



# City of Santa Fe Springs

Planning Commission Meeting

## AGENDA

### FOR THE REGULAR MEETING OF THE PLANNING COMMISSION

November 14, 2016

6:00 p.m.

Council Chambers  
11710 Telegraph Road  
Santa Fe Springs, CA 90670

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

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

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

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

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

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

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

4. **ORAL COMMUNICATIONS**

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

5. **MINUTES**

Approval of the minutes of the October 17, 2016 Adjourned Planning Commission

6. **PUBLIC HEARING**

ZONING TEXT AMENDMENT – Firearms Sales in the M-2 Zone

Ordinance No. 1077 – An ordinance of the City Council of the City of Santa Fe Springs, California, amending Santa Fe Springs Municipal Code, Title 15, Chapter 155, Section 155.243 and Section 155.648 of the City Zoning Regulations regarding firearms sales in the M-2, Heavy Manufacturing Zone.

7. **PUBLIC HEARING**

Development Plan Approval (DPA) Case No. 920

A request for approval to apply an exterior façade and appurtenant improvements to an existing ±3,961 sq. ft. McDonald's building at 14317 Valley View Avenue (APN: 8069-006-010), within the C-4-PD, Community Commercial – Planned Development Overlay, Zone. (McDonald's USA, LLC)

8. **CONSENT ITEMS**

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

**A. CONSENT ITEM**

Alcohol Sales Conditional Use Permit Case No. 56

Compliance review for Alcohol Sales Conditional Use Permit Case No. 56 to allow the continued operation and maintenance of an alcoholic beverage use involving the sales of alcoholic beverages for off-site consumption by 7-Eleven, Inc., located at 13203 Telegraph Road located in the C-4, Community Commercial, Zone.(7-Eleven, Inc.)

**B. CONSENT ITEM**

Conditional Use Permit Case No. 756-2

A request for a time extension of Conditional Use Permit (CUP) Case No. 756 to allow the operation and maintenance of a service station and convenience market on property located at 11651 Telegraph Road (APN: 8005-002-045), within the ML-D (Limited Manufacturing Administration and Research - Design) Zone. (Telegraph 76 Station)

**9. ANNOUNCEMENTS**

- ◆ Commissioners
- ◆ Staff

**10. ADJOURNMENT**

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

Teresa Cavallo  
Commission Secretary

November 9, 2016  
Date



# City of Santa Fe Springs

Planning Commission Meeting

November 14, 2016

## **APPROVAL OF MINUTES**

Minutes of the October 17, 2016 Adjourned Planning Commission Meeting

### RECOMMENDATION

Staff recommends that the Planning Commission:

- Approve the minutes as submitted.

### BACKGROUND

Staff has prepared minutes for the following meeting:

- October 17, 2016

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

A handwritten signature in blue ink that reads "Wayne M. Morrell".

Wayne M. Morrell  
Director of Planning

### Attachment:

Minutes for October 17, 2016



APPROVED:

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

October 17, 2016

1. **CALL TO ORDER**

Chair Arnold called the meeting to order at 6:02 p.m.

2. **PLEDGE OF ALLEGIANCE**

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

3. **ROLL CALL**

**Members present:**

Chairperson Arnold  
Vice Chairperson Jimenez  
Commissioner Aranda – arrived at 6:40 p.m.  
Commissioner Mora  
Commissioner Ybarra

**Staff:**

Steve Skolnik, City Attorney  
Cuong Nguyen, Senior Planner  
Teresa Cavallo, Planning Secretary  
Vince Velasco, Planning Intern  
Jessica Jimenez, Planning Intern

**Members absent:** None

4. **ORAL COMMUNICATIONS**

No speakers.

5. **MINUTES**

**Approval of Minutes**

Approval of the minutes of the September 12, 2016 Regular Planning Commission

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

It was moved by Commissioner Ybarra, seconded by Commissioner Mora to approve the minutes as submitted, by the following vote noting the absence of Commissioner Aranda:

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

## PUBLIC HEARINGS

### 6. Conditional Use Permit Case No. 775 and related Environmental Documents

**Recommendation:** That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Conditional Use Permit (CUP) Case No. 775 and, thereafter, close the Public Hearing; and
- Find that the proposed direct transfer facility, if conducted in strict compliance with the conditions of approval, 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 city in general; and
- Find that the applicant's request meets the criteria set forth in §155.716 of the Zoning Regulations, for the granting of a Conditional Use Permit; and
- Approve and adopt the proposed Mitigated Negative Declaration which, based on the findings of the Initial Study, indicates that there is no substantial evidence that the proposed project will have a significant adverse effect on the environment; and
- Approve the proposed Mitigation Monitoring and Reporting Program (MMRP) for the proposed project (CUP 775); and
- Approve CUP Case No. 775, subject to a compliance review in one (1) year, until October 17, 2017, and subject to the conditions of approval as contained within this staff report.

Chair Arnold opened the Public Hearing at 6:04 p.m. Both representatives of CR&R John McNamara and Dan Stepanian spoke on this matter. Chair Arnold closed the Public Hearing at 6:28 p.m. It was moved by Commissioner Ybarra, seconded by Commissioner Mora, to approve Item No. 6, by the following vote noting the absence of Commissioner Aranda:

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

**Nayes:** None

### 7. Development Plan Approval Case No. 919 & Conditional Use Permit Case No. 776

**Recommendation:** That the Planning Commission:

- Open the Public Hearing and receive any comments from the public regarding Development Plan Approval Case No. 919 and Conditional Use Permit Case No. 776 and, thereafter, close the Public Hearing; and
- Find and determine that the proposed project will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan; and
- Find that the applicant's request meets the criteria set forth in §155.739 of the Zoning Regulations, for the granting of Development Plan Approval; and
- Find that the applicant's request meets the criteria set forth in §155.716 of the Zoning Regulations, for the granting of a Conditional Use Permit; and
- Find that the applicant's proposed project meets the criteria for "Accessory

Structures” pursuant to the California Environmental Quality Act (CEQA); therefore, the proposed project is determined to be a categorically-exempt project, pursuant to Section 15311-Class 11 of CEQA; consequently, no other environmental documents are required by law; and

- Approve Development Plan Approval Case No. 919 and Conditional Use Permit Case No. 776, subject to the conditions of approval as contained with the Staff Report.

Chair Arnold opened the Public Hearing at 6:29 p.m. No public comments were received. Chair Arnold closed the Public Hearing at 6:44 p.m. It was moved by Chair Arnold to approve Item No. 7 with Condition No. 22 being modified with specific wording, seconded by Commissioner Ybarra to approve Item No. 6, by the following vote:

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

**Nayes:** None

## CONSENT ITEMS

8. 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

Development Plan Approval Case No. 866-1

**Recommendation:** That the Planning Commission:

- Find and determine that granting a one (1) year time extension of Development Plan Approval Case No. 866-1, will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and program of the City’s General Plan.
- Approve a one (1) year time extension of Development Plan Approval Case No. 866, until October 17, 2017, subject to the conditions of approval as contained within this staff report.

### B. CONSENT ITEM

Conditional Use Permit Case No. 767-1

**Recommendation:** That the Planning Commission:

- Find that the continued operation and maintenance of recycling facility involving electronics, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purposes and objectives of the Zoning Regulations and consistent with the goals, policies, and programs of the City’s General Plan.
- Require that Conditional Use Permit Case No. 767, be subject to a compliance review in five (5) years, on or before, October 17, 2021, to ensure that the recycling facility involving electronics (e-waste) is still operating in strict compliance with the conditions of approval as contained

within this staff report.

It was moved by Commissioner Ybarra, seconded by Commissioner Aranda to approve Item Nos. 8A and 8B by the following vote:

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

**Nayes:** None

## ANNOUNCEMENTS

9. The following announcements were made:

Staff made the following announcements:

- Senior Planner Cuong Nguyen introduced and congratulated Planning Intern Jessica Jimenez for her recent job offer for Assistant Planner for the City of South Gate. He also invited the Planning Commissioners to the Smart Gardening Workshop. Cuong also announced the new restaurants that are scheduled to open in the City.

## ADJOURNMENT

10. Chair Arnold adjourned the meeting at 6:50 p.m.

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

**ATTEST:**

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

\_\_\_\_\_  
Date



**PUBLIC HEARING**

**ZONING TEXT AMENDMENT – Firearms Sales in the M-2 Zone**

Ordinance No. 1077 – An ordinance of the City Council of the City of Santa Fe Springs, California, amending Santa Fe Springs Municipal Code, Title 15, Chapter 155, Section 155.243 and Section 155.648 of the City Zoning Regulations regarding firearms sales in the M-2, Heavy Manufacturing Zone.

**RECOMMENDATIONS**

Staff recommends that the Planning Commission take the following actions:

1. Open the Public Hearing and receive any comments from the public regarding Zoning Text Amendment – Firearms Sales in the M-2 Zone (Ordinance No. 1077), and thereafter close the Public Hearing.
2. Find that the addition of conditionally permitted firearms sales in the M-2 zone, with proposed limitations, would be consistent with the purpose as described within the Zoning Regulations for the M-2 zone, and thus also similar to and compatible with the current uses listed as permitted and conditionally permitted uses.
3. Find that the proposed amendments to the text of the City's Zoning Regulations are consistent with the City's General Plan.
4. Find that pursuant to Section 21080(b)(1) of the California Environmental Quality Act (CEQA), this project is exempt as a ministerial project.
5. Adopt Resolution No. 59-2016, which incorporates the Commission's findings and actions regarding this matter.
6. Recommend that the City Council approve and adopt Ordinance No. 1077, to effectuate the proposed amendments to the text of the City's Zoning Regulations.

**BACKGROUND**

The Zoning Text Amendment was proposed by applicant S Browne Supply, LLC, represented by Paula Eagleman. S Browne Supply specializes in duty gear and equipment for law enforcement and first responders throughout California. S Browne Supply approached the City with a request to begin retail sales of firearms to their clientele.

Prior to 1994, retail firearms sales were permitted in any commercial or industrial zone in the City. The 1993 adoption of State Penal Code Section 12071 required cities to establish regulatory procedures for the retail sale of firearms. In response, Santa Fe Springs adopted Ordinance No. 834 in March 1994 to classify the retail sale of firearms as a conditional use activity in the C-4 (Community Commercial) zone only. This limitation on retail firearms sales to the C-4 zone is still in effect today. Wholesale transfer of firearms is currently permitted in the M-2 zone upon issuance of a conditional use permit, but wholesale transfer of firearms is not permitted in any other zone in the City.

S Browne Supply caters to a very specific demographic, but their business is not unique. At least four other retailers in the Los Angeles and Orange County region specialize in law enforcement, military, and first responder gear and equipment sales. The primary focus of these retailers is to provide public safety personnel with a discrete, private and safe place to purchase equipment. As such, these retailers typically establish their retail stores in industrial zones and other low-profile locations that do not receive foot traffic. In fact, S Browne Supply has minimal signage at their storefront to avoid attracting attention.

Given the prominent locations, limited inventory, and low vacancy rates of the City's C-4 zoned properties, S Browne Supply is seeking a Zoning Text Amendment to expand the retail sale of firearms to include the M-2 zone. However, firearms sales within the M-2 zone would be limited to law enforcement, military, security, and first responder personnel.

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

Section 155.243(N) would be added to the City's Zoning Regulations, and Section 155.243(B) and Section 155.648 would be amended to accommodate this addition.

The proposed changes are shown underlined.

#### **SANTA FE SPRINGS MUNICIPAL CODE Chapter 155 – Zoning**

##### **§ 155.243 CONDITIONAL USES.**

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

(B) Storage of:

- (1) Oil or gas within 300 feet of any agricultural or residential zone, school or park.
- (2) House mover's equipment and buildings moved from other locations.
- (3) Oil or other flammable liquids in amounts of 100,000 gallons or more.
- (4) Flammable gases in amounts of 500,000 cubic feet or more.
- (5) Explosives, charges, black powder or similar products in amounts totalling one pound or more.

- (6) Firearms of any type, including rifles, hand guns and similar weapons totalling five or more in any combination, including wholesale transfer, retail as specified in § 155.243(N), storage, distribution or delivery of any firearm(s).
- (7) Ammunition, munitions, bullets, including smokeless gunpowder in amounts totalling 20 pounds or more.

(N) Retail sale, lease or transfer of any firearm(s) to the following upon presentation of proper government-issued identification:

- (1) Active and retired sworn law enforcement personnel.
- (2) Law enforcement agencies.
- (3) EMTs, Fire Fighters, Volunteer Fire Fighters, and Paramedics.
- (4) Military personnel including Reservists and National Guard, including Military personnel with "retired" credentials.
- (5) Corrections Officers, including Parole and Probation Officers.
- (6) Individuals with a valid Security Guard License issued by the California Bureau of Security & Investigative Services.
- (7) Security companies with a valid certification by Corrections Officers, including Parole and Probation Officers.
- (8) Court Judges, District Attorneys, Deputy District Attorneys, and District Attorney Investigators.
- (9) Law Enforcement Academy Cadets with enrollment documentation from the Academy.

**§ 155.648 STORAGE OF EXPLOSIVES, FIREARMS AND AMMUNITION.**

(A) A conditional use permit shall be required for the establishment of a storage or retail use involving explosives, firearms or ammunition pursuant to § 155.243 of this chapter.

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

- (1) A security and safety plan shall be submitted to the city for approval and shall be implemented prior to occupancy of the building.
- (2) The storage of explosives, firearms or ammunition shall not occur within 1,000 feet of any property zoned for or occupied by residential, schools, parks and religious land uses.
- (3) Retail sales in connection with storage of explosives, firearms or ammunition shall be prohibited with the exception of retail sales as specified in § 155.243(N).
- (4) The storage of explosives, firearms or ammunition shall comply with the following additional Building and Fire Code requirements.

(a) *Ammunition.*

1. *Storage of ammunition.*

- a. Amounts not exceeding 500 pounds may be stored in a safe and secured location

- b. Amounts in excess of 500 pounds shall be stored in a location and in a manner approved by the City's Fire Chief.
  - c. Not more than 1,000 pounds may be stored in a basement equipped with automatic sprinklers.
  - d. Over 5,000 pounds shall be stored in a room of one hour fire resistive construction. Door openings thereon shall be protected by one hour fire assemblies. Such rooms shall be equipped with an automatic sprinkler system.
2. *Separation.* Ammunition shall be separated from flammable liquids, flammable solids, and oxidizing materials by one hour fire resistive separation or by a distance of not less than 25 feet.
  3. *Approval.* Ammunition shall not be stored with Class A or Class B explosives unless the storage facility is approved by the City's Fire Chief.
- (b) *Fire protection.* Portable fire extinguishers shall be provided as required by § 10.301 of the Uniform Fire Code wherever fireworks, smokeless powder, small arms ammunition or small arms primers are stored, manufactured, or handled.

### **STAFF CONSIDERATIONS**

The proposed Zoning Text Amendment is not in conflict with other purposes, goals, or policies found in the City's Zoning Regulations. Limiting the sale of firearms to law enforcement, security, and military personnel ensures that only those who have gone through extensive vetting and received considerable training will be able to purchase firearms in the M-2 zone. This will attract law enforcement personnel from various departments throughout the region, which could have the added benefit of increasing security and safety throughout the City.

Classifying firearms sales as a conditional use allows the City to evaluate the circumstances of each application and impose appropriate security conditions on a case-by-case basis. Any unusual property or business characteristics can be addressed accordingly through the Conditional Use Permit process.

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

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

***Land Use Goal 5: Provide an environment to stimulate local employment, community spirit, property values, community stability, the tax base, and the viability of local***

*business.*

The proposed amendment stimulates the tax base and viability of local business. Law enforcement, military, security, and first responder personnel are a stable demographic with disposable income. The retail stores permitted by the Zoning Text Amendment would draw in this demographic from around the region. In addition to the direct sales tax increase from firearms sales, patrons would likely shop at other retailers and restaurants in the City, further boosting sales tax revenues.

***Land Use Goal 11:*** Support and encourage the viability of the industrial and commercial areas of Santa Fe Springs.

***Policy 11.1:*** Assist and encourage all small businesses throughout the city.

The proposed Zoning Text Amendment directly supports an existing small business in the City and lays the groundwork for additional small businesses to begin operations. It allows for expanded business services and strengthens business viability.

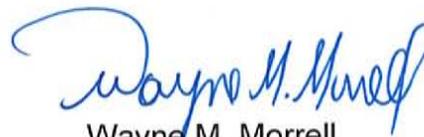
### **ENVIRONMENTAL DOCUMENTS**

The proposed Zoning Text Amendment is exempt as a ministerial project pursuant to Section 21080(b)(1) of the California Environmental Quality Act (CEQA). This exemption applies to discretionary projects proposed by public agencies, including, but not limited to, the enactment and amendment of zoning ordinances, the issuance of zoning variances, the issuance of conditional use permits, and the approval of tentative subdivision maps unless the project is exempt from this division. If the Planning Commission agrees, Staff will file a Notice of Exemption with the Los Angeles County Clerk's office within five days of approval by the Planning Commission.

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

The legal notice was posted in Santa Fe Springs City Hall, the City Library and the City's Town Center on November 3, 2016, and published in a newspaper of general circulation (Whittier Daily News) on November 3, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.



Wayne M. Morrell  
Director of Planning

### **Attachments**

1. Resolution No. 59-2016
2. Proposed Ordinance No. 1077
3. Public Hearing Notice

Attachment 1 – Resolution No. 59-2016

**CITY OF SANTA FE SPRINGS**

**RESOLUTION NO. 59-2016**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS ADOPT AN ORDINANCE AMENDING SANTA FE SPRINGS MUNICIPAL CODE, TITLE 15, CHAPTER 155, SECTION 155.243 AND SECTION 155.648 OF THE CITY ZONING REGULATIONS REGARDING FIREARMS SALES IN THE M-2, HEAVY MANUFACTURING ZONE.**

**WHEREAS**, the City of Santa Fe Springs has reviewed and considered the proposed amendments to the text of the City's Zoning Regulations with the intention of amending Sections 155.243 and 155.648 of Title 15, Chapter 155 of the Santa Fe Springs Municipal Code relating to firearms sales in the M-2, Heavy Manufacturing Zone, and

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

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

**WHEREAS**, the Planning Commission held a Public Hearing on November 14, 2016 in regards to the proposed amendments to the text of the City's Zoning Regulations, and

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

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

1. That the facts in this matter are as stated in the staff report regarding the proposed amendments to the text of the City's Zoning Regulations.
2. That the Planning Commission finds that pursuant to Section 21080 (b)(1) of the California Environmental Quality Act (CEQA), the proposed amendments to the text of the City Zoning Ordinance are exempt as a ministerial project.
3. That the Planning Commission finds that the proposed amendments to the text of the City's Zoning Regulations are consistent with the City's General Plan.

4. That the Planning Commission recommend that the City Council approve and adopt Ordinance No. 1077, to effectuate the proposed amendments to the text of the City's Zoning Regulations.

**PASSED and ADOPTED** this 14th day of November, 2016.

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

ATTEST:

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

Attachment 2 – Ordinance No. 1077

**ORDINANCE NO. 1077**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS, CALIFORNIA, AMENDING SANTA FE SPRINGS MUNICIPAL CODE, TITLE 15, CHAPTER 155, SECTION 155.243 AND SECTION 155.648 OF THE CITY ZONING REGULATIONS REGARDING FIREARMS SALES IN THE M-2, HEAVY MANUFACTURING ZONE.**

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

**SECTION 1.** Section 155.243(B)(6) of Chapter 155 of the City Code is hereby amended to read as follows:

§ 155.243(B)(6) CONDITIONAL USES

- (B) Storage of:
  - (6) Firearms of any type, including rifles, hand guns and similar weapons totalling five or more in any combination, including wholesale transfer, retail as specified in § 155.243(N), storage, distribution or delivery of any firearm(s).

**SECTION 2.** Section 155.243 of Chapter 155 of the City Code is hereby amended to add thereto new subsection (N) so that said subsection reads as follows:

§ 155.243 CONDITIONAL USES

- (N) Retail sale, lease or transfer of any firearm(s) to the following upon presentation of proper government-issued identification:
  - (1) Active and retired sworn law enforcement personnel.
  - (2) Law enforcement agencies.
  - (3) EMTs, Fire Fighters, Volunteer Fire Fighters, and Paramedics.
  - (4) Military personnel including Reservists and National Guard, including Military personnel with "retired" credentials.
  - (5) Corrections Officers, including Parole and Probation Officers.
  - (6) Individuals with a valid Security Guard License issued by the California Bureau of Security & Investigative Services.
  - (7) Security companies with a valid certification by Corrections Officers, including Parole and Probation Officers.
  - (8) Court Judges, District Attorneys, Deputy District Attorneys, and District Attorney Investigators.
  - (9) Law Enforcement Academy Cadets with enrollment documentation from the Academy.

**SECTION 3.** Section 155.648(A) of Chapter 155 of the City Code is hereby amended to read as follows:

§ 155.648(A) STORAGE OF EXPLOSIVES, FIREARMS AND AMMUNITION

- (A) A conditional use permit shall be required for the establishment of a storage or retail use involving explosives, firearms or ammunition pursuant to § 155.243 of this chapter.

**SECTION 4.** Section 155.648(B)(3) of Chapter 155 of the City Code is hereby amended to read as follows:

§ 155.648(B)(3) STORAGE OF EXPLOSIVES, FIREARMS AND AMMUNITION

- (B) In addition to any other conditions which may be imposed by the Planning Commission on the granting of said conditional use permit, the following shall apply:
  - (3) Retail sales in connection with storage of explosives, firearms or ammunition shall be prohibited with the exception of retail sales as specified in § 155.243(N).

**SECTION 5.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance, or any part thereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance, or any part thereof. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

**SECTION 6.** Except as amended above, all other provisions of the Zoning Regulations in the City Code shall remain in full force and effect.

**SECTION 7.** The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted in at least three (3) public places in the City, such posting to be completed not later than fifteen (15) days after passage thereof.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2016, by the following roll call vote:

AYES  
NOES  
ABSENT  
ABSTAIN

\_\_\_\_\_  
Richard J. Moore  
Mayor

ATTEST:

\_\_\_\_\_  
Janet Martinez, CMC  
City Clerk

Attachment 3 – Public Hearing Notice

**CITY OF SANTA FE SPRINGS  
NOTICE OF PUBLIC HEARING  
ZONING TEXT AMENDMENT - ORDINANCE  
NO. 1077  
(Firearms Sales in the M-2 Zone)**

**NOTICE IS HEREBY GIVEN:** that a Public Hearing will be held before the City of Santa Fe Springs Planning Commission on **Monday, November 14, 2016 at 6:00 p.m.** and the City of Santa Fe Springs City Council on **Thursday, December 8, 2014 at 6:00 p.m.** to consider the following:

**ZONING TEXT AMENDMENT – Firearms Sales in the M-2 Zone:** Ordinance No. 1077: An ordinance of the City Council of the City of Santa Fe Springs, California, amending Santa Fe Springs Municipal Code, Title 15, Chapter 155, Section 155.243 and Section 155.648 of the City Zoning Regulations regarding firearms sales in the M-2 zone.

**PROJECT LOCATION:** Citywide, Santa Fe Springs, CA 90670

**CEQA STATUS:** The proposed Zoning Text Amendment is found to be exempt as a ministerial project pursuant to Section 21080(b)(1) of the California Environmental Quality Act (CEQA). Consequently, Staff will file a Notice of Exemption with the Los Angeles County Clerk’s office. The Notice will be filed within five days of approval by the Planning Commission.

**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, November 14, 2016 at 6:00 p.m. and the City of Santa Fe Springs City Council on Thursday, December 8, 2014 at 6:00 p.m.

ALL INTERESTED PERSONS are invited to attend the Public Hearings and express their opinion on the subject items listed above. You should note that if you challenge the afore-mentioned Zoning Text Amendment 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 City of Santa Fe Springs Planning Commission or City Council at, or prior to, the Public Hearings.

**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, 7354, laurelreimer@santafesprings.org.

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

**Pub: Nov 3, 2016  
Whittier Daily News**

**Ad#861437**



**PUBLIC HEARING**

Development Plan Approval (DPA) Case No. 920

A request for approval to apply an exterior façade and appurtenant improvements to an existing ±3,961 sq. ft. McDonald's building at 14317 Valley View Avenue (APN: 8069-006-010), within the C-4-PD, Community Commercial – Planned Development Overlay, Zone. (McDonald's USA, LLC)

**RECOMMENDATIONS**

Staff recommends that the Planning Commission take the following actions:

1. Open the Public Hearing and receive any comments from the public regarding Development Plan Approval (DPA) Case No. 920, and thereafter, close the Public Hearing; and
2. Find that the proposed exterior façade and appurtenant improvements, if conducted in strict compliance with the conditions of approval, 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 city in general; and
3. Find that the applicant's request meets the criteria set forth in §155.739 of the Zoning Regulations, for the granting of a Development Plan Approval; and
4. Find and determine that the project is categorically exempt pursuant to Section 15301, Class 1 (Existing Facilities), of the California Environmental Quality Act (CEQA), therefore, the proposed project is determined to be a categorically-exempt project, and no additional environmental analysis is necessary to meet the requirements of the CEQA; and
5. Approve Development Plan Approval Case No. 920, subject to the conditions of approval as contained with this staff report.

**LOCATION / BACKGROUND**

The subject site, located at 14317 Valley View Avenue, is comprised of one parcel (APN: 8069-006-010) measuring approximately 27,125 sq. ft. The site is zoned C-4-PD (Community Commercial – Planned Development Overlay Zone) and has been utilized by McDonald's since the late 1960s.

**PROJECT DESCRIPTION**

The applicant is requesting approval to apply an exterior facade to an existing 3,961 sq. ft. McDonald's restaurant. The primary goal is to incorporate McDonald's new

branded image which is consistent with architecture and colors of surrounding McDonald's locations that have already been remodeled.

**DETAILS OF PROPOSED CHANGES:**

Exterior

Along the building's exterior, McDonald's is proposing to do the following:

- Modify roofline
- Provide new accent brand wall
- Provide new canopy
- Provide new trellis
- Provide new paint in neutral tones
- Remove outdoor patio cover
- Provide new furniture
- Provide new exterior lighting

Interior

Along the building's interior, McDonald's is proposing to do the following:

- Update seating layout with new finishes
- Provide new restroom finishes
- Provide new front counter
- Update interior lighting

Parking

According to the site plan, a total of 33 parking stalls will be provided throughout the site, including 1 handicap accessible parking stall. As proposed, the project requires a total of 33 parking stalls; therefore, the project meets the minimum parking requirements as set forth by the City's zoning regulations.

**ZONING CODE REQUIREMENT**

The procedures set forth in Section 155.329 (A) of the Zoning Regulations, states that a DPA is required within the Planned Development (PD) Zone for fences, walls, signs, and similar types of improvements, or for additions or alterations which will not significantly affect the nature or appearance of existing uses.

Code Section:	Requirements
155.329 (A)	<u>Section 155.329 (A)</u> Development Plan Approval may be utilized in processing applications for fences, walls, signs, and similar types of improvements, or for additions or alterations which will not significantly affect the nature or appearance of existing uses.

**STREETS AND HIGHWAYS**

The subject site has frontage on Valley View Avenue. Valley View Avenue is considered a "Major Arterial" within the Circulation Element of the City's General Plan.

**ZONING AND LAND USE**

The subject site is zoned C-4-PD, Community Commercial – Planned Development Overlay Zone. The adjoining properties to the north, south, and west, are zoned C-4-PD, Community Commercial – Planned Development Overlay Zone, while properties to the east (located in the City of La Mirada) are both commercial and residential.

**ENVIRONMENTAL DOCUMENTS**

Upon review of the proposed project, along with consultation of an outside environmental firm, staff has decided that the project is categorically exempt pursuant to Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA), in that, it only involves minor improvements to an existing industrial building. More importantly, additional square footage is not proposed and the nature of the existing restaurant use will remain unchanged. Additional environmental analysis is, therefore, not necessary to meet the requirements of the CEQA. If the Planning Commission agrees, staff will file a Notice of Exemption (NOE) with the Los Angeles County Clerk within 5 days from the date the Planning Commission approves the proposed project.

**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 November 3, 2016. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and the City's Town Center on November 3, 2016, and published in a newspaper of general circulation (Whittier Daily News) November 3, 2016, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.

As of date of this report, staff has not received any comments and/or inquiries regarding the proposed project.

**COMMISSION'S CONSIDERATIONS**

As mentioned previously, Section 155.329 (A) of the Zoning Regulations, states that a Development Plan Approval is required within the Planned Development (PD) Zone

for fences, walls, signs, and similar types of improvements, or for additions or alterations which will not significantly affect the nature or appearance of existing uses.

Additionally, the Commission should note that in accordance with Section 155.739 of the City's Zoning Regulations, before granting a Development Plan Approval, the Commission shall give consideration to the following:

*(A) That the proposed development is in conformance with the overall objectives of this chapter.*

**Findings:**

The proposed project is located within the C-4, Community Commercial Zone. Pursuant to Section -§ 155.150 of the Zoning Regulations "The purpose of the Community Commercial Zone is to provide the proper areas for the development of sound commercial facilities to serve the community and to set up those standards of development necessary to insure that the commercial area will be wholesome, prosperous and harmonize with adjoining land uses."

The proposed development is consistent with the purpose of the Community Commercial Zone in the following manner:

1. The land is appropriate for commercial uses based on its zoning, C-4-PD, Community Commercial – Planned Development Overlay, Zone, and its General Plan Land Use designation of Commercial.
2. The existing development is commercial, rather than residential or industrial in nature. The proposed change does not include a change of use, therefore, the land is being maintained for commercial use.
3. Because the project involves the construction of a new and attractive façade, the assessed value of the property will significantly improve thus leading to an increase in property values for both the subject property and neighboring properties.
4. The proposed project is consistent with the regulations set forth in the C-4 Zone, thus will ensure the project is in harmony with the nearby properties.

*(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.*

**Findings:**

The applicant is planning to construct a new contemporary exterior façade to enhance the overall appearance of the existing commercial building. The architect used multiple variations in height, materials and color. The result is an attractive project that is comparable to other high quality commercial projects in Santa Fe Springs.

In addition, as proposed, the project meets or exceeds all requirements of the City's Zoning Regulations. No modification permits or zone variances are required for the proposed development. The project's overall compliance, therefore, further validates that is in harmony with the overall intent of the City's Zoning Regulations.

(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 buildings or structures.

**Findings:**

The architectural design features for the façade will consist of an existing block wall, painted with white, beige, and sand tones, with an aluminum canopy, and an aluminum trellis. These architectural design elements break up the mass of the building, and present an attractive, distinctive façade to visitors as well as those traveling along Valley View Avenue. Therefore, as designed, the new façade is suitable for all of its intended users, and the distinctive design of the façade 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.

**Findings:**

Extensive consideration has been given to numerous elements of the proposed project to achieve harmony with the City's Zoning Regulations. For instance, the existing landscape areas meet the minimum requirements set forth in the City's Zoning Regulations with the majority of the landscaping provided in the front setback area and where it is mostly visible from the street. Additionally, the proposed trash enclosures have all been strategically placed on the northwest side of the property and will not be accessible or directly visible to 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.

**Findings:**

As stated previously, the proposed building is contemporary and attractive. The architect used multiple variations in height, materials and color. Additionally, the style and architecture of the proposed façade is consistent with other buildings in the general area.

(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.

**Findings:**

Pursuant to § 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.”

Staff finds that the new contemporary façade is attractive and thus will be an enhancement to the overall building and area. Staff believes that proper attention has been giving to the size and design of the proposed façade. This is evident in the project's overall compliance with the Code. As proposed, the project meets or exceeds all requirements of the City's Zoning Regulations.

**STAFF REMARKS**

Based on the findings set forth in the staff report, Staff finds that the applicant's request meets the criteria set forth in §155.739 of the City's Zoning Regulations for the granting of a Development Plan Approval.

**AUTHORITY OF PLANNING COMMISSION:**

The Planning Commission has the authority, subject to the procedures set forth in the City's Zoning Regulations, to grant a Development Plan Approval when it has been found that said approval is consistent with the requirements, intent and purpose of the City's Zoning Regulations. The Commission may grant, conditionally grant or deny approval of a proposed development plan based on the evidence submitted and upon its own study and knowledge of the circumstances involved, or it may require submission of a revised development plan.

**CONDITIONS OF APPROVAL:****ENGINEERING / PUBLIC WORKS DEPARTMENT**

**(Contact: Robert Garcia 562.868-0511 x7545)**

1. 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 the actual cost of sign installation
2. 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.

**WASTE MANAGEMENT:****(Contact: Teresa Cavallo 562.868.0511 x7309)**

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

**PLANNING AND DEVELOPMENT DEPARTMENT:****(Contact: Vince Velasco 562.868-0511 x7353)**

5. That all fences, walls, gates and similar improvements for the proposed development shall be subject to the prior approval of the Fire Department and the Department of Planning and Development.
6. That the Department of Planning and Development shall review and approve all new sign proposals for the development prior to installation. 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 a minimum 11" x 17" size paper. All signs shall be installed in accordance with the sign standards of the Zoning Ordinance and the Sign Guidelines of the City.
7. That approved suite numbers/letters or address numbers shall be placed on the proposed building in such a position as to be plainly visible and legible from the street fronting the property. Said numbers shall contrast with their background. The size recommendation shall be 12" minimum.
8. That the proposed building shall be constructed of quality material and any material shall be replaced when and if the material becomes deteriorated, warped, discolored or rusted.
9. That the applicant shall obtain all necessary permits and pay related fees prior to bringing on any temporary trailer(s) used during construction.
10. That the development shall otherwise be substantially in accordance with the plot plan, floor plan, and elevations submitted by the owner and on file with the case.

11. That all parking areas shall be legibly marked off on the pavement, showing the required parking spaces. A minimum of 33 parking stalls shall be continually provided and maintained at all times.
12. That the applicant understands if changes to the original plans (submitted and on file with the subject case) are required during construction, revised plans must be provided to the planning department for review and approval prior to the implementation of such changes. Please note that certain changes may also require approvals from other departments.
13. That the applicant shall not allow commercial vehicles, trucks and/or truck tractors to queue on Valley View Avenue, use said street as a staging area, or to back up onto the street from the subject property.
14. That the applicant shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 1054.
15. That the applicant shall implement a dust control program for air quality control. The program shall ensure that water for dust control operations is kept readily available at all times during demolition.
16. That the applicant shall be responsible for reviewing and/or providing copies of the required conditions of approval to his/her architect, engineer, contractor, tenants, etc. Additionally, the conditions of approval contained herein, shall be made part of the construction drawings for the proposed development. **Construction drawings shall include the conditions of approval incorporated into the Final set.**
17. That the applicant shall require and verify that all contractors and sub-contractors have successfully obtained a Business License with the City of Santa Fe Springs prior to beginning any work associated with the subject project. A late fee and penalty will be assessed to any contractor or sub-contractor that fails to obtain a Business License and a Building Permit final or Certificate of Occupancy will not be issued until all fees and penalties are paid in full. Please contact Cecilia Martinez, Business License Clerk, at (562) 868-0511, extension 7527 for additional information. A business license application can also be downloaded at [www.santafesprings.org](http://www.santafesprings.org).
18. That the applicant, McDonald's USA, 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, 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 DPA, 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.

19. That all other requirements of the City's Zoning Ordinance, Building Code, Property Maintenance Ordinance, State and City Fire Code and all other applicable County, State and Federal regulations and codes shall be complied with.
20. That it is hereby declare to be the intent that if any provision of this Approval is violated or held to be invalid, or if any law, statute or ordinance is violated, this Approval shall be void and the privileges granted hereunder shall lapse.

  
Wayne M. Morrell  
Director of Planning

Attachments:

1. Aerial Photograph
2. Plans (Site Plan, Floor Plan, Elevations)
3. Development Plan Approval Application
4. Public Hearing Notice
5. Radius Map for Public Hearing Notice

**Aerial Photograph**



**CITY OF SANTA FE SPRINGS**



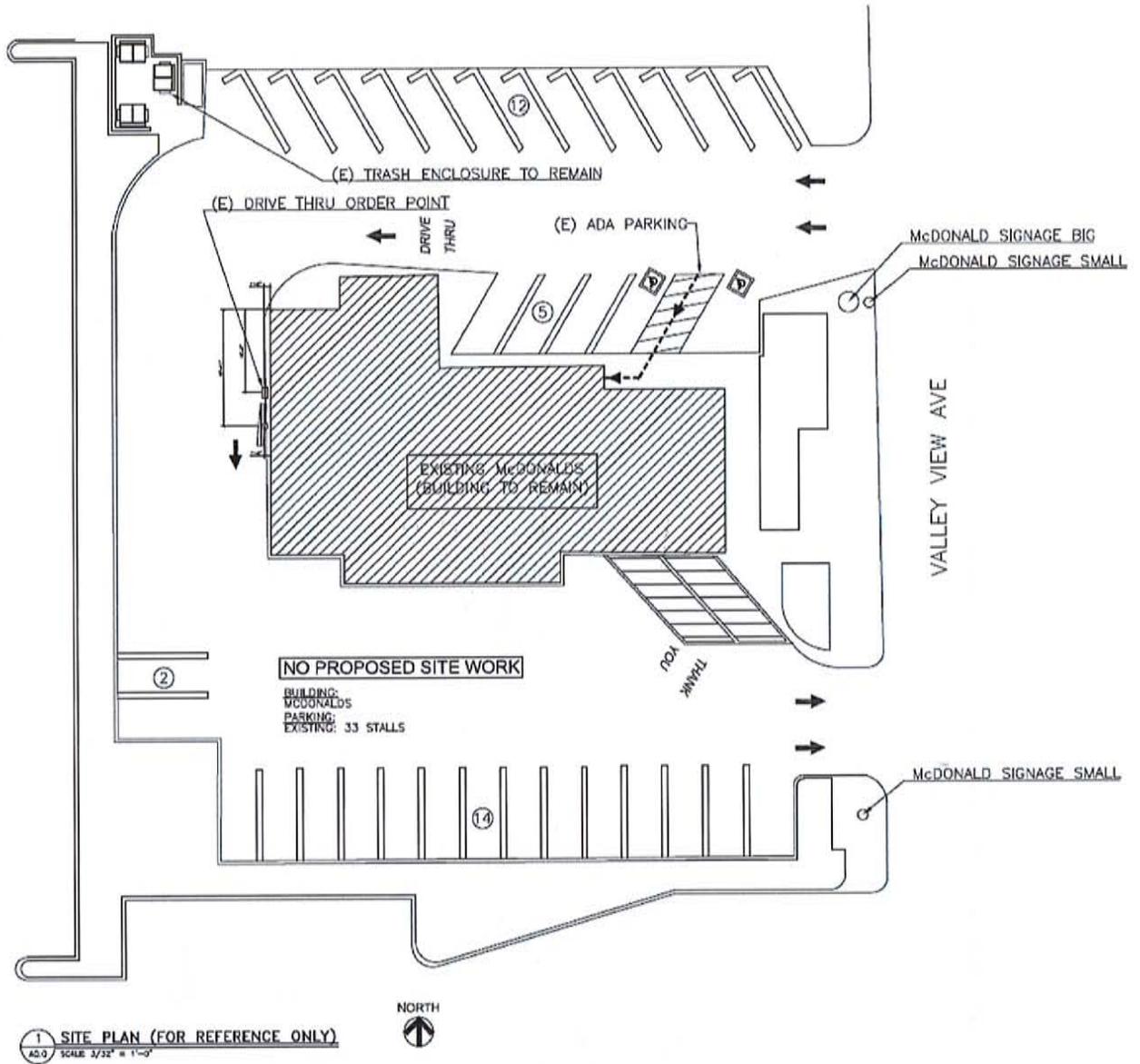
**AERIAL PHOTOGRAPH**

**DEVELOPMENT PLAN APPROVAL CASE NO. 920**

**14317 Valley View Avenue  
(Applicant: McDonald's USA, LLC)**



### Plans (Site Plan, Floor Plan, and Elevations)





### Plans (Site Plan, Floor Plan, and Elevations)



McDonald's Restaurant  
Site ID: 004-0218  
14317 Valley View Ave., Santa Fe Springs, CA 90670





### Development Plan Approval (DPA) Application (Cont.)

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

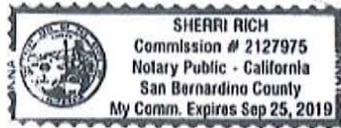
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of San Bernardino )  
On August 12, 2016 before me, Sherrri Rich, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Scott Wilkeson  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_ Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  Partner —  Limited  General  
 Individual  Attorney in Fact  Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_ Signer Is Representing: \_\_\_\_\_

### Public Hearing Notices



City of Santa Fe Springs  
11710 Telegraph Road  
Santa Fe Springs, CA 90670

NEOPOST FIRST-CLASS MAIL  
11/03/2016  
US POSTAGE \$000.00<sup>0</sup>  
ZIP 90670  
041L11257783

# FILE

**(NOTICE OF PUBLIC HEARING)**

CARRIER: IF ADDRESSEE HAS MOVED,  
PLEASE LEAVE WITH CURRENT OCCUPANT

**CITY OF SANTA FE SPRINGS  
NOTICE OF PUBLIC HEARING  
TO PROPERTY OWNERS WITHIN 500 FEET**

NOTICE IS HEREBY GIVEN that the Santa Fe Springs Planning Commission will conduct a public hearing at a regular meeting on Monday, **November 14, 2016** at 6:00 p.m., in the Council Chambers of City Hall located at 11710 Telegraph Road, on the following matter:

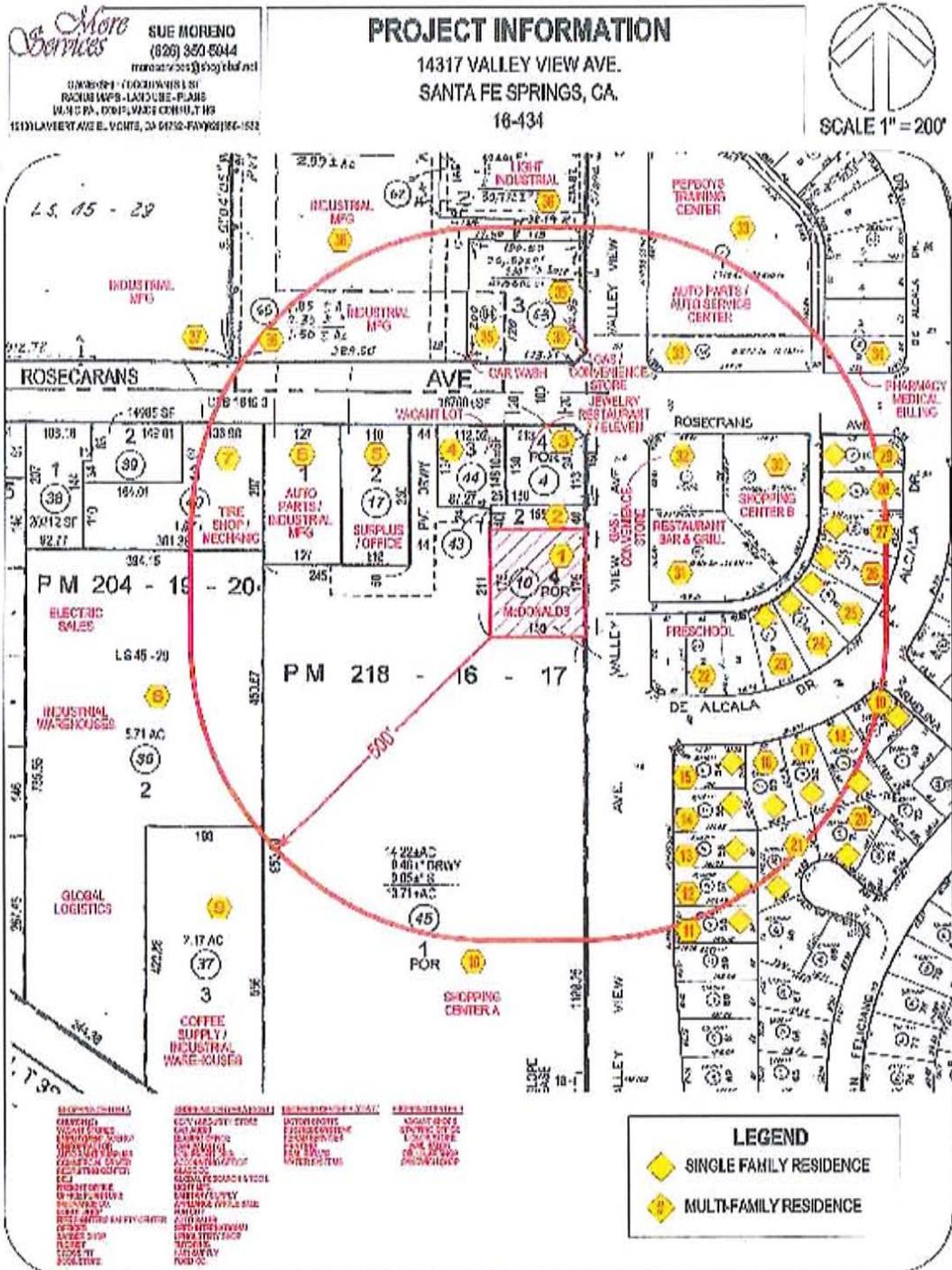
**Applicant:** McDonald's USA, LLC  
**Property located at:** 14317 Valley View Avenue (APN: 8069-006-010).

**Development Plan Approval (DPA) Case No. 920:** A request for approval to apply an exterior façade and appurtenant improvements to an existing ±3,961 sq ft single-story McDonald's building, within the C-4-PD, Community Commercial—Planned Development Overlay, Zone.

**CEQA Status:** After staff review and analysis, along with consultation of an outside environmental firm, staff intends to file a Notice of Exemption (if the Planning Commission agrees), specifically Class 1, Section 15301—Existing Facilities of the California Environmental Quality Act (CEQA). Staff will file a Notice of Exemption (NOE) with the Los Angeles County Clerk within 5 days following action by the Planning Commission.

*All interested persons are invited to attend the above Public Hearing. If you challenge the above mentioned item and related actions 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 City of Santa Fe Springs Department of Police Services at, or prior to the Public Hearing. Any person interested in this matter may contact Vince Velasco at 562-868-0511, Ext. 7353 or [vincevelasco@santafesprings.org](mailto:vincevelasco@santafesprings.org)*

Public Hearing Notification Radius Map





**CONSENT AGENDA**

Alcohol Sales Conditional Use Permit Case No. 56

Compliance review for Alcohol Sales Conditional Use Permit Case No. 56 to allow the continued operation and maintenance of an alcoholic beverage use involving the sales of alcoholic beverages for off-site consumption by 7-Eleven, Inc., located at 13203 Telegraph Road located in the C-4, Community Commercial, Zone. (7-Eleven, Inc.)

**RECOMMENDATION**

That the Planning Commission, based on Staff's compliance review report, find that the subject use is in compliance with all of the conditions of approval and request that this matter be brought back before November 14, 2021, for another compliance review report. The Planning Commission shall note that this matter may be brought back to the Commission at any time should the Applicant violate any conditions of approval or any City Codes, or should there be a need to modify, add, or remove a condition of approval.

**BACKGROUND**

The subject 7-Eleven store was built on the northwest corner of Telegraph Road and Los Nietos Road in 2012. The store currently provides small retail items, including snacks and fountain drinks. The store also provides beer for off-site consumption. In compliance with the City's codes, the 7-Eleven Corporate offices applied for and were granted Alcohol Sales Conditional Use Permit Case No. 56 by the Planning Commission and the City Council at their respective meetings of May 29, and June 14, 2012.

Following the approval of ASCUP Case No. 56, the store was granted a Type 20 License, Off-Sale Beer and Wine, by the California Department of Alcoholic Beverage Control (ABC).

This matter is before the Planning Commission because the initial approval required a review of this matter to determine if the business, along with the beverage use, is being conducted in compliance with the conditions of approval and all applicable laws.

**CALLS FOR SERVICE**

Crime records indicated that the liquor store has not had any calls for service as a direct result of the alcohol sales or the storage of alcoholic beverages.

As it is customary on all compliance reviews, staff conducted an on-site inspection of the Applicant's operation and the site to ensure compliance with the conditions of approval as set forth in the initial approval of this Permit. Staff also investigated the use in light of its proximity to the adjoining school.

After conducting said investigation, Staff found that the establishment is currently being maintained and operated in full compliance with the City's Zoning Regulations, and the Conditions of Approval. Staff also checked with the Alcohol Beverage Control (ABC) and found that the establishment is in full compliance with all of the ABC regulations as they pertain to a Type 20 License.

Considering this favorable track record, and the fact that the Applicant has complied with all of the initial conditions of approval, Staff believes that changes to the conditions of approval are not warranted at this time. Based on their findings, Staff recommends another compliance review within five years, no later than November 14, 2021.

#### **CONDITIONS OF APPROVAL**

Modifications to the existing conditions of approval have not been made, except for Condition No. 20, which references the new compliance review date.

1. Alcohol sales shall be limited to 6:00 a.m. to 2:00 a.m. the following day. The sale of alcoholic beverages shall conform to the sale hours as prescribed by the State Alcoholic Beverage Commission.
2. That the Alcoholic Beverage Control license shall be restricted for the sale of alcoholic beverages for off-site consumption and as specified by the Department of Alcoholic Beverage Control.
3. That it shall be the responsibility of the ownership and/or his employees to ensure that no alcoholic beverages purchased on the subject site shall be consumed on the subject site or any adjacent properties.
4. That the Applicant and/or his employees shall continue to be responsible for maintaining control of litter on the subject property.
5. Storage coolers containing alcoholic beverages shall have mechanisms for locking them to restrict access by customers between the hours of 2:00 a.m. and 6:00 a.m.
6. That the Applicant and/or his employees shall not allow any person who is intoxicated or under the influence of any drug to enter, be at, or remain upon the licenses premises as set forth in Section 25602(a) of the State Business and Professions Code.

7. That the Applicant and/or his employees shall not sell, furnish or give any alcohol to any habitual drunkard or to any obviously-intoxicated person, as set forth in Section 25602(a) of the State Business and Professions Code.
8. That the Applicant shall not have upon the licensed premises any alcoholic beverage(s) other than the alcoholic beverage(s) which the licensee is authorized to sell under the Alcohol Beverage Control license that is issued to the subject site, as set forth in Section 25607(a) of the State Business and Professions Code.
9. That the Applicant and/or his employees shall not sell, furnish or give any alcoholic beverage to any person under 21 years of age, as set forth in Section 25658(a) of the State Business and Professions Code.
10. That the Applicant and/or his employees shall not allow any person to loiter on the subject premises, shall immediately report all such instances to the Whittier Police Department and shall post signs, approved by the Department of Police Services, prohibiting loitering.
11. That the Applicant must receive approval from the Director of Police Services for any installation of pay telephones on the exterior of the premise, and such phones shall not be capable of receiving calls.
12. That the owner, corporate officers and managers shall cooperate fully with all City officials, law enforcement personnel and code enforcement officers and shall not obstruct or impede their entrance into the licensed premises while in the course of their official duties.
13. That vending machines, water machines, pay telephones and other similar equipment shall not be placed outdoors visible from the street or adjacent properties.
14. Pallets and other objects should not be left outside to allow roof access.
15. That streamers, banner, pennants, whirling devices or similar objects that wave, float, fly, rotate, or move in the breeze shall be prohibited unless written authorization is granted by the Director of Planning and Development.
16. That there shall be no window displays or advertising banners in the area of the cashier that will restrict the view, or restrict the view of passing police patrols.

17. That a copy of these conditions shall be maintained along with a copy of the City Business License and Fire Department Permits in a place conspicuous to all employees of the location.
18. That in the event the owner(s) intend to sell, lease or sublease the subject business operation or transfer the subject Permit to another owner/applicant or licensee, the Director of Police Services shall be notified in writing of said intention not less than (60) days prior to signing of the agreement to sell lease or sublease.
19. ***That this Permit shall be subject to a compliance review in five years, no later than November 14, 2021, to determine if the alcoholic beverage activity is still operating in strict compliance with the original conditions of approval. At which time the applicant may request an extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval.***
20. That all other applicable requirements of the City Zoning Ordinance, Uniform Building Code, Uniform Fire Code, the determinations of the City and State Fire Marshall, the security plan as submitted under Condition No. 12 and all other applicable regulations shall be strictly complied with.
21. It is hereby declared to be the intent that if any provision of this permit is violated or held to be invalid, or if any law, statute or ordinance is violated, this Permit shall be subject to procedures for revocation and the privileges granted hereunder shall be terminated.

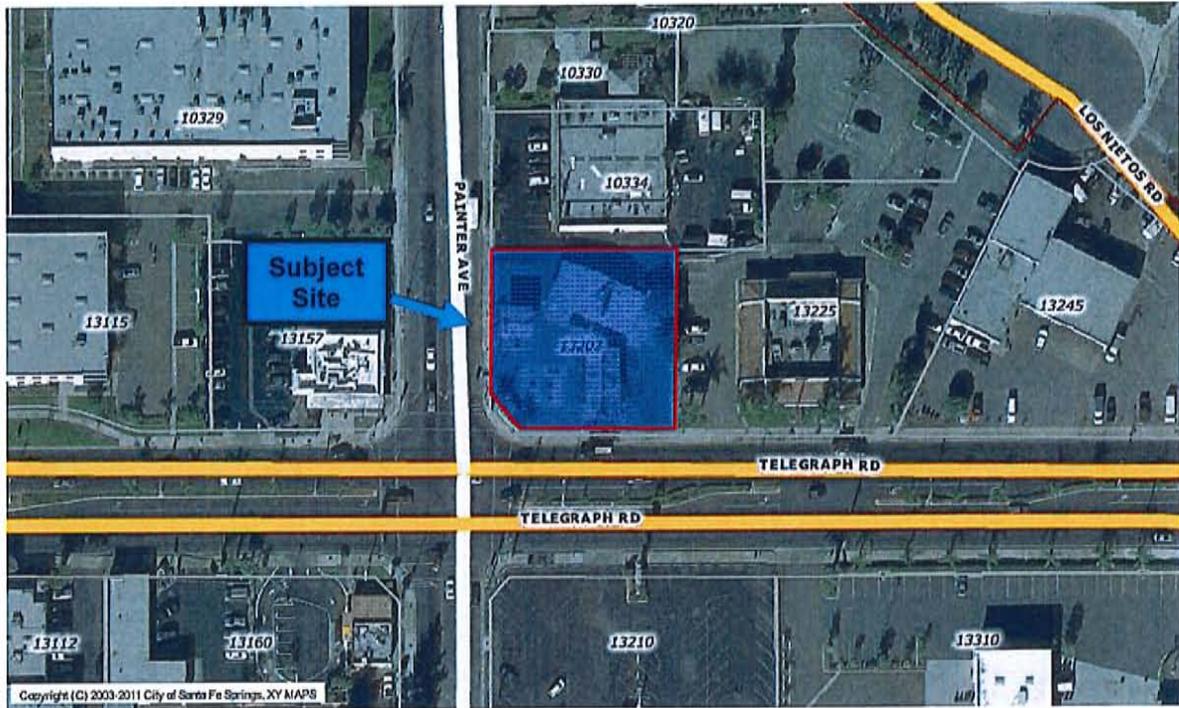


Dino Torres  
Director of Police Services

Attachment(s)

1. Location Map

Location Map



# CITY OF SANTA FE SPRINGS

Alcohol Sales Conditional Use Permit Case No. 56  
7-Eleven Inc.  
13203 Telegraph Rd.



**CONSENT ITEM**

Conditional Use Permit Case No. 756-2

A request for a time extension of Conditional Use Permit (CUP) Case No. 756 to allow the operation and maintenance of a service station and convenience market on property located at 11651 Telegraph Road (APN: 8005-002-045), within the ML-D (Limited Manufacturing Administration and Research - Design) Zone. (Telegraph 76 Station)

**RECOMMENDATIONS**

Staff recommends that the Planning Commission take the following actions:

1. Find and determine that granting a one (1) year time extension of Conditional Use Permit Case No. 756, 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.
2. Approve a one (1) year time extension of Conditional Use Permit Case No. 756, until November 14, 2017, subject to the original conditions of approval as contained within this staff report.

**BACKGROUND/ DESCRIPTION OF REQUEST**

On August 11, 2014, the Planning Commission approved CUP Case No. 756 to allow the operation and maintenance of a service station and convenience market on property located at 11651 Telegraph Road (APN: 8005-002-045), within the ML-D (Limited Manufacturing Administration and Research - Design) Zone. At the same meeting, the Planning Commission also approved Development Plan Approval (DPA) Case No. 882 to allow construction of a 2,496 sq. ft. convenience food mart building and a 3,458 sq. ft. fueling canopy and Modification Permit (MOD) Case No. 1242 to allow for the reduction in required landscape area from 7,250 sq. ft. to 1,471 sq. ft., reduction in number of required parking spaces from 11 parking spaces to 6 during fuel delivery operations, and to allow a 4'-2" canopy projection beyond the 30' building setback requirement along Alburtis Avenue. DPA Case No. 882 and MOD Case No. 1242 do not require a time extension, however, CUP Case No. 756 must be extended since the use was not utilized within the prescribed time period as outlined in §155.721.

Section 155.721 of the City's Zoning Regulations specifies that a conditional use permit, which has not been utilized within 12 months, shall become null and void. The Code, however, provides that an extension of time may be granted by Commission or

Council action.

**City of Santa Fe Springs – Zoning Regulations**  
Section 155.721 – Expiration

Unless otherwise specified in the action granting a conditional use permit, said conditional use permit which has not been utilized within 12 months from the effective date shall become null and void. Also the abandonment or nonuse of a conditional use permit for a period of 12 consecutive months shall terminate said conditional use permit and any privileges granted thereunder shall become null and void. However, an extension of time may be granted by Commission or Council action.

The Commission should note that the construction of the proposed service station and convenience market is underway and tentatively scheduled to be completed by March 1, 2017. Since construction activities are still underway, the service station and convenience market activities have not commenced. Staff, therefore, is recommending that the subject CUP be extended for one (1) year, until November 14, 2017. At which time, staff will conduct a compliance review of the subject service station and convenience market use.

**STAFF CONSIDERATIONS**

Staff believes the applicant has diligently worked to keep this project moving forward and towards development; however, the project has experienced a few unexpected items with the discovery of a petroleum leak and the added time to process a Final Map. Staff is, however, confident that the project will continue to move forward to be fully constructed in the upcoming year. Providing the applicant with an extension to their CUP will allow the applicant sufficient time to complete the development of the property without requesting a future CUP Time Extension.

**CONDITIONS OF APPROVAL:**

**ENGINEERING / PUBLIC WORKS DEPARTMENT:**

**(Contact: Robert Garcia ext. 7545)**

1. That the owner shall pay a flat fee of \$ 24,727.00 to reconstruct/resurface the existing street frontage to centerlines for Alburis Avenue and Telegraph Road. **(on-going)**
2. That the owner shall design and construct new full width sidewalk along Telegraph Road and Alburis Avenue. The owner shall also remove the southerly

- most driveway approach on Albutis Avenue and replace with new full width sidewalk and new curb & gutter per City Standard. **(on-going)**
3. 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 owner shall pay the actual cost of sign installation. **(on-going)**
  4. Storm drains, catch basins, connector pipes, retention basin and appurtenances built for this project shall be constructed in accordance with City specifications in Telegraph Road and Albutis Avenue. Storm drain plans shall be approved by the City Engineer. **(on-going)**
  5. 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. **(on-going)**
  6. The owner/developer 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. **(on-going)**
  7. 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. **(on-going)**
  8. The owner shall produce and submit a New Parcel map for approval, showing the consolidation of the two parcels into one single parcel. **(on-going)**
  9. Final parcel map checking of \$4,824 plus \$285 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. **(on-going)**
  10. The owner/developer 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. **(on-going)**

11. That the owner shall comply with Congestion Management Program (CMP) requirements and provide mitigation of trips generated by the development. The owner and/or developer will receive credit for the demolition of any buildings that formerly occupied the site. For new developments, the owner and/or developer cannot meet the mitigation requirements, the owner and/or developer shall pay a mitigation fee to be determined by the City Engineer for off-site transportation improvements. **(on-going)**
12. That the owner/developer shall comply with all requirements of the County Sanitation District, make application for and pay the sewer maintenance fee. **(on-going)**
13. That the owner/developer shall pay the water trunkline connection fee of \$3,250 per acre upon application for water service connection or if utilizing any existing water service. **(on-going)**
14. That a grading plan shall be submitted for drainage approval to the City Engineer. The owner 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. **(on-going)**
15. 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. **(on-going)**
16. 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. **(on-going)**
17. That the owner/developer 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 current MS4 Permit. The owner/developer will also be required to submit a Certification for the project and will be required to prepare a Storm Water Pollution Prevention Plan (SWPPP). **(on-going)**

**DEPARTMENT OF FIRE – RESCUE (ENVIRONMENTAL DIVISION):****(Contact: Tom Hall 562-868-0511 x3715)**

18. That all abandoned pipelines, tanks and related facilities shall be removed unless approved by the City Engineer and Fire Chief. Appropriate permits for such work shall be secured before abandonment work begins. **(on-going)**
19. That the owner/developer shall comply with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, California Fire Code, Certified Unified Program Agency (CUPA) programs, the Air Quality Management District's Rules and Regulations and all other applicable codes and regulations. **(on-going)**
20. That the owner/operator shall submit plumbing plans to the Fire Department Environmental Protection Division (EPD) and, if necessary, obtain an Industrial Wastewater Discharge Permit Application for generating, storing, treating or discharging any industrial wastewater to the sanitary sewer. **(on-going)**

**POLICE SERVICES DEPARTMENT:****(Contact: Margarita Munoz at 562-409-1850 x3319)**

21. That the owner/developer shall submit and obtain approval of a proposed lighting (photometric) and security 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 and security plans shall be submitted to the Director of Police Services no later than sixty (60) day from the date of approval by the Planning Commission. **(on-going)**
22. That the owner/developer shall provide an emergency phone number and a contact person to the Department of Police Services and the Fire Department. The name, telephone number, fax number and e-mail address of that person shall be provided to the Director of Police Services and the Fire Chief no later than 60 days from the date of approval by the Planning Commission. Emergency information shall allow emergency service to reach the applicant or their representative any time, 24 hours a day. **(on-going)**
23. That in order to facilitate the removal of unauthorized vehicles parked on the property, the applicant shall post, in plain view and at each entry to the property, a sign not less than 17" wide by 22" long. The sign shall prohibit the public

parking of unauthorized vehicles and indicate that unauthorized vehicles will be removed at the owner's expense and also contain the California Vehicle Code that permits this action. The sign shall also contain the telephone number of the local law enforcement agency (Police Services Center (562) 409-1850). The lettering within the sign shall not be less than one inch in height. The applicant shall contact the Police Services Center for an inspection no later than 30 days after the project has been completed and prior to the occupancy permit being issued. **(on-going)**

24. That the proposed buildings, including any lighting, fences, walls, cabinets, and poles shall be maintained in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired within 72 hours of occurrence, weather permitting, to minimize occurrences of dangerous conditions or visual blight. Paint utilized in covering graffiti shall be a color that matches, as closely possible, the color of the existing and/or adjacent surfaces. **(on-going)**
25. That the owner/developer shall test the proposed telecommunication system to make sure that it does not interfere with the Police, Fire, and City communications systems. This testing process shall be repeated for every proposed frequency addition and/or change. Should any modification be required to the Police, Fire, or City communications system, the applicant shall pay all costs associated with said modifications. **(on-going)**
26. That the owner/developer shall provide a 24-hour phone number to which interference problems may be reported to the Director of Police Services, Director of Planning and Development and Fire Chief. **(on-going)**

**WASTE MANAGEMENT:**

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

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

**PLANNING AND DEVELOPMENT DEPARTMENT:**  
**(Contact: Vince Velasco at 562-868-0511 x7353)**

29. The delivery trucks used for food products and/or fuel shall be limited to the hours that least impact visitors on-site. Prior to operation, the owner/applicant shall submit to the Planning Department a tentative delivery schedule for approval. **(on-going)**
30. The dispensing of diesel fuel shall not be permitted. **(on-going)**
31. That all stone veneer used in the project shall be El Dorado "honey mountain ledge stone." **(on-going)**
32. That the proposed fuel tank risers and tank canisters shall be located as close to the west property line as possible. **(on-going)**
33. That the propane tank shall not extend beyond the 6' high wall enclosure. **(on-going)**
34. That 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 and Development. **(on-going)**
35. That all other requirements of the City's Zoning Ordinance, Building Code, Property Maintenance Ordinance, State and City Fire Code and all other applicable County, State and Federal regulations and codes shall be complied with. **(on-going)**
36. That the applicant shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 909. **(on-going)**
37. That it is hereby declare to be the intent that if any provision of this Approval is violated or held to be invalid, or if any law, statute or ordinance is violated, this Approval shall be void and the privileges granted hereunder shall lapse. **(on-going)**
38. That prior to submitting plans to the Building Division for plan check, the owner/developer 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 adjacent property or a public street at ground level shall be screened by an enclosure which is consistent with the

architecture of the building and approved by the Director of Planning and Development or designee. **(on-going)**

- a. To illustrate the visibility of equipment and/or duct work, the following shall be submitted along with the Mechanical Plans:
1. A roof plan showing the location of all roof-mounted equipment;
  2. Elevations of all existing and proposed mechanical equipment; and
  3. A line-of-sight drawing or a building cross-section drawing which shows the roof-mounted equipment and its relation to the roof and parapet lines.

NOTE: line-of sight drawing and/or building cross section must be scaled.

39. That the Owner 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 2 to 3 foot high berms (as measured from the parking lot grade elevation), 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). **(on-going)**
40. That 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). **(on-going)**
41. That 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. **(on-going)**
42. That all activities shall occur inside the building(s). No portion of the required off-street parking and driveway areas shall be used for outdoor storage of any type or for special-event activities, unless prior written approval is obtained from the Director of Planning, Director of Police Services and the Fire Marshall. **(on-going)**

43. That all vehicles associated with the businesses on the subject property shall be parked on the subject site at all times. Off-site parking is not permitted and would result in the restriction or revocation of privileges granted under this Permit. In addition, any vehicles associated with the property shall not obstruct or impede any traffic. **(on-going)**
44. That the Department of Planning shall first review and approve all sign proposals for the development. The sign proposal (plan) shall include a site plan, building elevation on which the sign will be located, size, style and color of the proposed sign. All drawings shall be properly dimensioned and drawn to scale on 24" x 36" maximum-size paper. All signs shall be installed in accordance with the sign standards of the Zoning Ordinance and the Sign Guidelines of the City. **(on-going)**
45. That 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) **(on-going)**
46. That the service station use shall comply with Section 155.420 of the City's Zoning Ordinance regarding the generation of objectionable odors. If there is a violation of this aforementioned Section, the property owner/applicant shall take whatever measures necessary to eliminate the objectionable odors from the operation in a timely manner. **(on-going)**
47. That the owner shall not allow vehicles, trucks and/or truck tractors to queue on Telegraph Road and Albutis Avenue, use street(s) as a staging area, or to backup onto the street from the subject property. **(on-going)**
48. That the proposed building shall be constructed of quality material and any material shall be replaced when and if the material becomes deteriorated, warped, discolored or rusted. **(on-going)**
49. That approved 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. **(on-going)**

50. That prior to issuance of building permits, the applicant shall comply with the following conditions to the satisfaction of the City of Santa Fe Springs **(on-going)**:
- a. Covenants.
1. Owner/developer shall provide a written covenant to the Planning Department that, except as may be revealed by the environmental remediation described above and except as applicant may have otherwise disclosed to the City, Commission, Planning Commission or their employees, in writing, applicant has investigated the environmental condition of the property and does not know, or have reasonable cause to believe, that (a) any crude oil, hazardous substances or hazardous wastes, as defined in state and federal law, have been released, as that term is defined in 42 U.S.C. Section 9601 (22), on, under or about the Property, or that (b) any material has been discharged on, under or about the Property that could affect the quality of ground or surface water on the Property within the meaning of the California Porter-Cologne Water Quality Act, as amended, Water Code Section 13000, et seq
  2. Owner/developer shall provide a written covenant to the City that, based on reasonable investigation and inquiry, to the best of owner/developer 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.
  3. Owner/developer understands and agrees that it is the responsibility of the applicant to investigate and remedy, pursuant to applicable federal, state and local law, any and all contamination on or under any land or structure affected by this approval and issuance of related building permits. 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.
  4. Owner/developer understands and agrees that any representations, actions or approvals by the City, Commission, 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, Commission, 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, Commission, 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.

51. 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. **(on-going)**
52. That the facility operator(s) shall be strictly liable for any and all sudden and accidental pollution and gradual pollution resulting from their use within the City, including cleanup, and injury or damage to persons or property. Additionally, operators shall be responsible for any sanctions, fines, or other monetary costs imposed as a result of the release of pollutants from their operations. "Pollutants" means any solid, liquid, gaseous or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals, electromagnetic waves and waste. "Waste" includes materials to be recycled, reconditioned or reclaimed. **(on-going)**
53. That prior to occupancy of the property/building, the applicant, and/or his tenant(s), shall obtain a valid business license (AKA Business Operation Tax Certificate), and submit a Statement of Intended Use. Both forms, and other required accompanying forms, may be obtained at City Hall by contacting Cecilia Pasos at (562) 868-0511, extension 7527, or through the City's web site ([www.santafesprings.org](http://www.santafesprings.org)). **(on-going)**
54. That the owner/developer 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.* **(on-going)**
55. That the owner/developer shall require and verify that all contractors and sub-contractors have successfully obtained a Business License with the City of Santa Fe Springs prior to beginning any work associated with the subject

project. A late fee and penalty will be assessed to any contractor or sub-contractor that fails to obtain a Business License and a Building Permit final or Certificate of Occupancy will not be issued until all fees and penalties are paid in full. Please contact Cecilia Pasos, Business License Clerk, at (562) 868-0511, extension 7527 for additional information. A business license application can also be downloaded at [www.santafesprings.org](http://www.santafesprings.org). **(on-going)**

56. That the owner/developer shall not sublet, lease or rent the proposed development without prior approval from the Director of Planning. **(on-going)**
57. That the development shall otherwise be substantially in accordance with the plot plan, floor plan, and elevations submitted by the owner and on file with the case. **(on-going)**
58. That CUP Case No. 756 shall be valid for a period of one (1) year, until August 11, 2015 **November 14, 2017**. Approximately three (3) months before August 11, 2015 **November 14, 2017**, the applicant/owner 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/ on-going)**
59. That CUP Case No. 756-2, DPA Case No. 882 & MOD Case No. 1242 shall not be valid until approved by the Planning Commission. **(Revised/ on-going)**
60. That CUP Case No. 756, DPA Case No. 882 & MOD Case No. 1242 shall not be effective for any purpose until the owner/developer has filed with the City of Santa Fe Springs an affidavit stating he/she is aware of and accepts all of the required conditions of approval. **(Satisfied)**
61. That the owner, Santa Fe Energy, 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, 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 CUP or DPA or MOD, 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 owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof. **(on-going)**

62. **That it is hereby declare to be the intent that if any provision of this Approval is violated or held to be invalid, or if any law, statute or ordinance is violated, this Approval shall be void and the privileges granted hereunder shall lapse. (New)**

  
Wayne M. Morrell  
Director of Planning

Attachments:

1. Aerial Photograph
2. Site Plan
3. Proposed Renderings
4. Existing Photos
5. Letter Requesting Consideration of Time Extension

**Aerial Photograph**



**CITY OF SANTA FE SPRINGS**



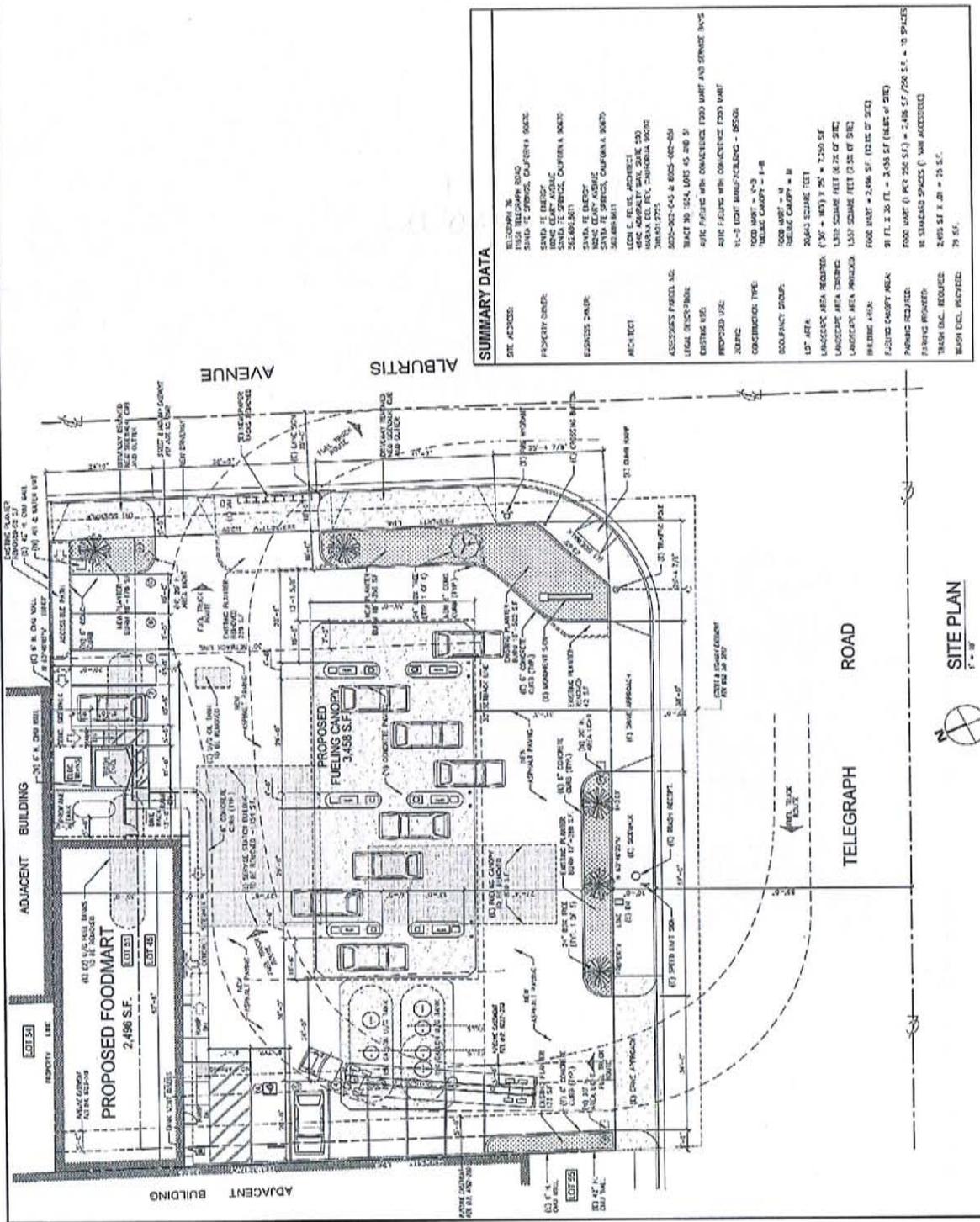
**AERIAL PHOTOGRAPH**

**CONDITIONAL USE PERMIT CASE NO. 756**

**11651 Telegraph Road  
(Applicant: Telegraph 76 Station)**



Site Plan



SUMMARY DATA	
SITE ADDRESS:	10000 S. 100TH AVENUE, SUITE 100, SANDY, CO 80131
PROPERTY OWNER:	STANLEY H. BERRY, SANDY, CO 80131
EXISTING OWNER:	STANLEY H. BERRY, SANDY, CO 80131
EXISTING ZONING:	COMMERCIAL, SANDY, CO 80131
ARCHITECT:	WILLIAMSON BROS. ARCHITECTS, SUITE 100, 10000 S. 100TH AVENUE, SANDY, CO 80131
ASSISTANT PROJECT MGR:	WILLIAMSON BROS. ARCHITECTS, SUITE 100, 10000 S. 100TH AVENUE, SANDY, CO 80131
LEGAL DESCRIPTION:	TRACT 30, 100TH AVENUE, SANDY, CO 80131
EXISTING USE:	STANLEY H. BERRY, SANDY, CO 80131
PROPOSED USE:	PROPOSED FOODMART AND FUELING CANOPY
ZONING:	COMMERCIAL, SANDY, CO 80131
CONSTRUCTION TYPE:	CONCRETE AND METAL
SOULFANCT GROUP:	GROUP 1
LOT AREA:	100,000 S.F.
LANDSCAPE AREA REQUIRED:	10,000 S.F.
LANDSCAPE AREA PROVIDED:	10,000 S.F.
LANDSCAPE AREA PROVIDED:	10,000 S.F.
BRUSH DIRT:	10,000 S.F.
FUELING CANOPY AREA:	3,498 S.F.
FOODMART (1000 S.F.):	2,498 S.F.
TOTAL AREA:	5,996 S.F.
BRUSH DIRT:	10,000 S.F.
TOTAL AREA:	15,996 S.F.

### Proposed Renderings



**Existing Photos (11/8/16)**



## Letter Requesting Consideration of Time Extension

**Santa Fe Energy, LLC  
1230 Geary Avenue  
Santa Fe Springs, CA 90670**

October 10, 2016

**To: Planning Department  
City of Santa Fe Springs  
11710 Telegraph Road  
Santa Fe Springs, CA 90670**

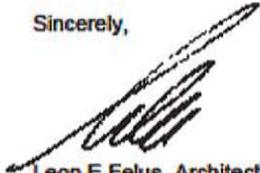
**Attn: Mr. Vince Velasco**

**Re: Conditional Use Permit 756  
11651 Telegraph Road  
Santa Fe Springs, CA 90670**

Vince,

In response to your request of today, please let this letter serve as our official request for another twelve month extension of time beyond the previous twelve month extension of time period ending August 10, 2016. The discovery of a petroleum leak on the site caused unexpected delays to the building permit process. Particularly, the State of California Regional Water Board review of the remediation process took much longer than expected. Building permits could not be issued until the State granted its approval. Our contractor's tentative completion date is March 1, 2017. If you have any questions concerning this matter please contact me at your convenience at (310) 780.1169.

Sincerely,



Leon E Felus, Architect  
Agent for the Property Owner and Applicant