

THE LOCATION FOR THIS MEETING HAS BEEN CHANGED TO THE EMERGENCY OPERATIONS CENTER (EOC) LOCATED AT CITY HALL ON THE SECOND FLOOR.

AGENDA

**REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF BELL GARDENS
CITY COUNCIL CHAMBERS, 7100 GARFIELD AVENUE
BELL GARDENS, CALIFORNIA**

**WEDNESDAY, November 15, 2017
6:00 P.M.**

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (562) 806-7706. Notification 48 business hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

COMPLETE AGENDA PACKETS ARE AVAILABLE FOR PUBLIC INSPECTION AT THE FOLLOWING LOCATIONS: City Hall, Ross Hall Auditorium, Police Department, and Public Works Department

PLANNING COMMISSION

Tony Rivera
Chairperson

Bartolome Carrillo
Vice- Chairperson

Jose Hernandez
Commissioner

Andrew Leon
Commissioner

CITY STAFF

Abel Avalos
Director of Community
Development

John W. Lam
Assistant City Attorney

Carmen Morales
City Planner

Erika Gutierrez
Planning Secretary

Hailes Soto
Associate Planner

I. OPENING CEREMONIES

- 1) Call to Order
- 2) Invocation
- 3) Pledge of Allegiance

II. ROLL CALL

III. APPROVAL OF MINUTES

September 20, 2017

IV. PUBLIC COMMENT

Citizens wishing to address the Commission on any matter not on the Agenda may do so at this time. Please STATE YOUR NAME AND ADDRESS CLEARLY for the record.

Please note that while the Commission values your comments, pursuant to January 1, 1987 amendments of the Brown Act, the Commission cannot respond nor take any action until such time as the matter may appear as an item on a forthcoming agenda.

V. PUBLIC HEARING- CONTINUED ITEM

A. Planning Commission

1. **Zoning Code Amendment No. 2017-060 – Ordinance No. 884
Commercial Building Setbacks
(File No. 2017-060)**

Recommendation: It is staff's recommendation that the Planning Commission continue the Public Hearing item to the December 20, 2017 Planning Commission meeting.

2. **Zoning Code Amendment No. 2017-043 – Ordinance No. 886
Electronic Billboard Overlay District
(File No. 2017-043)**

Recommendation: It is recommended that the Planning Commission adopt Resolution #PC 2017-08 recommending the following actions to the City Council:

1. Adoption of a Negative Declaration; and
2. Approval of Zoning Code Amendment No. 2017-043 and adoption of Ordinance No. 886 amending the Bell Gardens Municipal Code (Zoning) as follows:
 - a. Amend Title 9, Zoning and Planning Regulations, Chapter 9.06, "Establishment of Zones," and Chapter 9.18, "Overlay Districts,"

establishing an Electronic Billboard Overlay District, and Chapter 9.40, "Signs," establishing regulations for electronic billboards located within the Electronic Billboard Overlay District (Zoning Code Amendment No. 2017-043).

Substandard Properties – None

VI. DISCUSSION ITEMS

- 1. Extension of Site Plan Review No. 2016-043
Automobile General Repair Building
8110 Eastern Avenue, Bell Gardens
(File No. 2016-043)**

It is staff's recommendation that the Planning Commission:

1. Approve a 12 month extension for Site Plan Review No. 2016-043 by adopting Planning Commission Resolution #PC 2017-09.

VII. STAFF COMMENTS

1. Planning Commission Meeting December 20, 2017.

VIII. COMMISSIONER COMMENTS

ADJOURNMENT

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**MINUTES OF THE REGULAR MEETING OF THE
PLANNING COMMISSION OF THE CITY OF BELL GARDENS
7100 GARFIELD AVENUE, BELL GARDENS, CA 90201**

Wednesday, September 20, 2017

CALL TO ORDER

The meeting was called to order in City Hall Council Chambers by Chairperson Rivera at 6:00 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE

Associate Planner, Hailes Soto gave the invocation.

City Planner, Carmen Morales led the Pledge of Allegiance.

Commissioner Hernandez arrived at 6:03 p.m.

ROLL CALL

Present: Commissioner Hernandez, Commissioner Leon, Vice-Chairperson Carrillo and Chairperson Rivera.

Absent: None

Staff Present: Abel Avalos, Director of Community Development, John W. Lam, Assistant City Attorney, Carmen H. Morales, City Planner, Erika Gutierrez, Planning Secretary and Samantha Lubrani, Translator

APPROVAL OF MINUTES

Chairperson Rivera asked for a motion on the minutes of July 19, 2017. A motion was made by Vice-Chairperson Carrillo and seconded by Commissioner Hernandez to approve the minutes of July 19, 2017. Motion carried by a vote of 4-0.

PUBLIC COMMENT

With no one wishing to speak, Chairperson Rivera closed public comment.

Chairperson Rivera asked for a motion to move the agenda items out of order to discuss Agenda Item #2 followed by #1. A motion was made by Vice-Chairperson Carrillo and seconded by Commissioner Hernandez. Motion was carried by a vote of 4-0.

PUBLIC HEARING

A. Planning Commission

- 1. McDonalds Drive-Through Remodel
Conditional Use Permit No. 2017-031
5725 Florence Avenue, Bell Gardens
(File No. 2017-031)**

Mr. Soto gave the presentation on Conditional Use Permit No. 2017-031.

Chairperson Rivera asked the Commission if there were any comments for staff on the Public Hearing Item.

Chairperson Rivera had a question for staff on the presentation regarding the color coding on the different parcels located within the shopping center. Chairperson Rivera wanted to clarify that each business within this shopping center was owned by a different owner. Mr. Soto stated that was correct and mentioned that it was presented this way due to this unique lot configuration. Mr. Soto also indicated that there is a reciprocal easement agreement that allows patrons from any of these businesses to cross property lines onto other businesses within the shopping center.

With no questions from the Commission, Chairperson Rivera opened the public hearing.

Mr. Jason Wildner, Area Construction Manager as well as representative of McDonalds approached the podium and thanked the Commission for this opportunity. He indicated that the side by side drive-through project will help improve the customer experience at McDonalds. Mr. Wildner stated that he was available to answer any questions the Commissioners had regarding the proposed project.

Chairperson Rivera asked Mr. Wildner about the traffic coming from Florence Avenue into the McDonalds property. Mr. Wilder stated that the new plan included stripping to help direct customers to the side by side drive-thru area.

Mr. John Lam, Assistant City Attorney stated that the four different parcels that are owned by four different owners, contributes to the traffic flow making it hard to monitor the exact amount of traffic coming in and out of the shopping center.

Hearing no one else wishing to speak on the matter, Chairperson Rivera closed the public hearing.

A motion was made by Vice-Chairperson Carrillo and seconded by Commissioner Hernandez, to approve staff recommendation of Conditional Use Permit No. 2017-031. Motion carried by a 4-0.

**2. Zoning Code Amendment No. 2017-060 – Ordinance No. 884
Commercial Building Setbacks
(File No. 2017-060)**

Ms. Morales gave the presentation on Zoning Code Amendment No. 2017-060 – Ordinance No. 884.

Chairperson Rivera asked the Commission if there were any comments for staff on the Public Hearing Item.

With no questions from the Commission, Chairperson Rivera opened the public hearing.

Chairperson Rivera stated that he would like to be business friendly and have the Ordinance allow for both residential and commercial sites to build all the way to property line.

Mr. Lam stated that although there are currently properties that are built up to property line, the concern that staff had allowing to build up to property line is that in case of an emergency exiting windows for instance, would be very difficult for someone to get out of. Mr. Lam further indicated that lighting and ventilation would be another concern.

Ms. Morales stated that the diagrams shown in the presentation were very standard examples and stated that some properties in the City of Bell Gardens are developed with more than one building, they may have multiple windows or multiple units on the property line. Ms. Morales further indicated that staff's concern were for residential properties that are built up to a property line adjacent to a conforming commercial use. Ms. Morales also indicated that staff would like to ensure that proper light and ventilation are being provided and advised the Commission that if there is a commercial property that would like to develop to the property line, then a variance could be requested as long as a hardship is demonstrated by the applicant.

Mr. Avalos, Director of Community Development stated that the diagrams included in the presentation were intended to show what staff was trying to describe in the report but in reality, there are no properties in the City of Bell Gardens that reflect the exact diagrams shown. Mr. Avalos further stated that as Ms. Morales indicated there is the ability for the commercial property owner to apply for a variance to go beyond the 5 foot setback. Mr. Avalos also indicated that the diagrams shown in the presentation were not true to the City of Bell Gardens properties because in most instances, there are no commercial properties

abutting against residential properties as shown in the diagram. Mr. Avalos further indicated that usually there is a public alley between the commercial properties creating a twenty foot buffer from the residential property. Therefore, in most instances, commercial properties would be able to build all the way to the rear property line by having the alley separating one zone from another.

Minor discussion took place among staff and the Commission.

Mr. Avalos stated that staff has worked diligently on this Ordinance to strike a balance between health and safety as well as promoting economic development.

Chairperson Rivera stated he would like to see the City be a little more business friendly and flexible to allow the same rights for both commercial and residential properties.

Mr. Avalos clarified that Chairperson Rivera was not opposing staff's recommendation, but would like to allow commercial businesses to maximize their property rights. Chairperson Rivera stated that was correct.

Mr. Avalos stated if the Commission would like to further explore this Ordinance, staff could bring this item back to the Commission at a later meeting date.

Commissioner Leon stated that a variance could be given to property owners giving them the option to expand their businesses to the maximum.

Mr. Avalos stated that was correct, and added that variances are not quite easy to approve given that staff has to make valid findings prior to approval of a variance. Therefore, staff's goal is to make this Ordinance as good as it could be.

Mr. Lam suggested continuing this public hearing and for staff to bring back photographs and examples for the Commission to review. Mr. Avalos agreed to bring back photographs and examples of existing properties in the City to help the Commission in their decision.

Vice- Chairperson Carrillo stated that if a potential buyer would like to purchase a property but is told a variance would be needed, it may discourage them due to the additional costs involved in obtaining a variance.

Mr. Lam suggested making a motion to continue this item to the next Planning Commission meeting, and at that time staff could decide if the public hearing will need to be continued to a subsequent meeting.

Staff agreed to bring this item to the October 18, 2017 Planning Commission meeting.

A motion was made by Vice-Chairperson Carrillo and seconded by Commissioner Hernandez, to continue this public hearing item to the October 18, 2017 regular Planning Commission meeting. Motion carried by a 4-0.

B. Substandard Properties – None

DISCUSSION ITEMS – None

STAFF INFORMATION ITEMS – None

COMMISSION INFORMATION ITEMS – None

ADJOURNMENT

Chairperson Rivera made a motion to adjourn the meeting at 7:18 p.m.

RECORDED BY:

ERIKA GUTIERREZ, PLANNING SECRETARY


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**CITY OF BELL GARDENS
COMMUNITY DEVELOPMENT DEPARTMENT**

AGENDA REPORT

TO: Planning Commissioners

FROM: Abel Avalos, Director of Community Development 

BY: Carmen H. Morales, City Planner 

SUBJECT: Zoning Code Amendment No. 2017-060 - Ordinance No. 884
Commercial Building Setbacks
(File No. 2017-060)

DATE: November 15, 2017

Staff is requesting that the Commission continue the public hearing on this item to its next regularly scheduled meeting on Wednesday, December, 20, 2017 to allow staff additional time to finalize the analysis requested by the Planning Commission on September 20, 2017.


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CITY OF BELL GARDENS
COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA REPORT

TO: Planning Commissioners

FROM: Abel Avalos, Director of Community Development 

BY: Carmen H. Morales, City Planner 

SUBJECT: Zoning Code Amendment No. 2017-043 - Ordinance No. 886
Electronic Billboard Overlay District
(File No. 2017-043)

DATE: November 15, 2017

RECOMMENDATION:

It is recommended that the Planning Commission adopt Resolution #PC 2017-08 (Exhibit A) recommending the following actions to the City Council:

1. Adoption of a Negative Declaration (Exhibit B) ; and
2. Approval of Zoning Code Amendment No. 2017-043 and adoption of Ordinance No. 886 (Exhibit C) amending the Bell Gardens Municipal Code (Zoning Code) as follows:
 - a. Amend Title 9, Zoning and Planning Regulations, Chapter 9.06, "Establishment of Zones," and Chapter 9.18, "Overlay Districts," establishing an Electronic Billboard Overlay District, and Chapter 9.40, "Signs," establishing regulations for electronic billboards located within the Electronic Billboard Overlay District (Zoning Code Amendment No. 2017-043).

BACKGROUND:

In 2007 the City Council adopted a comprehensive Zoning Code Update establishing land use and development regulations governing signs in the City. The City's current Zoning Code allows for non-digital billboards in the C-M (Commercial Manufacturing) and the M-1 (Light Industrial) zones. The Zoning Code is silent with respect to digital, or electronic, billboards.

An electronic billboard is a billboard that displays digital images that are changed by a computer every few seconds. Electronic billboards are primarily used for commercial advertising, but they can also be used for public service purposes. Billboard companies are increasingly constructing electronic billboards instead of non-electronic billboards due to the increased number of advertisers that can be accommodated at one time on a single electronic billboard. Electronic billboards offer the potential for a source of revenue and other public benefits to cities when construction and operation of billboards are permitted on publicly owned property. Cities are allowed to enter into agreements with billboard owners for financial compensation provided by billboard owners to cities in return for the right to construct a billboard on public property. Additionally, agreements can include terms for the voluntary

removal by billboard owners of non-electronic billboards in other locations in exchange for the right to construct an electronic billboard within a designated suitable location adjacent to a freeway. Zoning Code Amendment No. 2017-043 is proposed to create an Electronic Billboard Overlay District to allow for the construction of electronic billboards in a planned manner subject to controls and regulations governing the design and operation of electronic billboards within the overlay district.

ANALYSIS:

The purpose of proposed Zoning Code Amendment No. 2017-043 is to permit the limited use of off-premises electronic billboards in appropriate locations within the City, in a controlled manner, and to allow the City to receive public benefits from billboard owners in return. Zoning Code Amendment No. 2017-043 proposes the creation of an Electronic Billboard Overlay District (overlay district) comprised of two City owned properties located adjacent to the 710 Freeway within the C-4 (Heavy Commercial) and MPD (Manufacturing Planned Development) zones as illustrated on Figure 1. Zoning Code Amendment No. 2017-043 is also proposed in order to provide an incentive to billboard owners for voluntary relocation and replacement of conforming and nonconforming non electronic billboards located elsewhere in the City in exchange for permission to construct an electronic billboard within the overlay district.

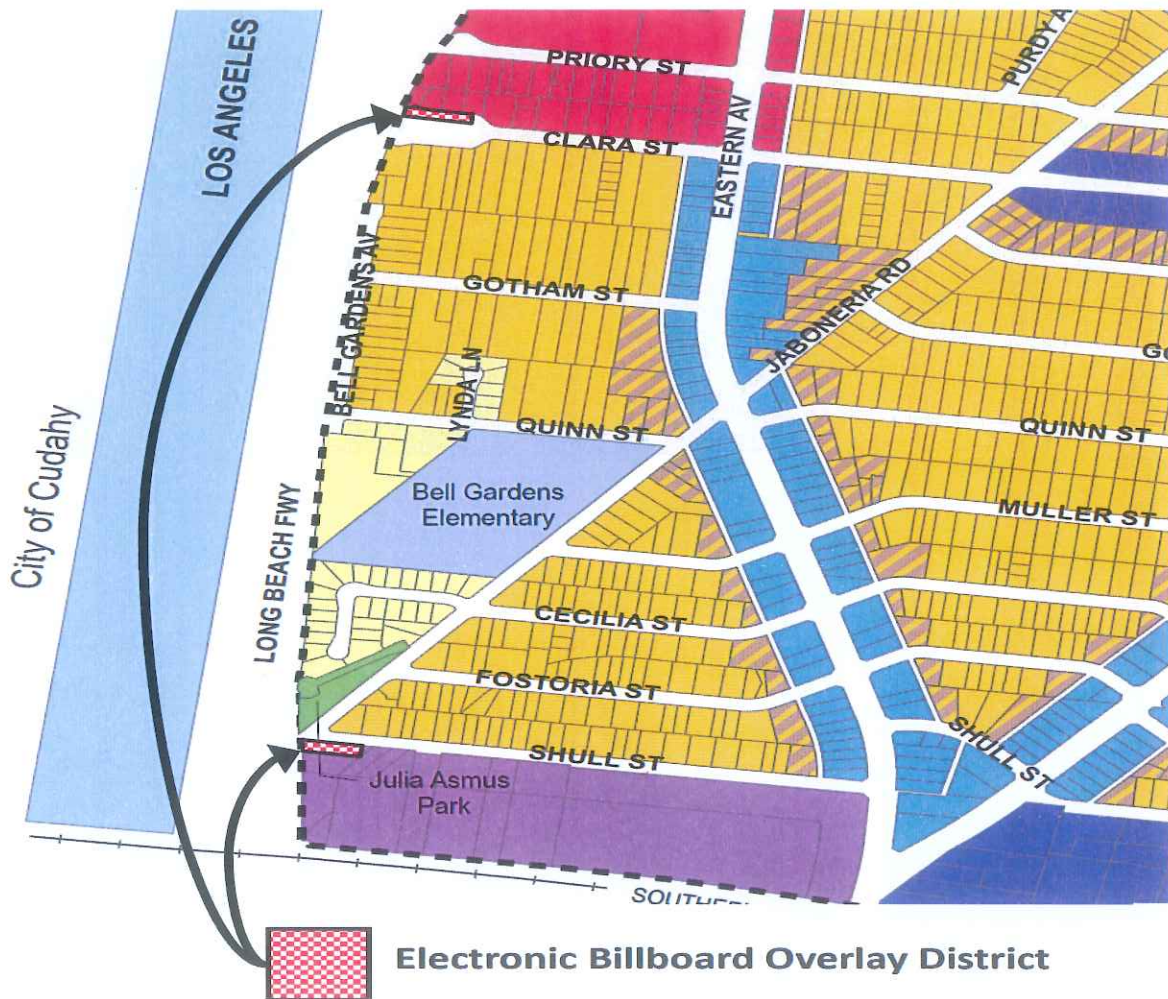
Approval of Zoning Code Amendment No. 2017-043 would permit the construction and operation of electronic billboards in the overlay district pursuant to City Council approval of an agreement to be executed between the billboard owner and the City. The agreement would contain terms to control the design and operation of the electronic billboard, the terms for the removal and relocation of any existing non-electronic billboards (if applicable), and provisions for compensation to be paid to the City or other public benefits to the City in exchange for the right to construct and operate an electronic billboard. Zoning Code Amendment No. 2017-043 would establish regulations governing design and operation of electronic billboards and the application review requirements and City approval process for electronic billboards within the overlay district as summarized below.

1. Electronic billboards must be placed at least 150 feet from any residential zone or residential use as measured from the closest edge of the billboard to the closest edge of the residential zone or closest property line on which a residential use is located.
2. Billboards are limited to one digital face (display surface) oriented in the same vertical plane.
3. The maximum total digital sign face area permitted on any vertical plane for any electronic billboard would be 672 square feet; with a maximum height of 14 feet and maximum width of 48 feet per sign face.
4. The maximum allowable height of any electronic billboard including, non-digital sign faces is 65 feet as measured from the bottom of the billboard supports to the highest point of the sign face.
5. Flashing lights or varying of light intensity are prohibited.
6. Each message must be displayed for a minimum of four (4) seconds.
7. Electronic billboard illumination would be limited to a maximum brightness levels of no more than 0.3 foot candles above ambient light as measured using a foot candle meter.

8. The display of statement or words of an obscene, indecent, or immoral character is prohibited on any electronic billboard.
9. Electronic billboard operators would be required to provide evidence that a designated maintenance service is available by telephone and able to respond to a repair call "24/7" in the event an electronic billboard becomes damaged or is malfunctioning.
10. All electronic billboards shall be subject to approval any applicable federal and/or state permits for installation.
11. Applications for construction and operation of an electronic billboard would be subject to review by the Planning Commission and approval by the City Council of an Agreement containing, at a minimum, compliance of the electronic billboard with the design and operational regulations established pursuant to Zoning Code Amendment No. 2017-043 and could contain provisions for compensation to be paid to the City or other public benefits.

Figure 1

Proposed Electronic Billboard Overlay District



ENVIRONMENTAL REVIEW:Pursuant to Section 15060, of the California Environmental Quality Act (CEQA) the City prepared an Initial Study to determine the impact(s) on the environment of proposed Zoning Code Amendment No. 2017-043 and found that the project would not have any significant impacts on the environment, therefore pursuant to Section 15070 of CEQA, a negative declaration was prepared. The Negative Declaration was made available for public review and comment from October 2, 2017 through October 21, 2017. At the time of the writing of this report, the City has not received any written comments on the Negative Declaration.

CONCLUSION:

Staff recommends that the Planning Commission adopt Resolution #PC 2017-08 recommending to the City Council adoption of a Negative Declaration and approval of Zoning Code Amendment No. 2017-043 to adopt Ordinance No. 886 creating an Electronic Billboard Overlay District and establishing regulations to govern the design, operation, and review and approval of electronic billboards.

FISCAL IMPACT:

None

ATTACHMENTS:

- Exhibit A - Planning Commission Resolution #PC 2017-08
- Exhibit B - Negative Declaration
- Exhibit C - Ordinance No. 886
- Exhibit D - Public Hearing Notice

EXHIBIT A

**Resolution
#PC 2017-08**

RESOLUTION #PC 2017-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL GARDENS RECOMMENDING CITY COUNCIL ADOPTION OF A NEGATIVE DECLARATION AND APPROVAL OF ZONING CODE AMENDMENT NO. 2017-043 AMENDING THE CITY OF BELL GARDENS MUNICIPAL CODE, TITLE 9, ZONING AND PLANNING REGULATIONS, CHAPTER 9.06, "ESTABLISHMENT OF ZONES," AND CHAPTER 9.18, "OVERLAY DISTRICTS," ESTABLISHING AN ELECTRONIC BILLBOARD OVERLAY DISTRICT, AND, CHAPTER 9.40, "SIGNS" REGULATING ELECTRONIC BILLBOARDS LOCATED WITHIN THE ELECTRONIC BILLBOARD OVERLAY DISTRICT (ZONING CODE AMENDMENT NO. 2017-043)

WHEREAS, the City of Bell Gardens ("City") currently authorizes signs and sign structures within the City pursuant to Title 9, of the Bell Gardens Municipal Code, Chapter 9.40, "Signs", (the "Sign Ordinance"), provided such signs and sign structures comply with regulations set forth in the Sign Ordinance;

WHEREAS, the Sign Ordinance does not expressly allow the development and construction of electronic billboards within the City;

WHEREAS, permitting the limited use of off-premises electronic billboards in appropriate locations within the City provides greater opportunity for businesses to advertise to larger audiences;

WHEREAS, the City desires to establish an Electronic Billboard Overlay District within Commercial and Manufacturing Planned Development zoning districts of the City located adjacent to the Interstate 710 Freeway within which electronic billboards may be constructed and regulated;

WHEREAS, this Ordinance allows for the use of electronic billboards in a controlled and planned manner within the limits of the Electronic Billboard Overlay District subject to reasonable controls;

WHEREAS, this Ordinance provides incentive for owners of non-electronic billboards within the City to relocate or convert those non electronic billboards to electronic billboards within the Electronic Billboard Overlay District;

WHEREAS, this Ordinance allows the City to receive public benefits from electronic billboard owners for the opportunity to construct electronic billboards within the Electronic Billboard Overlay District; and

WHEREAS, pursuant to California Government Code Section 65854, the Planning Commission duly noticed and agendized a public hearing and conducted the public hearing at on this matter on November 15, 2017 and adopted Planning Commission Resolution #2017-08 recommending to the City Council adoption of a Negative Declaration and approval of Zoning Code Amendment No. 2017-043.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF BELL GARDENS HEREBY RESOLVES AND DETERMINES AS FOLLOWS:

SECTION 1. Pursuant to the provisions of the California Environmental Quality Act and CEQA Guidelines, an Initial Study was prepared to determine whether adoption of Ordinance No. 886 could have a significant effect on the environment. On the basis of the Initial Study, it has been determined that this Ordinance would not have a significant effect on the environment and a Negative Declaration has been prepared. The recommendation that City Council adopt the Negative Declaration reflects the Planning Commission's independent judgment and analysis. The full record is available for review in the Community Development Department.

SECTION 2. In recommending approval of Zoning Code Amendment No. 2017-043 and adoption of Ordinance No. 886 the Planning Commission finds as follows:

- i. That the above recitals are true and correct and hereby incorporates them herein by this reference.
- ii. Ordinance No. 886 serves the public health, safety, and welfare of the residents and businesses within the City to regulate land use within the City.
- iii. Ordinance No. 886 is consistent with the City's General Plan.
- iv. Ordinance No. 886 amending the City of Bell Gardens Municipal Code, will not present any risk to the public health and safety.

SECTION 3. The Planning Commission hereby adopts this Resolution recommending to the City Council the adoption of a Negative Declaration and approval of Zoning Code Amendment No. 2017-043 adopting Ordinance No. 886.

SECTION 4. The Planning Commission of the City of Bell Gardens hereby transmits and recommends to the City Council adoption of a Negative Declaration and approval of Zoning Code Amendment No. 2017-043 adopting Ordinance No. 886 amending the Bell Gardens Municipal Code (Zoning and Planning).

[Signatures on the following page]

PASSED, APPROVED AND ADOPTED this 15th day of November 2017.

TONY RIVERA, *CHAIRPERSON*

ATTEST:

ERIKA GUTIERREZ, PLANNING SECRETARY

APPROVED AS TO FORM:

ALVAREZ-GLASMAN & COLVIN

JOHN LAM, ASSISTANT CITY ATTORNEY

EXHIBIT B

Negative Declaration



**DRAFT NEGATIVE DECLARATION
PROPOSED ELECTRONIC BILLBOARD OVERLAY DISTRICT
Zoning Code Amendment No. 2017-043
Ordinance No. 886**

Project Applicant/Lead Agency

City of Bell Gardens
7100 South Garfield Avenue
Bell Gardens, CA 90201
Contact: Carmen Morales, City Planner
562-806-7723

OCTOBER 2, 2017

Section 1 INTRODUCTION

This environmental assessment has been prepared to evaluate the impacts associated with the adoption and subsequent implementation by the City of Bell Gardens of Ordinance No. 886, establishing an Electronic Billboard Overlay District ("Overlay District"), as required by the California Environmental Quality Act ("CEQA"). The proposed project is an amendment to portions of Title 9 (Zoning and Planning Regulations) of the Bell Gardens Municipal Code to allow for the installation of new electronic billboards and relocation of existing non-electronic billboards as electronic billboards within the specified Overlay District. The proposed Overlay District boundaries are located adjacent to the Long Beach (I-710) Freeway within publicly owned properties zoned for commercial or manufacturing use.

CEQA requires that public agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects (Public Resources Code [PRC] 21000 et seq.) For this project, the City of Bell Gardens is the project proponent and, pursuant to CEQA, is the lead agency because it has the primary responsibility for approving and implementing the project and therefore the principal responsibility for ensuring CEQA compliance. There are no other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).

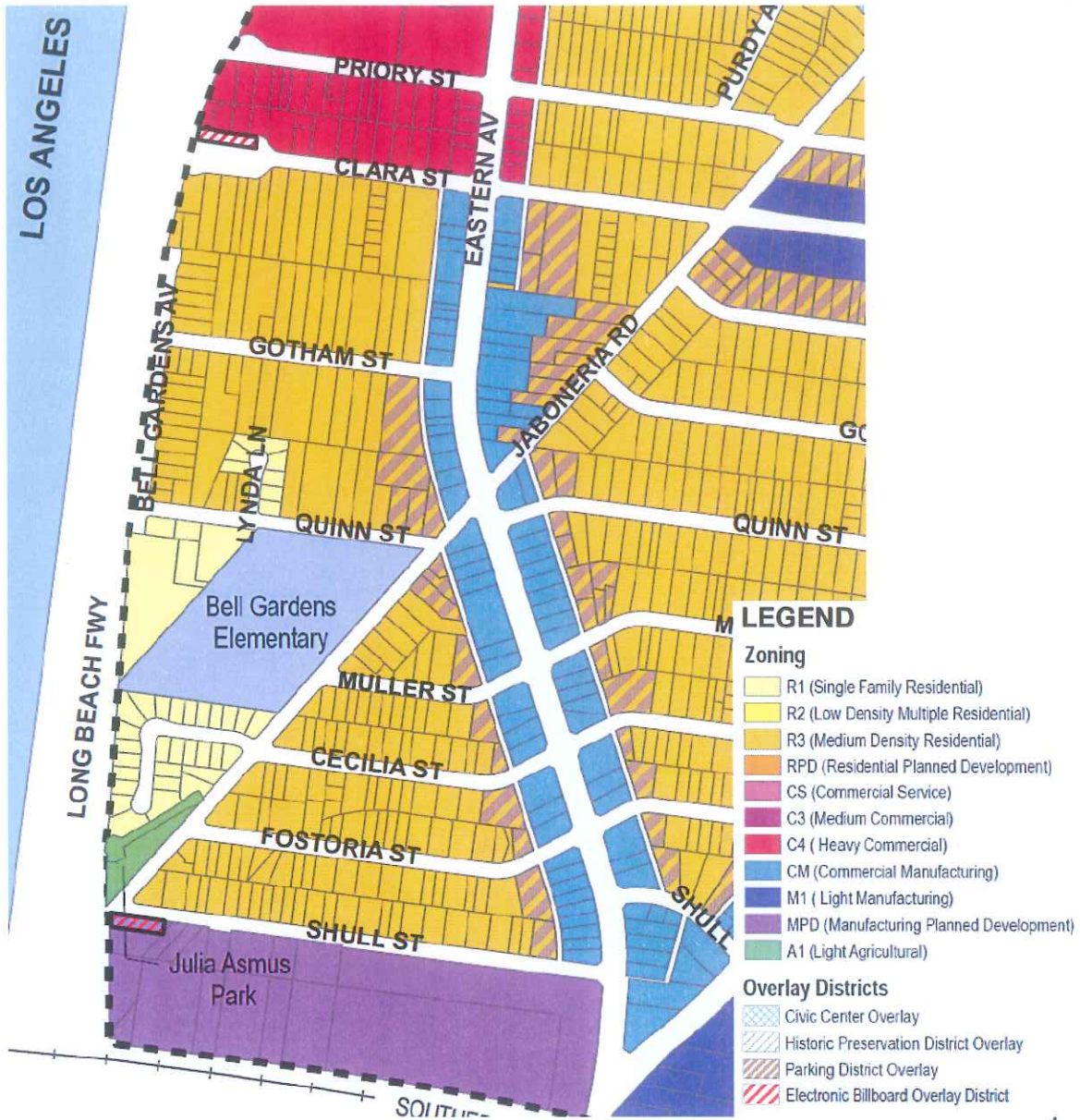
1.1 PROJECT SETTING

The proposed Overlay District will be located on publicly owned property zoned for commercial or industrial use adjacent to the Long Beach (I-710) Freeway within the boundaries of the City of Bell Gardens. Bell Gardens is located in southeast Los Angeles County, approximately 10 miles southeast of downtown Los Angeles. Bell Gardens is bounded on the north by the City of Commerce; on the west by the cities of Bell and Cudahy; on the south by the City of South Gate; and on the east by the City of Downey. Regional access to Bell Gardens is possible from the Long Beach Freeway (I-710), which extends along the east boundary of the City in a north-south orientation and the Santa Ana Freeway (I-5), which lies just east of the City boundary in a generally north-south orientation.

A location map describing the setting and location of the proposed Overlay District, is provided in Exhibit 1, "Project Setting and Location of Overlay District". The Overlay District consists of two locations with general boundaries located within 200 feet perpendicular to the I-710 Freeway Caltrans right-of-way, as identified in Ordinance No. 886.

Exhibit 1

Proposed Electronic Billboard Overlay District



1.2 PROJECT DESCRIPTION

The proposed project is an amendment to portions of Title 9 (Zoning and Planning Regulations) of the Bell Gardens Municipal Code to allow for the installation of electronic billboards within the specified Overlay District. The areas proposed for the Overlay District will consist of one site zoned for commercial use and one site zoned for industrial use both of which are located adjacent to the Long Beach (I-710) Freeway as described in Exhibit 1.

SECTION 2 ENVIRONMENTAL CHECKLIST

Environmental Issues		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
1. Aesthetics					
<i>Would the project:</i>					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Agriculture Resources					
<p><i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.</i></p>					
<i>Would the project:</i>					
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
California Resources Agency, to non-agricultural use?					
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Air Quality					
<i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</i>					
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Biological Resources					
<i>Would the project:</i>					
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
California Department of Fish and Game or U.S. Fish and Wildlife Service?					
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Cultural Resources					
<i>Would the project:</i>					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Geology and Soils					
<i>Would the project:</i>					
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault (as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault), strong seismic ground shaking, seismic related ground failure, including liquefaction, or landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Issues		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Greenhouse Gas Emissions					
<i>Would the project:</i>					
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Hazards and Hazardous Materials					
<i>Would the project:</i>					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Hydrology and Water Quality					
<i>Would the project:</i>					
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Land Use and Planning					
<i>Would the project:</i>					
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Mineral Resources					
<i>Would the project:</i>					
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Noise					
<i>Would the project result in:</i>					
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Population and Housing					
<i>Would the project:</i>					
a)	Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. Public Services					
<i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>					
a)	Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. Recreation					
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Transportation/Traffic					
<i>Would the project:</i>					
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Tribal Cultural Resources <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18. Utilities and Service Systems <i>Would the project:</i>				

Environmental Issues		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Mandatory Findings of Significance					
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Does the project have environmental effects, which would cause substantial	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
adverse effects on human beings, either directly or indirectly?				
Environmental Factors That Could Result in a Potentially Significant Impact				
The environmental factors listed below that are checked indicate that the proposed project would result in environmental effects that are either "Potentially Significant" or "Less Than Significant With Mitigation".				
<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality		
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils		
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology/Water Quality		
<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise		
<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation		
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities/Services Systems	<input type="checkbox"/> Tribal Resources		
			<input type="checkbox"/> Mandatory Findings of Significance	
Environmental Determination				

On the basis of this initial evaluation:

- X I find that the proposed project could not have a significant effect on the environment, and a **Negative Declaration** would be prepared.
- I find that although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. **A Mitigated Negative Declaration** would be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an **Environmental Impact Report** is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measure based on the earlier analysis as described on attached sheets. An

Environmental Impact Report is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **Negative Declaration** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **Negative Declaration**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signed: 
Name: Carmen Morales
Title: City Planner

Date: September 28, 2017
Phone: 562-806-7723

SECTION 3 DISCUSSION OF ENVIRONMENTAL EVALUATION

3.1 AESTHETICS

The General Plan EIR¹ analyzed potential aesthetic impacts resulting from build out of the City of Bell Gardens. The certified Program EIR found that all aesthetic impacts would be mitigated by General Plan² policies and programs listed in Table 3-44 of the General Plan EIR. Approval of the Overlay District would not result in any changes to the General Plan land use map or the underlying base zoning of the Zoning Map which is consistent with the General Plan.

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

No Impact. There are no scenic vistas identified in the City of Bell Gardens General Plan. The proposed Overlay District would lie adjacent to the I-710 freeway and will not impact scenic vistas.

- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?*

No Impact. There are no State-designated scenic highways within the City or vicinity of the Overlay District.³ The City has six historic sites, but none are in the vicinity of the proposed Overlay District. The City is a built out urban area with no significant scenic resources. Therefore, the proposed project will not impact scenic highways, scenic resources, including trees, rock outcroppings, or historic buildings.

- c) *Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*

Less Than Significant Impact. The proposed Overlay District is comprised of locations that are zoned Commercial and Manufacturing. Approval by the City of any future proposed billboards would be required to comply with the development regulations and design standards adopted as part of the Overlay District. The Overlay District is currently free of any buildings or landscape features. Conditions of approval may also be imposed as part of the City's review process of all future proposed billboards to ensure all billboards will be consistent with applicable development regulations and design standards. Adherence to the regulations and design standards of the Overlay District and compliance with any required standard conditions imposed as part of the approval of a billboard will reduce potential impacts to levels that are less than significant.

¹ City of Bell Gardens, General Plan Environmental Impact Report, certified July 27, 1995 (SCH# 94-11-10-26).

² City of Bell Gardens, General Plan, adopted July 27, 1995.

³ http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm

- d) *Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?*

Less Than Significant Impact. All proposed electronic billboards within the Overlay District will be required to have lighting in conformance with Caltrans Outdoor Advertising Division, Outdoor Advertising Association of America (OAAA) and Bell Gardens Municipal Code standards which serve to minimize light and glare impacts. Any future applications for approval of an electronic billboard must also include a photo metric study prepared by a City approved lighting engineer. Compliance with the lighting standards of Caltrans and the City will minimize the potential for any impacts to day or nighttime views in the area to a less than significant level.

3.2 AGRICULTURAL RESOURCES

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

No Impact. There are no areas designated as Prime Farmland, Unique Farmland, or Farmland of Statewide importance (Farmland) in or adjacent to the Overlay District or within the City of Bell Gardens. Therefore, approval of the project would not result in the conversion of Farmland to non-agricultural use.

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

No Impact. There are no Williamson Act contracts or zoning for agricultural use on any lands proposed within the Overlay District. Therefore, no conflicts would exist with zoning for agricultural use or a Williamson Act contract.

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

No Impact. The Overlay District is a highly urbanized area. The surrounding areas are developed with various urban uses and are not used as forest land or timberland. There are no zoning districts in the City for forest land or timberland. Therefore approval of the project would not conflict with zoning or cause rezoning of forest land or timberland zoned Timberland Production.

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

No Impact. There are no designated forest land areas within the City, therefore approval of the project would not result in the loss of forest land or conversion of forest land to non-forest use.

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

No Impact. There are no areas designated as Farmland in the City. Therefore, approval of the project would not result in other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use.

3.3 AIR QUALITY

The General Plan EIR analyzed potential air quality impacts resulting from build out of the City of Bell Gardens consistent with the land use designations and Elements of the General Plan. The certified General Plan EIR found that all air quality impacts would be mitigated by General Plan policies and programs listed in Table 3-19 of the General Plan EIR. The approval of the project would not change the General Plan land use designation or underlying base zoning for the Overlay District which is consistent with the General Plan.

- a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

Less Than Significant Impact. The City of Bell Gardens lies in the South Coast Air Basin ("SoCAB"), which is under the jurisdiction of the South Coast Air Quality Management District ("SCAQMD"). The air quality plan in effect in the SoCAB is the SCAQMD's 2012 Air Quality Management Plan⁴ ("AQMP"). The regional emissions inventory for the SoCAB is compiled by the SCAQMD and SCAG. Regional population, housing, and employment projections developed by SCAG, which are based on the land use designations of the City's General Plan, form, in part, the foundation for the emissions inventory of the AQMP. Projects that are consistent with the growth anticipated by the City's General Plan are therefore consistent with AQMP emissions assumptions. The project is consistent with the AQMP because it is based on demographic projections for the City of Bell Gardens from which SCAQMD creates the regional emissions inventory.

The proposed Overlay District will not pose a significant impact to air quality. Potential temporary impacts may result during the future construction of an electronic billboard. Although development of an electronic billboard does not involve substantial new construction, the construction of footings and undergrounding of utilities could have minimal impacts. These impacts will be reduced to less than significant by implementation of the following standard measures required by the City for construction projects to lessen any potential construction related impacts to air quality: watering all unpaved demolition and construction on the site at least twice a day to reduce dust emissions; watering of all materials transferred offsite sufficiently and provision of a minimum of two

⁴ South Coast Air Quality Management District, *Air Quality Management Plan, 2012*.

feet of distance between the top of the trailer and the top of the material; initiation of street sweeping if visible dust is deposited upon public paved roadways due to construction; and maintenance and operation of construction equipment by contractors so as to minimize exhaust emissions. Emissions caused by these, and any other construction related activities are not likely to exceed SCAQMD daily and quarterly significance thresholds. Furthermore, the impacts are temporary and short term in nature and would cease upon completion of construction.

- b) *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

Less Than Significant Impact. Refer to response 3.3 (a) above.

- c) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?*

Less Than Significant Impact. Refer to response 3.3(a) above.

- d) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Less Than Significant Impact. Non criteria pollutants such as Hazardous Air Pollutants (HAPs) or Toxic Air Contaminants (TACs) are regulated by the SCAQMD. SCAQMD Rule 1401 (New Source Review of Toxic Air Contaminants) requires evaluation of potential health risks for any new, relocated, or modified emission unit which may increase emissions of one or more toxic air contaminants.⁵ The rule specifies limits for maximum individual cancer risk (MICR), cancer burden, and non-cancer acute and chronic hazard index (HI) from new permit units, relocations, or modifications to existing permit units which emit toxic air contaminants.

A park and an elementary school are located within 500 feet of the Overlay District. A minimal level of emissions will occur during the construction of an electronic billboard, but once the construction is completed, sensitive receptors will not be exposed to substantial pollutant concentrations.

- e) *Would the project create objectionable odors affecting a substantial number of people?*

Less Than Significant Impact. Any electronic billboard constructed within the Overlay District will not create additional odors, once the construction is completed. During construction activities additional odors and exhaust from the use of various gasoline or diesel powered equipment may occur, but these impacts are considered to be short-term and temporary.

⁵ South Coast Air Quality Management District, Rule 1401.

3.4 BIOLOGICAL RESOURCES

The General Plan EIR analyzed potential biological resources impacts resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all biological resources impacts would be mitigated by General Plan policies and programs listed in Table 3-26 of the General Plan EIR. The proposed project does not involve a change to the existing land use or the General Plan land use designation for the Overlay District.

- a) *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*
No Impact. The City is highly urbanized and surrounded by other highly urbanized cities. As a result, all native biological resources were removed in conjunction with development of the City and its surrounding areas. All natural plant communities and associated animals that may have existed prior to the development have been removed. Predominant vegetation in the City consists of introduced urban plant species and includes trees, flowers, and shrubs. Animal species are limited to those typically found in urban environments such as rabbits, mockingbirds, opossum, skunks, ground squirrels, stray dogs and cats, etc. Because the proposed area for the Overlay District has been disturbed and developed there are no plant or animal species that could be classified as a candidate, sensitive, or special status and regulated by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The project will not impact any sensitive plant or animal species of concern to either California Fish and Game or U.S. Fish and Wildlife Service because none exist in the City.
- b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*
No Impact. Refer to response 3.4(a). There are no identified riparian habitat or other sensitive natural communities within the City.
- c) *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*
No Impact. Refer to responses 3.4(a). There are no known wetlands within or adjacent to the City.
- d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?*

No Impact. The City is highly urbanized and is not used for a wildlife corridor or wildlife nursery because there is no native vegetation to support a wildlife corridor or nursery. No existing wildlife corridors are located in the vicinity of the City. The project will not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

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

No Impact. The City of Bell Gardens does not have a biological resource protection ordinance or tree preservation policy or ordinance, therefore the project would not conflict with any biological protection policy or ordinance.

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

No Impact. There are no areas of the City included in any adopted Habitat Conservation Plan ("HCP") or any other Natural Community Conservation Plan ("NCCP") or other approved local, regional, or state habitat conservation plan. Therefore, the project would not conflict with provisions of an adopted HCP, NCCP, or other approved local, regional, or state habitat conservation plan.

3.5 CULTURAL RESOURCES

The General Plan EIR analyzed potential cultural resource impacts resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all cultural resource impacts would be mitigated by General Plan policies and programs listed in Table 3-45 of the General Plan EIR.

- a) *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

No Impact. The Bell Gardens General Plan Conservation Element identifies six historical structures in the City, however, none of the six structures are within or adjacent to the Overlay District. The project will not adversely affect any historical resource.

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

Less Than Significant Impact. Bell Gardens is highly urbanized and the proposed Overlay District is not likely to contain any archaeological resources. According the General Plan Conservation Element, a search at the UCLA Archaeology Center showed that no prehistoric or historic sites were identified within the City. No archeological surveys were conducted in the City, thus, no sensitive sites have been found. A low potential for archaeological resource discovery is expected in the area. However, section 15064.5 of the CEQA guidelines includes measures to protect and/or salvage any cultural resources

that may be uncovered during construction of future proposed projects. Should the environmental review of any future proposed billboard project within the Overlay District determine that the potential exists for archaeological resources to be found, the project would be required to comply with mitigation measures that suspected cultural resources, including archaeological resources, uncovered during project grading and construction, be protected as required by CEQA Guidelines Section 15064.5.

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

Less Than Significant Impact. Bell Gardens is highly urbanized and the proposed Overlay District area is not likely to contain any paleontological resources. Records of known sites do not indicate the presence of resources in the City or the surrounding area. According to the General Plan Conservation Element, the Los Angeles County Museum of Natural History has indicated that the entire City of Bell Gardens has a low potential and sensitivity for paleontological resources. In the unlikely event that earthwork activities, such as grading and trenching operations proposed as a part of the future installation of an electronic billboard, cut into the geologic deposits (formations) within which fossils may be buried a site-specific CEQA analysis will be required. In these instances, projects will be required to comply with mitigation measures related to protection of paleontological resources and unique geologic features.

- d) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

Less Than Significant Impact. There are no cemeteries located within or adjacent to the proposed Overlay District. The installation process for future billboards within the Overlay District is unlikely to uncover human remains due to the limited excavation that is to be performed in the designated sites.

In the unlikely event that human remains were to be found during construction, those remains would require proper treatment, in accordance with applicable laws. State of California Health and Safety Code Section 7050.5-7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission, and consultation with the individual identified by the Native American Heritage Commission to be the "most likely descendant." If human remains are found during excavation, the excavation must stop in the vicinity of the find and in any area that is reasonably suspected to contain remains adjacent to the find, until the County coroner has been called out, the remains have been investigated, and appropriate recommendations have been made for the treatment and

disposition of the remains. Following compliance with State regulations, which detail the appropriate actions necessary in the event human remains are encountered, impacts in this regard would be considered less than significant.

Compliance with Health and Safety Code Sections 7050.5-7055 and Public Resources Code Section 5097.98, related to protection of human remains will reduce potential impacts associated with future development project proposals to a less than significant level.

3.6 GEOLOGY AND SOILS

The General Plan EIR analyzed potential earth resources impacts (including geology and soils impacts) resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all earth resources impacts would be mitigated by General Plan policies and programs listed in Table 3-13 of the General Plan EIR.

- a) *Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault), strong seismic ground shaking, seismic related ground failure, including liquefaction, or landslides?:*

Less Than Significant Impact. The City of Bell Gardens is located in Southern California, which is a seismically active region. Although the City is located in a seismically active area, it is not located in an Earthquake Fault Zone (Alquist-Priolo), and there are no known active or potentially active surface faults located within the proposed Overlay District. Therefore, there is no potential for rupture of a known earthquake fault in the City. According to the General Plan Safety Element (Table 6-6), the nearest faults to Bell Gardens are the Newport-Inglewood fault located six miles away and the Norwalk fault located 10 miles away.

The Overlay District may be exposed to severe ground shaking from a regional earthquake in the same manner as the remainder of the City of Bell Gardens. The major cause of structural damage from earthquakes is ground shaking. Any future billboards will be exposed to potential ground-shaking in the event of an earthquake. The degree of ground-shaking is dependent on the location of the earthquake epicenter, the earthquake's intensity, and a number of other variables. For the Overlay District, the degree of impact will not be significantly different from that anticipated for the surrounding area. All future billboards will be required to comply with the most current seismic safety code requirements.

Liquefaction refers to loose, saturated sand or silt deposits that lose their load supporting capability when subjected to intense shaking. Upon individual application for an electronic billboard within the Overlay District, a geotechnical

analysis for the installation site would be required by the City. This geotechnical analysis would address liquefaction concerns among other geological concerns. Any future development that occurs as a result of the approval of the project would be subject to future CEQA review and consideration of potential geologic and soil related impacts. Any identified impacts related to seismic ground failure, including liquefaction would require mitigation to be incorporated as part of the project. The City is relatively flat, there are no significant slopes or hills in the vicinity of the Overlay District. There are no changes to existing land use proposed as part of the project. Any future proposed billboard projects would be required to comply with California Building Code standards. Landslide impacts are not anticipated within the Overlay District or as a result of approval of future billboards within the Overlay District. Overall, the impacts due to the rupture of a known earthquake fault are considered to be less than significant.

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

Less Than Significant Impact. The area within the Overlay District has been developed, and any unsuitable surface soils and the replacement of these soils with compacted fills has already occurred. Given the developed character of the Overlay District and the limited area of disturbance anticipated with the future construction of a billboard (each individual billboard will only occupy a maximum of 5 to 10 square feet of land area), no impacts related to expansive soil erosion or loss of topsoil are anticipated. Future development projects would be required to prepare erosion control plans and/or incorporate best management practices to minimize potential erosion and sedimentation impacts. These projects would also be required to undergo site-specific CEQA analysis and comply with any mitigation measures should the analysis identify potentially significant impacts. Impacts associated with approval of the project will be less than significant.

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

Less Than Significant Impact. As stated above, the area within the Overlay District has been developed, and any unsuitable surface soils and the replacement of these soils with compacted fills has already occurred. Given the developed character of the Overlay District and the limited area of disturbance (each individual billboard will only occupy a maximum of 5 to 10 square feet of land area), no impacts related to expansive soil erosion or loss of topsoil are anticipated. The City is relatively flat, there are no significant slopes or hills in the vicinity of the Overlay District, and there are no changes to existing land use within the Overlay District as part of the project. Any future proposed development projects would be required to comply with California Building Code standards. Landslide impacts are not anticipated as a result of approval of the project. Impacts associated with the approval of the project will be less than significant.

- d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*
Less Than Significant Impact. Expansive soils shrink or swell as the moisture content decreases or increases. Structures built on these soils may experience shifting, cracking, and breaking as soils shrink and subside or expand. Any future development that occurs pursuant to approval of the project would be subject to future CEQA review and consideration of potential soil-related impacts. Necessary improvements to ensure long term geotechnical stability would be required. Compliance with future project-level CEQA mitigation measures related to expansive soils would reduce impacts. Impacts associated with approval of the project will be less than significant.
- e) *Would the project have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*
No Impact. All development in the City is required to utilize the local sewer system, therefore, no impact will occur.

3.7 GREENHOUSE GAS EMISSIONS

- a) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*
Less Than Significant Impact. Gasoline and diesel emissions from construction equipment and vehicles associated with the future construction of billboards within the Overlay District will minimally contribute to Greenhouse Gas Emissions (GHGs), and only during the brief construction period of future billboards. Once the construction is completed there will be no significant generation of GHGs, either directly or indirectly.
- b) *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*
No Impact. Refer to response 3.7(a). SB 375 requires Metropolitan Planning Organizations (MPOs) to prepare a Sustainable Communities Strategy (SCS) in Regional Transportation Plans. SCAG is responsible for developing an overall strategy for the region including Los Angeles, Los Angeles, Riverside, San Bernardino, Ventura, and Imperial counties. On April 4, 2012, SCAG adopted the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS): Towards a Sustainable Future.⁶ The RTP/SCS is the culmination of a multi-year effort involving stakeholders from across the SCAG Region. The SCAG RTP/SCS sets forth a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce GHG emissions from transportation. The RTP/SCS is meant to provide individual jurisdictions with growth strategies that, when taken together, achieve the regional GHG emissions reduction targets.

⁶ <http://scagrtp.net/>

The proposed project does not involve a change of existing land use. Therefore the project does not conflict with a greenhouse gas emissions plan, policy or regulation, and no impact will occur.

3.8 HAZARDS AND HAZARDOUS MATERIALS

The General Plan EIR analyzed potential impacts related to upset and human health (including hazards and hazardous materials impacts) resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all impacts related to upset and human health would be mitigated by General Plan policies and programs listed in Table 3-32 of the General Plan EIR.

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

No Impact. General Plan Safety Element Policy 3 states: "The City of Bell Gardens, through the County Fire Department, shall protect the community from hazardous materials and waste spills by identifying hazardous materials stored, utilized, or transported in the City, and the City shall pursue local and state legislation for greater control of hazardous materials. This policy is intended to reduce impacts associated with transport, use, or disposal of hazardous materials.

The Overlay District would only allow for the development of billboards, as such, no hazardous materials will be transported, used, or disposed of as part of the project.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?*

No Impact. Refer to response 3.8(a). Although the development of a electronic billboard does not involve substantial new construction, the construction of footings and undergrounding of utilities could have very minimal impacts to the environment. As part of the conditions of approval for any billboard development, the contractor would be required to ensure that all reasonable measures be taken to prevent the release of hazardous materials into the environment therefore there will be no impact associated with the approval of the project.

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

No Impact. Refer to response 3.8.(a). The proposed Overlay District is located within a quarter mile of an existing school, however there will be no impact associated with approval of the project.

- d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*
No Impact. Refer to response 3.8(a). The proposed Overlay District is not located in the vicinity of known hazardous materials sites identified on a list compiled pursuant to Government Code Section 65962.5, therefore there will be no impact associated with approval of the project.
- e) *Would the project for a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*
No Impact. The closest public airports are the Long Beach Airport and Los Angeles International Airport, which are located approximately 16-20 miles west of the City. The proposed Overlay District is not located within the vicinity of a public airport, and therefore, will not be exposed to public airport hazards.
- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*
No Impact. Refer to response 3.8(e). The closest private airport is the Compton Woodley Airport located approximately 10 miles southwest of the City and the El Monte Airport located 17 miles northeast of the Bell Gardens. The proposed Overlay District is not located within the vicinity of a private airport, and therefore, will not be exposed to airport hazards.
- g) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*
No Impact. The City's Emergency Operations Plan⁷ was prepared and adopted in 2008. General Plan Safety Element Policy 2 states: "The City of Bell Gardens shall minimize the loss of life, injuries, and property damage through continuing prevention, inspection, and public education programs, including continual update of the City's Emergency Preparedness Plan." The proposed project does not conflict with any emergency response or evacuation plans. The project will not result in alteration of existing emergency response and evacuation plans.
- h) *Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*
No Impact. The City is surrounded by urban uses and is not located adjacent to wild lands. Approval of the project will not expose people or structures to risk involving wild land fires.

⁷ City of Bell Gardens, Emergency Operations Plan, July 23, 2008.

3.9 HYDROLOGY AND WATER QUALITY

The General Plan EIR analyzed potential water resources impacts (including hydrology and water quality impacts) resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all water resources impacts would be mitigated by General Plan policies and programs listed in Table 3-14 of the General Plan EIR.

- a) *Would the project violate any water quality standards or waste discharge requirements?*

Less Than Significant Impact.

The quality of storm water runoff from any future construction of a billboard within the Overlay District would be regulated under the National Pollution Discharge Elimination System (NPDES). The NPDES storm water permit provides a mechanism for monitoring the discharge of pollutants and establishing appropriate controls to minimize the entrance of such pollutants into storm water runoff. The City requires all development projects in its jurisdiction to comply with the NPDES requirements for construction and operations as appropriate. As such, future construction of billboards will be required to install and maintain throughout the period of construction all applicable soil erosion control measures to reduce erosion and minimize water quality impacts. The installation and maintenance of all applicable erosion control measures required by the City will minimize the amount of sediments generated from the site resulting from a future development project.

Because future billboard construction projects will be required to meet all applicable NPDES requirements to protect water quality no significant water quality standard violation impacts are anticipated. In the event future project level CEQA review of a billboard construction project identifies water quality impacts, compliance with mitigation measures related to water quality standards and waste discharge requirements would be required to reduce impacts.

- b) *Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

No Impact. There are four groundwater basins in the Los Angeles coastal plain. The City of Bell Gardens is within the Central basin. Water movement is generally from points of recharge (percolation areas, spreading grounds, streams) to points of discharge (groundwater wells, ocean, and springs), due to differences in pressure between these points. Any future billboard development within the Overlay District would not increase water consumption

in the City or add impervious surface area with potential to contribute to reduced groundwater supply and recharge.

- c) *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*

No Impact. The proposed Overlay District and the surrounding area are developed. The adoption of the Overlay District does not involve any change to existing land use, and any future construction of billboards within the Overlay District would require only limited grading and installation of minimal drainage infrastructure to connect to existing drainage facilities. Future billboard development projects would be subject to CEQA review and would adhere to the City's standard practices designed to prevent erosion and siltation during the construction phase. Compliance with City development regulations and compliance with any potential future project-level CEQA mitigation measures related to drainage patterns and erosion or siltation would be required to reduce impacts associated with any future development.

As a condition of approval for any future development, a grading and drainage plan will be required that would comply with the Bell Gardens Municipal Code. Additionally, an NPDES Project Evaluation Form, Stormwater Pollution Prevention Plan (SWPPP), and an Urban Stormwater Mitigation Plan will be required to be submitted prior to approval of the construction plans. There are no streams or waterway within the Overlay District. Therefore there is no impact associated with approval of the project.

- d) *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?*

No Impact. Refer to response 3.9(c).

- e) *Would the project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?*

No Impact. Refer to response 3.9(c).

- f) *Would the project otherwise substantially degrade water quality?*

Less Than Significant Impact. Refer to response 3.9(a).

- g) *Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

No Impact. The Federal Emergency Management Agency (FEMA) prepares and maintains Flood Insurance Rate Maps (FIRMs), which show the extent of

Special Flood Hazard Areas (SFHAs) and other thematic features related to flood risk, in participating jurisdictions. The Overlay District is not located within the 100-year flood zone where the potential for private property flooding exists.

- h) *Would the project place within a 100-year flood hazard area structures, which would impede or redirect flood flows?*

No Impact. Refer to response 3.9(g).

- i) *Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

Less Than Significant Impact. The City of Bell Gardens is subject to inundation from a dam failure with the Whittier Narrows and Sepulveda Dams and the Garvey Reservoir. The entire City and specifically portions of the City east of Garfield Avenue could be subject to flooding due to river channel overflow of the Rio Hondo River.⁸ However, as stated in the City's Emergency Operation Plan, "Because of the current design and construction practices and ongoing programs of review and modification, catastrophic dam failure is considered unlikely".⁹ The Emergency Operation Plan has emergency response actions that will be implemented to protect existing and future residents in the event of a dam failure. Since the City of Bell Gardens is unlikely to be inundated from the failure of a dam or levee, and the City has measures that will be implemented to protect residents from flooding, the potential exposure of people to a significant risk of flooding if a levee or dam failed is less than significant.

- j) *Would the project inundation by seiche, tsunami, or mudflow?*

No Impact. The City is located more than 15 miles from the Pacific Ocean, therefore there is no threat of impact from tsunami. The City is generally flat, and therefore there is little or no potential for exposing people to people or structures to risk from inundation by seiche and/or mudflow.

3.10 LAND USE AND PLANNING

The General Plan EIR analyzed potential land use impacts resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all land use impacts would be mitigated by General Plan policies and programs listed in Table 3-5 of the General Plan EIR.

- a) *Would the project physically divide an established community?*

No Impact. The Overlay District is located in an urbanized area adjacent to the 710 Freeway. The Overlay District is zoned for C-4 (Heavy Commercial) and MPD (Manufacturing Planned Development). The establishment of the Overlay District will not physically divide an established community.

⁸ Ibid, page 39.

⁹ Ibid, page 46.

- b) *Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

No Impact. The proposed Overlay District is consistent with the General Plan and underlying land use regulations of the Zoning Code. Future development within the Overlay District would be required to be consistent with the General Plan and zoning district land use regulations. There will be no impact associated with the approval of the project.

- c) *Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?*

No Impact. No part of the City is included in an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP). Approval of the project will not conflict with provisions of an adopted HCP or NCCP.

3.11 MINERAL RESOURCES

The General Plan EIR analyzed potential energy and mineral resources impacts resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all energy and mineral resources impacts would be mitigated by General Plan policies and programs listed in Table 3-29 of the General Plan EIR.

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No Impact. The Bell Gardens General Plan does not identify any known mineral resource in the City that would be of value to the region and the residents of the State therefore there will be no impact associated with the approval of the project.

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

No Impact. The Bell Gardens General Plan does not identify any locally important mineral resource in the City therefore there will be no impact associated with the approval of the project.

3.12 NOISE

The General Plan EIR analyzed potential noise impacts resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all noise impacts would be mitigated by General Plan policies and programs listed in Table 3-36 of the General Plan EIR.

- a) *Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*
Less Than Significant Impact. The area within the Overlay District is fully developed and urbanized. Development of future billboards may result in potential noise and vibration impacts during construction, but these impacts are temporary and will not remain once construction is completed. During construction, adherence to City regulations related to permitted hours of construction and noise levels will be required, therefore any potential impacts associated with future construction of billboards within the Overlay District will be reduced to a less than significant level.
- b) *Would the project result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?*
Less Than Significant Impact. Refer to response 3.12(a).
- c) *Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*
Less Than Significant Impact. Refer to response 3.12(a).
- d) *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*
Less Than Significant Impact. Refer to response 3.12(a).
- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*
No Impact. The Overlay District is not located within an airport land use planning area, within two miles of an airport, or within the vicinity of a private airstrip.
- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*
No Impact. Refer to response 3.12(e).

3.13 POPULATION AND HOUSING

The General Plan EIR analyzed potential population and housing impacts resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all population impacts would be mitigated by General Plan policies and programs listed in Table 3-10 of the General Plan EIR.

- a) *Would the project induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?*

No Impact. The proposed Overlay District does not involve or promote residential development, nor would it increase the need for new residential development. The project is proposed solely to permit the future development of electronic billboards within the Overlay District, therefore there are no impacts associated with the approval of the project.

- b) *Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

No Impact. The project is a proposal for creation of an Overlay District within existing commercial and manufacturing zones for the future construction of electronic billboards and does not propose to allow for residential development. The Overlay District lies within the C-4 (Heavy Commercial) and MPD (Manufacturing Planned Development) zones. There are no existing residential units within in the Overlay District, and there will be no displacement of housing as part of any future developments. There will be no impact associated with the approval of the project.

- c) *Would the project displace substantial numbers of people necessitating the construction of replacement housing elsewhere?*

No Impact. Refer to response 3.13(b).

3.14 PUBLIC SERVICES

The General Plan EIR analyzed potential impacts to public services resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all impacts to public services would be mitigated by General Plan policies and programs listed in Table 3-40 of the General Plan EIR.

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a) *Fire Protection?*

No Impact. The Overlay District is proposed solely to permit the future development of electronic billboards. It will not increase the demand for public services. The proposed project will not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, or a need for new or physically altered governmental facilities in order to provide acceptable service or other performance objectives for any public services. There will be no impact associated with the approval of the project.

- b) *Police Protection?*
Less Than Significant Impact. Refer to response 3.14(a).
- c) *Schools?*
No Impact. Refer to response 3.14(a).
- d) *Parks?*
No Impact. Refer to response 3.14(a).
- e) *Other public facilities?*
No Impact. Refer to response 3.14(a).

3.15 RECREATION

The General Plan EIR analyzed potential recreation impacts resulting from build out of the City of Bell Gardens. The certified Program EIR found that all recreation impacts would be mitigated by General Plan policies and programs listed in Table 3-48 of the General Plan EIR.

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*
No Impact. The Overlay District is proposed solely to permit the development of electronic billboards. It will not increase the demand for parks or recreational facilities. There will be no impact associated with the approval of the project.
- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?*
No Impact. Refer to response 3.15(a).

3.16 TRANSPORTATION/TRAFFIC

The General Plan EIR analyzed potential transportation/traffic impacts resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all transportation/traffic impacts would be mitigated by General Plan policies and programs listed in Table 3-25 of the General Plan EIR.

- a) *Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*
No Impact. The Overlay District is proposed solely to permit the development of electronic billboards and will not result in increased traffic, air traffic, or

parking, and will not create impact to emergency access, or conflict with alternative transportation policies, plans or programs. The Overlay District is not located within an airport land use plan or within two miles of a public airport or public use airport. There will be no impact associated with the approval of the project.

- b) *Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

No Impact. Refer to response 3.16(a).

- c) *Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

No Impact. Refer to response 3.16(a).

- d) *Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

No Impact. Refer to response 3.16(a).

- e) *Would the project result in inadequate emergency access?*

No Impact. Refer to response 3.16(a).

- f) *Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*

No Impact. Refer to response 3.16(a).

3.17 TRIBAL CULTURAL RESOURCES

The General Plan EIR analyzed cultural and historical resources and the impacts resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all cultural and historical impacts would be mitigated by General Plan policies and programs listed in Table 3-45 of the General Plan EIR.

- a) *Is the project located on a site that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?*

No Impact. No, the proposed Overlay District is not located on sites that are listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). There will be no impact associated with the approval of the project.

- b) *Is the project site a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

No Impact. Refer to response 3.17(a). With the City completely built out, the discovery of tribal and other historical resources is unlikely. Records of known sites do not indicate the presence of resources in the City or the surrounding area. The Los Angeles County Museum of Natural History has indicated that the entire City of Bell Gardens has a low potential for such resources. There will be no impact associated with the approval of the project.

3.18 UTILITIES AND SERVICE SYSTEMS

The General Plan EIR analyzed potential impacts to utilities (including utilities and service systems) resulting from build out of the City of Bell Gardens. The certified General Plan EIR found that all impacts to utilities would be mitigated by General Plan policies and programs listed in Table 3-43 of the General Plan EIR.

- a) *Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

No Impact. The Overlay District is proposed solely to allow the development of electronic billboards. It will not create the need for any wastewater, water, storm water or solid waste utilities or services.

- b) *Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

No Impact. Refer to section 3.18(a).

- c) *Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

No Impact. Refer to section 3.18(a).

- d) *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

No Impact. Refer to section 3.18(a).

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

No Impact. Refer to section 3.18(a).

f) *Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

No Impact. Refer to section 3.18(a).

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

No Impact. Refer to section 3.18(a).

3.19 MANDATORY FINDINGS OF SIGNIFICANCE

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

No Impact. The project is a proposal to create an Overlay District that would allow for the future development of electronic billboards. Approval of the project would not directly remove sensitive vegetation communities or species, because approval of the project does not infer direct development rights. Future development would be subject to compliance with the regulations and guidelines set forth in the City's General Plan, Municipal Code, and development review process.

Since the City and surrounding areas are highly developed and devoid of natural habitat, there are little or no potential impacts to sensitive biological resources. Similarly, potential impacts to archaeological or paleontological resources attributed to the project would be reduced with adherence to the regulatory requirements which provide instructions in the event a material of potential cultural significance is uncovered. Future development proposals may require individual assessment of potential impacts to biological and cultural resources. If necessary, compliance with mitigation to reduce potential impacts to a less than significant level would be required.

Approval of the project would not significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. It is hereby found that there will be no adverse impacts on wildlife resources, individually or cumulatively, as a result of approval of the project.

b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects*

of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

No Impact. The proposed project will not cause impacts that are cumulatively considerable after taking into account all other existing and/or proposed projects. Therefore, the project does not have cumulative impacts requiring a Mandatory Finding of Significance due to cumulative impacts.

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

Less Than Significant Impact. As evidenced in this Initial Study, the proposed project may cause some less than significant impacts. The less than significant impacts caused are not enough to cause adverse effects to the environment or humans. Compliance with the regulations and design standards of the Overlay District and the conditions of approval imposed as part of a future billboard construction project, within the Overlay District will further reduce any impacts to below Less Than Significant impact.

SECTION 4

References

1. City of Bell Gardens, General Plan Environmental Impact Report, certified July 27, 1995 (SCH# 94-11-10-26).
2. City of Bell Gardens, General Plan, adopted July 27, 1995.
3. California Scenic Highway Mapping System. Available at:
http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm
4. City of Bell Gardens, Municipal Code, Title 9, Zoning and Planning Regulations. Available at: <http://www.codepublishing.com/CA/bellgardens.html>
5. South Coast Air Quality Management District, Air Quality Management Plan, 2012. Available at: <http://www.aqmd.gov/aqmp/2012aqmp/index.htm>
6. South Coast Air Quality Management District, Rule 1401. Available at:
<http://www.aqmd.gov/rules/reg/reg14/r1401.pdf>
7. Southern California Association of Governments, 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS): Towards a Sustainable Future, as adopted April 4, 2012. Available at: <http://scagrtp.net/>
8. City of Bell Gardens, Emergency Operations Plan, July 23, 2008.

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EXHIBIT C

Ordinance No. 886

ORDINANCE NO. 886

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS ADOPTING A NEGATIVE DECLARATION AND AMENDING BELL GARDENS MUNICIPAL CODE TITLE 9, ZONING AND PLANNING REGULATIONS, CHAPTER 9.06, "ESTABLISHMENT OF ZONES," AND CHAPTER 9.18, "OVERLAY DISTRICTS," ESTABLISHING AN ELECTRONIC BILLBOARD OVERLAY DISTRICT, AND, CHAPTER 9.40, "SIGNS" REGULATING ELECTRONIC BILLBOARDS LOCATED WITHIN THE ELECTRONIC BILLBOARD OVERLAY DISTRICT, (ZONING CODE AMENDMENT NO. 2017-043)

WHEREAS, the City of Bell Gardens ("City") currently authorizes signs and sign structures within the City pursuant to Title 9, of the Bell Gardens Municipal Code, Chapter 9.40, "Signs", (the "Sign Ordinance"), provided such signs and sign structures comply with regulations set forth in the Sign Ordinance;

WHEREAS, the Sign Ordinance does not expressly allow the development and construction of electronic billboards within the City;

WHEREAS, permitting the limited use of off-premises electronic billboards in appropriate locations within the City provides greater opportunity for businesses to advertise to larger audiences;

WHEREAS, the City desires to establish an Electronic Billboard Overlay District within Commercial and Manufacturing Planned Development zoning districts of the City located adjacent to the Interstate 710 Freeway within which electronic billboards may be constructed and regulated;

WHEREAS, this Ordinance allows for the use of electronic billboards in a controlled and planned manner within the limits of the Electronic Billboard Overlay District subject to reasonable controls;

WHEREAS, this Ordinance provides incentive for owners of non-electronic billboards within the City to relocate or convert those non electronic billboards to electronic billboards within the Electronic Billboard Overlay District; and

WHEREAS, this Ordinance allows the City to receive public benefits from electronic billboard owners for the opportunity to construct electronic billboards within the Electronic Billboard Overlay District.

NOW, THEREFORE, the City Council of the City of Bell Gardens does ordain as follows:

SECTION 1. Section 9.06.020 entitled "List of overlay districts" is hereby amended as follows:

The following overlay districts are established to provide additional development standards in designated areas of the City over and above the underlying zone:

(underlying zone)-PBD	(Parking and Buffer District)
(underlying zone)-RD	(Recreation District)
(underlying zone)-HPD	(Historical Preservation District)
(underlying zone)-RPDD	(Residential Planned Development District)
(underlying zone)-IPDD	(Industrial Planned Development District)
<u>(underlying zone)-EBOD</u>	<u>(Electronic Billboard Overlay District)</u>

SECTION 2. The Zoning Map of the City of Bell Gardens adopted under Section 9.06.030 is hereby amended and replaced with the zoning map Attached hereto as Exhibit "A."

SECTION 3. Section 9.18.010 entitled "Designation of overlay districts" is hereby amended as follows:

9.18.010 Designation of overlay districts.

As used in this title, the following land use designations shall be considered overlay districts:

(underlying zone)-PBD	(Parking and Buffer District)
(underlying zone)-RD	(Recreational District)
(underlying zone)-HPD	(Historical Preservation District)
(underlying zone)-RPDD	(Residential Planned Development District)
(underlying zone)-IPDD	(Industrial Planned Development District)
<u>(underlying zone)-EBOD</u>	<u>(Electronic Billboard Overlay District)</u>

SECTION 4. Section 9.18.020 entitled "Intent and Purpose" is hereby amended to add subsection "F" as follows:

9.18.020 Intent and purpose.

F. EBOD (Electronic Billboard Overlay District). The EBOD is established to create an overlay district that provides for the development and construction of Electronic Billboards in a planned manner by allowing for the construction of Electronic Billboards within the EBOD and to allow the voluntary relocation and replacement of conforming and nonconforming billboards from other areas of the City to the EBOD subject to reasonable controls.

SECTION 5. Bell Gardens Municipal Code Section 9.18.040 entitled "Development Standards" shall be amended to add subsection "F" as follows:

F. Electronic Billboard Overlay District Standards. In addition to compliance with all other applicable statutes, ordinances and regulations, electronic billboards located within the Electronic Billboard Overlay District shall comply with those standards set forth under Section 9.40.065 of this Chapter.

SECTION 6. Bell Gardens Municipal Code section 9.40.020 entitled "Definitions" is hereby amended to add the following definition and the remaining definitions shall be re-lettered accordingly:

J. "Electronic Billboard" shall mean sign, signboard, or outdoor advertising display utilizing digital message technology, capable of changing the static message, copy, or graphic on the sign electronically or wirelessly via computer or other any other means. This includes, without limitation, billboards also known as digital billboards or LED billboards.

SECTION 7. Bell Gardens Municipal Code section 9.40.060 entitled "Overlay district sign standards matrix" shall be amended to add the following to the sign matrix and the remaining regulations shall be re-numbered accordingly:

9.40.060 Overlay district sign standards matrix.

A sign matrix for signs within the overlay districts is hereby established to determine the standards they must abide by:

Overlay Districts						
	PBD	RD	HPD	RPDD	IPDD	<u>EBOD</u>
1. Base zone standards apply.		X	X	X	X	<u>X</u>
2. <u>Electronic Billboards per the standards in Section 9.40.065</u>						<u>X</u>

SECTION 8. Section 9.40.065 entitled “Electronic Billboard Regulations and Standards” is hereby added to Chapter 9.40 of the Bell Gardens Municipal Code as follows:

9.40.065 Electronic Billboard Regulations and Standards

A. Purpose and Intent. Electronic Billboards are recognized as a legitimate form of commercial advertising in the City; however, the size, number, location, and illumination of electronic billboards can have significant influence on the City’s visual character and quality of life and can, without appropriate controls, create or contribute to visual blight conditions. The purpose and intent of this section are to allow for development of modern forms of billboards in a planned manner within the Electronic Billboard Overlay District (EBOD) in accordance with the regulations and standards established herein. In addition, the purpose and intent of this chapter is also to provide for the voluntary relocation and replacement of conforming and nonconforming billboards to electronic billboards within the Electronic Billboard Overlay District (“EBOD”) in accordance with the regulations and standards set forth herein.

B. General Requirements.

1. The requirements of this chapter shall apply to the installation or construction of any new electronic billboard within the EBOD the relocation of any non-electronic billboard to the EBOD, the expansion, and modification of an existing electronic billboard, including the construction of

additional face(s) and/or the digitization of an existing billboard within the EBOD..

2. Electronic billboards shall be permitted in the EBOD only after an Agreement has been negotiated and executed between the electronic billboard operator and City ("Agreement") in accordance with the terms of this chapter. The Agreement may include compensation to be paid to the City or the provision of other public benefits to be provided as a result of the installation and operation of any electronic billboard or modification of an existing billboard within the EBOD.

3. An existing billboard or electronic billboard in existence on the effective date of this ordinance pursuant to a prior agreement (including any amendments or extensions thereof) or other lawful permit may be relocated and rebuilt as an electronic billboard only within the EBOD. All electronic billboards constructed within the EBOD shall comply with this chapter and all applicable requirements of the California Business & Professions Code and the California Code of Regulations.4. In accordance with California Business & Professions Code, Section 5440 new billboards not associated with relocation as described in subsection 4 shall only be allowed in those portions of the EBOD not designated as "Landscaped Freeways" pursuant to California Business & Professions Code, Section 5216.

4. In accordance with California Business & Professions Code, Section 5443.5, relocated billboards shall be allowed only in the EBOD as an electronic billboard and shall not be permitted in any location which would result in violation of any applicable federal, state, or local law. Billboards to be relocated to the EBOD may originate in areas outside the EBOD, provided the Agreement required by this chapter documents its location and removal, and the benefits associated with such relocation. An owner or entity proposing an agreement for relocation shall establish that the relocated billboard meets one or more of the following eligibility requirements:

a. The billboard proposed for complete demolition and relocation is the subject of any eminent domain action or threat of eminent domain action by a legally created public entity possessing eminent domain/condemnation authority and provides public benefits for such relocation; or

b. The applicant chooses to completely demolish and relocate an existing billboard from a property proposed for development, including a legal nonconforming billboard, to the EBOD so as not to conflict with the proposed development or redevelopment of the property and provides public benefits in

exchange for such relocation as negotiated in the Agreement;
or

c. The applicant chooses to completely demolish and relocate an existing billboard, including a legal nonconforming billboard, and construct a new electronic billboard within the EBOD in order to reduce the overall negative aesthetic impacts of billboards on the City and its residents and to provide public benefits for such relocation pursuant to the Agreement for the project; or

d. The applicant has previously removed or completely demolished one or more billboards and maintains credits for such removal by the California Department of Transportation pursuant to California Business & Professions Code, Section 5443.5; or

e. The applicant proposes to enhance, improve and modify an existing billboard within the EBOD for the purpose of modernizing and improving the aesthetic appearance of such billboard.

5. In the event of any conflict between any provision contained in this chapter and any other provisions contained elsewhere in this code, the provisions of this chapter shall govern.

6. No new electronic billboard shall be approved and no existing billboard shall be relocated or modified within the EBOD without the applicant first providing proof of legal or equitable interest in the site proposed for new construction, relocation or modification, including, but not limited to a fee interest, lease, easement or other entitlement, demonstrating the right to install and operate the billboard on the subject property. Information to be provided shall include the written consent of the property owner if not readily ascertainable from the foregoing documents.

7. No electronic billboard shall be approved for construction, modification, or expansion, and no electronic billboard may be maintained, unless the applicant provides evidence that a designated maintenance service is available by telephone and able to respond to a repair call "24/7" in the event an electronic billboard becomes damaged or is malfunctioning.

8. All electronic billboard Agreements shall include requirements that applicants obtain all additional federal and/or state permits for installation. Nothing contained in this chapter shall require the City to negotiate and/or approve an Agreement on terms that are unacceptable to the City Council.

C. Physical Requirements.

1. The minimum distance between electronic billboards or static billboards placed within the EBOD or between billboards and the freeway right-of-way shall be the same as the minimum distance and separation criteria established by the California Department of Transportation (Caltrans). All distances shall be measured from the vertical centerline of each billboard face.

2. All utilities for an electronic billboard shall be underground.

3. No electronic billboard shall have more than one digital face (display surface) oriented in the same vertical plane.

4. The maximum total electronic billboard face area on any vertical plane for any electronic billboard shall be 672 square feet; with a maximum height of 14 feet and maximum width of 48 feet per sign face;

5. The maximum height of any electronic billboard including non-digital sign faces shall be 65 feet as measured from the bottom of the billboard supports to the highest point of the sign face.

6. All electronic billboards shall plainly display, and be visible from no less than 100 feet, the name of the person or company owning or maintaining it and the billboard identification number.

7. Electronic billboards projecting over a driveway or driving aisle shall have a minimum clearance of 30 feet between the lowest point of the sign and the finished driveway grade. Billboards shall comply with any California Department of Transportation requirements for placement and operation. No part of any electronic billboard shall cross onto an adjacent private property.

8. Electronic billboards projecting over a pedestrian walkway shall have a minimum clearance 30 feet between the lowest point of the sign and the walkway grade.

9. Electronic billboards not projecting over drive areas shall have a minimum clearance of 30 feet between the lowest point of the electronic billboard and finish grade level.

10. Electronic billboard structures shall be free of any visible bracing, angle iron, guy wires, cable, and/or similar supporting elements. All exposed portions of an electronic billboard, including backs, sides, structural support members and support poles, shall be screened to the satisfaction of the Director of Community Development.

11. Electronic billboards shall be placed at least 150 feet from any residential zone or residential use. The measurement shall be from the closest edge of the billboard to the closest edge of the residential zone or closest property line on which a residential use is located.

D. Operational Requirements.

1. No electronic billboard shall display any statement or words of an obscene, indecent, or immoral character, as that phrase is used in Business and Professions Code Section 5402 and judicial decisions interpreting the same.

2. Each electronic billboard shall be connected to the National Emergency Network and provide emergency information, including child abduction alerts (i.e., "Amber Alerts"), in accordance with local and regional first responder protocols.

3. Electronic billboard operating criteria:

a. Each static message shall not include flashing lights or the varying of light intensity.

b. Minimum display time. Each message shall be displayed for a minimum of four (4) seconds.

c. Electronic billboards shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter, at a pre-set distance as set forth under this section.

d. Pre-set distances to measure the foot candles impact vary with the expected viewing distances of each size sign and shall comply with the following:

Nominal Face Size Distance to point of measurement

12' x 25' 150'

10'6" x 36' 200'

14' x 48' 250'

e. Each electronic billboard shall have a light sensing device that will adjust the brightness as ambient light conditions change.

4. Each electronic billboard shall be designed and required to freeze the display in one static position, display a full black screen, or turn off, in the event of a malfunction.

5. Walls or screens at the base of the electronic billboard shall not create a hazard to public safety or provide an attractive nuisance and shall be continually maintained free from graffiti.

6. Electronic billboards shall not be operated in such a fashion as to constitute a hazard to safe and efficient operation of vehicles on streets or freeways and shall comply with all applicable local, state, and federal laws and regulations. Electronic billboards when operated in accordance with the operating criteria in subsection 3 above shall be deemed to be in compliance with this subsection and all requirements of the California Department of Transportation.

7. No electronic billboard shall simulate or imitate any directional, warning, danger or information sign, or any display likely to be mistaken for any permitted sign intended or likely to be construed as giving warning to traffic, for example using such words or phrases as "stop" or "slow down."

8. No electronic billboard shall involve any red or blinking or intermittent light that may be mistaken for warning or danger signals nor shall its illumination impair the vision of travelers on the adjacent freeway and for roadways. Electronic billboards when operated in accordance with the operating criteria in Subsection 3 above shall be deemed to be in compliance with this subsection.

9. Electronic billboards shall be operated and maintained in compliance with Business and Professions Code Section 5403.

E. The requirements set forth under subsections B, C, and D of Section 9.40.065 shall be in addition to any other conditions and requirements contained in the Agreement provided they are not in conflict. If any condition or requirement imposed in an Agreement conflicts with the general requirements set forth in these subsections B, C, and D, the general requirements of subsections B, C, and D shall control. For purposes of this subsection, conditions or requirements contained in an Agreement that are more restrictive than those contained in the general requirements of subsections B, C, and D shall not be in conflict.

F. Application requirements; Review procedures.

1. Application requirements. An entity wishing to erect a new electronic billboard, completely demolish and relocate an existing

nonconforming or conforming billboard or modify and convert an existing billboard into an electronic billboard within the EBOD shall submit a request in writing for approval of an Agreement as described under Section B of this section that includes the following:

a. The name, address phone number and other contact information of the person or entity proposing the Agreement.

b. Identification of the location proposed for a new electronic billboard or the relocated or modified billboard to be converted to an electronic billboard and the billboard(s) being permanently removed, where applicable;

c. Information that establishes that the entity proposing the Agreement has legal or equitable interest in the proposed new or relocated billboard being removed or modified along with proof of legal or equitable interest in the site proposed for the above said purpose(s), including, but not limited to a fee interest, lease, easement or other entitlement, demonstrating the right to install and operate the billboard on the subject property. Information to be provided shall include the written consent of the property owner if not readily ascertainable from the foregoing documents.

d. Conceptual design drawings for the billboard(s) that includes technical specifications to determine the electronic billboard's compliance with this chapter.

e. An explanation of the compensation to be paid or public benefits to be provided to the City.

f. Photos of all existing signage, architectural renderings and elevations of the proposed electronic billboard, and a scaled site plan and elevations showing the locations of all existing structures and improvements on the property, and the proposed billboard.

g. Photo simulations shall be provided of the before and after physical site appearance from views as specified by the Director of Community Development.

h. A photo metric study prepared by a City approved lighting engineer demonstrating compliance of the electronic billboard with the operational criteria of this chapter.

i. The applicant shall pay a filing fee in accordance with an approved resolution. This fee shall be in addition to any other required fees for permits relative to the development of the property and shall be for the purpose of defraying the costs associated with City review of the application.

j. The applicant shall pay the cost of any environmental studies and reports necessary for the completion of the environmental review of the proposal pursuant to the California Environmental Quality Act.

k. Such other documents, materials, or information deemed reasonably necessary by the Director of Community Development.

2. Review Process.

a. All Agreements shall be reviewed by the Planning Commission at a duly noticed public hearing. The public hearing shall be noticed in accordance with Chapter 9.54 of the Bell Gardens Municipal Code. The Planning Commission shall review the Agreement and, after a duly noticed public hearing, make a recommendation to City Council, based on applicable development standards, the location of the proposed new, relocated or modified or expanded billboard and whether the proposed electronic billboard meets the findings contained in this section.

b. The City Council shall conduct a duly noticed public hearing no later than sixty (60) days after the Planning Commission recommendation, to review and consider the Agreement. The hearing before the City Council shall be noticed pursuant to Chapter 9.54 of the Bell Gardens Municipal Code and may be continued from time to time. In order to approve a request for an Agreement, the City Council shall make the findings contained in this Section.

c. Findings for approval of an Agreement. The following findings shall be made by the Planning Commission in making its recommendation to the City Council and by the City Council in approving any application for an Agreement to construct new, relocate or modify, or expand a billboard within the EBOD:

1. The proposed Agreement is consistent with the goals, objectives, purposes and provisions of the

General Plan, the Bell Gardens Municipal Code, and any applicable specific plans;

2. The proposed installation site is compatible with the uses and structures on the site and in the surrounding area;

3. The proposed electronic billboard would not create a traffic or safety problem, including problems associated with onsite access circulation or visibility;

4. The proposed electronic billboard would not interfere with onsite parking or landscaping required by City ordinance or permit;

5. The proposed electronic billboard would not otherwise result in a threat to the general health, safety and welfare of City residents; and

6. The proposed electronic billboard, in addition to its aesthetic treatment, provides public benefits that would not otherwise accrue to the public in the absence of its installation.

SECTION 9. Subsection C of Section 9.40.090 entitled "Legal nonconforming signs" is hereby amended as follows:

C. A nonconforming sign shall not be expanded or altered so as to change the size, shape, position, location or method of illumination of the sign, except as provided for under Section 9.40.065, "Electronic Billboards Regulations and Standards."

SECTION 10. Subsection C of Section 9.40.120 entitled "Prohibited signs" is hereby amended as follows:

C. Intensely Lighted Signs. No sign shall be permitted which because of its intensity of light constitutes a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties (with the exception of LED signs for public facilities and gas station pricing signs). Electronic billboards approved under Section 9.40.065 and which comply with the requirements thereunder shall not constitute an intensely lighted sign under this subsection.

SECTION 11. Pursuant to the provisions of the California Environmental Quality Act and CEQA Guidelines, an Initial Study was prepared to determine whether adoption of Ordinance No. 886 could have a significant effect on the environment. On

the basis of the Initial Study, it has been determined that this Ordinance would not have a significant effect on the environment and a Negative Declaration has been prepared. The adoption of the Negative Declaration reflects the City's independent judgment and analysis. The full record is available for review in the Community Development Department.

SECTION 12. The City Clerk shall certify to the adoption of this Ordinance and published or posted in accordance with the law. This Ordinance shall take effect thirty days following its final passage.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2017.

Jose J. Mendoza, Mayor

ATTEST:

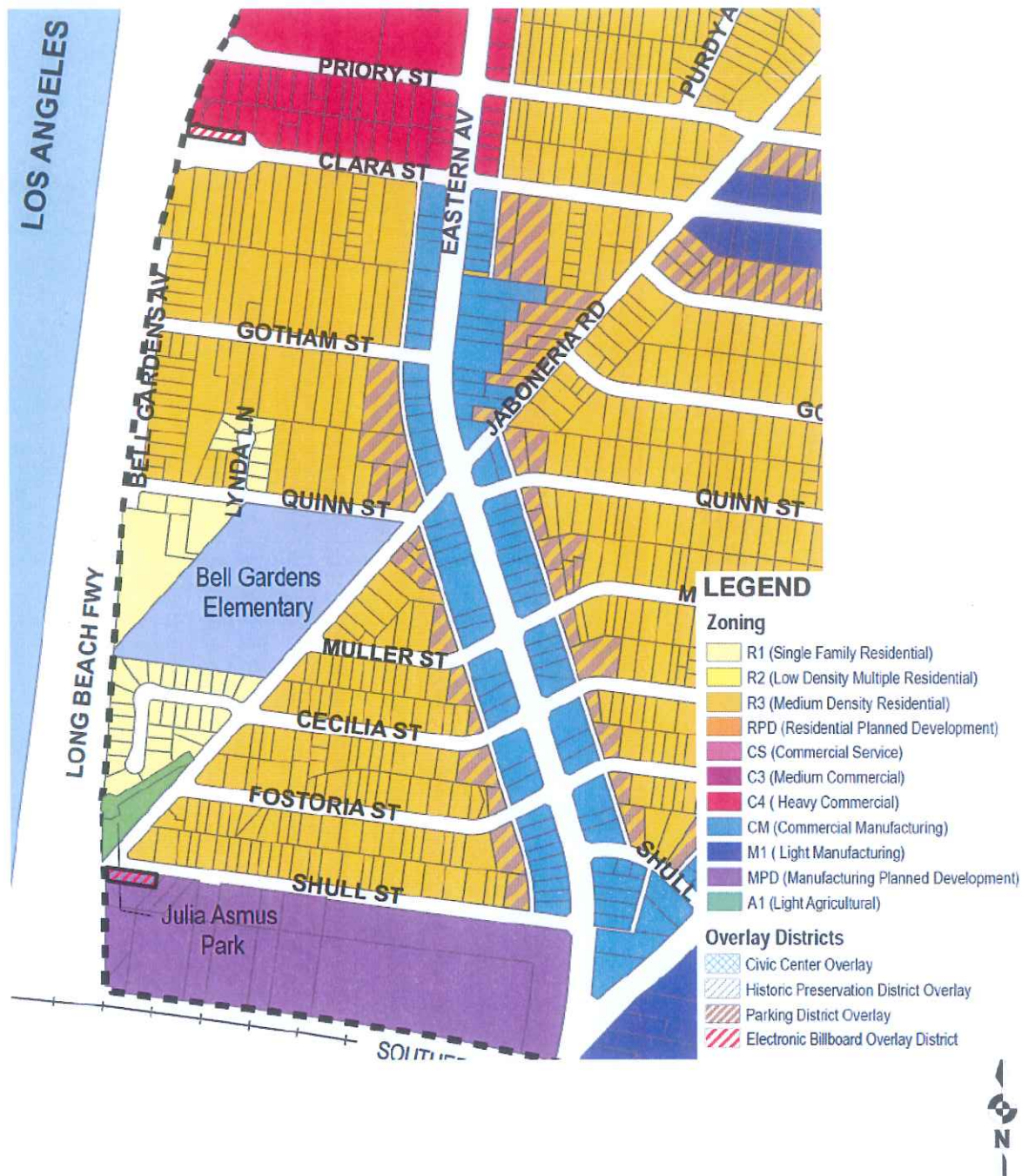
Kristina Santana
City Clerk

APPROVED AS TO FORM:

Arnold M. Alvarez-Glasman
City Attorney

Exhibit "A"

Proposed Electronic Billboard Overlay District



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EXHIBIT D

Public Hearing Notice

POSTED
11/2/17
EG.

**CITY OF BELL GARDENS
NOTICE OF PUBLIC HEARING
NEGATIVE DECLARATION AND ZONING CODE AMENDMENT NO. 2017-043 –
ORDINANCE NO. 886 RELATING TO THE CREATION OF AN ELECTRONIC BILLBOARD
OVERLAY DISTRICT AND ESTABLISHMENT OF REGULATIONS FOR ELECTRONIC
BILLBOARDS LOCATED WITHIN THE ELECTRONIC OVERLAY DISTRICT
(FILE NO. 2017-043)**

Notice is hereby given that the Planning Commission of the City of Bell Gardens will conduct a public hearing to consider recommending adoption of a Negative Declaration and approval of Zoning Code Amendment No. 2017-043 to the City Council for the adoption of Ordinance No. 886 amending Bell Gardens Municipal Code, Title 9, Zoning and Planning Regulations, Chapter 9.06, "Establishment of Zones," and Chapter 9.18, "Overlay Districts," establishing an Electronic Billboard Overlay District, and Chapter 9.40, "Signs," establishing regulations for electronic billboards located within the Electronic Billboard Overlay District (Zoning Code Amendment 2017-043).

Pursuant to Section 15063, of the California Environmental Quality Act (CEQA) the City prepared an Initial Study to determine the impact(s) on the environment of proposed Zoning Code Amendment No. 2017-043 and found that the project would not have any significant impacts on the environment, therefore pursuant to Section 15070 of CEQA, a Negative Declaration was prepared. The Negative Declaration was made available for public review and comment from October 2, 2017 through October 21, 2017.

The public hearing will be held at the regular Planning Commission meeting of the City of Bell Gardens, in Council Chambers at City Hall, 7100 Garfield Avenue, Bell Gardens, CA 90201, on Wednesday, November 15, 2017 at 6:00 P.M., at which time proponents and opponents of the proposed Zoning Code Amendment No. 2017-043 and Ordinance No. 886 may be heard. Questions may be directed to the Community Development Department at (562) 806-7700, extension 7722.

Per Government Code Section 65009, if you challenge this Zoning Code Amendment No. 2017-043 and Ordinance No. 886 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 Planning Commission at or prior to the public hearing.

THE PLANNING COMMISSION

Tony Rivera, Chairperson

Published: Bell Gardens Sun, November 2, 2017

Posted: November 2, 2017

Bell Gardens City Hall

Bell Gardens John Anson Ford Park

Bell Gardens Veterans Park - Ross Hall Auditorium

Bell Gardens Department of Public Works

VICINITY MAP

Negative Declaration and Zoning Code Amendment

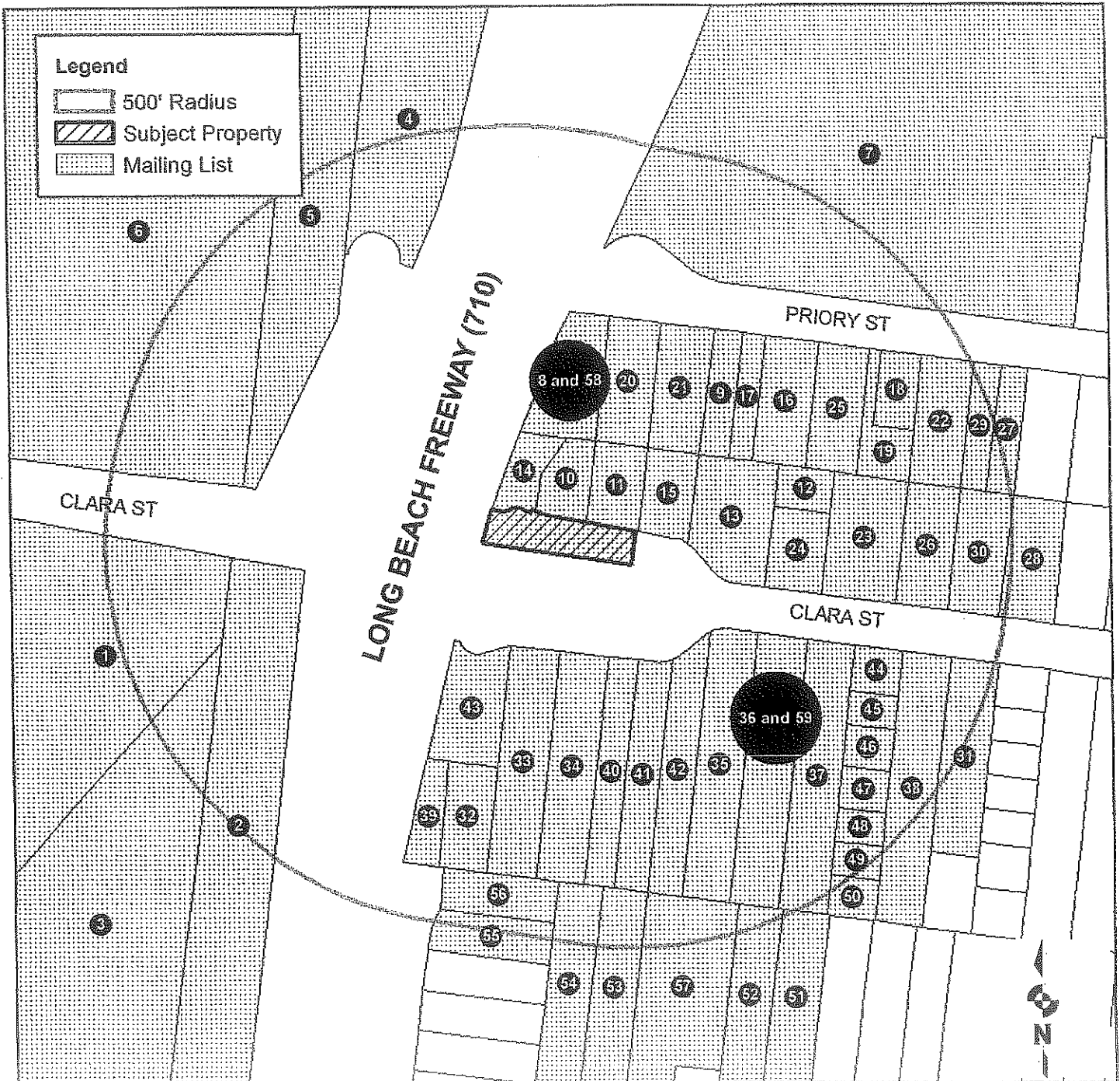
No. 2017-043 - Ordinance No. 886

Electronic Billboard Overlay District

SUBJECT PROPERTY

ADDRESS: PUBLIC ROW - NO ADDRESS
APN: PUBLIC ROW - NO APN

Los Angeles County Geographic Information System
Base Parcel Database
September 2017 Extraction Date
City of Bell Gardens Area



VICINITY MAP

Negative Declaration and Zoning Code Amendment

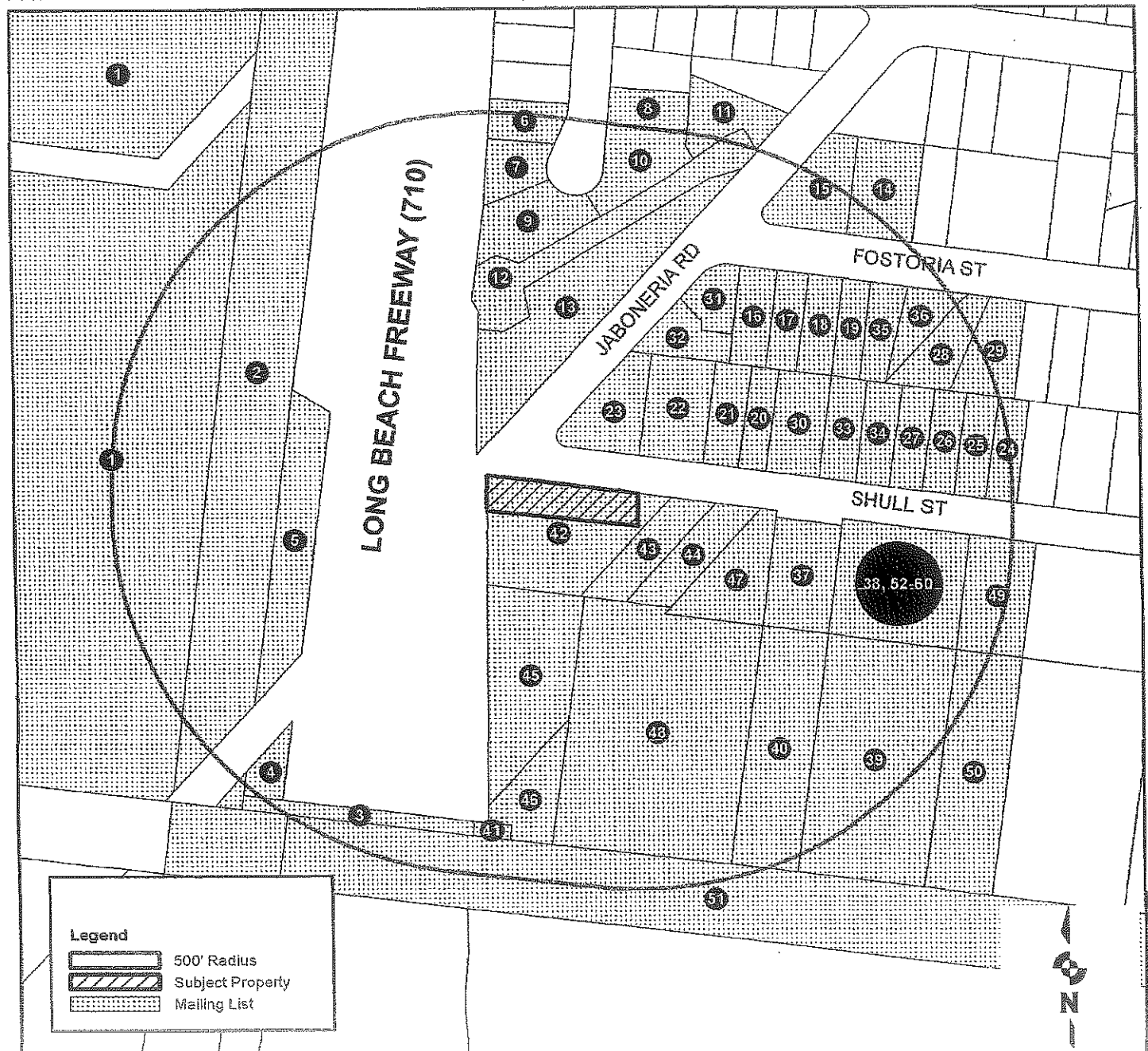
No. 2017-043 - Ordinance No. 886

Electronic Billboard Overlay District

SUBJECT PROPERTY

ADDRESS: NO ADDRESS - PART OF EXISTING PARCEL
APN: PART OF 6227-034-900

Los Angeles County Geographic Information System
Base Parcel Database
September 2017 Extraction Date
City of Bell Gardens Area





**CITY OF BELL GARDENS
COMMUNITY DEVELOPMENT DEPARTMENT**

AGENDA REPORT

TO: Planning Commission

FROM: Abel Avalos, Director of Community Development
Carmen H. Morales, City Planner *AM*

BY: Hailes H. Soto, Associate Planner *H.S.*

SUBJECT: Extension of Site Plan Review No. 2016-043
Automobile General Repair Building
8110 Eastern Avenue (File No. 2016-043)

DATE: November 15, 2017

RECOMMENDATION:

It is staff's recommendation that the Planning Commission:

1. Approve a 12 month extension for Site Plan Review No. 2016-043 by adopting Planning Commission Resolution #PC 2017-09 (Exhibit A).

BACKGROUND:

On October 19, 2016, the Planning Commission approved Site Plan Review No. 2016-043 (Exhibit B) to allow the development of a new one-story 1,886 square foot automobile general repair building ("Project") at 8110 Eastern Avenue, Bell Gardens ("Subject Site). The proposed Project will also include a new concrete parking area, front and side yard landscaping, and trash enclosure structure.

DISCUSSION:

The structural plans for the proposed Project were initially submitted to Building and Safety Plan Check on December 22, 2016 and the last set of corrections were returned to the Applicant of May 25, 2017. As of today, approval of the plans by the City is still pending. On October 9, 2017, the Community Development Department received a written request from the Applicant for a 12 month extension of Site Plan Review No. 2016-043 (Exhibit C). Pursuant to Planning Commission Resolution #PC 2016-12, Site Plan Review No. 2016-043 shall terminate within one year of the effective date of approval (October 19, 2017), unless construction is commenced or a written time extension is granted by the Planning Commission. The request must be submitted to the Community Development Department prior to the expiration of the 12 month period (October 19, 2017). The Applicant has complied with this requirement and his request for an extension does not involve any changes to the original Site Plan Review approved by the Planning Commission.

ENVIRONMENTAL REVIEW:

In accordance with the California Environmental Quality Act (CEQA) Guidelines, the Project is categorically exempt pursuant to Section 15332, Class 32: in-fill development. The Project is consistent with the applicable general plan designations and applicable general plan policies; the Project occurs within the City limits on a project site of no more than five acres substantially surrounded by urban uses; the Project site has no value as habitat for endangered, rare or threatened special because it is located and surrounded by developed urban uses and contains no natural habitat; the Project does not result in any significant effects related to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities or public services.

CONCLUSION:

It is staff's recommendation that a 12 month extension be granted for Site Plan Review No. 2016-043. All of the original Conditions of Approval accepted and agreed to by the Applicant, with respect to Planning Commission Resolution #PC 2016-12, shall remain in full force and effect with the adoption of Planning Commission Resolution #PC 2017-09.

FISCAL IMPACT:

None

ATTACHMENTS:

Exhibit A – Planning Commission Resolution #PC 2017-09

Exhibit B – Planning Commission Staff Report and approved Resolution #PC 2016-12

Exhibit C – Request for Extension

Exhibit D – Letter to Residents

N:\Planning\pc2017\1115\Auto Repair Bldg\SPR 2016-043 - 8110 Eastern Ave - Staff Report Extension.doc

EXHIBIT A

**Resolution
#PC 2017-09**

RESOLUTION #PC 2017-09

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF BELL GARDENS APPROVING A 12 MONTH
EXTENSION OF SITE PLAN REVIEW NO. 2016-043
(File No. 2016-043)**

WHEREAS, the Applicant and property owner, Hugo Alex Zacarias ("Applicant"), is requesting approval of a 12 month extension for Site Plan Review No. 2016-043 (originally approved by the Planning Commission on October 19, 2016) to allow the development of a new one-story 1,886 square foot automobile general repair building ("Project") at 8110 Eastern Avenue, Bell Gardens ("Subject Site);

WHEREAS, the Subject Site is presently zoned C-M (Commercial Manufacturing) with the current General Plan Land Use Designation of "General Commercial" which allows the proposed project by the Applicant;

WHEREAS, Condition No. 3 of Planning Commission Resolution #PC 2016-12 states that Site Plan Review No. 2016-043 shall terminate within one year of the effective date of the Site Plan Review unless construction is commenced or a written time extension is granted by the Planning Commission based upon a written request submitted to the Community Development Department prior to the expiration of the one year period (October 19, 2017);

WHEREAS, the Community Development Department received a request from the Applicant for an extension on Site Plan Review No. 2016-043 from the Applicant on October 9, 2017;

WHEREAS, the Applicant's request for an extension does not involve any changes to the original Site Plan Review approved by the Planning Commission; and

WHEREAS, the Planning Commission held a regular meeting on November 15, 2017, and reviewed all facts and evidence, both written and testimonial, pertaining to the extension of Site Plan Review No. 2016-043.

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:

Section 1. All of the original Conditions of Approval accepted and agreed to by the Applicant, with respect to Planning Commission Resolution #PC 2016-12 (Site Plan Review No. 2016-043) shall remain in full force and effect with the adoption of Planning Commission Resolution #PC 2017-09.

Section 2. In accordance with the California Environmental Quality Act (CEQA) Guidelines, the Project is categorically exempt pursuant to Section 15332, Class 32: in-fill development of less than five acres surrounded by urban uses. The Project is consistent with the applicable general plan designations and applicable general plan policies; the

Project occurs within the City limits on a project site of no more than five acres substantially surrounded by urban uses; the Project site has no value as habitat for endangered, rare or threatened special because it is located and surrounded by developed urban uses and contains no natural habitat; the Project does not result in any significant effects related to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities or public services.

Section 3. The Planning Commission hereby grants a 12 month extension for Site Plan Review No. 2016-043 to allow the development of to allow the development of a new one-story 1,886 square foot automobile general repair building at 8110 Eastern Avenue, Bell Gardens.

PASSED, APPROVED AND ADOPTED this 15th day of November 2017.

TONY RIVERA, CHAIRPERSON

ATTEST:

ERIKA GUTIERREZ, PLANNING SECRETARY

APPROVED AS TO FORM:

JOHN W. LAM, ASSISTANT CITY ATTORNEY

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EXHIBIT B

**Planning Commission
Staff Report and approved
Resolution #PC 2016-12**



**CITY OF BELL GARDENS
COMMUNITY DEVELOPMENT DEPARTMENT**

AGENDA REPORT

TO:	Planning Commissioners
FROM:	Abel Avalos, Director of Community Development Carmen H. Morales, City Planner <i>AM</i>
BY:	Hailes H. Soto, Associate Planner <i>H.S.</i>
SUBJECT:	Site Plan Review No. 2016-043 Automobile General Repair Building 8110 Eastern Avenue, Bell Gardens (File No. 2016-043)
DATE:	October 19, 2016

RECOMMENDATION:

It is staff's recommendation that the Planning Commission:

- Approve Site Plan Review No. 2016-043 to allow the development of a new one-story 1,886 square foot automobile general repair building ("Project") at 8110 Eastern Avenue, Bell Gardens ("Subject Site), by adopting Planning Commission Resolution #PC 2016-12 (Exhibit A).

SITE DESCRIPTION:

The property located at 8110 Eastern Avenue (APN No. 6230-005-014) is currently zoned C-M (Commercial Manufacturing), with a General Plan Land Use Designation of "General Commercial." The Subject Site is approximately 7,500 square feet in area and is vacant and being used as a parking lot (Exhibit B).

Surrounding properties are zoned as follows:

Table No. 1. Surrounding Land Uses

North		East	
Zone	C-M (Commercial Manufacturing)	Zone	R-3 (High Density Residential)
General Plan	General Commercial	General Plan	High Density Residential
Use	Commercial and Residential	Use	Public alley and Multi-family residential

South	
Zone	C-M (Commercial Manufacturing)
General Plan	General Commercial
Use	Office

West	
Zone	C-M (Commercial Manufacturing)
General Plan	General Commercial
Use	Eastern Avenue and office and roofing companies

PROJECT DESCRIPTION:

As previously indicated, the Applicant proposes to construct a new one-story 1,886 square foot building which will include a 261 square foot lobby/customer waiting/bathroom space and a 1,625 square foot vehicle service area. The proposed Project will also include a new concrete parking area, front and side yard landscaping, and trash enclosure structure.

ANALYSIS:

In reviewing the Applicant's request for Site Plan Review No. 2016-043, staff has conducted a thorough analysis of this matter and associated components which are set forth below.

Pursuant to Chapter 9.58 of the Bell Gardens Municipal Code ("BGMC"), a Site Plan Review is established to provide a visual and factual document that may be used to determine and control the physical layout, design or use of a lot or parcel of land, buildings or structures. A site plan is required to determine whether or not a proposed development will properly comply with the provisions and development standards prescribed in the BGMC or as prescribed by the Planning Commission.

Although all the issues to be considered under Site Plan Review No. 2016-043 are closely related to each other, to facilitate the analysis of the Project, the Applicant's request will be analyzed under four major components: (1) Site Layout; (2) Floor Layout; (3) Traffic and Circulation; and (4) Architecture.

- Site Layout

The Subject Site consists of one regularly shaped parcel with a flat topography and a total lot area of 7,500 square feet. The Subject Site is 50 feet wide along the East and West property lines adjacent to Eastern Avenue and the public alley. The Subject Site is 150 feet long along the North and South property lines. The proposed building will be located approximately 22 feet from the West property line fronting Eastern Avenue. Both pedestrian and vehicular access to the Subject Site is located along Eastern Avenue and a secondary access will be gained from the public alley at the rear of the Subject Site (Exhibit C).

The BGMC requires a minimum of five percent of the Subject Site to be landscaped. Based on the aforementioned, a minimum of 375 square feet (7,500 sq. ft. x 5% = 375 sq. ft.) of landscaping area needs to be provided. The Project fronts Eastern Avenue and will include a five foot wide landscape planter within the front yard setback. In addition, the south side of the Subject Site along the parking lot area will also be landscaped to meet the development standards for

the C-M Zone. The Applicant is proposing a total of 431 square feet of landscape area. The Applicant's landscape plan will be reviewed and approved under a separate permit and will be subject to drought resistant landscaping standards. A trash enclosure structure is also proposed on the southeast corner of the Subject Site.

- Floor Layout

The proposed building will contain approximately 1,886 square feet that will consist of a lobby area and a vehicle service area. Of the 1,886 square feet, approximately 1,625 square feet will consist of a vehicle service area that will have three, 20-foot by 12-foot rollup doors. The remaining 261 square feet will contain the lobby/customer waiting area and a single ADA accessible restroom.

- Traffic and Circulation

Entrance to the Subject Site is located on Eastern Avenue. The Applicant also proposes to utilize the existing 20 foot wide driveway approach located off Eastern Avenue. The proposed concrete-paved parking lot area will accommodate a total of five parking spaces, including one American with Disabilities Act (ADA) accessible parking space. The ADA parking space will be located between Eastern Avenue and the front of the new building on the southwestern area of the Subject Site. The remaining four parking spaces will be located between the rear of the new building and the public alley. Both public and vehicular access to the property will be located off Eastern Avenue and the public alley that runs parallel to Eastern Avenue.

- Architecture

The construction of the rectangle-shaped, one-story, commercial building has been designed in a contemporary style with a mixture of three different color and textured block material on the north, south, east, and west elevations of the building. The Applicant also proposes a horizontal red split-face block at the top of the building which is intended to break up the height of the building. The south wall of the new building is on property line. The south and east building walls will only have the tan color block and a red split-face block wall finish on the wall. The building will have a parapet roof that will hide any roof equipment proposed by the Applicant. The roof drainage system will be integrated into the walls of the building so that there are no visible downspouts. The entrance to the building will be on the north elevation of the building on the northwest corner of the building. The northwest corner of the building will also feature a modern canopy and storefront windows that gives it a modern design to help accentuate the building (Exhibit D).

FINDINGS:

Approval or disapproval of any site plan shall be used upon the following findings and principles and set forth in Section 9.58.060 of the BGMC:

1. That every use, development of land and application of development standards shall take place in compliance with all applicable provisions of this Ordinance.

Finding: The Zoning Designation on the Subject Site is C-M (Commercial Manufacturing) with the General Plan Land Use Designation of General Commercial. Pursuant to the provisions contained in Chapter 9.12 – Commercial Zones, automobile general repair shops are a permitted use in the C-M Zoning Designation as long as the development standards, pertaining to the establishment and operation of uses in this particular zoning designation, including providing the required number of parking spaces under Chapter 9.38 – Parking and Loading (Off-Street), are met. The Project meets the minimum parking requirements at the Subject Site. In addition, the Bell Gardens Municipal Code sets development standards to protect the public safety and mitigate potential adverse impacts on adjacent uses. The proposed auto repair shop will be constructed in compliance with all setbacks, lot coverage and parking requirements specified in the BGMC. Thus, every use, development of land and application of development standards will take place in compliance with all applicable provisions of Title 9 of the Bell Gardens Municipal Code.

2. That every use, development of land, and application of development standards shall be considered on the basis of the suitability of this site for the particular use or development intended.

Finding: The development and uses of the new Amigo Auto Repair shop building will be consistent with the C-M zone. The Applicant is proposing to construct a 1,886 square foot automobile general repair shop, which is a permitted use for a property that is on Eastern Avenue in a C-M zoned property. The location of the building in relationship to traffic flow to and from the site will not obstruct on-site pedestrians and vehicular traffic, as well as expected vehicular traffic on nearby public streets and sidewalks. The construction and use of the proposed structure will not be a detriment to the public health, safety and welfare because the Subject Site will now contain a total of five parking spaces, which have been configured to minimize impacts to the nearby uses. Thus, every use, development of land, and application of development standards have been considered on the basis of the suitability of this site for the particular uses and development intended.

3. That the total development, including the application of prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, and prevent adverse effects on neighboring property and shall be in general accord with all elements of the General Plan.

Finding: The proposed use conforms to the current General Plan Land Use Designation for the Subject Site which is General Commercial. The General Commercial Land Use Designation encompasses the commercial corridor of the City along Eastern and Florence Avenues. Therefore, the development of the proposed structure represents an addition to an already existing major commercial corridor in Bell Gardens and therefore does not adversely impact

neighboring properties or the public health, safety and general welfare of the surrounding community. The Project has been designed to ensure proper on-site and off-site circulation. Vehicular access to the Subject Site is gained off one driveway approach along Eastern Avenue. The new auto repair shop is proposed to infill an existing vacant commercial site, and will provide a new parking lot with five parking stalls. The development including the application of prescribed development standards, is arranged to avoid traffic congestion, ensure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and in general accordance with all elements of the General Plan.

4. That every use, development of land and application of development standards shall be considered on the basis of suitable and functional development design, but it is not intended that such approval be interpreted to require a particular style or type of architecture.

Finding: The proposed auto repair shop will be in compliance with all applicable development standards, including setbacks, building height, lot coverage, and parking requirements as specified in the BGMC. Furthermore, the use of the Project is consistent with the provisions of the C-M zoning designation. The Project will meet all applicable development standards, but the commercial location on Eastern Avenue is a suitable location for an automobile general repair shop such as the one proposed. The exterior treatment of the proposed auto repair shop building will enhance the architectural design of the commercial corridor along Eastern Avenue.

ENVIRONMENTAL REVIEW:

In accordance with the California Environmental Quality Act (CEQA) Guidelines, the Project is categorically exempt pursuant to Section 15332, Class 32: in-fill development. The Project is consistent with the applicable general plan designations and applicable general plan policies; the Project occurs within the City limits on a project site of no more than five acres substantially surrounded by urban uses; the Project site has no value as habitat for endangered, rare or threatened special because it is located and surrounded by developed urban uses and contains no natural habitat; the Project does not result in any significant effects related to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities or public services.

CONCLUSION:

The proposed Project has been routed to all concerned City and County departments for review. The City Engineer requested certain conditions be included as part of the Conditions of Approval in Planning Commission Resolution #PC 2016-12.

Based on staff's analysis, staff recommends that the Planning Commission approve Site Plan Review No. 2016-043 which grants approval for the development of a 1,886 square foot single-story automobile general repair building at 8110 Eastern Avenue. Heavy commercial uses such as the proposed Project are encouraged to locate within the General Commercial Land Use Designation due to the major thoroughfares, high visibility, and proximity of these properties to the I-710 Long Beach freeway. Furthermore, the Applicant's proposal will improve the overall appearance of the area by providing an aesthetically pleasing Project. The Applicant's request is consistent with the provisions included in Sections 9.12.030, 9.38.050, and 9.58.060 of the BGMC.

If the entitlement application is approved, the Applicant proposes to complete the overall improvements to the Subject Site.

FISCAL IMPACT:

None.

ATTACHMENTS:

Exhibit A – Planning Commission Resolution #PC 2016-12

Exhibit B – Vicinity Map

Exhibit C – Site Plan and Floor Plan

Exhibit D – Building Elevations

Exhibit E – Letter to Residents

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RESOLUTION #PC 2016-12

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF BELL GARDENS APPROVING
SITE PLAN REVIEW NO. 2016-043
(File No. 2016-043)**

WHEREAS, the Applicant and property owner, Javier Barajas ("Applicant"), is requesting approval of Site Plan Review No. 2016-043 to allow the development of a new one-story 1,886 square foot automobile general repair building ("Project") at 8110 Eastern Avenue, Bell Gardens ("Subject Site);

WHEREAS, the proposal also includes the construction of a new trash enclosure, new landscaping, and construction of the parking lot;

WHEREAS, the Subject Site is presently zoned C-M (Commercial Manufacturing) with the current General Plan Land Use Designation of "General Commercial" which allows the use and building construction proposed by the Applicant;

WHEREAS, the Site Plan Review process is established to provide a visual and factual document that may be used to determine and control the physical layout, design or use of a lot or parcel of land, buildings or structures;

WHEREAS, a Site Plan Review is required to determine whether or not a proposed development will properly comply with the provisions and development standards prescribed in the Bell Gardens Municipal Code or as prescribed by the Planning Commission; and

WHEREAS, the Planning Commission held a discussion on October 19, 2016, and reviewed all facts and evidence, both written and testimonial, pertaining to the requested Site Plan Review No. 2016-043.

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:

Section 1. The proposed Site Plan Review to allow the construction of a 1,886 square foot automobile general repair building at the Subject Site is found to be in compliance with the development standards established in Sections 9.12.030, 9.38.050, and 9.58.060 of the Bell Gardens Municipal Code.

Section 2. Pursuant to Title 9, Section 9.58.060 of the Bell Gardens Municipal Code, which sets forth the findings necessary for approving a Site Plan Review, the Planning Commission finds:

- A. The Zoning Designation on the Subject Site is C-M (Commercial Manufacturing) with the General Plan Land Use Designation of General Commercial. Pursuant to the provisions contained in Chapter 9.12 –

Commercial Zones, automobile general repair shops are a permitted use in the C-M Zoning Designation as long as the development standards, pertaining to the establishment and operation of uses in this particular zoning designation, including providing the required number of parking spaces under Chapter 9.38 – Parking and Loading (Off-Street), are met. The Project meets the minimum parking requirements at the Subject Site. In addition, the Bell Gardens Municipal Code sets development standards to protect the public safety and mitigate potential adverse impacts on adjacent uses. The proposed auto repair shop will be constructed in compliance with all setbacks, lot coverage and parking requirements specified in the Bell Gardens Municipal Code. Thus, every use, development of land and application of development standards will take place in compliance with all applicable provisions of Title 9 of the Bell Gardens Municipal Code.

- B. The development and uses of the new Amigo Auto Repair shop building will be consistent with the C-M zone. The Applicant is proposing to construct a 1,886 square foot automobile general repair shop, which is a permitted use for a property that is on Eastern Avenue in a C-M zoned property. The location of the building in relationship to traffic flow to and from the site will not obstruct on-site pedestrians and vehicular traffic, as well as expected vehicular traffic on nearby public streets and sidewalks. The construction and use of the proposed structure will not be a detriment to the public health, safety and welfare because the Subject Site will now contain a total of five parking spaces, which have been configured to minimize impacts to the nearby uses. Thus, every use, development of land, and application of development standards have been considered on the basis of the suitability of this site for the particular uses and development intended.

- C. The proposed use conforms to the current General Plan Land Use Designation for the Subject Site which is General Commercial. The General Commercial Land Use Designation encompasses the commercial corridor of the City along Eastern and Florence Avenues. Therefore, the development of the proposed structure represents an addition to an already existing major commercial corridor in Bell Gardens and therefore does not adversely impact neighboring properties or the public health, safety and general welfare of the surrounding community. The Project has been designed to ensure proper on-site and off-site circulation. Vehicular access to the Subject Site is gained off one driveway approach along Eastern Avenue. The new auto repair shop is proposed to infill an existing vacant commercial site, and will provide a new parking lot with five parking stalls. The development including the application of prescribed development standards, is arranged to avoid traffic congestion, ensure the protection of public health, safety and general welfare, prevent

adverse effects on neighboring property and in general accordance with all elements of the General Plan.

- D. The proposed auto repair shop will be in compliance with all applicable development standards, including setbacks, building height, lot coverage, and parking requirements as specified in the Bell Gardens Municipal Code. Furthermore, the use of the Project is consistent with the provisions of the C-M zoning designation. The Project will meet all applicable development standards, but the commercial location on Eastern Avenue is a suitable location for an automobile general repair shop such as the one proposed. The exterior treatment of the proposed auto repair shop building will enhance the architectural design of the commercial corridor along Eastern Avenue.

Section 3. In accordance with the California Environmental Quality Act (CEQA) Guidelines, the Planning Commission hereby finds and determines that based on the staff report, presentation, public comments, and the findings contained in this Resolution, the Project is categorically exempt pursuant to Section 15332, Class 32: in-fill development. Specifically, the Project is consistent with the applicable general plan designations and applicable general plan policies; the Project occurs within the City limits on a project site of no more than five acres substantially surrounded by urban uses; the Project site has no value as habitat for endangered, rare or threatened special because it is located and surrounded by developed urban uses and contains no natural habitat; the Project does not result in any significant effects related to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities or public services..

Section 4. Site Plan Review No. 2016-043 is hereby approved to allow the development of a 1,886 square foot automobile general repair building subject to the following Conditions of Approval:

1. The property shall be improved, maintained and operated in accordance with:
 - a. The applications on file in the Community Development Department and Exhibits A through D included in the staff report which are attached and incorporated herein by this reference.
 - b. All applicable laws, including but not limited to, the Bell Gardens Municipal Code.
 - c. All the Conditions of Approval as set forth in this Planning Commission Resolution for Site Plan Review No. 2016-043.
2. All conditions stated herein shall be binding upon the applicants, their successors and assigns; shall run with the land; shall limit and control the issuance and validity of certificates of occupancy and shall restrict and limit the construction, location, and use and maintenance of all land within the Subject Site.

3. This Site Plan Review No. 2016-043 and all rights hereunder shall terminate within one year of the effective date of the Site Plan Review unless construction is commenced or a written time extension is granted by the Planning Commission. A written request to extend the time to comply with the Conditions of Approval stated in the Site Plan Review must be submitted to the Bell Gardens Community Development Department at least 30 days prior to the expiration of the one year period.
4. The abandonment or non-implementation of the conditions stated in the Site Plan Review for a period of one year from the effective date of the Permit shall terminate the Permit, and any privileges granted thereunder shall become null and void.
5. In the event of a transfer of ownership of the property involved in this application, the new owner shall be fully informed that the new owner(s) is/are subject to the use and development of said property as set forth by this Site Plan Review together with all conditions which are stated herein.
6. Violation of any of the conditions of Site Plan Review No. 2016-043 shall be cause for revocation and termination of all rights hereunder.
7. The Applicant shall comply with all provisions of Chapter 5, "Business Licenses & Regulations," of the City of Bell Gardens Municipal Code.
8. The City has the right-of-entry at any time during normal business hours of operation to inspect the premise to verify compliance of the Conditions of this Approval and to determine compliance with all applicable sections of the Bell Gardens Municipal Code.
9. The Director of Community Development and his/her designee shall be authorized to make minor modifications to the approved Site Plan Review or any of the conditions specified herein if the modifications shall achieve substantially the same results as would strict compliance with the approved Site Plan Review and conditions.
10. Graffiti on buildings, walls or other private property shall be removed within 48 hours. If painting is required, the paint shall be identical to the existing color.
11. The property shall be developed, maintained, and used in a neat, quiet and orderly condition and uses on the lot shall be operated in a manner that will not disturb or be detrimental to adjacent properties, surrounding land uses or occupants.
12. Hours and days of exterior building construction and site improvements shall be as follows: Monday through Saturday, not before 8:00 A.M. and not after 7:00 P.M. of the same day. No construction or grading shall take place on Sundays and City observed holidays.
13. The Applicant shall ensure that the property is properly maintained at all times/phases of construction.

14. Prior to commencing the construction of the Project, the Applicant shall submit a site plan indicating on-site vehicular and pedestrian traffic circulation during all stages of construction to the Community Development Department for review and approval.

Building/Site Improvements

15. The proposed site improvements on the Subject Site shall be subject to review and approval by the Planning, as well as Building and Safety Divisions. All proposed improvements shall be completed in accordance with the provisions of the California Building Code as amended by Title 26 of the Los Angeles County Building Code. All required permits from the Building and Safety Division shall be secured prior to commencing the construction of the Project.
16. The Applicant shall comply with all Americans with Disabilities Act (ADA) requirements as part of the Building and Safety plan check process.
17. The Applicant shall be responsible for submitting plans for Building and Safety Plan Check and obtain permits for all the work proposed on the Subject Site.
18. Vehicles associated with the construction of the proposed project shall not be permitted to park on the public right-of-way.
19. Temporary storage of building materials shall be contained within the Project site and shall be properly secured and screened during all stages of construction.
20. The Applicant shall install and maintain a six-foot high chain-link fence and gates around the entire perimeter of the Subject Site during all stages of construction. The gates shall be closed and locked after construction hours.
21. Contractors and subcontractors engaged in the construction activities of the proposed project shall obtain a business license and all required permits from the City of Bell Gardens.
22. Prior to the installation of any new signs on the Subject Site, the Applicant shall submit three sets of sign plans for review and approval to the Community Development Department. Sign plans shall include elevations, lettering, colors, dimensions, and installation methods.
23. The Applicant shall submit a roof plan and cross section showing all proposed roof mounted equipment. All proposed roof mounted equipment shall be installed at least six inches below the parapet of the proposed project. Roof mounted equipment shall be designed to minimize the visual and audio impacts to the surrounding areas.
24. The exterior of the building, including but not limited to, trims and wall surfaces, windows and moldings shall be painted of a color subject to review and approval by the Community Development Department.

25. Prior to issuance of a Building Permit, the Applicant shall submit for review and approval to the Community Development Department a sample of the window frame and glass that will be utilized on the storefront windows of the building.
26. The installation of security grilles on the exterior storefront door and windows shall be prohibited.
27. The roof drainage system shall be integrated into the walls of the building so that there are no visible downspouts.
28. The following construction practices shall be implemented by all Project contractors to reduce construction noise levels:
 - a. Ensure that construction equipment is properly muffled according to industry standards. All power construction equipment shall utilize noise shielding and muffling devices.
 - b. Locate the construction staging area and noise-generating equipment away from adjacent residents as much as feasible.
29. The Applicant shall work closely with City staff to coordinate appropriate accommodations for commercial waste service on the Subject Site. The new trash enclosure shall be constructed with a six-foot high split-face block wall to match the building. A six-foot high solid metal gate shall be installed and provided with a self-closing and self-latching mechanism. The top of the enclosure structure shall be protected with a metal decorative trellis and painted the same color as the building. Minimum of 4 inches of concrete with a 6 inch concrete curb shall surround the walls to prevent dumpster from damaging walls. Trash trucks are required to pick up trash bins within the Subject Site.
30. Proposed and required on-site and off-site improvements shall be completed by the Applicant prior to a building permit final and issuance of a Certificate of Occupancy by the City on the Subject Site.
31. All onsite cable television service connections to the Amigo Auto Repair shall be installed underground. All cable and connectors shall be screened completely from view and within the building served. Visible cabinets and boxes shall be treated to match the materials and colors of the buildings. The Applicant is responsible for contacting the cable company and arranging cable installation at the appropriate stage of construction. Type and location of cable installation is subject to approval of the Community Development Department and the construction coordinator of the cable television company servicing the area.
32. All onsite electrical service connections to the Amigo Auto Repair shall be installed underground. All surface or ground mounted mechanical equipment including terminal boxes, pull boxes and electric meter cabinets shall be screened from public view and treated to match the materials and colors of the adjacent building. The Applicant is responsible for contacting Southern California Edison and arranging electrical service at the appropriate stage of construction. Installation is subject to approval by the

Community Development Department and the customer service planner at Southern California Edison Company.

33. All onsite gas service connections to the Amigo Auto Repair shall be installed underground. All surface or ground mounted gas meters and mechanical equipment shall be screened from public view and treated to match the materials and colors of the adjacent building. The installation is subject to approval by the Community Development Department and Southern California Gas Company.
34. Prior to the issuance of a Building & Safety permit, the Applicant shall submit for review and approval to the Community Development Department a lighting plan for all exterior areas of the building and parking lot. All parking lot lights and building security lights shall be shielded to prevent any light and glare impacts on nearby properties.

LA County Fire Department

35. The Applicant shall obtain all required Fire Department approvals and permits prior to commencing the construction of the proposed improvements on the Subject Site.
36. Prior to Fire Department plan check, plans must be submitted to the City for initial review (i.e. fire sprinkler plans, etc.).
37. The Applicant shall ensure that fire protection facilities, including access, must be provided prior to and during construction.
38. Prior to the issuance of a building permit, the Applicant shall conduct a fire flow test to determine if the existing water line serving the Project has adequate capacity for both potable water and fire flow and submit the results to the City of Bell Gardens.
39. The Applicant shall submit two sets of architectural plans to the Los Angeles County Fire Prevention Division, Building Plan Check Unit office located at 5823 Rickenbacker Road, Commerce, CA 90040. Architectural Plans shall include, but not limited to, a site plan, floor plan, elevations, door and window schedules and appropriate section details.
40. The Applicant shall comply with all required conditions established by the Fire Department. Additionally, the Applicant shall obtain all required Fire Department approval and permits prior to commencing the construction of the proposed improvements on the Subject Site.
41. The site plan shall show all of the existing fire hydrant locations within 300 feet of all property lines.

Fence/Walls

42. The applicant shall remove the exiting block wall along Eastern Avenue and replace it with a new fence subject to the Bell Gardens Municipal Code Chapter 9.38.

43. The Applicant shall work closely with staff to determine the exact location and design of all walls and fences to be constructed and modified on the Subject Site. All new walls and fences shall be constructed in accordance to the Bell Gardens Municipal Code. The height of all new and modified walls and fences shall be measured from the highest finished grade level on either side of the property line. The Applicant shall prepare and submit a wall and fence plan for review and approval by the Community Development Department prior to the issuance of all required permits for the construction of walls and fences.
44. The Applicant shall work closely with the Community Development Department staff to address any finished grade differences between the Subject Site and the Public Right of Way in order to determine the final height of all walls and fences.
45. The existing block wall and sliding wrought iron gate located along the public alley on the south property line shall be replaced with a new 6'-0" high stucco coated block wall and new 6'-0" high wrought iron sliding gate.
46. The new wrought-iron sliding gate located along the public alley on the east property line shall be maintained closed during normal business hours. A motorized sliding gate shall be installed and shall only be open with a remote control on an as needed basis but shall otherwise be closed.
47. The Applicant shall be responsible for leveling and repairing any damaged areas of the alley attributed to the construction of the Project immediately adjacent to the east property line.
48. If applicable, the Applicant shall work closely with the adjoining property owners to ensure that the height of the existing block walls along the north and south property lines of the site be extended to 6'-0" high. Both the interior and the exterior of the existing and new block wall and fence shall be stucco and color coated.
49. The Applicant shall remove the existing nonconforming block wall located along Eastern Avenue.
50. The Applicant shall remove all existing posts and barbed/razor wire attached to the perimeter walls. Any barbed/razor wire is prohibited.

Landscaping

51. Prior to the issuance of any building permits for the improvements proposed on the Subject Site, the Applicant shall submit four sets of landscaping and automatic irrigation plans prepared by a licensed landscape architect for review and approval by the Community Development and Public Works Departments.
52. A permanent automatic landscape irrigation system shall be installed for all landscaped areas to be subject to review and approval by the Public Works Department.

53. All designated landscaping areas shall be fully planted prior to the issuance of a building final. Landscaped areas shall be maintained by the Applicant at all times.
54. The Applicant shall work closely with staff in the Community Development and Public Works Departments to determine the type, size, number and location of all required planting material. The planting material shall be drought resistant.
55. All planter and landscaped areas, unless otherwise specified on the plans, shall be protected with a six inch concrete curb.

Public Works Department

56. The Applicant shall submit a public improvement plan indicating all required improvements to the public right of way. All improvements shall be subject to review and approval by the City's Public Works Department.
57. The Applicant shall obtain all required approval and permits from the City's Public Works Department prior to commencing any work that may encroach on the City's public right of way.
58. The Applicant shall be responsible for the cost of replacing all public improvements, including but not limited to, removal and reconstruction of curbs, gutters, sidewalks, driveway approaches and street lights.
59. All off-site improvements shall comply with the American Public Works Association (APWA) standard details.
60. All off-site improvements shall require a separate permit. The Applicant shall obtain a Street Work Permit from the Engineering Division prior to starting any work in the public right-of-way.
61. The Applicant shall provide a precise grading / drainage plan prepared by a licensed Civil Engineer practicing in the State of California.
62. The Applicant shall provide a Standard Urban Water Mitigation Plan (SUSMP) per Title 11, Chapter 11.12 of the Bell Gardens Municipal Code.
63. The Applicant shall provide a Hydrology and Hydraulics report, per LA County guidelines.
64. The Applicant shall provide a Geotechnical Report prepared by a Geotechnical Engineer.
65. If applicable, the existing driveway leading to the Subject Site on Eastern Avenue shall be removed and a new driveway approach shall be constructed on Eastern Avenue that aligns with the proposed drive aisle proposed on the Subject Site in order to properly accommodate commercial vehicular traffic. All public improvements to be completed by the Applicant in conjunction with the proposed Project along Eastern

Avenue, shall conform to the APWA (American Public Works Association) standards and ADA requirements.

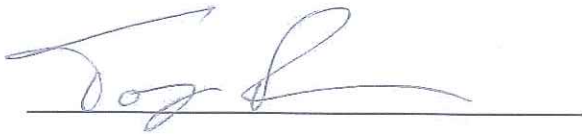
Parking Lot/Site Maintenance

66. The Subject Site shall be cleared of all construction debris prior to the issuance of a building final by the City.
67. Egress from the Subject Site to Eastern Avenue shall be restricted to right turn only. Directional signs shall be installed in accordance to City standards at the driveway entrance off Eastern Avenue.
68. All required parking spaces, maneuvering areas and any driveways used for access thereto shall be paved with concrete surfacing to a minimum thickness of 3-1/2 inches and shall include expansion or contraction joints as necessary.
69. Any required ADA truncated domes shall be composed of stamped concrete and shall be of a dark gray color.
70. Parking lot areas shall be pressure washed quarterly to remove oil stains and maintained clear of trash, debris and outside storage at all times.
71. The repair or maintenance of any vehicles in the parking lot, public street or public alley, including but not limited to oil change, shall be strictly prohibited. Signs shall be posted throughout the parking lot area stating that the aforementioned is prohibited.
72. The adding of fluids of any kind (oil, brake, transmission, etc.) in the parking lot area, public streets or public alley is strictly prohibited. No device shall be loaned by the auto repair business or any employee to assist in this effort.
73. Inoperable vehicles shall not be parked within any designated parking spaces, drive aisle, public streets or public alley.
74. The applicant shall install "No Parking" signs along the north block wall. The applicant shall work with staff to determine the appropriate number of signs and distance separation.
75. The applicant shall include on the Building and Safety plans the location of new and used automobile fluid containers that are typically associated with automobile repair businesses. All automobile fluid containers shall be properly disposed. The outdoor storage of any fluid containers shall be strictly prohibited.
76. The existing business license holder at the Subject Site shall continue to comply with the Conditions of Approval including not maintaining any inoperable vehicles. The existing business license holder shall close the business license prior to the issuance of building permits for the Project.

Miscellaneous

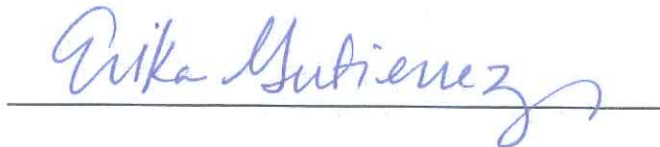
77. The Applicant shall obtain all necessary permits and licenses from the State, City and County agencies, including but not limited to, Fire Department and Industrial Waste for the proposed improvements and business operations on the Subject Site.
78. Prior to the issuance of a Building Permit for improvements proposed on the Subject Site, the Applicant shall submit for review and approval to the Community Development Department a lighting plan for all exterior areas of the site. Any new light standards, light fixtures, and building security lights shall be shielded to prevent any light and glare impacts on nearby properties. The final selection of all light fixtures shall be subject to review and approval by the Community Development Department.
79. There shall be no outdoor events/sidewalk sales permitted at any time, unless approved by the Community Development Department through a Special Event Permit and in accordance with Section 9.42.030 of the Bell Gardens Municipal Code.
80. No outside public telephones shall be installed on the Subject Site or on the public right-of-way.
81. The installation of flags and pennants at the Subject Site shall be prohibited at all times, except for signs which are exempt pursuant to Bell Gardens Municipal Code Section 9.40.110 – Exempt Signs.
82. The owner of the property which is the subject of this project and the project applicant, if different from the property owner, and each of their heirs, successors, and assigns, shall defend, indemnify and hold harmless the City of Bell Gardens and its officials, agents, officers, and employees from any and all claims, actions, or proceedings brought by any party to attack, set aside, void or annul, rescind, or otherwise challenge the approval of the Project or the approval of any entitlement related to the Project by the City Council, Planning Commission, or its staff, including but not limited to, environmental determinations. Such indemnification and hold harmless shall include damages, judgments, settlements, penalties, fines, and defensive costs and expenses, incurred by or ordered against the City in connection with or arising out of such claims, actions, or proceedings, including but limited to, interest, reasonable attorney's fees and costs, or expert witness fees, incurred by the City. The City shall promptly notify the Applicant of any claim, action or proceeding and the City and Applicant shall mutually cooperate fully in the defense thereof.
83. The Applicant shall sign, notarize, and return to the Community Development Department an affidavit accepting all Conditions of Approval on Site Plan Review No. 2016-043 within 15 days from receipt of acknowledgement of approval of the Planning Commission Resolution. The Applicant acknowledges and understands that all conditions set forth in this Resolution are conditions precedent to the Commission's grant of approval and failure to comply with any condition contained herein shall render this Site Plan Review non-binding as against the City and shall confer the Applicant no legal rights under the law. This Site Plan Review shall not become effective unless and until the Applicant returns the fully executed affidavit.

PASSED, APPROVED AND ADOPTED this 19th day of October 2016.



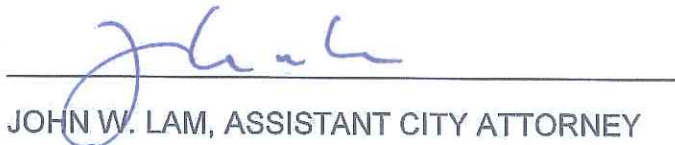
TONY RIVERA, VICE-CHAIRPERSON

ATTEST:



ERIKA GUTIERREZ, PLANNING SECRETARY

APPROVED AS TO FORM:



JOHN W. LAM, ASSISTANT CITY ATTORNEY

REVISIONS	

THE SEAWALL ASSOCIATION
OF CALIFORNIA HAS REVIEWED THIS
DRAWING FOR CONFORMANCE WITH THE
STATE OF CALIFORNIA'S BUILDING
CODES. THIS REVIEW IS LIMITED TO
THE TECHNICAL ASPECTS OF THE
DRAWING AND DOES NOT CONSTITUTE
A GUARANTEE OF THE ACCURACY OR
COMPLETENESS OF THE INFORMATION
CONTAINED HEREIN.

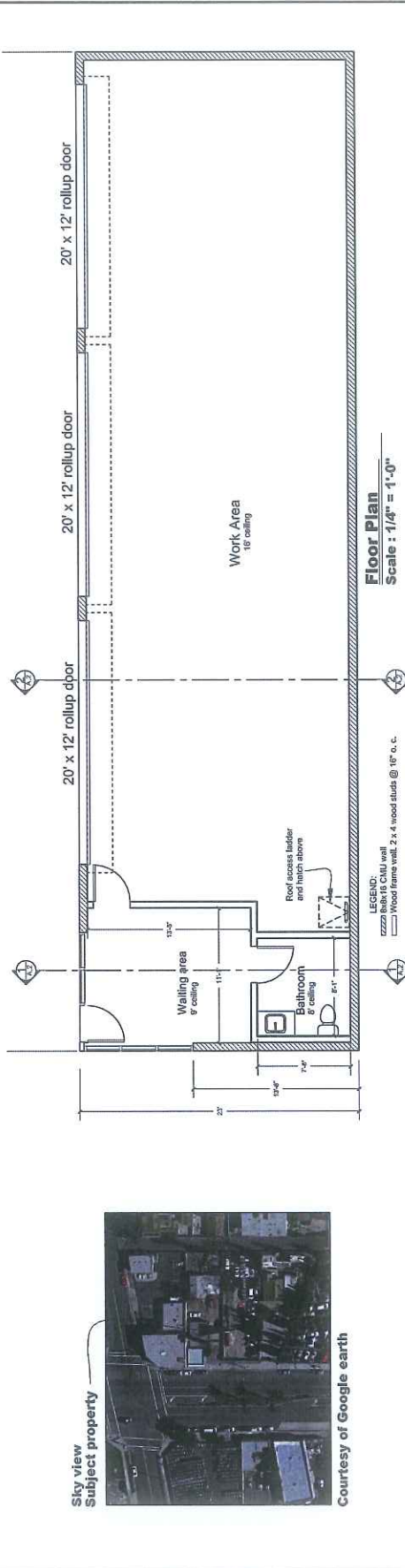
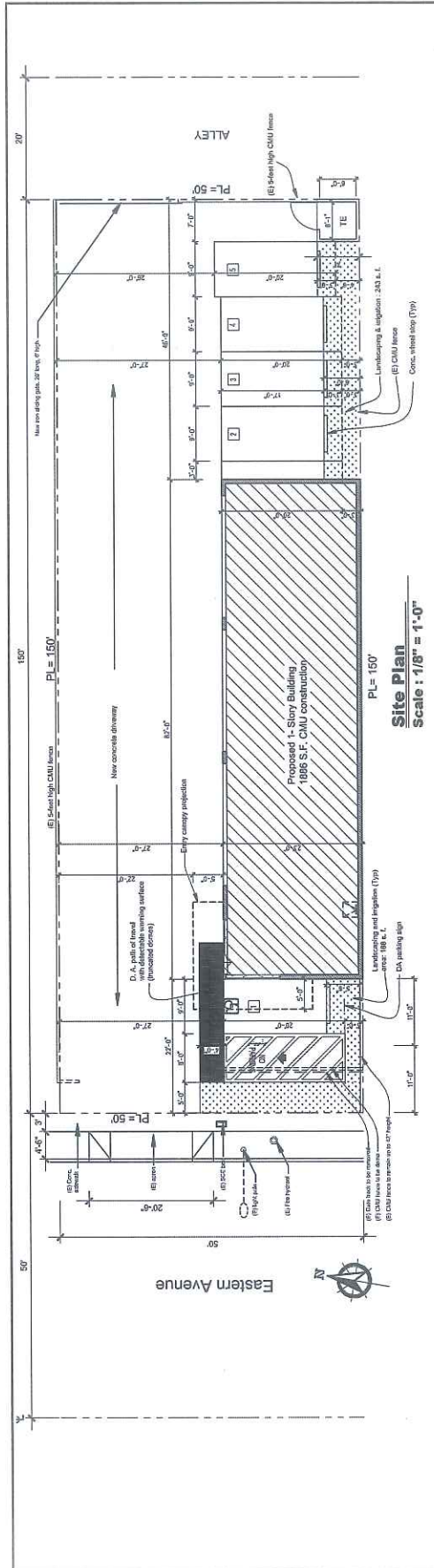
OWNERS Name: Javier Barajas (310) 261-0357
Job Address: 8110 Eastern Ave., Bell Gardens, CA 90201
Job Description: Auto Repair Shop

L. A. DRAFTING
BUILDING DESIGN STUDIO
8615 E. FLORENCE AVE. # 203
DOWNEY, CA 90240
TEL 562.622.8997

Stamps

Sheet Title
Site Plan & Floor Plan

DESIGNED BY: J.M.L.
DATE: 05-2016
SCALE: AS NOTED
JOB NO.:
SHEET
A.1
SHEETS

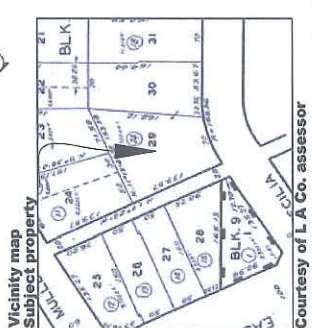


1-STORY AUTO REPAIR/SMOG TEST BUILDING
Job site address: 8110 Eastern Ave., Bell Gardens, CA 90201
OWNER: Javier Barajas (310) 261-0357
ADDRESS: 8110 Eastern Ave., Bell Gardens, CA, 90201
JOB DESCRIPTION: 1-Story Building, 1,096 s.f.
BUILDING CODE: (Auto repair smog station) III-B
TYPE OF CONSTRUCTION: 2' BUILDING HEIGHT
FIRE SPRINKLERS: NO
A.P.N.: 6220-005-014
LEGAL DESCRIPTION: TRACT NO. 11124 LOT 27 BLOCK 5
NO. OF STORY [S].....]

TONING CLASSIFICATION = CM
LOT SIZE: 50' X 150' = 7,500 S.F.
AREA BREAKDOWN (S.F.):
LOBBY/CUSTOMER SERVICE/BATHROOM: 261.00 s.f.
WORK AREA: 1,035 s.f.
PARKING REQUIREMENTS:
Office customer area: 1 space / 300 s.f.
Office: 261 / 300 = 0.87 spaces
Shop area: 1,035 / 400 = 2.59 spaces
total required: 4.93 spaces = 5 spaces required
Parking spaces provided: 5 O.L.
a. (1) D.A. van accessible stall
b. (4) standard parking stalls

LANDSCAPING COVERAGE:
Front parking lot: 248 s.f.
Rear parking lot: 248 s.f.
Required: 3% of lot area:
7,500 x 0.03 = 225 s.f. req'd
Provided: 431 s.f. > 225 s.f. I.O.K.
PLANS BY: RING/JOSE MACASA
8615 E. FLORENCE AVE. #203
DOWNEY, CA 90240 (562) 305-2465
LAKR@AOL.COM
NOBY SHEET:
A.1 Site plan and floor plan
A.2 Exterior elevations and building
A.3 Roof plan

LEGEND:
zzzzz 16" CMU wall
Floor frame wall, 2"x4" wood studs @ 16" o.c.



SYMBOLS

DN	DOWN	DOOR AS PER SCHEDULE
TH	TYPICAL	WINDOW AS PER SCHEDULE
PT	PERMANENT	
BT	BUILDING FOOTPRINTS	
DR	DOOR NUMBER	
WN	WINDOW NUMBER	
CL	CALLOUT	
SE	SECTION LINE	
CL	CENTER LINE	
DA	DATE CHANG WALL	
WF	WOOD FRAME WALL, 2"x4" WOOD STUDS @ 16" O.C. AT FLOOR/WALL ONLY.	
CL	CALLOUT	
SE	SECTION LINE	
CL	CENTER LINE	
DA	DATE CHANG WALL	
WF	WOOD FRAME WALL, 2"x4" WOOD STUDS @ 16" O.C. AT FLOOR/WALL ONLY.	

REVISIONS	By	Date

FOR THE ARCHITECT'S INFORMATION ONLY:
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 DOWNEY, CA 90240 latara@ladi.com
 TEL. 562.632.8997

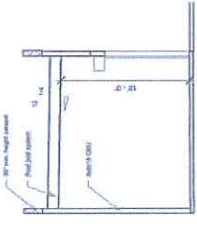
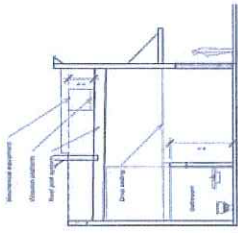
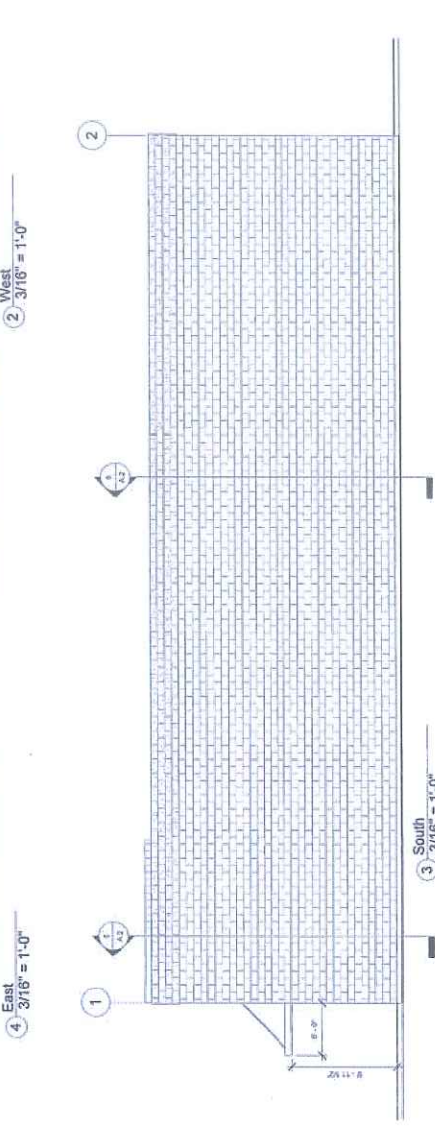
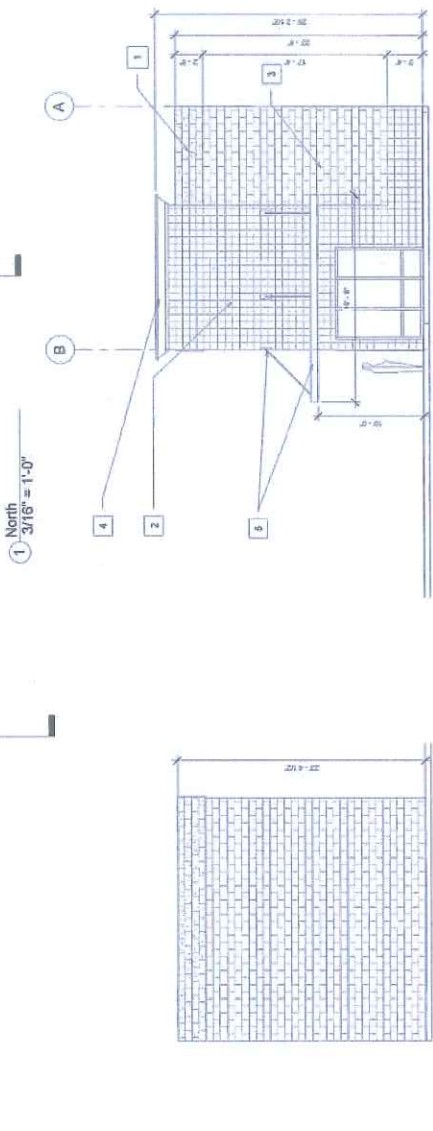
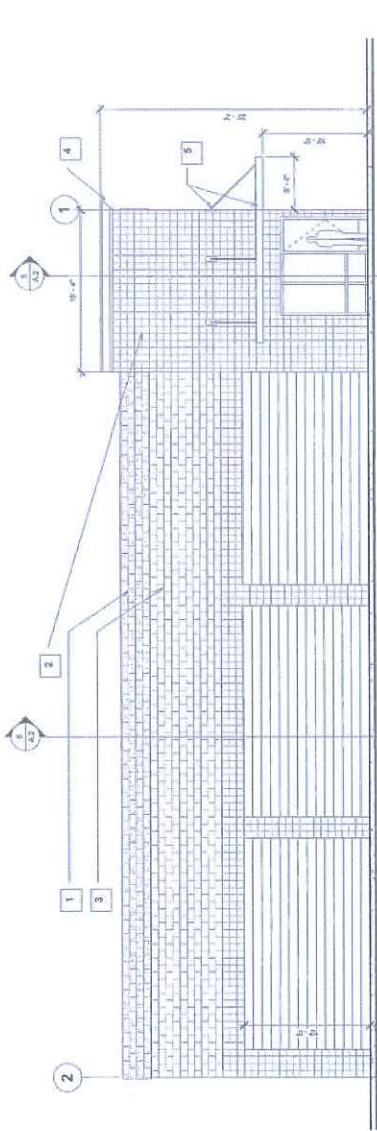
Job Address: 6110 Eastern ave., Bell Gardens, CA, 90210
 Owner's Name: Alex
 Job Description: Auto repair shop.

Stamps

Sheet Title
 Elevations

DRAWN	DESIGNED
DATE	DATE
SCALE	SCALE
JOB NO. 1	SHEET

A.2
 OF 8 SHEETS



SCHEDULE OF EXTERIOR FINISHES:

1	800X18 Split face CMU by Onco, Color: Laine Red
2	800X16 Precision CMU by Onco, Color: Black 500
3	800X16 Precision CMU by Onco, Color: NoFad
4	Lightweight Foam with smooth cement finish, 8" tall, Color: REB by Blair
5	Metal channel canopy with internally illuminated acrylic canopy, Color: Red
6	Metal canopy and bracing, Color by Blair

REVISIONS	BY	DATE

L.A. DRAFTING
 8615 E. FLORENCE AVE. # 203
 DOWNEY, CA 90240 L.drafting@aol.com
 TEL. 562 622 8997

L. A. DRAFTING
 BUILDING DESIGN STUDIO

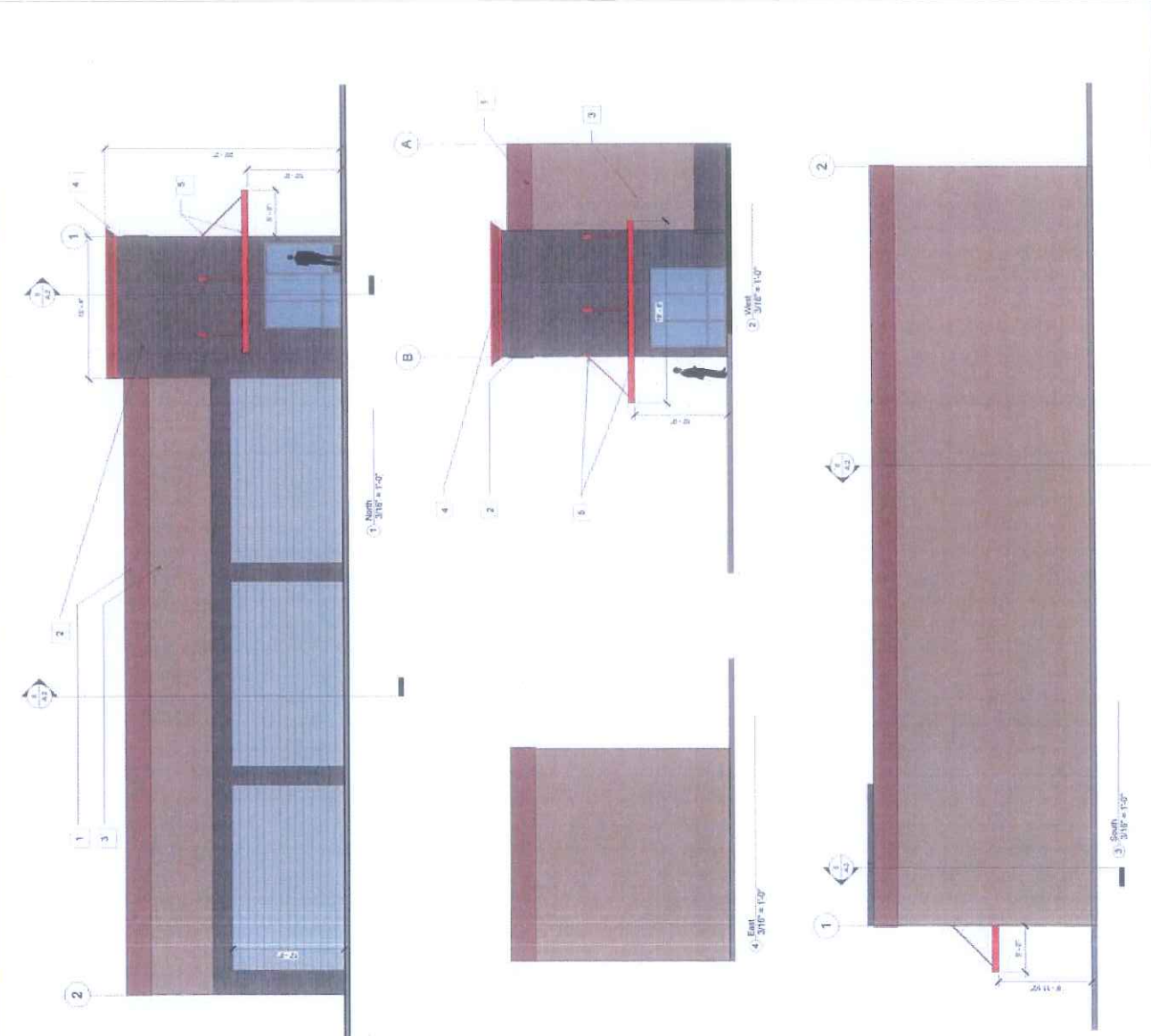
Job Description: Auto repair shop.
Job Address: 8110 Eastern ave, Bell Gardens, CA, 90210
Owner's Name: Alex

Stamps

Sheet Title
 Elevations

DRAWN	CHECKED
JAM	JAM
DATE	SCALE

A.2
 OF SHEETS

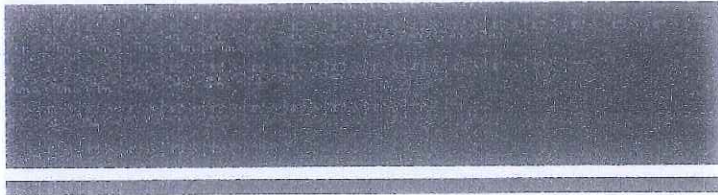


SCHEDULE OF EXTERIOR FINISHES:

1. BMAX16 Split-Face CMU by Onco. Color: Ludlow Red
2. BMAX18 Precision CMU by Onco. Color: Black 500
3. BMAX18 Precision CMU by Onco. Color: Multi-past
4. Lightweight form with smooth cement finish, 2" thick, Color: R60 by Behr
5. Metal channel, epoxy with internally illuminated acrylic canopy, Color: Red
6. Metal plate and fining, Color: by Behr
7. Volcanic ECC 40.3

EXHIBIT C

Request for Extension



Planning Commission Resolution Extension Request

10/04/2017

Abel Avalos
Director Of Community Development
City Of Bell Gardens
7100 Garfield Avenue
Bell Gardens, Ca 90201



Dear Abel Avalos :

I Hugo Alexander Zacarias, property owner of 8110 Eastern Ave would like to respectfully request a one year extension on Planning Commission Resolution # PC 2016-12 approving Site Plan Review No 2016-043 on October 19 2016. The reason for delay was misunderstanding between myself and the architect assisting me. All issues have been resolved and we plan to finalize the approval process shortly. I plan to apply for building permits early to mid 2018.

Sincerely,

Hugo Alexander Zacarias

Cell (323)250-2539

Fax (323)372-3789

Email zacarias1981@yahoo.com

EXHIBIT D

Letter to Residents



November 2, 2017

Dear Property Owner/Resident:

The Planning Commission will consider a request to grant a 12 month extension of Site Plan Review No. 2016-043 to allow the development of a new one-story 1,886 square foot automobile general repair building at 8110 Eastern Avenue, Bell Gardens. The new one-story 1,886 square foot building will include a 261 square foot lobby/customer waiting/bathroom space and a 1,625 square foot vehicle service area. The proposed project will also include a new concrete parking area, front and side yard landscaping, and trash enclosure structure. The proposed concrete-paved parking lot area will accommodate a total of five parking spaces, including one American with Disabilities Act (ADA) accessible parking space, as well as the overall improvement of the property. Site Plan Review No. 2016-043 was originally approved by the Planning Commission on October 19, 2016.

The meeting will be held on **Wednesday, November 15, 2017 at 6:00 p.m.** in the City of Bell Gardens Council Chambers at City Hall, 7100 Garfield Avenue, Bell Gardens, CA 90201.

Although this item does not require a public hearing by the Planning Commission, comments on the proposed project are welcome. You are encouraged to attend the scheduled meeting. However, if you are unable to attend and wish to make comments on the project, please contact me in the Community Development Department at (562) 806-7700, extension 7722, Monday through Thursday from 7:30 a.m. to 6:00 p.m. or you may submit your comments in writing to me at the following address: Community Development Department, 7100 Garfield Avenue, Bell Gardens, CA 90201.

We look forward to seeing you on November 15, 2017.

Sincerely,

CITY OF BELL GARDENS

Hailes H. Soto
Associate Planner