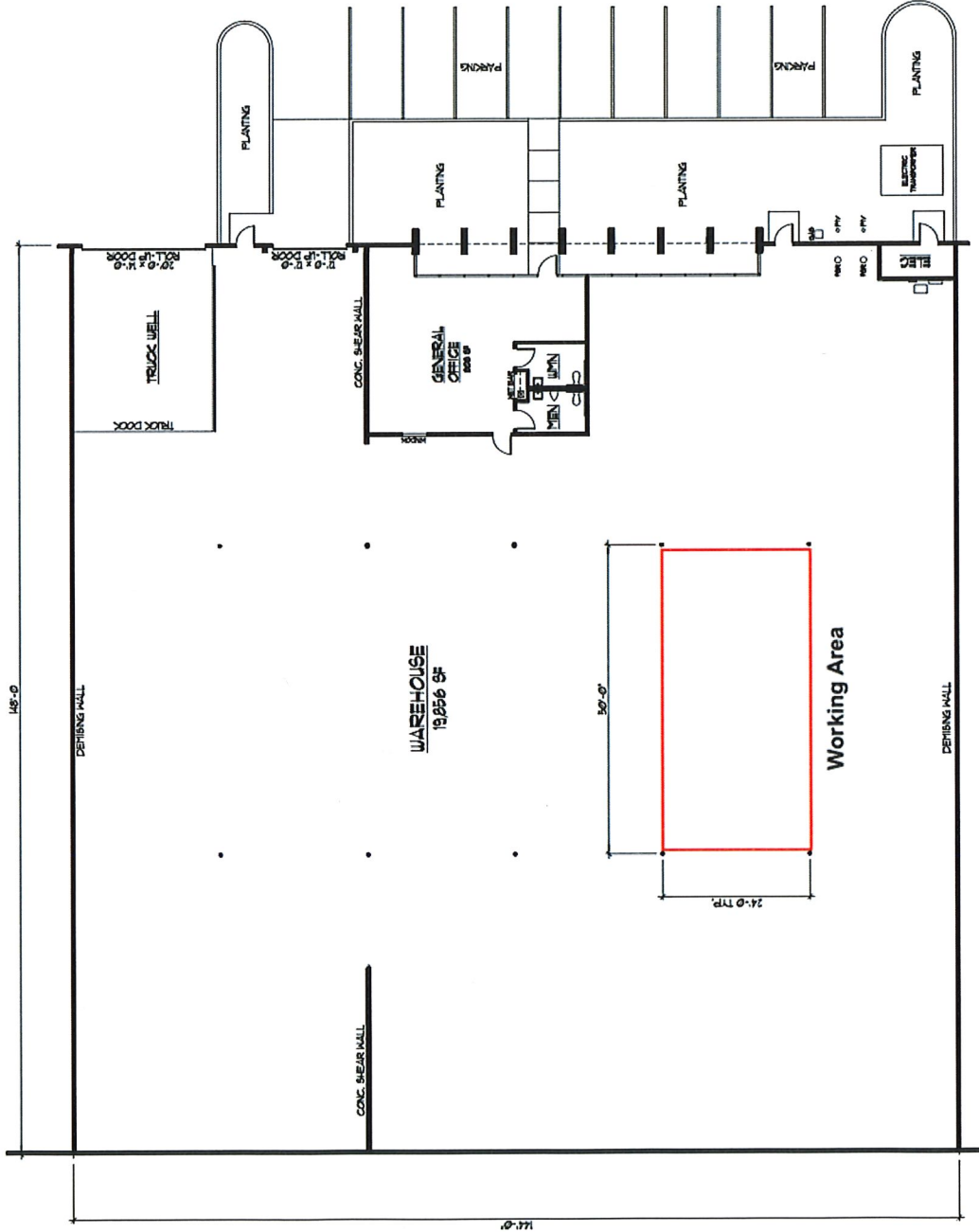
Attachment 5: Proposed Floor Plan

**PIONEER/ALBURTIS
BUSINESS PARK**
9923 PIONEER BLVD.
SANTA FE SPRINGS, CA
FLOOR PLAN 21828 SF



NOTE: ALL DIMENSIONS ARE APPROXIMATE

| | |
|--------------------|----------------------|
| BOSSZ ARCHITECTURE | ARCHITECT |
| GARY BOSSZ | ARCHITECT |
| BOSSZ ARCHITECTURE | PLANNING |
| 11711 FOREST | MINNETONKA, MN 55345 |





City of Santa Fe Springs

Adjourned Planning Commission Meeting

February 12, 2020

NEW BUSINESS

Statutory Exempt – CEQA Guidelines Section 15282(h)

Zoning Text Amendment – Accessory Dwelling Unit

Ordinance No. 1110: Ordinance of the City of Santa Fe Springs amending Section 155.644 (Accessory Dwelling Units) and 155.644.1 (Junior Accessory Dwelling Units) of Chapter 155 (Zoning) of Title 15 (Land Use) of the Santa Fe Springs Municipal Code relating to the construction of Accessory Dwelling Units and Junior Accessory Dwelling Units in A-1, Light Agricultural; R-1, Single-Family Residential; and R-3, Multi-Family Residential, Zones. (City of Santa Fe Springs)

RECOMMENDATION

- Continue Zoning Text Amendment – Accessory Dwelling Unit to the Planning Commission meeting of March 9, 2020.

Property owners within 500 feet of the subject property were notified via mail that the requested entitlement were going before the Planning Commission for consideration. Since neighbors received notification, it is recommended that if any members of the public attend the meeting and wish to comment, the Planning Commission should receive public comments, and then take action to continue the project to the next meeting date on March 9, 2020. The continuance will provide additional time for staff to review the State's accessory dwelling unit regulations.


Wayne M. Morrell
Director of Planning



City of Santa Fe Springs

Adjourned Planning Commission Meeting

February 12, 2020

CONSENT ITEM

Conditional Use Permit Case No. 590-6

A compliance review of a church facility within an approximately 2,700 sq. ft. tenant space located at 14565 Valley View Avenue, Suite A (APN: 8069-006-042), in the C-4-PD, Community Commercial-Planned Development Overlay Zone, and within the Valley View Commerce Center. (Living Water Stream Church)

RECOMMENDATIONS

- Find that the continued operation and maintenance of a church facility, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Ordinance and consistent with the goals, policies, and programs of the City's General Plan.
- Require that Conditional Use Permit Case No. 590-6 be subject to a compliance review in ten (10) years, on or before February 12, 2030, to ensure the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

BACKGROUND

In accordance with Section 155.153 (Z) of City's Zoning Ordinance, the church use requires approval of a Conditional Use Permit prior to commencement of such activities. In August of 1992, the Planning Commission initially approved Conditional Use Permit 590, a request to allow the operation and maintenance of a church facility. The original CUP was granted to Hinneniy Presbyterian Church. In March of 2008, City Staff permitted Hinneniy Presbyterian Church to transfer the entitlement to Living Water Stream Church, provided that Living Water Stream Church agreed to abide by the conditions of approval set forth for Hinneniy Presbyterian Church.

STAFF CONSIDERATIONS

As is standard practice for all CUP compliance reviews, an inspection of the subject property was performed by City staff to ensure continued compliance with the conditions of approval prior to bringing the matter back to the Planning Commission. During the recent inspection on January 29, 2020, the applicant was directed to comply with the following:

- Provide approval letter from Valley View Commerce Center authorizing new hours of operation.

Staff, recently verified that the applicant has completed the above-referenced item; consequently, the applicant is in full compliance with existing conditions of approval. Staff finds that if the church facility continues to operate in strict compliance with the

required conditions of approval, the use will continue to be compatible with the surrounding developments and will not pose a nuisance risk to the public or environment. Staff is, therefore, recommending that CUP 590-6 be subject to a compliance review in ten (10) years to ensure the use is still operating in compliance with the conditions of approval as contained in this staff report.

CONDITIONS OF APPROVAL

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

PLANNING AND DEVELOPMENT DEPARTMENT

(Contact: Claudia Jimenez 562.868.0511 x 7356)

1. That all vehicles associated with the church use be parked on the subject site; off-site parking is not permitted and may result in the restriction or revocation of privileges granted under this Permit. **(Ongoing)**
2. That congregational or public assembly meeting activities shall be limited to **Wednesday and Thursday 7:00 p.m. to 11:00 p.m. and on Friday's from 8:00 p.m. to 12:00 a.m. and Sunday from 11:00 a.m. to 5:00 2:00 p.m. and 4:00 pm to 6:00 p.m.** Daily Prayer Meetings activities shall be limited to **Monday, Tuesday, Saturday and Sunday Friday's from 8:00 p.m. to 12:00 2:00 a.m. and Wednesday and Thursday from 11:00 p.m. to 2:00 a.m.** Any deviation from or proposed addition to these hours shall be subject to the prior written approval of the Director of Planning and Development. **(Revised)**
3. That all church activities shall be conducted within the subject unit at all times. **(Ongoing)**
4. That all other requirements of the City's Zoning Ordinance, Property Maintenance Ordinance, and all other applicable Federal, State, and local regulations shall be complied with. **(Ongoing)**
5. That any changes to the approved floor plan and any other improvements to the church facility shall be subject to the prior written approval of the Director of Planning and Development. **(Ongoing)**
6. That portable signs are prohibited; any future signage for the church use shall comply with Section 155.515 of the City Code of Ordinance and the related Sign Guidelines of the City. **(Ongoing)**
7. That the owner/applicant shall strictly adhere to the maximum occupancy of 49 persons during all hours of operation. Any increase in maximum occupancy will

require the installation of emergency preparedness hardware to meet Building code requirements and be subject to the prior approval of the City Fire Marshall.
(Ongoing)

8. That Conditional Use Permit Case No. 590-5 **6** shall be subject to a compliance review in five (5) years, on or before ~~November 10, 2019~~ **February 12, 2025** to ensure the church use is still operating in strict compliance with the attached conditions of approval. **(Ongoing)**
9. That it is hereby declared to be the intent that if any provision of this Approval is violated or held to be invalid, or if any laws, statute, or ordinance is violated, this Approval shall be void and the privileges granted hereunder shall lapse.
(Ongoing)


Wayne M. Morrell
Director of Planning

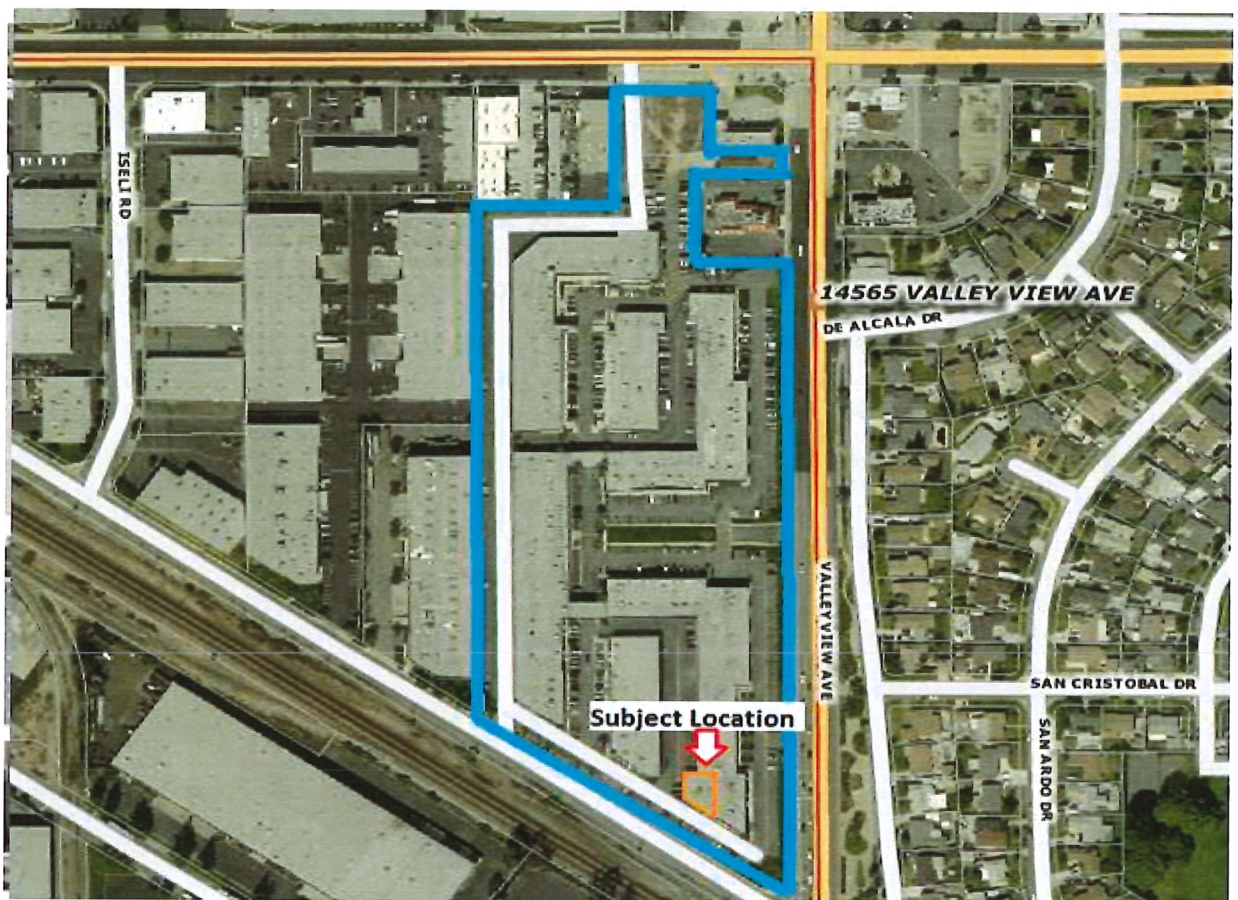
Attachments:

1. Aerial Photograph
2. Site Pictures
3. Hours of Operation
4. Compliance Request Letter

Attachment 1: Aerial Photograph



CITY OF SANTA FE SPRINGS



Conditional Use Permit Case No. 590-6
Subject Address: 14565 Valley View Avenue, Suite #A
APN: 8069-006-042
Living Water Stream Church



Attachment 2: Site Pictures



Attachment 3: New Hours of Operation**Proposed Changes**

| Day | Congregation | Pastor Office Hour | Daily Prayer |
|------------------|---|-------------------------------|-------------------------|
| Sunday | 11:00 p.m. – 2:00 p.m. 4:00 p.m. – 6:00 p.m. | | 8:00 p.m. to 2:00 a.m. |
| Monday | | 9:00 a.m. to 2:00 p.m. | 8:00 p.m. to 2:00 a.m. |
| Tuesday | | 9:00 a.m. to 2:00 p.m. | 8:00 p.m. to 2:00 a.m. |
| Wednesday | 7:00 p.m. – 11:00 p.m. | 9:00 a.m. to 2:00 p.m. | 11:00 p.m. to 2:00 a.m. |
| Thursday | 7:00 p.m. – 11:00 p.m. | 9:00 a.m. to 2:00 p.m. | 11:00 p.m. to 2:00 a.m. |
| Friday | | 9:00 a.m. to 2:00 p.m. | 8:00 p.m. to 2:00 a.m. |
| Saturday | | | 8:00 p.m. to 2:00 a.m. |

Attachment 4: Compliance Request Letter

January 16, 2020

Ms. Claudia Jimenez
 Assistant Planner
 City of Santa Fe Springs
 11710 Telegraph Road
 Santa Fe Springs, CA

RE: Compliance Review Request for Conditional Use Permit (CUP) Case No. 590-6
14565 Valley View Ave, Ste #A, Santa Fe Springs, CA 90670

Dear Ms. Jimenez,

Living Water Stream Church was established in January 2008 under the leadership of pastor Kwang Cha Kim. We have about 40 dedicated members and provide the following programs:

- Congregation Worship
 - Sundays (8:00 a.m. to 10 a.m., 12 p.m. to 2 p.m., and 4 p.m. to 6 p.m.)
 - Thursdays (7:00 p.m. to 11:00 p.m.)
 - Fridays (7:00 p.m. to 11:00 p.m.)
- Prayer Meeting
 - Monday through Wednesday (8:00 p.m. to 12:00 a.m.)
 - Thursday and Friday (11:00 p.m. to 12:00 a.m.) *after congregation worship*
 - Saturdays (8:00 p.m. to 12:00 a.m.)

We hereby request the compliance review for the renewal/extension of conditional use permit (CUP) case no. 590-6 along with the following changes in the hours as the pastor has shared the vision for continued and incessant prayer for the members and communities we serve.

Proposed Changes

| Day | Congregation | Pastor Office Hour | Daily Prayer |
|-----------|---|------------------------|-------------------------|
| Sunday | 11:00 p.m. – 2:00 p.m. 4:00 p.m. – 6:00 p.m. | | 8:00 p.m. to 2:00 a.m. |
| Monday | | 9:00 a.m. to 2:00 p.m. | 8:00 p.m. to 2:00 a.m. |
| Tuesday | | 9:00 a.m. to 2:00 p.m. | 8:00 p.m. to 2:00 a.m. |
| Wednesday | 7:00 p.m. – 11:00 p.m. | 9:00 a.m. to 2:00 p.m. | 11:00 p.m. to 2:00 a.m. |
| Thursday | 7:00 p.m. – 11:00 p.m. | 9:00 a.m. to 2:00 p.m. | 11:00 p.m. to 2:00 a.m. |
| Friday | | 9:00 a.m. to 2:00 p.m. | 8:00 p.m. to 2:00 a.m. |
| Saturday | | | 8:00 p.m. to 2:00 a.m. |

Thank your prompt response and please do not hesitate to contact us with any questions

Sincerely,



Michael Cho



City of Santa Fe Springs

Adjourned Planning Commission Meeting

February 12, 2020

CONSENT ITEM

Conditional Use Permit Case No. 608-4

A compliance review to allow the continued maintenance and operation of an open storage yard facility at 12953 Sunshine Avenue (APN: 8026-020-070) within the M-1, Light Manufacturing, Zone. (Doreck Construction)

RECOMMENDATIONS

- Find that the continued operation and maintenance of an open storage yard, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Ordinance and consistent with the goals, policies, and programs of the City's General Plan.
- Require that Conditional Use Permit Case No. 608-4 be subject to a compliance review in five (5) year, on or before February 12, 2025, to ensure the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

BACKGROUND

In accordance with Section 155.213 (W) of City's Zoning Ordinance, open storage yards require approval of a Conditional Use Permit prior to the commencement of such activities. In July of 2003, the Planning Commission initially approved Conditional Use Permit (CUP) Case No. 608, a request by Vincent DiPiazza Construction Services, to establish, operate and maintain an open storage yard on property located at 12953 Sunshine Avenue. The Planning Commission has since extended the CUP three times, with the last extension in June of 2014. On April 1, 2016, Mr. Stephen L. Doreck and Mrs. Catherine R. Doreck acquired the business by means of a grant deed. The business name changed to Doreck Construction but Mr. and Mrs. Doreck, continues to operate and maintain an open storage yard on the subject property.

STAFF CONSIDERATIONS

As is standard practice for all CUP compliance reviews, an inspection of the subject property was performed by City staff to ensure continued compliance with the conditions of approval prior to bringing the matter back to the Planning Commission. Following the initial walk-through inspection by the Planning Department on October 28, 2019, the applicant was directed to comply with the following:

- Landscape shall be maintained in a neat, clean, orderly, and healthy condition.

- Outdoor storage of materials, products, and equipment to be concealed from view adjacent properties and public streets and conducted in a neat and orderly manner, specifically, items shall not be stored above the height of existing screen wall.

Staff has continued to work with the applicant on the required items identified above. A recent follow-up inspection has confirmed that the applicant has now completed all aforementioned items; consequently, the applicant is now in full compliance with the existing conditions of approval. Staff, therefore, finds that if the open storage yard continues to operate in strict compliance with the required conditions of approval, the use will continue to be compatible with the surrounding developments and will not pose a nuisance risk to the public and/or environment. Staff is, therefore, recommending that CUP 608-4 be subject to a compliance review in five (5) year to ensure the use is still operating in compliance with the conditions of approval as contained in this staff report.

CONDITIONS OF APPROVAL

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

POLICE SERVICES DEPARTMENT:

(Contact: Luis Collazo 562.868.0511 x 3320)

1. That the parking lot serving the proposed use shall continue to be maintained with lighting of sufficient power to illuminate and make easily discernable the appearance of visitors and employees. The position of said lighting shall be maintained that only the intended area is illuminated and off-site glare is fully controlled. **(Ongoing)**

PLANNING AND DEVELOPMENT DEPARTMENT:

(Contact: Claudia Jimenez 562.868.0511 x 7356)

2. That any new fences, walls, gates, signs, and similar improvements provided for the proposed use shall be subject to the approval of the Director of Planning and Development. **(Ongoing)**
3. That the subject property shall be continuously maintained in a state of good appearance and condition at all times. All trucks, tractors, backhoes, tractors, scrapers, graders, loaders, haulers, excavators, or other similar vehicles used the connection with the use shall be parked on the premises in a neat and orderly manner and not on the public street or other properties not approved by the City. **(Ongoing)**
4. It is the responsibility of the applicant to ensure that customer and employee parking shall be provided on the subject site at all times. **(Ongoing)**
5. That no wrecked, abandoned, unlicensed, or inoperative vehicles, trucks, tractors,

backhoes, scrapers, graders, loaders, haulers, excavators, or other similar equipment and/or vehicles that are inoperable or in a state of deterioration shall be parked or stored on the subject property. **(Ongoing)**

6. That the use of the contractor's storage yard shall be limited to only what is necessary for the equipment and material storage related to the contractors storage yard use. No other commercial or industrial uses or storage shall be allowed without prior written approval of the Director of Planning and Development. **(Ongoing)**
7. That the outdoor storage area shall not be used for the repair of vehicles. **(Ongoing)**
8. That all materials and equipment stored in the storage yard shall not be stacked or extend above the height of fence and walls. **(Ongoing)**
9. That in the event the owner/applicant intends to sell, lease, or sublease the property or transfer the business to another party, the Director of Planning and Development and the Director of Police Services shall be notified in writing and such intentions not less than sixty days prior to the signing agreement transfer. **(Ongoing)**
10. That the Conditional Use Permit Case No. 608-3 4 shall be subject to a compliance review in **five (5)** years, until ~~June 9, 2019~~ **February 12, 2025**, to ensure the use has been continuously in strict compliance with these conditions of approval. **(Revised)**
11. That the **applicants, Vincent Di Piazza Stephen L. and Catherine R. Doreck**, 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 Conditional Use Permit Case No. 608-4, 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 owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof. **(Revised)**


Wayne M. Morrell
Director of Planning

Attachment(s)

1. Aerial Photograph
2. Site Pictures – Initial inspection

3. Correction Pictures – Follow-up inspection
 4. Letter Requesting Reconsideration
- Date of Report: January 30, 2020

Attachment 1: Aerial Photograph



CITY OF SANTA FE SPRINGS



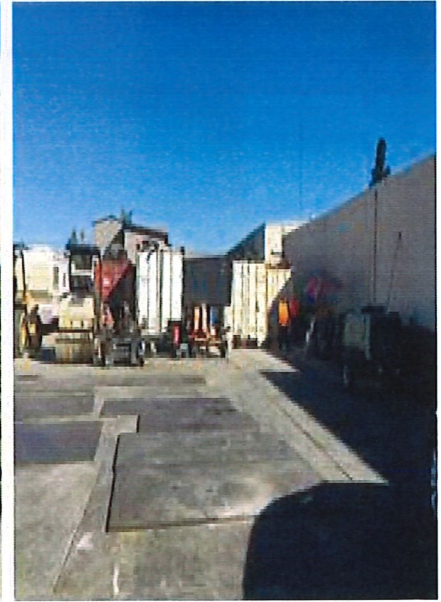
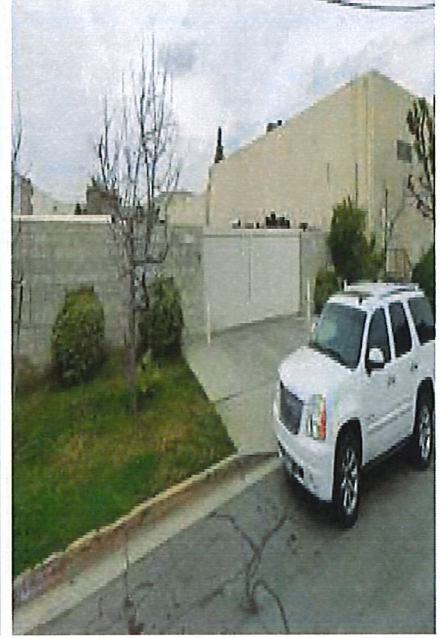
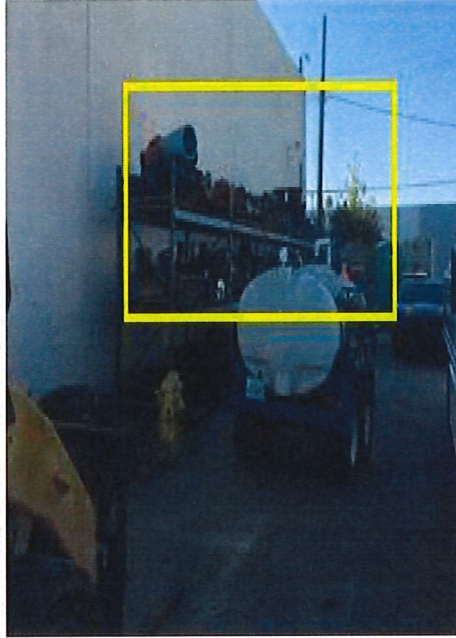
Conditional Use Permit No. 608-4

12953 Sunshine Avenue

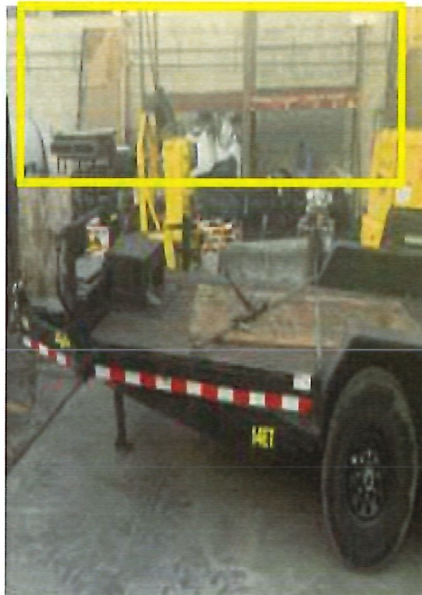
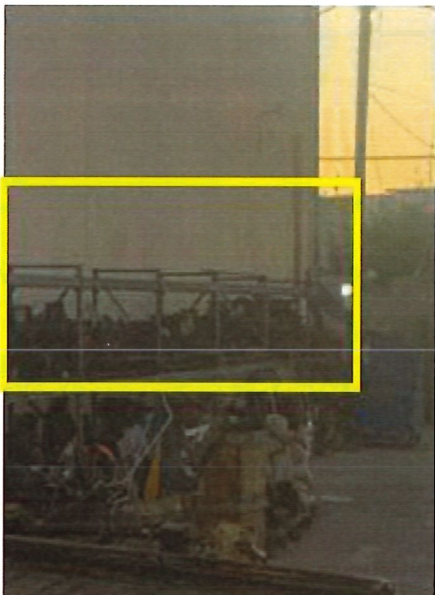
APN: 8026-020-070

Doreck Construction

Attachment 3: Site Pictures



Attachment 2: Correction Pictures



Attachment 5: Letter Requesting Reconsideration

STEPHEN DORECK EQUIPMENT RENTALS, INC.
GENERAL ENGINEERING CONTRACTOR
License No. A665471
9075 Telegraph Road | Pico Rivera, CA 90660
T 562.949.4949 | F 562.261.5038

Received
OCT 17 2019
Planning Department

October 17, 2019

City of Santa Fe Springs Planning and Development Dept.
11710 E. Telegraph Rd.
Santa Fe Springs CA 90670
cuongnguyen@santafesprings.org

Sent via USPS and electronically

RE: 12953 Sunshine Ave. SFS- Conditional Use Permit Case # 608-3

To Whom It May Concern:

We are requesting a review of the above-mentioned CUP No. 608-3. We are an underground utilities contractor that primarily perform work various public agencies and private water municipalities. We will be storing our construction equipment, i.e. backhoes and service vehicles. The property has no buildings with a concrete slab and block wall surrounding the property. There has been no change since the last review of the permit.

Sincerely,


Pablo Viramontes – Vice President



City of Santa Fe Springs

Adjourned Planning Commission Meeting

February 12, 2020

CONSENT ITEM

Conditional Use Permit Case No. 782-1

A compliance review to allow the continued maintenance and operation of a mini-warehouse facility use at 13461 Rosecrans Avenue (APN: 8059-004-022) within the M-1-BP, Light Manufacturing – Buffer Parking, Zone.
(Simply Storage Management LLC)

RECOMMENDATIONS

- Find that the continued operation and maintenance of a mini-warehouse facility, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses and will be in conformance with the overall purposes and objectives of the Zoning Ordinance and consistent with the goals, policies, and programs of the City's General Plan.
- Require that Conditional Use Permit Case No. 782-1 be subject to a compliance review in three (3) years, on or before February 12, 2023, to ensure the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

BACKGROUND

In accordance with Section 155.637 of City's Zoning Ordinance, the mini-warehouse use requires approval of a Conditional Use Permit prior to commencement of such activities. In November of 2017, the Planning Commission initially approved Conditional Use Permit Case No. 782, and concurrently approved Development Plan Approval Case No. 927, a request to allow for the construction of a new 145,032 sq. ft. mini-warehouse facility along with a new 1,344 sq. ft. office building at 13461 Rosecrans Avenue.

STAFF CONSIDERATIONS

As is standard practice for all CUP compliance reviews, an inspection of the subject property was performed by City staff to ensure continued compliance with the conditions of approval prior to bringing the matter back to the Planning Commission. During the recent inspection on January 22, 2020, the applicant was directed to comply with the following:

- Complete the repairs to the concrete slab at rear entry/exit doors

Staff, recently verified that the applicant has completed the above-referenced item; consequently, the applicant is in full compliance with existing conditions of approval. Staff finds that if the mini-warehouse facility continues to operate in strict compliance with the conditions of approval, the use will continue to be compatible with the surrounding developments and will not pose as a nuisance risk to the public or environment. Therefore, Staff recommends that CUP 782-1 be subject to a compliance

review in three (3) years to ensure the use is still operating in compliance with the conditions of approval as contained in this this staff report.

CONDITIONS OF APPROVAL

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

DEPARTMENT OF FIRE - RESCUE (FIRE PREVENTION DIVISION) **(Contact: Raul Diaz 562.906-3813 x 3710)**

1. That the standard aisle width for onsite emergency vehicle maneuvering shall be 26 feet with a minimum clear height of 13 feet 6 inches. Internal driveways shall have a turning radius of not less than 52 feet. The final location and design of this 26 feet shall be subject to the approval of the City's Fire Chief as established by the Uniform Fire Code. Aisle widths for this project are allowed to be decreased as described in the letter from Response Fire Protection which was approved by the Department of Fire-Rescue on June 1, 2017. **(Ongoing)**
2. That signs and markings required by the Fire Department shall be installed along the required Fire Department access roadways. **(Ongoing)**

POLICE SERVICES DEPARTMENT: **(Contact: Luis Collazo 562.409-1850 x3320)**

3. That in order to facilitate the removal of unauthorized vehicles parked on the property, the applicant shall post, in plain view and at each entry to the property, a sign not less than 17" wide by 22" long. The sign shall prohibit the public parking of unauthorized vehicles and indicate that unauthorized vehicles will be removed at the owner's expense and also contain the California Vehicle Code that permits this action. The sign shall also contain the telephone number of the local law enforcement agency (Police Service Center (562) 409-1850). The lettering within the sign shall not be less than one inch in height. The applicant shall contact the Police Service Center for an inspection no later than 30 days after the project has been completed and prior to the occupancy permit being issued. **(Ongoing)**
4. That the proposed buildings, including any lighting, fences, walls, cabinets, poles, shall be maintained in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired within 72 hours of occurrence, weather permitting, to minimize occurrences of dangerous conditions or visual blight. Paint utilized in covering graffiti shall be a color that matches, as closely possible, the color of the existing and/or adjacent surfaces. **(Ongoing)**

WASTE MANAGEMENT :**(Contact : Teresa Cavallo 562.868.0511 x7309)**

5. 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: Claudia Jimenez 562.868-0511 x7356)**

- ~~6. That Conditional Use Permit No. 782 allows for a mini-warehouse use within a 145,032 sq. ft. concrete tilt-up building located at 13461 Rosecrans Avenue. Approval of Conditional Use Permit No. 782 is contingent upon approval of Development Plan Approval Case No. 927 and Tentative Parcel Map Case No. 78229. **(Satisfied)**~~
7. That the applicant shall ensure the operator of the proposed mini-warehouse facility shall comply with City of Santa Fe Springs Municipal Code Section 155.637. **(Ongoing)**
8. That on-site loading activities shall only be permitted within the designated loading area. **(Ongoing)**
9. That no portion of the required on-site parking area shall be used for outdoor storage of any type or for special activities, unless prior approval has been obtained from the Director of Planning and Fire Marshall or designee. **(Ongoing)**
10. That the exterior exit doors shall remain closed when not being used for ingress/egress purposes. Additionally, the applicant shall inform all staff members and clients not to loiter or make loud noises outside of the building. **(Ongoing)**
11. That the applicant shall maintain the area in a clean and orderly manner at all times. **(Ongoing)**
12. That there shall be no on-site kitchen facilities or preparation of food and drinks without prior approval from the Director of Planning or his/her designee. **(Ongoing)**
13. That the applicant shall notify, in writing, of any change in ownership within 30 days. The conditions of approval shall be binding to any successors. **(Ongoing)**
- ~~14. That prior to occupancy of the tenant space, the applicant shall obtain a valid business license (AKA Business Operation Tax Certification), 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).
(Satisfied)

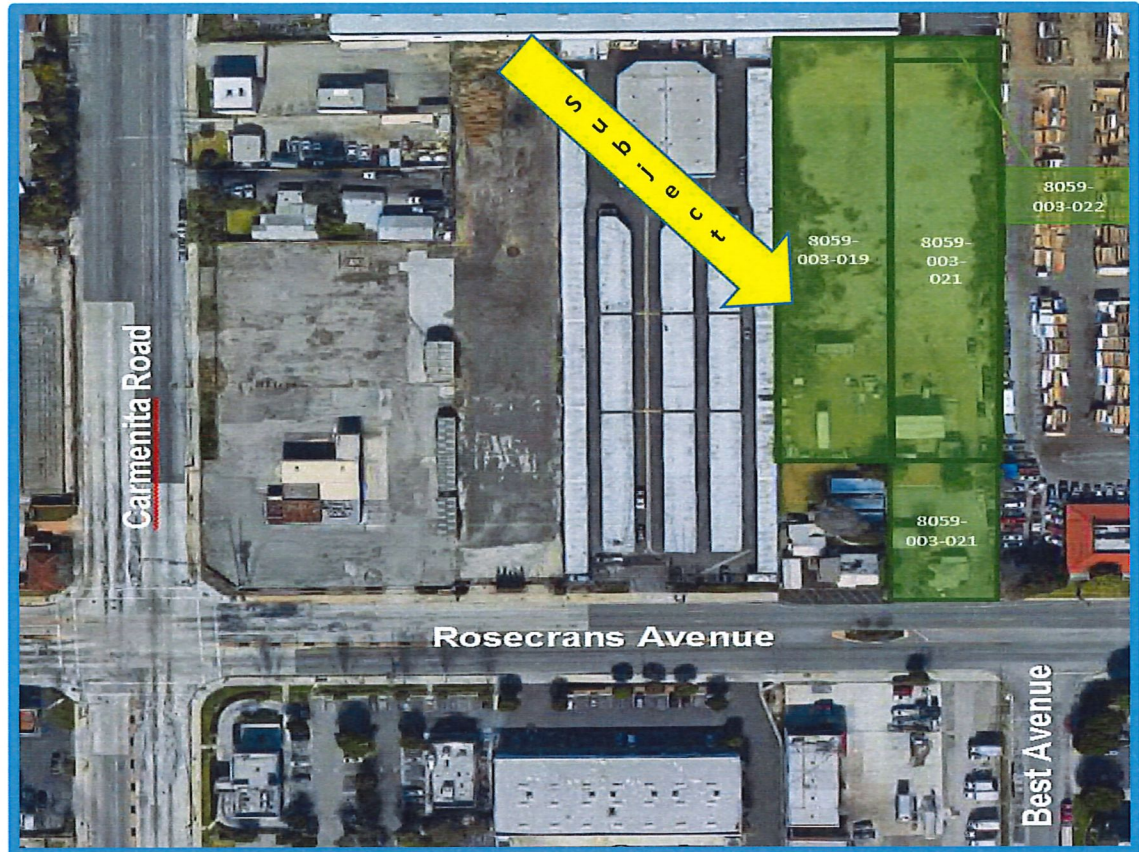
15. The Conditional Use Permit Case No. 782 -1 shall be subject to a compliance review in ~~two~~ **three (3) years, on or before November 13, 2019 February 12, 2023**. Approximately three (3) months before ~~November 13, 2019 February 12, 2023~~, the applicant shall request, in writing, an extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval. **(Revised)**
16. That the applicant, Simply Storage Management LLC, 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, officer or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards arising from or in any way related to the subject Conditional Use Permit, or any action or operations conducted pursuant thereto. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, and shall cooperate fully in the defense thereof. **(Ongoing)**
17. That if there is evidence that 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 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)**
18. That it is hereby declared 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 privileges granted hereunder shall lapse. **(Ongoing)**


Wayne M. Morrell
Director of Planning

Attachments:

1. Aerial Photograph
2. Site Pictures
3. Correction Picture
4. Compliance Request Letter

Attachment 1: Aerial View



Conditional Use Permit Case No. 782-1
Subject Address: 13461 Rosecrans Avenue
Zone: Light Manufacturing – Buffer Parking, (M-1-BP)
Simply Self Storage LLC

Attachment 2: Site Pictures



Attachment 3: Correction Picture



Attachment 4: Compliance Request Letter



January 15, 2020

**SENT VIA FEDEX (OVERNIGHT DELIVERY)
AND ELECTRONIC MAIL**

City of Santa Fe Springs
ATTN: Claudia Jimenez
11710 Telegraph Road
Santa Fe Springs, California 90670
E-mail: ClaudiaJimenez@santafesprings.org

RE: Conditional Use Permit (CUP) Case No.: 782.1
Owner Name: SS Santa Fe Springs, LLC
Project Address: 13461 Rosecrans Avenue, Santa Fe Springs, CA 90670

Dear Claudia,

Please allow this letter to serve as our request for a review for compliance of the above described Conditional Use Permit. The construction is now complete and the certificate of occupancy (enclosed) was issued on August 3, 2018 for a storage (mini-warehouse) facility and an office building. As of today, the current use is still a mini-warehouse facility.

Also accompanying this letter please find a check in the amount of \$563.00 for the processing fee.

Thank you in advance for your kind attention to this matter. Should you need anything further, please contact us at legal@simplyss.com. You may also reach our construction manager, Albert Morales, via telephone at 312.451.3874 or by e-mail at amorales@simplyss.com.

Sincerely,

SS Santa Fe Springs, LLC

By: _____

Kyle Schmutzler
EVP