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# PLANNING COMMISSION

## CITY OF INDUSTRY

REGULAR MEETING AGENDA  
NOVEMBER 12, 2015 11:00 A.M.



CHAIRWOMAN ANDRIA WELCH  
VICE CHAIRMAN FRANK CONTRERAS  
COMMISSIONER JIM DIVERS  
COMMISSIONER BERT SPIVEY  
COMMISSIONER - VACANT

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*Location: City Council Chamber, 15651 East Stafford Street, City of Industry, California*

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### **Addressing the Planning Commission:**

- ▶ **Agenda Items:** Members of the public may address the Planning Commission on any matter listed on the Agenda. In order to conduct a timely meeting, there will be a three-minute time limit per person for any item listed on the Agenda. Anyone wishing to speak to the Planning Commission is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed card should be submitted to the Secretary prior to the Agenda item being called by the Secretary prior to the individual being heard by the Planning Commission.
- ▶ **Public Comments (Non-Agenda Items):** Anyone wishing to address the Planning Commission on an item not on the Agenda may do so during the "Public Comments" period. In order to conduct a timely meeting, there will be a three-minute time limit per person for the Public Comments portion of the Agenda. State law prohibits the Planning Commission from taking action on a specific item unless it appears on the posted Agenda. Anyone wishing to speak to the Planning Commission is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed card should be submitted to the Secretary prior to the Agenda item being called by the Secretary and prior to the individual being heard by the Planning Commission.

### **Americans with Disabilities Act:**

- ▶ In compliance with the ADA, if you need special assistance to participate in any City meeting (including assisted listening devices), please contact the City Clerk's Office (626) 333-2211. Notification of at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.

### **Agendas and other writings:**

- ▶ In compliance with SB 343, staff reports and other public records permissible for disclosure related to open session agenda items are available at City Hall, 15625 East Stafford Street, Suite 100, City of Industry, California, at the office of the City Clerk during regular business hours, Monday through Friday 9:00 a.m. to 5:00 p.m. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211.
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1. Call to Order
  2. Flag Salute
  3. Roll Call
  4. Public Comments
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5. Consideration of the minutes of the September 10, 2015 regular meeting, and September 24, 2015 special meeting.

*RECOMMENDED ACTION: Approve as submitted.*

6. **PUBLIC HEARINGS**

- 6.1 Public Hearing to consider amending Condition of Approval No. 5 of Conditional Use Permit (CUP) 14-7, for Lost Worlds Laser Tag, to preserve the ability of first responders to access video feeds but allow any vendor to be used for that service at 17545 Colima Road in the City of Industry

Consideration of Resolution No. PC 2015-18 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING CONDITION OF APPROVAL NO. 4 OF CONDITIONAL USE PERMIT NO. 14-7 AT 17545 COLIMA ROAD, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME

*RECOMMENDED ACTION: Adopt Resolution No. PC 2015-18.*

- 6.2 Public Hearing to consider amending Condition of Approval No. 5 of Conditional Use Permit (CUP) 14-10, for the AMC Theater, to preserve the ability of first responders to access video feeds but allow any vendor to be used for that service at 1560 Azusa Avenue in the City of Industry

Consideration of Resolution No. PC 2015-19 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING CONDITION OF APPROVAL NO. 5 OF CONDITIONAL USE PERMIT NO. 14-10 AT 1560 AZUSA AVENUE, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME

*RECOMMENDED ACTION: Adopt Resolution No. PC 2015-19.*

- 6.3 Public Hearing to consider Conditional Use Permit No. 15-12 submitted by Verizon Wireless to establish and operate a 60 foot tall wireless telecommunications facility located at 18061 Valley Boulevard in the City of Industry

- a. Consideration of Resolution No. PC 2015-20 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA MAKING FINDINGS AND ADOPTING THE NEGATIVE DECLARATION FOR THE CONSTRUCTION OF A 60 FOOT TALL WIRELESS TELECOMMUNICATIONS FACILITY AT 18061 VALLEY BOULEVARD, CITY OF INDUSTRY, CALIFORNIA, WITHIN THE “C” COMMERCIAL ZONE

*RECOMMENDED ACTION: Adopt Resolution No. PC 2015-20.*

- b. Consideration of Resolution No. PC 2015-21 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 15-12 TO ALLOW THE ESTABLISHMENT AND OPERATION OF A 60 FOOT TALL WIRELESS TELECOMMUNICATIONS FACILITY AT 18061 VALLEY BOULEVARD, CITY OF INDUSTRY, CALIFORNIA, WITHIN THE "C" COMMERCIAL ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

*RECOMMENDED ACTION: Adopt Resolution No. PC 2015-21.*

- 6.4 Public Hearing to consider Conditional Use Permit No. 15-13 submitted by Verizon Wireless to relocate existing base equipment for a wireless telecommunications facility from the public right-of-way to private property located at 14711 Clark Avenue in the City of Industry

Consideration of Resolution No. PC 2015-22 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 15-13 TO ALLOW THE RELOCATION OF EXISTING GROUND EQUIPMENT FOR A WIRELESS TELECOMMUNICATIONS FACILITY FROM THE PUBLIC RIGHT-OF-WAY TO PRIVATE PROPERTY AT 14711 CLARK AVENUE, CITY OF INDUSTRY, CALIFORNIA, WITHIN THE "M" MANUFACTURING ZONE, AND THE NOTICE OF EXEMPTION REGARDING SAME

*RECOMMENDED ACTION: Adopt Resolution No. PC 2015-22.*

- 7. Adjournment. Next regular meeting: Thursday, December 10, 2015 at 11:00 a.m.

*PLANNING COMMISSION*

ITEM NO. 5

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PLANNING COMMISSION REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
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**CALL TO ORDER**

The Regular Meeting of the Planning Commission of the City of Industry, California, was called to order by Commissioner Andria Welch at 11:00 a.m. in the City of Industry Council Chamber, 15651 East Stafford Street, City of Industry, California.

**FLAG SALUTE**

The flag salute was led by Commissioner Andria Welch

**ROLL CALL**

PRESENT: Andria Welch, Commissioner  
Abraham Cruz, Commissioner  
Frank Contreras, Commissioner  
Jim Divers, Commissioner  
Bert Spivey, Commissioner

STAFF PRESENT: Paul J. Philips, City Manager; Bianca Sparks, Assistant City Attorney; Brian James, Planning Director; and Cecelia Dunlap, Secretary.

**PUBLIC COMMENTS**

There were no public comments.

**CONSIDERATION OF APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN**

Secretary Dunlap opened the nominations for Chairman.

MOTION BY COMMISSIONER SPIVEY, AND SECOND BY COMMISSIONER DIVERS TO NOMINATE COMMISSIONER WELCH AS CHAIRWOMAN. MOTION CARRIED 5-0.

Secretary Dunlap opened the nominations for Vice Chairman.

MOTION BY COMMISSIONER SPIVEY, AND SECOND BY CHAIRWOMAN WELCH TO NOMINATE COMMISSIONER CONTRERAS AS VICE CHAIRMAN. MOTION CARRIED 5-0.

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**CONSIDERATION OF THE MINUTES OF THE JUNE 11, 2015 REGULAR MEETING**

MOTION BY COMMISSIONER SPIVEY, AND SECOND BY VICE CHAIRMAN CONTRERAS TO APPROVE AS SUBMITTED. MOTION CARRIED 5-0.

**PUBLIC HEARING REGARDING CONDITIONAL USE PERMIT NO. 14-8, SUBMITTED BY GOLDEN PHOENIX RESTAURANT, TO ESTABLISH A FULL-SERVICE RESTAURANT WITH ALCOHOL SERVICE (TYPE 41 ABC LICENSE) FOR BEER AND WINE IN THE COMMERCIAL ZONE AND AN ACCOMPANYING NEGATIVE DECLARATION AT 17919 GALE AVENUE**

MOTION BY VICE CHAIRMAN CONTRERAS, AND SECOND BY COMMISSIONER SPIVEY TO OPEN THE PUBLIC HEARING. MOTION CARRIED 5-0.

Senior Planner Helling presented a staff report to the Planning Commission.

Chairwoman Welch inquired if anyone wished to be heard on the matter. There were no comments.

MOTION BY VICE CHAIRMAN CONTRERAS, AND SECOND BY COMMISSIONER SPIVEY TO CLOSE THE PUBLIC HEARING. MOTION CARRIED 5-0.

**CONSIDERATION OF RESOLUTION NO. PC 2015-14 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 14-8 TO ALLOW A FULL-SERVICE RESTAURANT WITH ALCOHOL SERVICE AT 17919 GALE AVENUE, CITY OF INDUSTRY, CALIFORNIA, WITHIN A "C" – COMMERCIAL ZONE, MAKING FINDINGS IN SUPPORT THEREOF AND ISSUING A NEGATIVE DECLARATION**

MOTION BY VICE CHAIRMAN CONTRERAS, AND SECOND BY COMMISSIONER DIVERS TO APPROVE RESOLUTION NO. PC 2015-14. MOTION CARRIED 5-0.

**PUBLIC HEARING REGARDING CONDITIONAL USE PERMIT NO. 15-11, SUBMITTED BY NAIL'D IT, TO ESTABLISH A NAIL SALON IN THE INDUSTRIAL - COMMERCIAL OVERLAY ZONE AT 115458 VALLEY BOULEVARD**

MOTION BY VICE CHAIRMAN CONTRERAS, AND SECOND BY COMMISSIONER SPIVEY TO OPEN THE PUBLIC HEARING. MOTION CARRIED 5-0.

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Senior Planner Helling presented a staff report to the Planning Commission.

Chairwoman Welch inquired if anyone wished to be heard on the matter. There were no comments.

MOTION BY VICE CHAIRMAN CONTRERAS, AND SECOND BY COMMISSIONER CRUZ TO CLOSE THE PUBLIC HEARING. MOTION CARRIED 5-0.

**CONSIDERATION OF RESOLUTION NO. PC 2015-15 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 15-11 TO ALLOW A NAIL SALON IN THE "MC" MANUFACTURING/COMMERCIAL OVERLAY ZONE LOCATED AT 15458 VALLEY BOULEVARD, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME**

MOTION BY COMMISSIONER SPIVEY, AND SECOND BY VICE CHAIRMAN CONTRERAS TO APPROVE RESOLUTION NO. PC 2015-15. MOTION CARRIED 5-0.

**ADJOURNMENT**

There being no further business, the Planning Commission adjourned at 11:24 a.m.

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ANDRIA WELCH  
CHAIRWOMAN

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CECELIA DUNLAP  
SECRETARY

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PLANNING COMMISSION SPECIAL MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
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**CALL TO ORDER**

The Special Meeting of the Planning Commission of the City of Industry, California, was called to order by Vice Chairman Contreras at 11:00 a.m. in the City of Industry Council Chamber, 15651 East Stafford Street, City of Industry, California.

**FLAG SALUTE**

The flag salute was led by Vice Chairman Contreras.

**ROLL CALL**

PRESENT: Frank Contreras, Vice Chairman  
Jim Divers, Commissioner  
Bert Spivey, Commissioner

ABSENT: Andria Welch, Chairwoman

STAFF PRESENT: Bianca Sparks, Assistant City Attorney; Brian James, Planning Director; and Cecelia Dunlap, Secretary.

**PUBLIC COMMENTS**

There were no public comments.

Secretary Dunlap announced that the Public Hearing for Development Plan No. 15-10 and Zone Exception No. 15-2 had been cancelled.

Assistant City Attorney Sparks announced that the City Council recently appointed Commissioner Cruz to the position of Council Member and he therefore vacated his position on the Planning Commission.

**CONSIDERATION OF THE MINUTES OF THE JULY 9, 2015 REGULAR MEETING**

MOTION BY COMMISSIONER SPIVEY, AND SECOND BY COMMISSIONER DIVERS TO APPROVE AS SUBMITTED. MOTION CARRIED 3-0, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS: SPIVEY, DIVERS, CONTRERAS

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NOES: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: WELCH  
ABSTAIN: COMMISSIONERS: NONE

**PUBLIC HEARING REGARDING CONDITIONAL USE PERMIT NO. 15-6, SUBMITTED BY YOSEMITE WINE AND SPIRIT INTERNATIONAL TRADE GROUP, TO ESTABLISH ALCOHOL BEVERAGE TASTING IN CONJUNCTION WITH THEIR EXISTING RETAIL WINE SALES AT 18558 GALE AVENUE #178**

MOTION BY COMMISSIONER SPIVEY AND SECOND BY COMMISSIONER DIVERS TO OPEN THE PUBLIC HEARING. MOTION CARRIED 3-0.

Senior Planner Helling presented a staff report to the Planning Commission.

Vice Chairman Contreras inquired if anyone wished to be heard on the matter. There were no comments.

MOTION BY VICE COMMISSIONER SPIVEY AND SECOND BY COMMISSIONER DIVERS TO CLOSE THE PUBLIC HEARING. MOTION CARRIED 3-0.

**CONSIDERATION OF RESOLUTION NO. PC 2015-17 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 15-6 TO ALLOW ALCOHOL BEVERAGE TASTING AT A RETAIL WINE STORE LOCATED 18558 GALE AVENUE #178, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME**

MOTION BY COMMISSIONER DIVERS, AND SECOND BY COMMISSIONER SPIVEY TO APPROVE RESOLUTION NO. PC 2015-17. MOTION CARRIED 3-0, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS: SPIVEY, DIVERS, CONTRERAS  
NOES: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: WELCH  
ABSTAIN: COMMISSIONERS: NONE

**ADJOURNMENT**

There being no further business, the Planning Commission adjourned at 11:13 a.m.

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ANDRIA WELCH  
CHAIRWOMAN

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CECELIA DUNLAP  
SECRETARY

*PLANNING COMMISSION*

ITEM NO. 6.1



# CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

## MEMORANDUM

To: Planning Commission

November 5, 2015

From: Paul J. Philips, City Manager

Staff: Brian James, Planning Director

### **Subject: Revise Conditional Use Permit 14-7**

This is a request from Staff to amend a condition of approval for Conditional Use Permit (CUP) 14-7 (Lost Worlds). The amendment of a CUP occurs in the same manner as the original approval with a noticed public hearing of the Planning Commission.

On September 11, 2014, the Planning Commission adopted Resolution No. PC-2014-10 (Attachment 1) approving CUP 14-7 for Lost Worlds, a family entertainment center featuring laser tag, soft play area, video arcade, reservable party room, a fast-food restaurant with 80 seats, and beer and wine service. Lost Worlds is located at 17545 Colima Road.

Condition of Approval No. 4 required that, "Security cameras, connected to the PSO system, will be installed to provide complete coverage inside the facility."

This condition of approval was enacted at a time when the City was funding a program operated through the Industry Manufactures Council (IMC) that provided equipment allowing access to the Public Safety Online (PSO) system. The PSO system allows first responders to view private surveillance cameras using wireless internet access. While the goals of the PSO system are not in question, it has been determined that it is not appropriate for City funds to be used to benefit private companies or a specific vendor. Accordingly, Condition of Approval No. 4 cannot be enforced.

Staff is requesting that Condition of Approval No. 4 be revised to state: "Within 90 days of the opening of Lost Worlds, security cameras, which are connected to a system allowing local law-enforcement access to video surveillance feeds, will be installed to provide coverage inside the facility. The video feeds may be live or an acceptable alternative and shall be compatible with and approved by the Los Angeles Sheriff's Department prior to installation."

The intent of the revised condition is to preserve the ability of first responders to access video feeds in real time – or near to it – but allow the business to utilize any vendor or system that satisfies the condition.

## **Environmental Analysis**

Section 15061(b)(3) of the CEQA Guidelines exempts projects covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Allowing the applicant to select the particular vendor to provide the system allowing first responders to access video feeds from security cameras would not create any public health or safety hazards, would not have a significant impact on the resources or services within the surrounding area, and would not have a significant effect on the environment. After approval, a Notice of Exemption (Attachment 2) will be transmitted to the Los Angeles County Clerk for posting per the requirements of CEQA.

## **Public Hearing**

The required Public Hearing Notice (Attachment 3) was posted on the site, Fire Station 118, City Hall, Council Chambers, distributed to surrounding property owners within 300 feet of the site, and published in the San Gabriel Tribune on October 30, 2015.

## **Recommendation**

Staff recommends that the Planning Commission approve Resolution No. PC 2015-18 with the revised Condition of Approval No. 4 (Attachment 4) and direct staff to file the Notice of Exemption.

## **Attachments**

- Attachment 1: Resolution No. PC-2014-10
- Attachment 2: Notice of Exception
- Attachment 3: Public Hearing Notice
- Attachment 4: Resolution No. PC 2015-18

# **Attachment 1**

**Resolution No. PC-2014-10**

## RESOLUTION NO. PC-2014-10

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVIING CONDITIONAL USE PERMIT NO. 14-7 TO ALLOW THE ESTABLISHMENT OF AN INDOOR CHILDREN'S PLAY FACILITY AND A FAST-FOOD RESTAURANT WITH 50 OR MORE SEATS, INCLUDING ALCOHOL BEVERAGE SERVICE, LOCATED AT 17545 COLIMA ROAD, WITHIN A "C" – COMMERCIAL ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, Lost Worlds Entertainment, Inc., a California corporation, has filed an application for a Conditional Use Permit to operate an indoor children's play facility and a fast-food restaurant with 50 or more seats, including alcohol beverage service, within an existing 18,090 square foot commercial suite within the Puente Hills East shopping center (the "Application"), located at 17545 Colima Road, City of Industry, within a "C"-Commercial Zone (the "Site"); and,

**WHEREAS**, the use proposed in the Application is allowed subject to the issuance of a Conditional Use Permit in the "C"-Commercial Zone; and,

**WHEREAS**, the Site is more particularly shown on the map attached hereto as Exhibit "A" and incorporated herein by this reference; and,

**WHEREAS**, an Initial Study and Negative Declaration were prepared in accordance with the requirements of the California Environmental Quality Act ("CEQA"), California Public Resources Code section 21000 *et seq.*, the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections 15000 *et seq.*, and the Environmental Impact Report Guidelines of the City of Industry, and the Planning Commission has exercised its independent judgment when considering said Initial Study and Negative Declaration and all public comments received in connection therewith; and,

**WHEREAS**, said Initial Study and Negative Declaration and all related environmental documents forming the basis for this Negative Declaration and Resolution are located in, and in the custody of, the Office of the City Clerk, City of Industry; and,

**WHEREAS**, on September 11, 2014, the Planning Commission of the City of Industry conducted a duly noticed public hearing in connection with the Application and the Negative Declaration and considered all evidence, oral and written; and,

**WHEREAS**, all legal prerequisites have occurred prior to the adoption of this Resolution.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF INDUSTRY DOES RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:**

**SECTION 1.** The Planning Commission hereby finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

**SECTION 2.** Based upon the Initial Study and Negative Declaration prepared for the project referenced in the Application, the Planning Commission exercises its independent judgment and finds that no substantial evidence exists that the approval of the Application, as conditioned hereby, will have a significant effect on the environment within the meaning of CEQA and hereby approves the issuance of the Negative Declaration prepared with respect to the Application.

**SECTION 3.** Pursuant to the requirements of the Industry Municipal Code, Section 17.48.050, the Planning Commission hereby finds, based upon the substantial evidence contained in the record, including the written and oral staff reports presented to the Planning Commission with respect to the Application, as well as all other written and oral testimony submitted at the September 11, 2014 public hearing, as follows:

A. The proposed use is consistent with the goals and objectives of the General Plan as it is an indoor children's play facility and a fast food restaurant which will include the sale of alcoholic beverages, that will be compatible with, and complimentary to, the existing commercial uses in the commercial center where located; and,

B. The Site is within an "C"-Commercial Zone, which zone permits, with the issuance of a conditional use permit, an indoor children's play facility and a fast food restaurant with 50 or more seats, including the sale of alcoholic beverages (Industry Municipal Code, Section 17.12.025, sub-sections 7 and 12) and, thus, the site is appropriately zoned for the proposed use; and,

C. The Site is located in an existing commercial center which has been developed with adequate parking and will be constructed to all applicable development standards. Accordingly, the Site is adequate in size, shape, topography and location for the proposed use and there will be adequate utilities to accommodate the proposed use; and,

D. There will be adequate street access, traffic circulation, and parking capacity for the proposed use; and,

E. The proposed use is compatible with the surrounding properties and uses, taking into account the potential for changes in the uses of surrounding properties; and,

F. The proposed use will not be detrimental to the public health, safety or general welfare.

**SECTION 4.** The Planning Commission hereby approves the Application subject to the conditions and standard code requirements set forth in Exhibit "B" attached hereto and incorporated herein by this reference and in accordance with the plans submitted in conjunction with the Application.

**SECTION 5.** The Secretary of the Planning Commission is directed to certify to the adoption of this Resolution.

**APPROVED** by the Planning Commission of the City of Industry at a regular meeting held on September 11, 2014.

  
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~~Manuel Rerez~~ **MARK RADECKI, VICE CHAIRMAN**  
~~Chairman~~

**ATTEST:**

  
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Jodi L. Scrivens  
Secretary

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss.  
CITY OF INDUSTRY )

PLANNING COMMISSION  
SECRETARY'S CERTIFICATION  
RE: ADOPTION OF PLANNING  
COMMISSION RESOLUTION

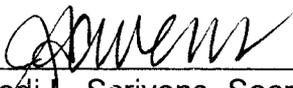
I, Jodi L. Scrivens, Secretary of the City of Industry Planning Commission, do hereby certify that the foregoing Resolution No. PC 2014-10 was duly passed and adopted at a regular meeting of the Planning Commission of the City of Industry on September 11, 2014, by the following vote, to wit:

AYES: PLANNING COMMISSIONERS: Contreras, Spivey, Welch, VC/Radecki

NOES: PLANNING COMMISSIONERS: None

ABSENT: PLANNING COMMISSIONERS: C/Perez

ABSTAIN: PLANNING COMMISSIONERS: None

  
\_\_\_\_\_  
Jodi L. Scrivens, Secretary  
Planning Commission  
City of Industry, California

# EXHIBIT A CUP 14-7 Location Map



--- Project Site

--- City Boundary

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# CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

## EXHIBIT B

### Standard Requirements and Conditions of Approval

**Application:** Conditional Use Permit 14-7 – Lost World Laser Tag

**Applicant:** Lost Worlds Entertainment, Inc.

**Location:** 17545 Colima Road

### Conditions of Approval

*Conditions of approval are unique provisions, beyond the requirements of law, the municipal code, or standard practices that are applied to a project by the Planning Commission per Section 17.48.060 of the Zoning Code. Please note that if the design of your project or site conditions change, the conditions of approval may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. Alcoholic beverages will only be permitted in the café and party room.
2. Prior to operation, physical barriers, such as low walls, fences, screens, shall be installed demarking the café area. In addition, signage noting that alcohol is prohibited outside of the café area and party room shall be installed prior to operation.
3. Colored wrist bands, or other means to allow clear identification, will be utilized to identify patrons who have provided proof of legal drinking age.
4. Security cameras, connected to the PSO system, will be installed to provide complete coverage inside the facility.
5. If there are multiple police actions and/or complaints, the Planning Director shall give notice to the applicant that an on-site, security officer, licensed by the State of California, shall be hired by the business to police the facility during evening and night time operating hours.
6. Prior to operation, the manager shall provide proof of the License Education on Alcohol and Drugs (LEAD) training by the California Department of Alcoholic Beverage Control for its managers.
7. The party room will not be equipped with doors or permanent or temporary room dividers as depicted on the approved floor plan.
8. The private room will be illuminated to allow full view from the common areas during operating hours.
9. Physical barriers, such as stanchions or gates, shall be installed at the main access point to

control entry and exit.

10. Minors shall not exit the premises unless accompanied by a parent or guardian.
11. Prior to operation, the 50 parking spaces located immediately west of the current office building and within the former bank drive-isle will be striped as shown on the approved plans for CUP 11-6 stamped and dated March 20, 2012.

### **Code Requirements and Standards**

*The following is a list of code requirements and standards deemed applicable to the proposed project. The list is intended to assist the applicant by identifying requirements that must be satisfied during the various stages of project permitting, implementation, and operation. It should be noted that this list is in addition to any "conditions of approval" adopted by the Planning Commission and noted above. Please note that if the design of your project or site conditions change, the list may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. The entire premise is subject to inspection by the Los Angeles County Sheriff's Department and/or City representative at any reasonable time without prior notification.
2. Off-street parking shall be provided at all times in accordance with the originally approved site plan and shall be maintained in a clean and attractive manner (trash, litter, or other materials shall be removed regularly).
3. All landscaped areas shall be maintained in accordance with the originally approved landscaped plan and in a healthy and well-kept condition and kept weed free.
4. All trash containers shall be kept inside a building or in a designated trash enclosure.
5. Emergency fire facilities (hydrants) shall be kept free and unobstructed at all times.
6. All mechanical equipment shall be screened from public view.
7. No outside storage of any personal property, building materials, or other property not permanently affixed to the real property shall be allowed, unless approved by the Planning Director.
8. No outside display of goods, wares, or merchandise shall be permitted, unless approved by the Planning Director.
9. Any graffiti painted or marked upon the premises or any adjacent area under the control of the permittee shall be removed or painted over within 72 hours of being applied.
10. Adequate lighting will be provided in the parking areas at all times in accordance with the originally approved site plan.
11. The permittee shall keep the property adjacent to the permitted premises and under control of the permittee, clear of newspaper racks, benches, pay telephones, and any other objects which may encourage loitering.
12. The hours of operation shall be restricted to those as stated on the application or as subsequently approved by the Planning Director and/or Planning Commission.

13. There shall be no adult entertainment, male or female performers or fashion shows permitted on the premises at any time.
14. No X-rated or adult films shall be maintained or shown anywhere on the premises.
15. The permittee shall not permit "Taxi Dancing" to occur on the permitted premises wherein partners are provided for dancing or social purposes.
16. No dancing or live entertainment by employees or customers will be permitted at any time.
17. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the permittee provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions, or guests of and for the customers.
18. No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while in the premise.
19. No non-prescription drugs or drug paraphernalia shall be on the premises at any time.
20. No video games as defined in Industry Municipal Code Chapter 9.26 shall be permitted on the premise at any time.
21. All signs, banners, pennants, flags or other outside advertising materials or structures must be approved by the City.
22. Permittee will be held responsible for acquainting all employees with these rules and all local, county, state, or federal laws.
23. No changes to the approved floor plan shall be permitted without written permission from both the Los Angeles County Sheriff's Department and the City of Industry.
24. The noise level created by the business shall not exceed the following at the property line of any adjacent or nearby residential land use, hospital, school in session, church or public library as measured by a sound level meter:
  - (a) 55 dBA between 7:00 a.m. - 10:00 p.m.  
50 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 30 minutes in any hour;
  - (b) 60 dBA between 7:00 a.m. - 10:00 p.m.  
55 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 15 minutes in any hour;
  - (c) 65 dBA between 7:00 a.m. - 10:00 p.m.  
60 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 5 minutes in any hour;
  - (d) 70 dBA between 7:00 a.m. - 10:00 p.m.  
65 dBA between 10:00 p.m. - 7:00 a.m.

at any time.

25. Any violation of these conditions or any local, county, state or federal laws shall constitute grounds for revocation or suspension of the Conditional Use Permit.
26. No outside cooking, food preparation, or sales of product or merchandise, unless approved in advance by the Planning Director.

### **Interpretation and Enforcement**

1. The Planning Department, Engineering Department, and contract agencies (Los Angeles County Fire Department, Los Angeles Department of Building and Safety) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval.
2. The Planning Director may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of Industry Municipal Code.

# **Attachment 2**

## **Notice of Exception**

## NOTICE OF EXEMPTION

**To:** County Clerk  
County of Los Angeles  
Environmental Filings  
12400 East Imperial Highway #2001  
Norwalk, CA 90650

**From:** City of Industry  
15625 E. Stafford Street, Suite 100  
City of Industry, CA 91744

**Project Title:** Amendment of condition of approval for CUP 14-7, Lost Worlds

**Project Location - Specific:** 17545 Colima Road, Industry, California (APN 8265-062-026)

**Project Location-City:** City of Industry **Project Location-County:** Los Angeles

**Description of Project:** Revise condition of approval #4 such that it preserves the original intent of allowing first responders to access video feeds in real time – or near to it – while allowing businesses to utilize any vendor or system that is compatible with the Los Angeles County Sheriff's Department needs.

**Name of Public Agency Approving Project:** Planning Commission, City of Industry

**Name of Person or Agency Carrying Out Project:** City of Industry

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

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. *State type and section number:*
- Statutory Exemptions. *State code number:*
- General Rule Exemption (Sec. 15061): *State type and section number:* 15061(b)(3)

**Reasons why project is exempt:** Section 15061(b)(3) of the CEQA Guidelines exempts projects covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Allowing applicants to select the particular vendor to provide the system allowing first responders to access video feeds from security cameras would not create any public health or safety hazards, would not have a significant impact on the resources or services within the surrounding area, and would not have a significant effect on the environment.

**Lead Agency**

**Contact Person:** Brian James

**Telephone:** (626) 333-2211

**Signature:** \_\_\_\_\_

**Date:**

**Title:** Planning Director

# **Attachment 3**

## **Public Hearing Notice**

## NOTICE OF PUBLIC HEARING

### Amendment to Conditional Use Permit No. 14-7

On October 30, 2015, notice has been given that the Planning Commission of the City of Industry shall hold a public hearing to consider amending Condition of Approval No. 5 of Conditional Use Permit (CUP) 14-7 for Lost Worlds Laser Tag at 17545 Colima Road in the City of Industry. The intent of the amended Condition of Approval is to preserve the ability of first responders to access video feeds in real time but allow businesses to utilize any vendor/system to provide the video feed service.

A copy of all relevant material, including the original Conditional Use Permit, is on file in the City Administrative Offices, 15625 East Stafford Street, Suite 100, City of Industry, California 91744.

The time, date and place of such hearing shall be as follows:

Time: 11:00 a.m.  
Date: November 12, 2015  
Place: City Council Chamber  
15651 East Stafford Street  
City of Industry, CA 91744

Any person wishing to be heard regarding this matter may appear at the above time, date and place. Written comments may be sent via U.S. Mail or by hand delivery to the City of Industry, at 15625 Stafford Street, Suite 100, City of Industry, CA 91744.

If you challenge the conditional use permit 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 of the City of Industry at, or prior to, the public hearing.

  
Cecelia Dunlap  
Deputy City Clerk of the City of Industry

# **Attachment 4**

**Resolution No. PC 2015-18**

## RESOLUTION NO. PC 2015-18

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING CONDITION OF APPROVAL NO. 4 OF CONDITIONAL USE PERMIT NO. 14-7 AT 17545 COLIMA ROAD, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME

#### RECITALS

**WHEREAS**, on September 11, 2014, the Planning Commission adopted Resolution No. PC 2014-10 approving Conditional Use Permit (“CUP”) No. 14-7 for Lost Worlds (“Business”), a family entertainment center featuring laser tag, soft play area, video arcade, reservable party room, a fast-food restaurant with 80 seats, and beer and wine service, located at 17545 Colima Road (“Property”); and

**WHEREAS**, CUP 14-7 includes Condition of Approval No. 4, which states, “Security cameras, connected to the PSO system, will be installed to provide complete coverage inside the facility;” and

**WHEREAS**, the Public Safety Online (“PSO”) is a privately owned system that allows first responders to view private surveillance cameras using wireless internet access. Through the Industry Manufactures Council (“IMC”), equipment was provided to businesses so that they could connect to PSO’s system; and

**WHEREAS**, it was later determined that a condition of approval should not be structured such that it specifies a particular vendor or benefits a particular company; and

**WHEREAS**, Condition of Approval No. 4 is proposed to be revised to state: “Within 90 days of the opening of Lost Worlds, security cameras, which are connected to a system allowing local law-enforcement access to video surveillance feeds, will be installed to provide coverage inside the facility. The video feeds may be live or an acceptable alternative and shall be compatible with and approved by the Los Angeles Sheriff’s Department prior to installation;” and

**WHEREAS**, the amendment of Condition of Approval No. 4 was determined not to have a significant impact on the environment and is categorically exempt from the California Environmental Quality Act (“CEQA”), pursuant to Section 15061(b)(3) of the CEQA Guidelines which exempts projects covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

**WHEREAS**, notice of the Planning Commission's November 12, 2015 public hearing on amending Condition of Approval No. 4 of CUP No. 14-7 was published in *The San Gabriel Valley Tribune* on October 30, 2015, in compliance with the City's Municipal Code and Government Code Section 65091, and was posted at the Property and at three public places on October 30, 2015; and

**WHEREAS**, the notice of the Planning Commission's November 12, 2015, public hearing on amending Condition of Approval No. 4 of CUP No. 14-7 was also mailed to property owners within 300 feet of the Property on October 30, 2015; and

**WHEREAS**, on November 12, 2015, the Planning Commission of the City of Industry conducted a duly noticed public hearing on the revision to Condition of Approval No. 4, and considered all testimony written and oral; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW THEREFORE**, it is hereby found, determined and resolved by the Planning Commission of the City of Industry as follows:

**SECTION 1.** The Planning Commission hereby finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

**SECTION 2.** All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law and the Municipal Code of the City of Industry.

**SECTION 3.** Upon independent review and consideration of the information contained in the Staff Report and the Notice of Exemption for the amendment to Conditional Use Permit Application No. 14-7, the Planning Commission hereby finds and determines that amending Condition of Approval No. 4 of Conditional Use Permit No. 14-7 will not result in or have a significant impact on the environment, because allowing a business operator to select the vendor that would provide the system allowing first responders to access video feeds from security cameras would not create any public health or safety hazards, would not have a significant impact on the resources or services within the surrounding area, and would not have a significant effect on the environment. Therefore, the proposed project is categorically exempt from the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 *et seq.*), pursuant to Section 15061(b)(3) (Title 14, Chapter 3 of the California Code of Regulations). Based on these findings, the Planning Commission adopts the Notice of Exemption and directs staff to file same as required by law.

**SECTION 4.** Based upon substantial evidence presented to the Planning Commission during the November 12, 2015, public hearing, including public testimony and written and oral staff reports, this Commission finds as follows:

A. The proposed amended Condition of Approval No. 4 is consistent with the goals and objectives of the General Plan. The General Plan designates the site as Commercial, including retail and entertainment uses. The Zoning Ordinance, which implements the General Plan, allows for retail, restaurant with alcohol service, and entertainment uses with approval of a CUP, which occurred for Lost Worlds on September 11, 2014. The revised Condition of Approval No. 4 clarifies a condition of approval to ensure the Business will operate in a manner consistent with the General Plan's policies related to public safety by allowing the Sheriff Department to monitor video feeds in emergency situations.

B. The Property is adequate in size and shape, topography and location, to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Sections 17.20.060 and 17.36.060 of the Municipal Code, and there are adequate utilities to accommodate the proposed use. The Property complies with the development standards outlined in Chapter 17.36, Zoning Code of the Industry Municipal Code and the revised Condition of Approval No. 4 does not involve any physical changes to the Property and there will be no increased demands placed upon the existing water, gas, electricity, and sewer utilities that adequately serve the site.

C. The nature, condition and proposed development of adjacent uses, buildings and structures has been considered, and the proposed revised Condition of Approval No. 4 will not adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare, in that the surrounding area is composed of other similar commercial uses. The revised Condition of Approval No. 4 will clarify the manner in which the Business may provide a system that allows the Sheriff Department to monitor video feeds and respond to emergency situations.

D. The Property is served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate. There is no expansion of the Property's footprint and the Property is currently served by Colima Road, which is of adequate capacity to serve the Business. The revised Condition of Approval No. 4 will clarify the manner in which the Business may provide a system that allows the Sheriff Department to monitor video feeds and respond to emergency situations.

E. The revised Condition of Approval No. 4 is compatible with surrounding properties and uses because the surrounding area is composed of commercial uses. The uses of the surrounding properties may change, but the character will remain commercial in nature consistent with the general plan and zoning designations of the site. The revised Condition of Approval No. 4 will clarify the manner in which the Business may provide a system that allows the Sheriff Department to monitor video feeds and respond to emergency situations.

Based upon the foregoing findings, the Planning Commission hereby approves the amendment to Condition of Approval No. 4 for CUP No. 14-7, subject to the conditions contained in Exhibit "A".

**SECTION 5.** The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

**SECTION 6.** That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Industry at a regular meeting held on November 12, 2015 by the following vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

---

Andria Welch  
Chairwoman

**ATTEST:**

---

Cecelia Dunlap  
Secretary



# CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

## EXHIBIT A REVISED

### Standard Requirements and Conditions of Approval

**Application:** Conditional Use Permit 14-7 – Lost World Laser Tag

**Applicant:** Lost Worlds Entertainment, Inc.

**Location:** 17545 Colima Road

### Conditions of Approval

*Conditions of approval are unique provisions, beyond the requirements of law, the municipal code, or standard practices that are applied to a project by the Planning Commission per Section 17.48.060 of the Zoning Code. Please note that if the design of your project or site conditions change, the conditions of approval may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. Alcoholic beverages will only be permitted in the café and party room.
2. Prior to operation, physical barriers, such as low walls, fences, screens, shall be installed demarking the café area. In addition, signage noting that alcohol is prohibited outside of the café area and party room shall be installed prior to operation.
3. Colored wrist bands, or other means to allow clear identification, will be utilized to identify patrons who have provided proof of legal drinking age.
4. ~~Security cameras, connected to the PSO system, will be installed to provide complete coverage inside the facility.~~ Within 90 days of the opening of Lost Worlds, security cameras, which are connected to a system allowing local law-enforcement access to video surveillance feeds, will be installed to provide coverage inside the facility. The video feeds may be live or an acceptable alternative and shall be compatible with and approved by the Los Angeles Sheriff's Department prior to installation.
5. If there are multiple police actions and/or complaints, the Planning Director shall give notice to the applicant that an on-site, security officer, licensed by the State of California, shall be hired by the business to police the facility during evening and night time operating hours.
6. Prior to operation, the manager shall provide proof of the License Education on Alcohol and Drugs (LEAD) training by the California Department of Alcoholic Beverage Control for its managers.
7. The party room will not be equipped with doors or permanent or temporary room dividers as depicted on the approved floor plan.

8. The private room will be illuminated to allow full view from the common areas during operating hours.
9. Physical barriers, such as stanchions or gates, shall be installed at the main access point to control entry and exit.
10. Minors shall not exit the premises unless accompanied by a parent or guardian.
11. Prior to operation, the 50 parking spaces located immediately west of the current office building and within the former bank drive-isle will be striped as shown on the approved plans for CUP 11-6 stamped and dated March 20, 2012.

### **Code Requirements and Standards**

*The following is a list of code requirements and standards deemed applicable to the proposed project. The list is intended to assist the applicant by identifying requirements that must be satisfied during the various stages of project permitting, implementation, and operation. It should be noted that this list is in addition to any "conditions of approval" adopted by the Planning Commission and noted above. Please note that if the design of your project or site conditions change, the list may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. The entire premise is subject to inspection by the Los Angeles County Sheriff's Department and/or City representative at any reasonable time without prior notification.
2. Off-street parking shall be provided at all times in accordance with the originally approved site plan and shall be maintained in a clean and attractive manner (trash, litter, or other materials shall be removed regularly).
3. All landscaped areas shall be maintained in accordance with the originally approved landscaped plan and in a healthy and well-kept condition and kept weed free.
4. All trash containers shall be kept inside a building or in a designated trash enclosure.
5. Emergency fire facilities (hydrants) shall be kept free and unobstructed at all times.
6. All mechanical equipment shall be screened from public view.
7. No outside storage of any personal property, building materials, or other property not permanently affixed to the real property shall be allowed, unless approved by the Planning Director.
8. No outside display of goods, wares, or merchandise shall be permitted, unless approved by the Planning Director.
9. Any graffiti painted or marked upon the premises or any adjacent area under the control of the permittee shall be removed or painted over within 72 hours of being applied.
10. Adequate lighting will be provided in the parking areas at all times in accordance with the originally approved site plan.
11. The permittee shall keep the property adjacent to the permitted premises and under control of the permittee, clear of newspaper racks, benches, pay telephones, and any other objects which

may encourage loitering.

12. The hours of operation shall be restricted to those as stated on the application or as subsequently approved by the Planning Director and/or Planning Commission.
13. There shall be no adult entertainment, male or female performers or fashion shows permitted on the premises at any time.
14. No X-rated or adult films shall be maintained or shown anywhere on the premises.
15. The permittee shall not permit "Taxi Dancing" to occur on the permitted premises wherein partners are provided for dancing or social purposes.
16. No dancing or live entertainment by employees or customers will be permitted at any time.
17. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the permittee provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions, or guests of and for the customers.
18. No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while in the premise.
19. No non-prescription drugs or drug paraphernalia shall be on the premises at any time.
20. No video games as defined in Industry Municipal Code Chapter 9.26 shall be permitted on the premise at any time.
21. All signs, banners, pennants, flags or other outside advertising materials or structures must be approved by the City.
22. Permittee will be held responsible for acquainting all employees with these rules and all local, county, state, or federal laws.
23. No changes to the approved floor plan shall be permitted without written permission from both the Los Angeles County Sheriff's Department and the City of Industry.
24. The noise level created by the business shall not exceed the following at the property line of any adjacent or nearby residential land use, hospital, school in session, church or public library as measured by a sound level meter:
  - (a) 55 dBA between 7:00 a.m. - 10:00 p.m.  
50 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 30 minutes in any hour;
  - (b) 60 dBA between 7:00 a.m. - 10:00 p.m.  
55 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 15 minutes in any hour;
  - (c) 65 dBA between 7:00 a.m. - 10:00 p.m.  
60 dBA between 10:00 p.m. - 7:00 a.m.

for a cumulative period of more than 5 minutes in any hour;

- (d) 70 dBA            between 7:00 a.m. - 10:00 p.m.
- 65 dBA            between 10:00 p.m. - 7:00 a.m.
- at any time.

25. Any violation of these conditions or any local, county, state or federal laws shall constitute grounds for revocation or suspension of the Conditional Use Permit.
26. No outside cooking, food preparation, or sales of product or merchandise, unless approved in advance by the Planning Director.

### **Interpretation and Enforcement**

1. The Planning Department, Engineering Department, and contract agencies (Los Angeles County Fire Department, Los Angeles Department of Building and Safety) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval.
2. The Planning Director may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of Industry Municipal Code.

*PLANNING COMMISSION*

ITEM NO. 6.2



# CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

## MEMORANDUM

To: Planning Commission

November 5, 2015

From: Paul J. Philips, City Manager

Staff: Brian James, Planning Director

### **Subject: Revise Conditional Use Permit 14-10**

This is a request from Staff to amend a condition of approval for Conditional Use Permit (CUP) 14-10 (AMC). The amendment of a CUP occurs in the same manner as the original approval with a noticed public hearing of the Planning Commission.

On March 12, 2015, the Planning Commission adopted Resolution No. PC-2015-01 (Attachment 1) approving CUP 14-10 allowing an approximately 763 square foot bar area inside the AMC Theater called MacGuffins that would offer a full line of alcoholic beverages with a type 47 license from the California Department of Alcoholic Beverage Control. AMC is located at 1560 Azusa Avenue inside the Puente Hills Mall.

Condition of Approval No. 5 from CUP 14-10 states, "Prior to the opening/operation of MacGuffins and alcohol service, security cameras that are connected to the PSO system and allow law-enforcement real-time access to the surveillance feeds will be installed to provide coverage inside the theater lobby and of MacGuffins."

This condition of approval was enacted at a time when the City was funding a program operated through the Industry Manufactures Council (IMC) that provided equipment allowing access to the Public Safety Online (PSO) system. The PSO system allows first responders to view private surveillance cameras using wireless internet access. While the goals of the PSO system are not in question, it has been determined that it is not appropriate for City funds to be used to benefit private companies or a specific vendor. Accordingly, Condition of Approval No. 5 cannot be enforced.

Staff is requesting that Condition of Approval No. 5 be revised to state: "Within 90 days of the opening of McGuffins, security cameras, which are connected to a system allowing local law-enforcement access to video surveillance feeds, will be installed to provide coverage inside the theater lobby and of MacGuffins. The video feeds may be live or an acceptable alternative and shall be compatible with and approved by the Los Angeles Sheriff's Department prior to installation."

The intent of the revised condition is to preserve the ability of first responders to access video feeds in real time – or near to it – but allow the business to utilize any vendor or system that satisfies the condition.

## **Environmental Analysis**

Section 15061(b)(3) of the CEQA Guidelines exempts projects covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Allowing the applicant to select the particular vendor to provide the system allowing first responders to access video feeds from security cameras would not create any public health or safety hazards, would not have a significant impact on the resources or services within the surrounding area, and would not have a significant effect on the environment. After approval, a Notice of Exemption (Attachment 2) will be transmitted to the Los Angeles County Clerk for posting per the requirements of CEQA.

## **Public Hearing**

The required Public Hearing Notice (Attachment 3) was posted on the site, Fire Station 118, City Hall, Council Chambers, distributed to surrounding property owners within 300 feet of the site, and published in the San Gabriel Tribune on October 30, 2015.

## **Recommendation**

Staff recommends that the Planning Commission approve Resolution No. PC 2015-19 with the revised Condition of Approval No. 5 (Attachment 4) and direct staff to file the Notice of Exemption.

## **Attachments**

- Attachment 1: Resolution No. PC-2015-01
- Attachment 2: Notice of Exception
- Attachment 3: Public Hearing Notice
- Attachment 4: Resolution No. PC 2015-19

# **Attachment 1**

**Resolution No. PC-2015-01**

**RESOLUTION NO. PC 2015-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 14-10 TO ALLOW THE SERVICE OF ALCOHOLIC BEVERAGES IN THE AMC THEATER IN THE PUENTE HILLS MALL, LOCATED AT 1560 SOUTH AZUSA AVENUE, WITHIN A "C" – COMMERCIAL ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, American Multi-Cinema, Inc. ("AMC"), a California corporation, has filed an application for a Conditional Use Permit to operate an approximately 763 square foot bar area for the purpose of providing alcohol within its existing Puente Hills 20 Theater within the Puente Hills Mall shopping center (the "Application"), located at 1560 South Azusa Avenue, City of Industry, within a "C"-Commercial Zone (the "Site") called MacGuffins

**WHEREAS**, the Application calls for a bar area and alcohol service located entirely within AMC's existing operations, which bar area would offer a full line of alcoholic beverages, including beer, wine, and spirits consistent with a type 47 license from the California Department of Alcoholic Beverage Control (ABC); and,

**WHEREAS**, the use proposed in the Application is allowed subject to the issuance of a Conditional Use Permit in the "C"-Commercial Zone; and,

**WHEREAS**, the Site is more particularly shown on the map attached hereto as Exhibit "A" and incorporated herein by this reference; and,

**WHEREAS**, the activity proposed by the Application is exempt from compliance with the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301 as a class 1 categorical exemption applicable to the operation, permitting, or minor alteration of existing facilities involving negligible or no expansion of the existing use; and,

**WHEREAS**, on March 12, 2015, the Planning Commission of the City of Industry conducted a duly noticed public hearing in connection with the Application and the categorical exemption and considered all evidence, oral and written; and,

**WHEREAS**, all legal prerequisites have occurred prior to the adoption of this Resolution.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF INDUSTRY DOES RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:**

**SECTION 1.** The Planning Commission hereby finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

**SECTION 2.** Based upon the environmental information form supplied by AMC as part of the Application, the Planning Commission exercises its independent judgment and finds that the proposed project is exempt from compliance with CEQA pursuant to CEQA Guidelines Section 15301 as a class 1 categorical exemption.

**SECTION 3.** Pursuant to the requirements of the Industry Municipal Code, Section 17.48.050, the Planning Commission hereby finds, based upon the substantial evidence contained in the record, including the written and oral staff reports presented to the Planning Commission with respect to the Application, as well as all other written and oral testimony submitted at the March 12, 2015, public hearing, as follows:

A. The proposed use is consistent with the goals and objectives of the General Plan as it is an approximately 763 square foot bar area inside AMC's existing Puente Hills 20 Theater, that will be compatible with, and complimentary to, the existing use of the theater as well as other commercial uses in the commercial center where located because AMC has committed to a set of operational and management standards that provide protection from the abuse of alcohol, which standards are included as conditions of approval for this Resolution; and

B. The Site is within an "C"-Commercial Zone, which zone permits, with the issuance of a conditional use permit, both a movie theater and alcohol service in connection with certain uses; the project description as provided in the Application and the proposed operational and management standards agreed to by AMC will cause the alcohol service in the existing theater to be substantially similar to alcohol service in connection with those uses explicitly allowed by the "C"-Commercial Zone (Industry Municipal Code, Section 17.12.025, sub-sections 1, 13 and 14) and, thus, the site is appropriately zoned for the proposed use; and,

C. The Site is located in an existing commercial center which has been developed with adequate parking and will be constructed to all applicable development standards. Accordingly, the Site is adequate in size, shape, topography and location for the proposed use and there will be adequate utilities to accommodate the proposed use; and,

D. There will be adequate street access, traffic circulation, and parking capacity for the proposed use; and,

E. The proposed use is compatible with the surrounding properties and uses, taking into account the potential for changes in the uses of surrounding properties; and,

F. The proposed use will not be detrimental to the public health, safety or general welfare.

**SECTION 4.** The Planning Commission hereby approves the Application subject to the conditions and standard code requirements set forth in Exhibit "B" attached hereto and incorporated herein by this reference and in accordance with the plans submitted in conjunction with the Application.

**SECTION 5.** The Secretary of the Planning Commission is directed to certify to the adoption of this Resolution.

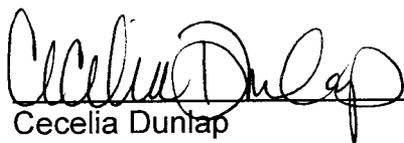
**APPROVED** by the Planning Commission of the City of Industry at a regular meeting held on March 12, 2015.



---

Mark Radecki  
Vice Chairman

**ATTEST:**

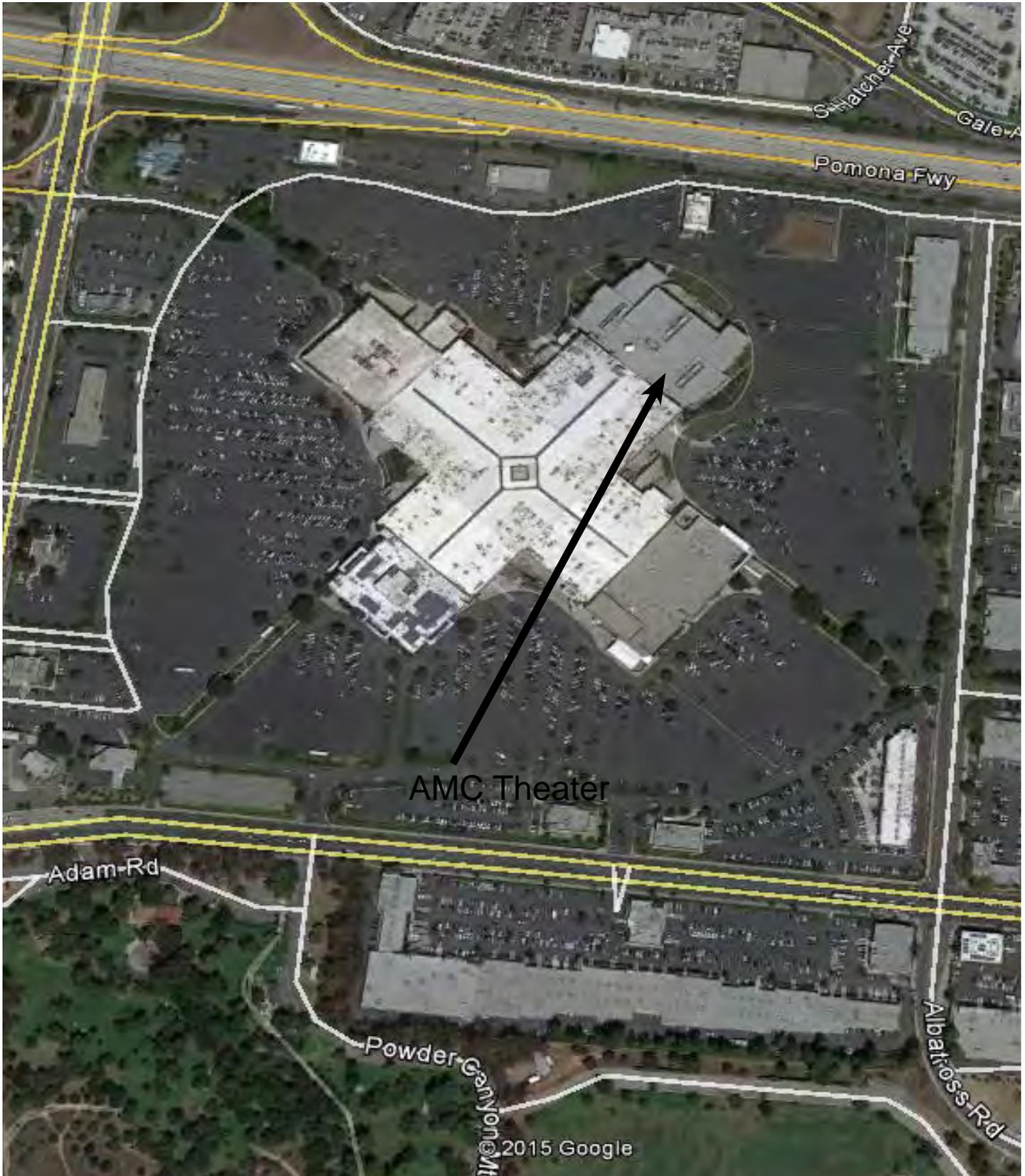


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Cecelia Duntap  
Secretary



**EXHIBIT A**  
**CUP 14-10**  
**1560 Azusa Ave.**





# CITY OF INDUSTRY

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## EXHIBIT B

### Standard Requirements and Conditions of Approval

**Application:** Conditional Use Permit 14-10 – AMC Theater

**Applicant:** AMC Entertainment Inc.

**Location:** 1560 Azusa Avenue

### Conditions of Approval

*Conditions of approval are unique provisions, beyond the requirements of law, the municipal code, or standard practices that are applied to a project by the Planning Commission per Section 17.48.060 of the Zoning Code. Please note that if the design of your project or site conditions change, the conditions of approval may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. Attachment A, AMC Alcohol Service Operations and Management Plan, is incorporated by reference and shall act as the enforceable conditions of approval for the service of alcohol at AMC Puente Hills. Violation of any of the actions listed in Attachment A, AMC Alcohol Service Operations and Management Plan, may be grounds for revocation of Conditional Use Permit 14-10.
2. MacGuffins shall not open for business or serve alcohol without prior written approval from the Planning Director. Prior to the opening/operation of MacGuffins and alcohol service, AMC Puente Hills shall notify the Planning Director who will inspect the site for compliance with the conditions of approval.
3. Conditional Use Permit 14-10 shall be renewed annually for a period of three years commencing from the initial date of operation of MacGuffins and service of alcohol. Thereafter, if there are not increased law enforcement activities at or attributed to AMC Hills Puente Hills, as determined by the Los Angeles County Sheriff's Department, and AMC Puente Hills has complied with the conditions of approval, the requirement for an annual renewal shall sunset. As part of the annual CUP renewal, the applicant shall provide an updated copy of the site specific risk assessment and security plan to the Planning Director.
  - a. The annual CUP review of Conditional Use Permit 14-10 shall be conducted by City Staff to verify compliance with all conditions of approval, applicable Chapters of the Municipal Code, and law enforcement activity occurring at or attributed to AMC Puente Hills. A report of the Staff's review shall be forwarded to the Planning Commission for review at a noticed public hearing.
4. After the sunset of the requirement for an annual renewal of the CUP, the Planning Director or Sheriff's Department may request an updated copy of the site specific risk assessment and

security plan at any time. Any concerns that may arise from review of the site specific risk assessment and security plan will be communicated with AMC Puente Hills with the aim of rectifying the concerns. If the concerns violate the approved conditions of approval and are not addressed to the satisfaction of the Planning Director and Sherriff's Department, the City may seek revocation of Conditional Use Permit 14-10.

5. Prior to the opening/operation of MacGuffins and alcohol service, security cameras that are connected to the PSO system and allow law-enforcement real-time access to the surveillance feeds will be installed to provide coverage inside the theater lobby and of MacGuffins.
6. At any time, if there incidents of increased law enforcement activities at or attributed to AMC Puente Hills, as determined by the Los Angeles County Sheriff's Department, the Sheriff's Department may recommend actions to correct the situation, such as increased uniformed security personnel, expanded hours of security personnel, limitations of the hours of alcohol service, as well as measures provided by AMC staff and approved by the Sheriff's Department. The Planning Direct may then direct that these measures be implemented to address the security concerns. If these measures or other measures fail to correct the situation or AMC fails to effectively enact corrective measures, the City may seek revocation of Conditional Use Permit 14-10.
7. Conditional Use Permit 14-10 is directly tied to the operation and management of AMC Puente Hills by American Multi-Cinema (AMC) Inc. as described in Attachment A. The transfer of the ABC license or change in ownership of the theater shall necessitate a revised CUP prior to continued alcohol service to ensure that all conditions of approval are maintained. Prior to the transfer of the ABC license or change in ownership of the theater, an application to revise Conditional Use Permit 14-10 shall be approved by the Planning Commission.
8. No changes to the approved floor plan may be permitted without prior written permission from the City of Industry in consultation with the Los Angeles County Sheriff's Department.

### **Code Requirements and Standards**

*The following is a list of code requirements and standards deemed applicable to the proposed project. The list is intended to assist the applicant by identifying requirements that must be satisfied during the various stages of project permitting, implementation, and operation. It should be noted that this list is in addition to any "conditions of approval" adopted by the Planning Commission and noted above. Please note that if the design of your project or site conditions change, the list may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. The entire premise is subject to inspection by the Los Angeles County Sheriff's Department and/or City representative at any reasonable time without prior notification.
2. Off-street parking shall be provided at all times in accordance with the originally approved site plan and shall be maintained in a clean and attractive manner (trash, litter, or other materials shall be removed regularly).
3. All landscaped areas shall be maintained in accordance with the originally approved landscaped plan and in a healthy and well-kept condition and kept weed free.
4. All trash containers shall be kept inside a building or in a designated trash enclosure.

5. Emergency fire facilities (hydrants) shall be kept free and unobstructed at all times.
6. No outside storage of any personal property, building materials, or other property not permanently affixed to the real property shall be allowed, unless approved by the Planning Director.
7. No outside display of goods, wares, or merchandise shall be permitted, unless approved by the Planning Director.
8. Any graffiti painted or marked upon the premises or any adjacent area under the control of the permittee shall be removed or painted over within 72 hours of being applied.
9. There shall be no adult entertainment, male or female performers or fashion shows permitted on the premises at any time.
10. No X-rated or adult films shall be maintained or shown anywhere on the premises.
11. No dancing or live entertainment by employees or customers will be permitted at any time.
12. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the permittee provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions, or guests of and for the customers.
13. No non-prescription drugs or drug paraphernalia shall be on the premises at any time.
14. All signs, banners, pennants, flags or other outside advertising materials or structures must be approved by the City.
15. Permittee will be held responsible for acquainting all employees with these rules and all local, county, state, or federal laws.
16. The noise level created by the business shall not exceed the following at the property line of any adjacent or nearby residential land use, hospital, school in session, church or public library as measured by a sound level meter:
  - (a) 55 dBA between 7:00 a.m. - 10:00 p.m.  
50 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 30 minutes in any hour;
  - (b) 60 dBA between 7:00 a.m. - 10:00 p.m.  
55 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 15 minutes in any hour;
  - (c) 65 dBA between 7:00 a.m. - 10:00 p.m.  
60 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 5 minutes in any hour;
  - (d) 70 dBA between 7:00 a.m. - 10:00 p.m.  
65 dBA between 10:00 p.m. - 7:00 a.m.  
at any time.

17. Any violation of these conditions or any local, county, state or federal laws shall constitute grounds for revocation or suspension of the Conditional Use Permit.
18. No outside cooking, food preparation, or sales of product or merchandise, unless approved in advance by the Planning Director.

### **Interpretation and Enforcement**

1. The Planning Department, Engineering Department, and contract agencies (Los Angeles County Fire Department, Los Angeles Department of Building and Safety) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval.
2. The Planning Director may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of Industry Municipal Code.

# ATTACHMENT A

**EXHIBIT A**  
**of Conditions of Approval**

**AMC Alcohol Service Operations and Management Plan**

AMC Puente Hills 20 Theatre

The service of alcoholic beverages at the AMC Puente Hills 20 Theatre (the “Theatre”) will adhere to the policies outlined in this document and Exhibit C, the approved conditions of approval which, in the event of a conflict, shall prevail. Together, this document and the conditions of approval will ensure compliance with all local and state regulations and provide an overall safe experience. The General Manager is ultimately responsible for ensuring all Theatre associates are aware of applicable regulations and overseeing their enforcement.

Any person who violates the policies listed on the following pages will be appropriately disciplined. Violations also include assisting someone else in inappropriate conduct, failing to report any violation, and impeding an investigation. Possible disciplinary action may range from a verbal warning, up to and including termination. A person guilty of violating these policies may also be responsible in a criminal or civil suit for losses or other damages caused by his/her conduct. In addition, referral of the matter may be made to the appropriate government agencies.

**CONCEPT – MACGUFFINS**

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All alcohol sales will take place at MacGuffins, AMC’s designated alcohol sales concession area. All non-alcoholic beverages may be purchased at the currently existing concessions area, and no non-alcoholic drinks may be purchased at MacGuffins. After an alcoholic beverage is purchased at MacGuffins, adult patrons may enjoy that beverage in any of the Theatre’s auditoriums, all of which are subject to continuous monitoring by AMC staff. MacGuffins shall be maintained as shown on the approved floor plans, included herein as Exhibit D, or as subsequently revised and approved by the City of Industry. As described herein and shown on Exhibit D, MacGuffins shall be located behind the ticket-taking area, thus requiring the purchase of a movie ticket to access MacGuffins.

Alcohol sales at MacGuffins will be pursuant to a Type 47 On-Sale General Eating Place alcohol license issued by the California Department of Alcoholic Beverage Control. AMC proposes to sell a full line of alcoholic beverages, including beer, wine, and spirits, consistent with the Type 47 License.

**BACKGROUND CHECKS**

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Because of the additional responsibilities that accompany maintaining a liquor license, AMC conducts background checks on all bartenders, supervisors, and managers assigned to locations with alcohol operations.

**ALCOHOL SALES**

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The guidelines below must be adhered to when serving alcoholic beverages to guests.

## Age Verification

The minimum legal age for purchasing and consuming alcoholic beverages in the United States is 21 years. **Associates must require positive proof of age from all guests purchasing alcohol regardless of age.**

In most states, valid IDs may be driver's licenses, state IDs, military and active military IDs, passport cards, or visas. However, any local exceptions to these standards must be adhered to. A booklet containing examples, descriptions, and the security features of valid IDs from the United States called *ID Checking Guide* may be obtained by ordering from [www.idcheckingguide.com](http://www.idcheckingguide.com) or by calling (800) 227-8827. Since this booklet is updated annually, a subscription can be ordered at a savings.

When checking a government-issued ID, inspect the following information:

- Photograph of bearer
- Signature
- Height
- Date of Birth
- Expiration Date
- Watermark

### *Electronic Age Verification – ID Scanners*

All employees selling alcoholic beverages must electronically verify age before selling alcoholic beverage(s) to anyone who reasonably appears to be 35 years of age or younger.

AMC management must be able to read, print, or download the data in the ID scanners and have the knowledge and capability to produce the data upon request of a peace officer or authorized representative of the Department of ABC.

Any electronic age verification device must contain the technology to read a magnetic stripe and a two dimensional stack symbology (bar code), or an alternate technology capable of electronically verifying the proof of age, and must be capable of reading a valid state issued driver's license, a valid state issued identification card, a valid military identification card, or a valid passport.

Any electronic age verification device must have a screen that displays no more than a person's name, age, ID number, birth date, gender, ID status, and expiration date, and shall have the capability of electronically storing the name, age, ID number, birth date, gender, ID status and expiration date for one day (24 hours) including the time and date the proof of age was scanned.

If the proof of age cannot be scanned electronically, an alternative method of verifying an individual's proof of age shall include a record or log showing the type, number, and expiration date of the ID, the date the ID was presented, and the individual's name and date of birth.

Any data collected either electronically or otherwise may only be used for the purpose of verifying an individual's proof of age and may not be retained by AMC in a database for mailing, advertising, or promotional activity, to acquire personal information or to make inappropriate personal contact with the individual, and shall be retained until close of business on the day it was obtained, after which it must be deleted. The data collected may be acquired by law enforcement, or other investigative agencies.

### *Fake Identification*

If an associate believes an ID is fake, the following steps must be taken:

- Alert a manager – The manager must complete a review of the ID using the F.L.A.G. technique. F.L.A.G. stands for Feel, Look, Ask and Give Back.
- Notify Security if the ID appears to be fake.
- If Security is not present, return the card to the guest, unless local law requires a different procedure. Theatre staff should reference F-142, *Theatre Specific Alcohol Laws and Regulations* for specific laws and regulations.
- Do not serve the guest.

### Exceptions to Age Verification Policy (Limited Use)

When a guest requests an exception to AMC's age verification policy, the highest ranking manager in the building can review the request. However, **at no time** should any associate communicate to the guest that AMC may make exceptions to the age verification policies.

The highest ranking manager must complete the following actions prior to giving approval:

- Visual Check (**required**) – Manager must be present to determine if the guest looks over the age of 40. If the guest looks younger than 40, no exceptions should be made to the age verification policy, and valid ID for proof of age is required.
- Limit Order Quantity – Guests can only purchase one beverage per order if an exception is made.
- Documentation – If applicable, denote the exception on the *Alcohol Compliance Monitoring Worksheet*.
- Verify that it is legal to serve a guest without identification at the Theatre. Refer to F-142, *Theatre Specific Alcohol Laws and Regulations* for local exceptions.

In the event that the associate did not follow the outlined procedures, disciplinary action up to and including termination may occur.

**Note:** Supervisors or film crew may never make this exception. Only the highest-ranking manager may do so.

#### Quantity of Alcoholic Beverages Purchased

Alcohol sales limits are subject to the maximum imposed by local or state jurisdictions. An associate must NEVER serve more alcoholic beverages than the approved limit. Any employee found to be violating any of AMC's rules, including the approved number of drinks per person, will be subject to disciplinary action up to and including termination.

Pursuant to the California Department of Alcoholic Beverage Control Standard Condition Number 5, "[n]o more than two (2) alcoholic beverages shall be sold or served to any one (1) person during any transaction." Thus, no more than two alcoholic beverages may be served to any one person during any transaction at any theatre in California.

No person shall be served more than three (3) alcoholic beverages within a two (2) hour period (the duration of a typical movie).

#### Building Restrictions and Container Requirements

Alcoholic beverages must always be served in AMC-approved alcohol-specific containers and may never be poured into "traditional" fountain beverage vessels. AMC uses distinctive plastic cups for all alcoholic beverages, as shown on the attached image (Exhibit A).

All alcoholic beverages are served with a black straw, while non-alcoholic beverages are served with a red straw.

Finally, cups for beer and cocktails are a standard 16-ounce size, while cups for wine are 10 ounces.

Alcoholic beverages may only be purchased by ticketed guests and MacGuffins will be located behind the Theatre's ticket-taking stand.

### OPERATING HOURS AND ALCOHOL CUT-OFF REQUIREMENTS

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AMC will sell alcohol during the following hours, subject to any regulations that limit the sale of alcohol to certain times:

**Monday – Sunday:** 10:30 A.M. to **1:30** A.M. PC approved revision to hours 3/12/15

- **Operating Hours:** MacGuffins' operating hours should be part of the weekly business planning to ensure the most return and compliance with applicable law.

## **SIGNAGE**

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AMC requires the following signage:

- **ID Policy – Guest Facing:** Place signage at the counter and POS to notify guests of AMC’s policy to check the ID of all guests purchasing alcohol.
- **Age Check – Associate Facing:** Place age check signage on POS to help associates quickly identify whether a guest is 21 years of age or older.
- **Weapons Free:** Ensure that appropriate *No Weapons* door clings are displayed per SEC-40, *Weapons-Free Guidelines*.

## **ALCOHOL INVENTORY**

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All beer, wine, and liquor must be delivered by a vendor, and at no time is it allowable for a Theatre associate to go off-site to acquire it. All liquor, beer, and wine inventory must be kept in a secure location that is only accessible by managers and supervisors who are 21 years of age or older. When stocking the bar, we use a “Bottle-for-Bottle Exchange” system, in which a bottle does not leave the closet without an empty one in its place. Immediately following the close of the building, a manager must verify that all alcohol is secure.

## **ALCOHOL COMPLIANCE MONITORING**

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Whenever MacGuffins is open, a manager must oversee operations as part of managing the floor to ensure quality of service and alcohol compliance by observing the flow of guests and bartender execution. Management must also be available to investigate anything unusual reported by bartenders, other associates, or guests.

All associates who serve, sell, or handle alcohol and those who monitor for compliance, play a vital role in enforcing alcohol policies. Compliance monitoring occurs throughout the building by all associates using the procedures and guidelines provided by Training for Intervention Procedures (“TIPS”), a leader in education and training for the responsible service, sale, and consumption of alcohol. All associates will be TIPS certified, regardless of whether they staff MacGuffins or not. Upon hire, all sales employees are required to sign a form acknowledging that failure to follow AMC’s rules, policies, and procedures provided in the alcohol control plan will lead to immediate disciplinary action, up to and including termination.

All associates, including non-MacGuffins staff, are required to check ID for any guests consuming alcohol who appear to be under the legal drinking age of 21 in areas outside and inside the auditoriums. Pursuant to the California Department of Alcoholic Beverage Control Standard Conditions and AMC policies, at all times when the Theatre is exercising the privilege of its license, an employee must enter and monitor the activity within the theatres at least once every 30 minutes.

Associates who perform auditorium checks for presentation quality and comfort also monitor for alcohol compliance. Proper planning is essential and, depending on film bookings and expected audience draw, it may be necessary to increase frequency of auditorium checks for specific films. Assignment of duties to specific associates should be noted on the Daily Game Plan.

Monitoring for alcohol compliance includes these responsibilities:

- Ensure guest compliance with alcohol enforcement policies.
- Monitor and prevent alcohol consumption by minors.
- Ensure guests do not leave the premises with alcoholic beverages.

## **UNDERAGE DRINKING**

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Individuals under 21 years of age may not purchase nor consume alcoholic beverages on AMC property. In the event that an underage guest is caught with an alcoholic beverage, a manager must be notified immediately.

The following steps must be taken to ensure the issue is addressed correctly:

1. Remove the guest from the auditorium.
2. Verify the guest's age.

If the guest is determined to be underage:

3. Take the drink from the guest.
4. Notify law enforcement.
5. If the guest is under the age of 18, contact a parent or legal guardian.
6. Complete the Alcohol Compliance Monitoring Worksheet and submit an Incident Report.

<p><b>If it is determined that an associate failed to ask for proof of age or allowed a guest under 21 years of age to purchase and/or to consume an alcoholic beverage, due to AMC's zero tolerance policy that associate will be terminated.</b></p>
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## **INTOXICATED GUESTS**

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In the event that an associate encounters a guest that appears intoxicated, a manager must be notified immediately. The following steps must be taken to ensure we address the issue correctly:

1. Remove the guest from the auditorium.
2. Ask the guest to not leave the building.
3. Ask the guest to sit down, then provide water or food to the guest. This is designed to diffuse the situation as well as provide time for making alternative arrangements to get the guest home. This is not a tactic to help the guest “sober” up before driving home.
4. Make alternate arrangements for the guest to get home.
5. If the guest does not follow your instructions, monitor the guest’s location.
6. Notify law enforcement if you are unable to keep the guest from leaving.
7. Complete the Alcohol Compliance Monitoring Worksheet and submit an Incident Report.

## **UNDERCOVER ALCOHOL COMPLIANCE CHECKS**

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At any time, the Theatre may receive undercover compliance checks. Theatre teams should be prepared by always adhering to all AMC policies and local regulations.

### **Government Agencies**

Alcohol compliance checks are investigations into the purchase of alcohol by minors at businesses that sell alcohol. If the Theatre receives an undercover alcohol compliance check by a government agency, Theatre staff should e-mail 0411-MacGuffins and 0411-Inspections regardless of pass or fail. Staff must also follow the notification instructions outlined in OPS-90a, Government Inspections Notifications.

The sting operations will involve a minor, under the age of 21 years, (with undercover officers nearby) attempting to buy an alcoholic beverage from an associate. In some states, there is no legal standard that requires the minor to be truthful about their age and the minor may not present any identification.

If the associate sells alcohol to a minor, the following actions may occur:

- Fines (associate, business, etc.)
- Arrest (associate)
- Conviction (misdemeanor)
- Civil penalties
- Additional sting operations (multiple offenses)
- Loss of liquor license (multiple offenses)

**If it is determined that an associate failed to ask for proof of age or allowed a guest under 21 years of age to purchase and/or to consume an alcoholic beverage, due to AMC’s zero tolerance policy that associate will be terminated.**

## AMC Mystery Shop

As part of AMC's Mystery Shop program, there is a unique shop that is specific to locations that serve alcohol. Theatres will receive one alcohol mystery shop every month. This is an internal check to ensure compliance with local, state, and federal laws regarding alcohol enforcement. These shops are graded on a pass/fail system. Theatres that fail may receive additional checks.

## **ASSOCIATE AGE POLICIES**

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**Age to Manage:** All managers assigned to a location that sells alcohol must be 21 years of age or older.

**Age to Supervise:** Supervisors must be at least 18 years of age or older. However, if a Supervisor is under 21, he or she may not be involved in any aspect of bar operations. Supervisors under 21 may not have access to secured alcohol storage areas, accept deliveries, transport alcohol, assist with inventory process, or even step behind the bar to conduct a cash-pull.

**Age to Transport & Access:** All associates that may receive alcohol deliveries, have access to alcohol storage areas, or help with the inventory of alcohol must be 21 years of age or older.

**Age to Bartend:** Associates must be at least 21 years of age or older to bartend.

**Age to Clean Auditoriums:** Associates must be 18 years of age or older to pick up open containers of alcohol while cleaning an auditorium.

Open containers are defined as any vessel used to consume alcoholic beverages that contains any amount of alcohol or once contained alcohol. For example, an empty wine cup is considered an open container and may not be disposed of by an associate under the age of 18. If associates on duty are not old enough to pick up opened containers of alcohol, they must request assistance from a manager or supervisor.

## **ALCOHOL AWARENESS TRAINING**

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All associates play a vital role in enforcing alcohol policies and all associates are involved in compliance monitoring throughout the building to prevent underage drinking. Therefore, associates assigned to the Theatre must complete TIPS for On-Premises training within 30 days of hire. Exceptions are made for back-of-house associates who never have contact with guests, such as dishwashers and cooks. For bartenders/servers, or anyone serving alcoholic beverages, TIPS for On-Premises training must be completed prior to any service of alcohol.

TIPS offers both online and classroom training. If training is conducted online, participants will receive results immediately. Participants in TIPS classroom training should receive test results

within 4-6 weeks of the class. In either case, a copy of certification materials (card, certificate, etc.) must be maintained in each associate's file.

AMC will provide verification of TIPS training to City of Industry staff by keeping a binder with all TIPS Certifications for all employees at the Theatre. The binder will be available for review at all times.

## **STAFFING LEVELS**

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### MacGuffins

- Peak Shifts: 4 bartenders.
- Off-Peak Shifts: 1 bartender.

### Theatre (Including MacGuffins)

- Peak Shifts: 25-30 management and associates.
- Off-Peak Shifts: 10-15 management and associates.

## **FOOD SERVICE**

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MacGuffins will not sell food. However, at all times alcoholic beverages are available at MacGuffins, a wide variety of hot and cold food items, including chicken tenders and chicken sliders, French fries, pizza, and mozzarella sticks, will be available for sale at the Theatre's concession area. An example AMC Theatres Food & Beverage menu is attached as Exhibit B.

## **SECURITY – PERSONNEL POLICIES AND PROCEDURES**

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Management, including the Home Office Security Operations Department, makes the decisions regarding security issues and security personnel enforce these decisions. At theaters that use security personnel, the GM and the Home Office Security Operations Department are responsible for ensuring the theatre has reasonable and adequate security personnel employed—either off/paid duty law enforcement officers or private security personnel, depending on the location. The Home Office Security Operations Department determines what type of security personnel should be employed at the Theatre.

### Security Staffing and Hours

The Security Operations Department will provide a security schedule to serve as a baseline model for the Theatre. AMC realizes that no security plan can eliminate random violent acts; however, this baseline of security provides the proper allocation of resources, as needed, in the hopes of reducing the likelihood of a crime being committed.

Theatre management may not reduce security coverage below this model without first contacting the Home Office Security Operations Department. Theatre managers can temporarily increase

security coverage due to known or foreseeable factors such as high risk movies, crime trends etc.; however, any long term schedule changes must still be approved by Security Operations.

The lead officer or supervisor will coordinate with AMC management and the Security Operations Department to determine scheduling for personnel to work, and handle any administrative duties that may arise.

To ensure a safe experience for all patrons, the Theatre will have a uniformed, state-licensed security guard working in accordance with the Site Specific Risk Assessment and Security Plan submitted to the Sheriff's Department, no less than the following schedule:

- Friday – Saturday: 1 security officer from 6:00 P.M. to 3:00 A.M.

With respect to state licensing, the liaison from the Los Angeles County Sheriff's Department – Industry Sheriff Station, or his designee, shall be provided proof that the security guards to be employed at the AMC are state licensed prior to deployment at the Theatre. Assigned guards shall retain their state certification card ("guard card") on their person and produce it for immediate inspection by any law enforcement official with jurisdiction over the premises.

Mall security is not an acceptable substitute for, and may not be used in place of, AMC's obligation to provide security as specified above.

For any special events or screenings at the Theatre, where expected patron attendance equals or exceeds an average Friday or Saturday night attendance, AMC shall provide a security guard during said event(s), unless the service of alcoholic beverages is suspended (closed).

The liaison from the Los Angeles County Sheriff's Department – Industry Sheriff Station, or his designee, shall be provided contact information for the supervisor(s) overseeing the deployment of any guard.

### Roles and Responsibilities

Security personnel work at the direction of the senior AMC manager on duty at the facility. Their role is to assist with ensuring the safety of our guests and associates. Security personnel may perform security duties only. They may not perform operational functions such as presentation checks, handling guest complaints, or tearing tickets.

Below are some of their key responsibilities:

- **Positioning and Coverage in Theatre:** While on duty, security personnel should stay highly visible by patrolling the theatre and parking lots (where applicable). When multiple security personnel are working, one should be positioned between the main box office and the auditorium entrances, while the other patrols the theatre and parking lots (where applicable).

Security personnel should not double up at static locations unless on a call or directed to do so by management. Security personnel should remain in public view at all times, unless on break.

- **Communication and Response Time:** Whenever possible, security personnel should be assigned two-way radios for communication.

Security personnel should be attentive to the radio or communications device used by the theatre and respond immediately when called. Radio communications should not contain sensitive details and should remain professional and courteous.

- **Guest Interactions:** Security personnel should always be friendly and courteous to our guests and associates. Security personnel should always be helpful if a guest asks for direction or assistance.

When managers are assisting disappointed guests, security should assume a position close to the situation, always monitoring the interaction in case the situation escalates (if possible, security should remain out of the guest's view).

Security personnel should allow management the opportunity to resolve the issue without assistance, except in cases when assistance is requested or someone appears to pose an immediate threat.

- **Cash Pulls:** Security personnel should stand nearby when cash is pulled from workstations. A pneumatic tube system should always be used to transport money. If unavailable, security personnel must accompany the manager/Supervisor when the cash is transported across public areas.
- **Closing:** The last member of security to close must accompany the closing usher on a walk of the building to verify that all guests have exited and ensure that the facility is secure. (Special attention should be given to all doors, restroom stalls, and behind screens.)

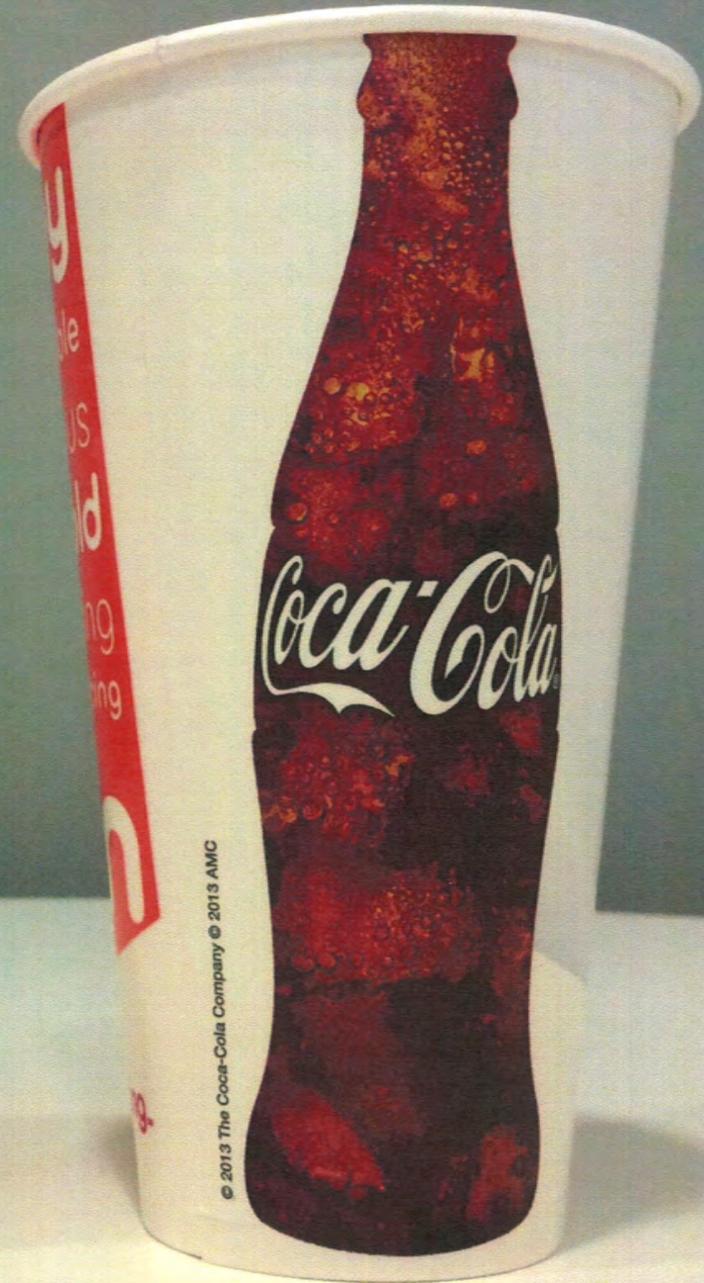
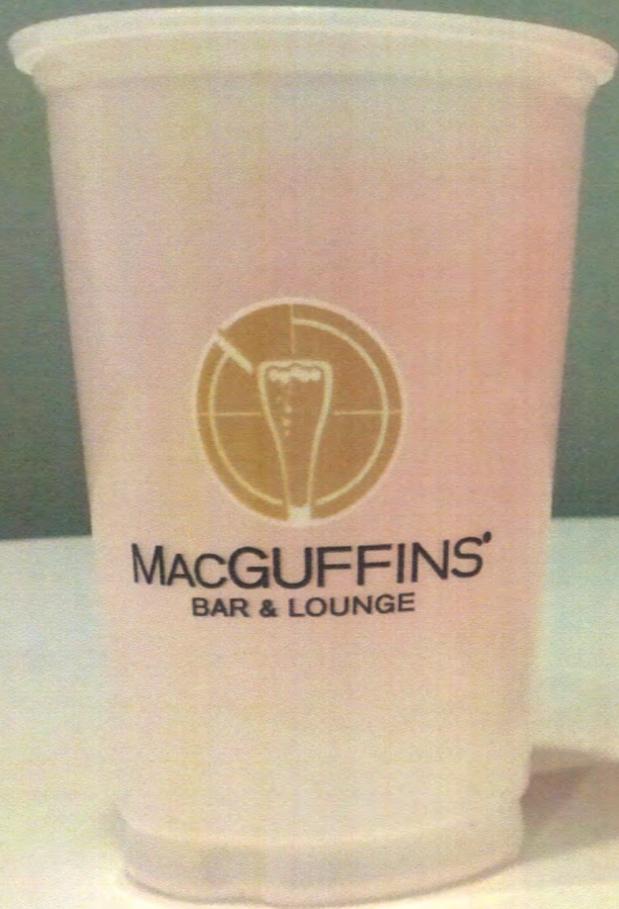
If security personnel are scheduled to close, they must remain at the theatre until all cash pulls have been made and all guests have exited the theatre. Under normal circumstances security must escort the last associates (management and crew members) out of the building to their cars.

### Legal Standards

Law enforcement officers must obey all federal, state, and municipal laws and work within the guidelines and/or general orders of their respective department while employed for AMC.

Security personnel must be licensed in the state in which they work and carry their license/identification.

EXHIBIT A



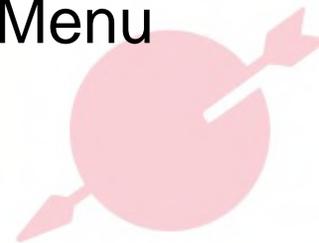
# EXHIBIT B



AMC Theatres



## AMC Theatres Food & Beverage Menu





AMC Theatres

## Hot Foods & Meal Replacements

### Mozzarella Sticks:

A meal-sized portion of crispy, melty cheese sticks. Served with a side of marinara.

### French Fries:

A generous half-pound portion of our seasoned curly fries.

### Jalapeno Poppers:

Jalapeno peppers stuffed with bubbly cream cheese offer more flavor than heat.





AMC Theatres

## Hot Foods & Meal Replacements

### Chicken Tenders:

100% white meat tenders served with your choice of ranch, BBQ, or honey mustard sauce.

### Chicken Sliders & Fries Meal:

Two sliders alongside an order of our seasoned fries.





AMC Theatres

## Hot Foods & Meal Replacements

### Hot Dog:

A juicy all-beef hot dog served inside a delicious split bun.





AMC Theatres

## Hot Foods & Meal Replacements



### Pizzas

#### Cheese:

A traditional crust with cheese blend and seasoning.

#### Pepperoni:

Our cheese pizza with the addition of spicy pepperoni.

#### BBQ Chicken:

Featuring white meat chicken, BBQ sauce, & red onion.



AMC Theatres

## Traditional Movie Fare

### Popcorn:

Orville Redenbacher seed is popped in 100% pure coconut oil for an authentic movie theatre taste. Popped fresh every day to ensure freshness and quality.



### Candy:

A variety of prepackaged candies are available from nationally recognized brands including Nestle, M&M Mars, and Hershey.





AMC Theatres

## Traditional Movie Fare



### MovieNachos:

Crunchy Tostitos corn chips served alongside FUNacho zesty cheese sauce.



### Gourmet Pretzel:

A freshly-steamed pretzel topped with salt, garlic parmesan blend, or cinnamon sugar.



### Ice Cream:

A variety of Edy's / Dreyer's ice cream novelties including Dibs, Haagen Dazs, and Nestle varieties.



AMC Theatres

## Multiple Beverage Options

**Coca Cola Fountain Drinks:**  
Multiple Coke flavors available in 30oz, 44oz, or 51oz cups.



**Bottled Drinks:**  
A variety of bottled beverages including water, teas, and sports beverages.



**ICEE:**  
This delicious Frozen Carbonated Beverage (FCB) is available in 30oz and 44oz servings.



# SPECIALTY DRINKS



## Caribbean Cooler

Bacardi and Malibu Rums, Blue Curaçao, Pineapple juice and Orange juice.

## Oreo Mudslide

Absolut Vodka blended with Vanilla Ice Cream and Oreo Cookie pieces, and drizzled with Kamora and Ryan's Irish Cream.

## Southern Slam

Southern Comfort, Amaretto, Sour Apple Pucker and Orange juice.

## Irish Coffee

Irish Whiskey, Cream and Sugar with Coffee.

## Mojito

Bacardi White Rum, Lime juice, Soda, Sugar Syrup and a hint of Mint.

## Golden Margarita

Cuervo Gold Tequila, Grand Marnier, Rose's Lime Juice and Sours Mix.

## Mango Margarita

Cuervo Gold Tequila, Triple Sec, Lemon juice and Sours Mix, blended with fresh Mango puree.

## Strawberry Margarita

Cuervo Gold Tequila, Triple Sec and fresh Strawberry puree.

## Pomegranate Martini

Absolut Citron Vodka, Cointreau and Pomegranate juice with a splash of Soda and Lemon juice.

## Sour Apple Martini

Absolut Vodka, Sour Apple Pucker, Sours Mix and Sprite.

## Blue Laguna

Tanqueray and Cranberry juice, with a splash of Blue Curaçao and Peach Schnapps.

## Cosmopolitan

Absolut Vodka, Triple Sec, Rose's Lime Juice and a kiss of Cranberry juice.

## Velvet Hammer

Triple Sec, White Crème de Cacao and Grenadine, blended with Half & Half and Vanilla Ice Cream.

## Bloody Mary

Absolut Vodka and our spicy house-made Bloody Mary Mix.

## Mimosa

Part Orange juice. Part Champagne.

## Hurricane

Bacardi Rum, Sours Mix, Orange juice and a dash of Grenadine.



# BEER

## Bottled Beer

### PREMIUM

Boulevard Wheat  
 Boulevard Pale Ale  
 Sam Adams  
 Stella Artois  
 Amstel Light  
 Bass

Bottle 4.89

### DOMESTIC

Budweiser  
 Bud Light  
 Coors Light  
 Miller Lite  
 Michelob Ultra  
 Bud Light Lime

Bottle 3.89

## Draft Beer

### PREMIUM

Boulevard Wheat  
 Boulevard Pale Ale  
 Boulevard Seasonal  
 Sam Adams  
 Fat Tire  
 Guinness

Pint 4.89

### DOMESTIC

Budweiser  
 Bud Light  
 Coors Light  
 Miller Lite

Pint 3.89



# WINE



## White Wine

	GLS
Pacific Rim Riesling California	6.79
Cavit Pinot Grigio Northern Italy	7.49
Estancia Pinot Grigio California	8.49
BV Coastal Chardonnay California	5.79
J Lohr Chardonnay California	6.79
Kendall Jackson Chardonnay Sonoma, California	8.49
Benziger Sauvignon Blanc California	8.49
Beringer White Zinfandel California	4.79
Domaine Ste. Michelle, Brut, Sparkling Columbia Valley, WA	8.49

## Red Wine

	GLS
Razors Edge Shiraz South Australia	8.49
Echelon Pinot Noir California	6.79
Angeline Pinot Noir California	8.49
Blackstone Merlot California	7.49
Sterling Vintners Merlot California	9.79
Mondavi Private Select Cabernet California	6.79
Hess Select Cabernet California	9.79
Ravenswood Zinfandel California	7.49

# EXHIBIT C

## Of AMC Alcohol Service Operations and Management Plan

### Standard Requirements and Conditions of Approval

**Application:** Conditional Use Permit 14-10 – AMC Theater

**Applicant:** AMC Entertainment Inc.

**Location:** 1560 Azusa Avenue

### Conditions of Approval

*Conditions of approval are unique provisions, beyond the requirements of law, the municipal code, or standard practices that are applied to a project by the Planning Commission per Section 17.48.060 of the Zoning Code. Please note that if the design of your project or site conditions change, the conditions of approval may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. The AMC Alcohol Service Operations and Management Plan is incorporated by reference and shall act as the enforceable conditions of approval for the service of alcohol at AMC Puente Hills. Violation of any of the actions listed in the AMC Alcohol Service Operations and Management Plan may be grounds for revocation of Conditional Use Permit 14-10.
2. MacGuffins shall not open for business or serve alcohol without prior written approval from the Planning Director. Prior to the opening/operation of MacGuffins and alcohol service, AMC Puente Hills shall notify the Planning Director who will inspect the site for compliance with the conditions of approval.
3. Conditional Use Permit 14-10 shall be renewed annually for a period of three years commencing from the initial date of operation of MacGuffins and service of alcohol. Thereafter, if there are not increased law enforcement activities at or attributed to AMC Hills Puente Hills, as determined by the Los Angeles County Sheriff's Department, and AMC Puente Hills has complied with the conditions of approval, the requirement for an annual renewal shall sunset. As part of the annual CUP renewal, the applicant shall provide an updated copy of the site specific risk assessment and security plan to the Planning Director.
  - a. The annual CUP review of Conditional Use Permit 14-10 shall be conducted by City Staff to verify compliance with all conditions of approval, applicable Chapters of the Municipal Code, and law enforcement activity occurring at or attributed to AMC Puente Hills. A report of the Staff's review shall be forwarded to the Planning Commission for review at a noticed public hearing.
4. After the sunset of the requirement for an annual renewal of the CUP, the Planning Director or Sheriff's Department may request an updated copy of the site specific risk assessment and security plan at any time. Any concerns that may arise from review of the site specific risk assessment and security plan will be communicated with AMC Puente Hills with the aim of rectifying the concerns. If the concerns violate the approved conditions of approval and are not addressed to the satisfaction of the Planning Director and Sherriff's Department, the City may

seek revocation of Conditional Use Permit 14-10.

5. Prior to the opening/operation of MacGuffins and alcohol service, security cameras that are connected to the PSO system and allow law-enforcement real-time access to the surveillance feeds will be installed to provide coverage inside the theater lobby and of MacGuffins.
6. At any time, if there incidents of increased law enforcement activities at or attributed to AMC Puente Hills, as determined by the Los Angeles County Sheriff's Department, the Sheriff's Department may recommend actions to correct the situation, such as increased uniformed security personnel, expanded hours of security personnel, limitations of the hours of alcohol service, as well as measures provided by AMC staff and approved by the Sheriff's Department. The Planning Direct may then direct that these measures be implemented to address the security concerns. If these measures or other measures fail to correct the situation or AMC fails to effectively enact corrective measures, the City may seek revocation of Conditional Use Permit 14-10.
7. Conditional Use Permit 14-10 is directly tied to the operation and management of AMC Puente Hills by American Multi-Cinema (AMC) Inc. as described in the AMC Alcohol Service Operations and Management Plan. The transfer of the ABC license or change in ownership of the theater shall necessitate a revised CUP prior to continued alcohol service to ensure that all conditions of approval are maintained. Prior to the transfer of the ABC license or change in ownership of the theater, an application to revise Conditional Use Permit 14-10 shall be approved by the Planning Commission.
8. No changes to the approved floor plan may be permitted without prior written permission from the City of Industry in consultation with the Los Angeles County Sheriff's Department.

### **Code Requirements and Standards**

*The following is a list of code requirements and standards deemed applicable to the proposed project. The list is intended to assist the applicant by identifying requirements that must be satisfied during the various stages of project permitting, implementation, and operation. It should be noted that this list is in addition to any "conditions of approval" adopted by the Planning Commission and noted above. Please note that if the design of your project or site conditions change, the list may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. The entire premise is subject to inspection by the Los Angeles County Sheriff's Department and/or City representative at any reasonable time without prior notification.
2. Off-street parking shall be provided at all times in accordance with the originally approved site plan and shall be maintained in a clean and attractive manner (trash, litter, or other materials shall be removed regularly).
3. All landscaped areas shall be maintained in accordance with the originally approved landscaped plan and in a healthy and well-kept condition and kept weed free.
4. All trash containers shall be kept inside a building or in a designated trash enclosure.
5. Emergency fire facilities (hydrants) shall be kept free and unobstructed at all times.
6. No outside storage of any personal property, building materials, or other property not permanently affixed to the real property shall be allowed, unless approved by the Planning Director.
7. No outside display of goods, wares, or merchandise shall be permitted, unless approved by the

Planning Director.

8. Any graffiti painted or marked upon the premises or any adjacent area under the control of the permittee shall be removed or painted over within 72 hours of being applied.
9. There shall be no adult entertainment, male or female performers or fashion shows permitted on the premises at any time.
10. No X-rated or adult films shall be maintained or shown anywhere on the premises.
11. No dancing or live entertainment by employees or customers will be permitted at any time.
12. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the permittee provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions, or guests of and for the customers.
13. No non-prescription drugs or drug paraphernalia shall be on the premises at any time.
14. All signs, banners, pennants, flags or other outside advertising materials or structures must be approved by the City.
15. Permittee will be held responsible for acquainting all employees with these rules and all local, county, state, or federal laws.
16. The noise level created by the business shall not exceed the following at the property line of any adjacent or nearby residential land use, hospital, school in session, church or public library as measured by a sound level meter:
  - (a) 55 dBA between 7:00 a.m. - 10:00 p.m.  
50 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 30 minutes in any hour;
  - (b) 60 dBA between 7:00 a.m. - 10:00 p.m.  
55 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 15 minutes in any hour;
  - (c) 65 dBA between 7:00 a.m. - 10:00 p.m.  
60 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 5 minutes in any hour;
  - (d) 70 dBA between 7:00 a.m. - 10:00 p.m.  
65 dBA between 10:00 p.m. - 7:00 a.m.  
at any time.
17. Any violation of these conditions or any local, county, state or federal laws shall constitute grounds for revocation or suspension of the Conditional Use Permit.
18. No outside cooking, food preparation, or sales of product or merchandise, unless approved in advance by the Planning Director.

### **Interpretation and Enforcement**

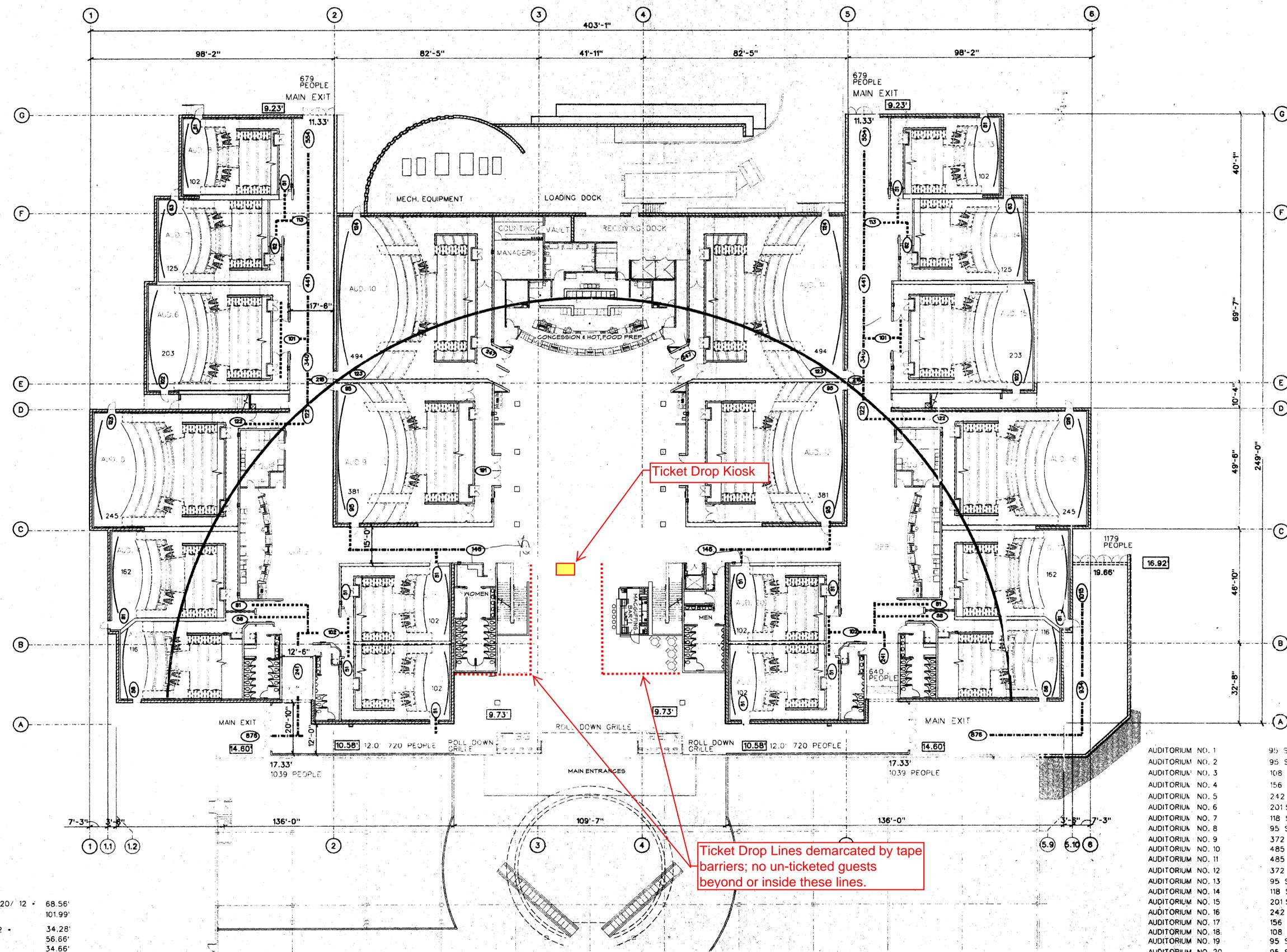
1. The Planning Department, Engineering Department, and contract agencies (Los Angeles

County Fire Department, Los Angeles Department of Building and Safety) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval.

2. The Planning Director may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of Industry Municipal Code.

LEGEND

- ⊖ INDICATES NUMBER OF THEATER OCCUPANTS EXITING.
- 000" INDICATES REQUIRED EXIT WIDTH
- 0.00' INDICATES EXIT WIDTH PROVIDED



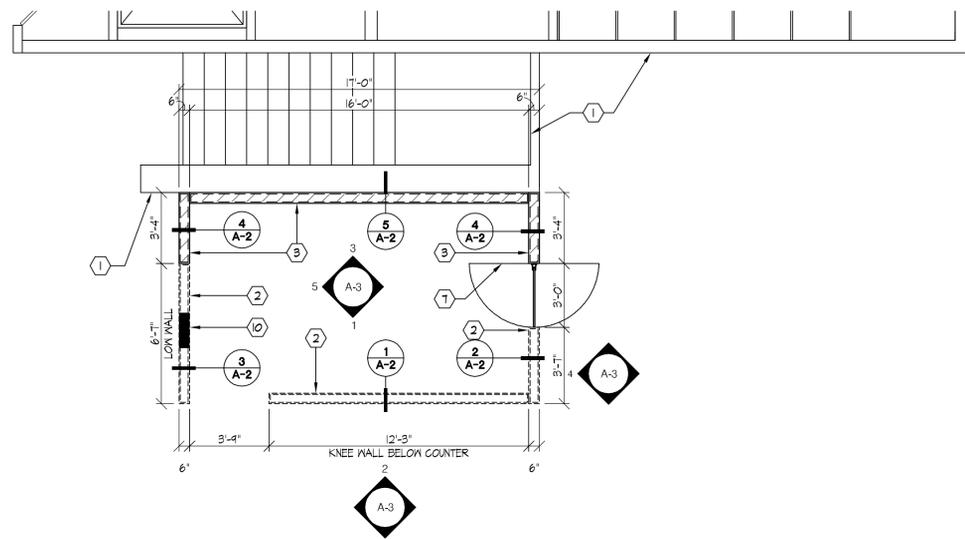
REQUIRED EXIT WIDTH	414 X .20 / 12 =	68.56'
PROVIDED EXIT WIDTH		101.99'
REQUIRED MAIN EXIT WIDTH	68.56/2 =	34.28'
PROVIDED MAIN EXIT WIDTH		56.66'
PROVIDED FRONT EXIT WIDTH		34.66'

AUDITORIUM NO. 1	95 SEATS
AUDITORIUM NO. 2	95 SEATS
AUDITORIUM NO. 3	108 SEATS
AUDITORIUM NO. 4	156 SEATS
AUDITORIUM NO. 5	242 SEATS
AUDITORIUM NO. 6	201 SEATS
AUDITORIUM NO. 7	118 SEATS
AUDITORIUM NO. 8	95 SEATS
AUDITORIUM NO. 9	372 SEATS
AUDITORIUM NO. 10	485 SEATS
AUDITORIUM NO. 11	485 SEATS
AUDITORIUM NO. 12	372 SEATS
AUDITORIUM NO. 13	95 SEATS
AUDITORIUM NO. 14	118 SEATS
AUDITORIUM NO. 15	201 SEATS
AUDITORIUM NO. 16	242 SEATS
AUDITORIUM NO. 17	156 SEATS
AUDITORIUM NO. 18	108 SEATS
AUDITORIUM NO. 19	95 SEATS
AUDITORIUM NO. 20	95 SEATS

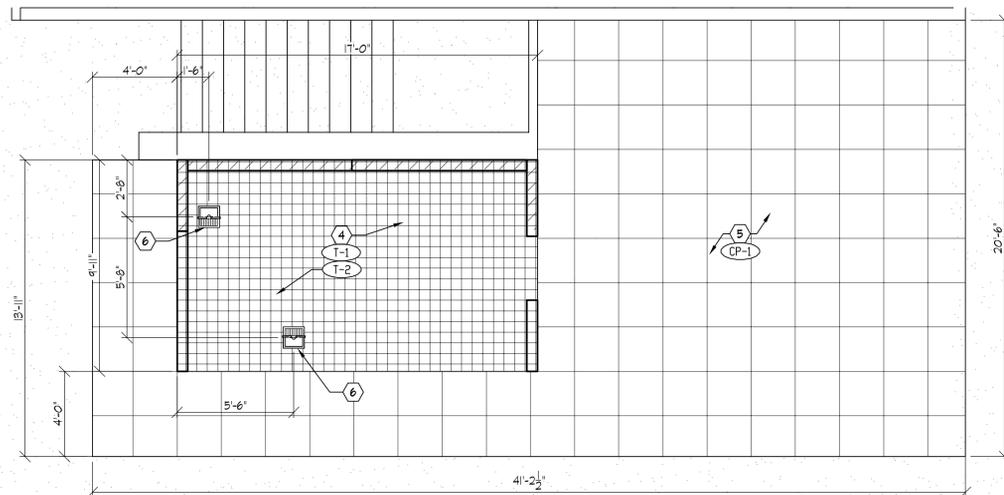
TOTAL	3934 SEATS
EMPLOYEES	50
TOTAL	3984

1 FIRST LEVEL EXIT PLAN  
 SCALE: 1/8" = 1'-0" NORTH

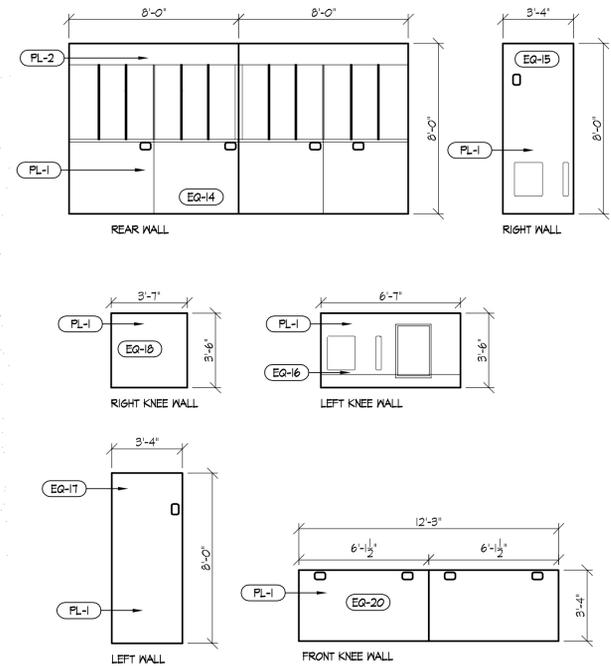
MCGUFFINS DETAIL AREA



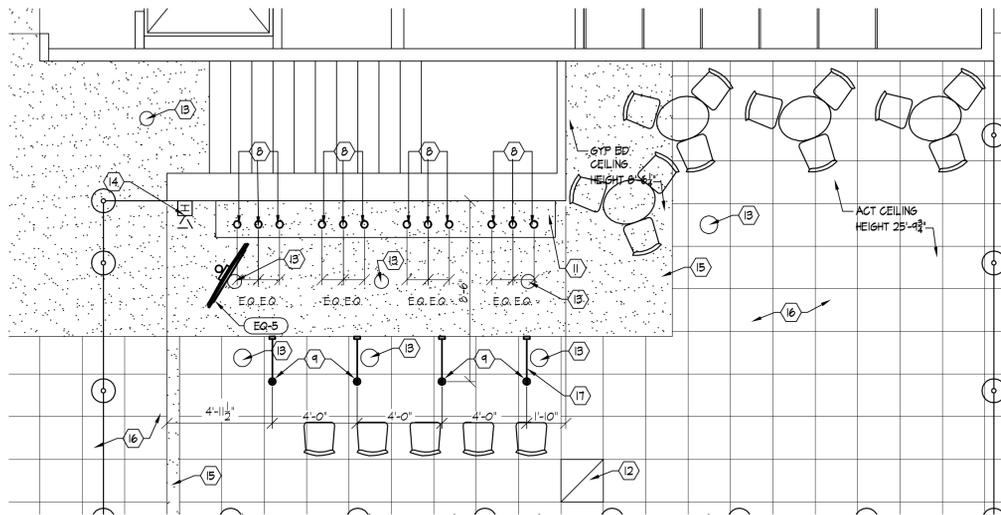
**1 PROPOSED FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**4 PROPOSED FLOOR FINISH PLAN**  
SCALE: 1/4" = 1'-0"



**5 PROPOSED EQUIPMENT ELEVATIONS**  
SCALE: 1/4" = 1'-0"



**2 PROPOSED RCP**  
SCALE: 1/4" = 1'-0"

SPECIFICATIONS	
<b>KEY FLOOR FINISHES</b>	
T-1	FLOOR TILE: DALTILE QUARRY TEXTURES, 6"x6"x1/2", WITH ABRASIVE, COLOR ASHEN GREY. PRISM SURE COLOR GROUT ANSI A118.7, COLOR: NATURAL GRAY #4. DALTILE FOUR STAR RAPID SETTING SYSTEM. DRS45 COMPLETE CONTACT RS SINGLE COMPONENT FORTIFIED MORTAR GRAY ANSI A118.4 NOTE: USE 6"x6" QUARRY TILE BULLNOSE Q-1665 WITH ABRASIVE TRANSITIONS. NOTE: CONTACT LOCAL DALTILE REPRESENTATIVE.
T-2	TILE BASE: DALTILE QUARRY TEXTURES, 5"x6"x1/2", #Q-3565, COLOR: ASHEN GRAY. PRISM SURE COLOR GROUT ANSI A118.7, COLOR: NATURAL GRAY #4. DALTILE FOUR STAR RAPID SETTING SYSTEM. DRS45 COMPLETE CONTACT RS SINGLE COMPONENT FORTIFIED MORTAR GRAY ANSI A118.4. NOTE: BASE GOES ON FLOOR, NOT ON TOP OF TILE.
CP-1	2' X 2' BLACK CARPET TILE SQUARES. TO BE PROVIDED BY LOAD KING.

KEY WALL/SURFACE FINISHES			
XXX	MANUFACTURER	COLOR	LOCATION
PL-1	WILSON ART LAMINATE	SATIN SILVER #4829	UPPER WALL
PL-2	WILSON ART LAMINATE	ASIAN NIGHT #1944	LOWER WALL
PL-3	WILSON ART LAMINATE	SILVER #D334	TOE KICK
PL-4	WILSON ART LAMINATE	BLACK	CHAIR RAIL
PL-5	WILSON ART LAMINATE	WHITE	--
S-1	CORIAN COUNTERTOP		BAR TOP, WALL CAP
S-2	SILESTONE COUNTERTOP		POS STATIONS
<b>KEY CEILING</b>			
C-1	SUSPENDED CEILING: 24"x24" VINYL FACED LAY-IN PANELS (WHITE) IN EXISTING T-GRID BY ARMSTRONG OR EQUAL. CLASS 'A' FIRE RATING.		
L-1	ASPECTS DROPLET COLLECTION- RED HAND BLOWN I- LIGHT PENDANT. MODEL # DLP13RDSCT		

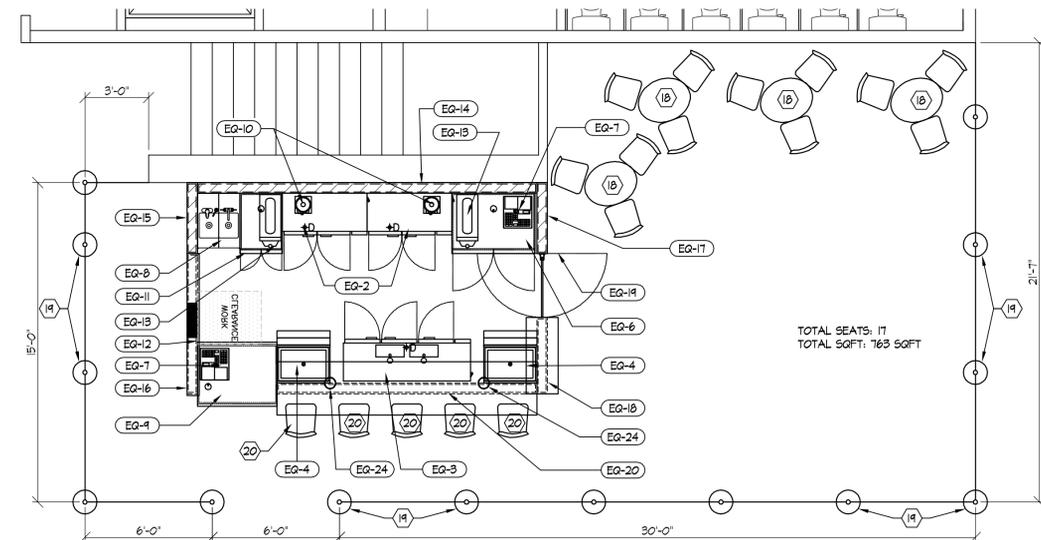
**KEYED NOTES:**

- (1) EXISTING WALL TO REMAIN. GC. TO REMOVE EXISTING FINISHES AND APPLY THE MAGGUFFIN FINISHES.
- (2) NEW LOW WALL BELOW COUNTER.
- (3) NEW WALL. SEE SHEET A-2.
- (4) NEW FLOOR TILE (T-1) AND TILE BASE (T-2)
- (5) NEW 24"x24" BLACK CARPET TILES.
- (6) NEW FLOOR SINK.
- (7) NEW SWING GATE.
- (8) NEW LED LIGHTS, TYP. REFER TO ELEC.
- (9) NEW PENDANT LIGHTS.
- (10) NEW ELECTRICAL PANEL BY LOAD KING.
- (11) NEW KIOSK SOFFIT.
- (12) EXISTING HVAC DEVICE DIFFUSER TO REMAIN.
- (13) EXISTING LIGHTING TO REMAIN.
- (14) RELOCATED FIRE ALARM STROBE LIGHT AND HORN.
- (15) EXISTING SOFFIT TO REMAIN
- (16) EXISTING CEILING GRID TO REMAIN
- (17) 1-5/8" UNISTRUT ATTACHED TO 4"x4" STEEL PLATE. BOLT PENDANT MOUNT TO EXISTING STRUCTURE.
- (18) NEW BAR HEIGHT TABLES AND SEATING. PROVIDED BY LOAD KING.
- (19) NEW TENSOR BARRIER. PROVIDED BY LOAD KING.
- (20) NEW BAR HEIGHT SEATING.

EQUIPMENT SCHEDULE			
TAG #	QTY	DESCRIPTION	MODEL #
EQ-1	--		
EQ-2	2	2- DOOR BEVERAGE REFRIGERATOR	#BB40 65Y (48 X 23.5 X 34)
EQ-3	1	72" KEGATOR	BEVERAGE-AIR #DD70
EQ-4	2	30" ICE BIN W/ SP RAIL, W/COLD PLATE	KROWNE, KR18-30"
EQ-5	1	WALL MOUNTED TV	--
EQ-6	1	4'-0" P.O.S. TABLE	--
EQ-7	2	P.O.S. EQUIPMENT BY OWNER	--
EQ-8	1	DUMP SINK/HAND SINK	--
EQ-9	1	BAG-N-BOX CABINET	--
EQ-10	2	BLENDER	--
EQ-11	1	24" X 36" CABINET	--
EQ-12	1	VERTICAL CUP HOLDER	--
EQ-13	2	12" X 26" MARGARITA MIXER	FROSTY FACTORY, 12T
EQ-14	1	REAR WALL 16'-0"	BY LOAD KING
EQ-15	1	LEFT SIDE WALL 3'-4"	BY LOAD KING
EQ-16	1	LEFT SIDE LOW WALL 6'-7"	BY LOAD KING
EQ-17	1	RIGHT SIDE WALL 3'-4"	BY LOAD KING
EQ-18	1	RIGHT SIDE KNEE WALL 3'-7"	BY LOAD KING
EQ-19	1	SWING GATE	BY LOAD KING
EQ-20	1	FRONT KNEE WALL 12'-3"	BY LOAD KING
EQ-24	2	BAR GUN	BY LOAD KING

**WALL TYPE LEGEND:**

	EXISTING WALL CONSTRUCTION TO REMAIN
	NEW PRE-FABRICATED WALL PROVIDED BY LOAD KING
	NEW PRE-FABRICATED LOW WALL PROVIDED BY LOAD KING



**3 PROPOSED EQUIPMENT PLAN**  
SCALE: 1/4" = 1'-0"

ANY MODIFICATIONS TO EXISTING FIRE SPRINKLER SYSTEM SHALL BE UNDER SEPARATE PERMIT. SUBMITTED BY FIRE PROTECTION CONTRACTOR.

REGISTRATION SEAL

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**amc**  
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PUENTE HILLS 20

1560 SOUTH AZUSA  
ROWLAND HEIGHTS, CA 91748

REV. DATE DESCRIPTION

PROJECT NO: 130902  
DRAWN BY: JMR  
CHECKED BY: CAB

ISSUE DATE:  
12/13/13

FLOOR PLANS / RCP / EQUIPMENT PLAN

A-1

# **Attachment 2**

## **Notice of Exception**

## NOTICE OF EXEMPTION

**To:** County Clerk  
County of Los Angeles  
Environmental Filings  
12400 East Imperial Highway #2001  
Norwalk, CA 90650

**From:** City of Industry  
15625 E. Stafford Street, Suite 100  
City of Industry, CA 91744

**Project Title:** Amendment of condition of approval for CUP 14-10, AMC Theater

**Project Location - Specific:** 1560 Azusa Avenue, Industry, California (APN 8265-004-118)

**Project Location-City:** City of Industry    **Project Location-County:** Los Angeles

**Description of Project:** Revise condition of approval #5 such that it preserves the original intent of allowing first responders to access video feeds in real time – or near to it – while allowing businesses to utilize any vendor or system that is compatible with the Los Angeles County Sheriff’s Department needs.

**Name of Public Agency Approving Project:** Planning Commission, City of Industry

**Name of Person or Agency Carrying Out Project:** City of Industry

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

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. *State type and section number:*
- Statutory Exemptions. *State code number:*
- General Rule Exemption (Sec. 15061): *State type and section number:* 15061(b)(3)

**Reasons why project is exempt:** Section 15061(b)(3) of the CEQA Guidelines exempts projects covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Allowing applicants to select the particular vendor to provide the system allowing first responders to access video feeds from security cameras would not create any public health or safety hazards, would not have a significant impact on the resources or services within the surrounding area, and would not have a significant effect on the environment.

**Lead Agency**

**Contact Person:** Brian James

**Telephone:** (626) 333-2211

**Signature:** \_\_\_\_\_

**Date:**

**Title:** Planning Director

# **Attachment 3**

## **Public Hearing Notice**

## NOTICE OF PUBLIC HEARING

### Amendment to Conditional Use Permit No. 14-10

On October 30, 2015, notice has been given that the Planning Commission of the City of Industry shall hold a public hearing to consider amending Condition of Approval No. 5 of Conditional Use Permit (CUP) 14-10 for the AMC Theater at 1560 Azusa Avenue in the City of Industry. The intent of the amended Condition of Approval is to preserve the ability of first responders to access video feeds in real time but allow businesses to utilize any vendor/system to provide the video feed service.

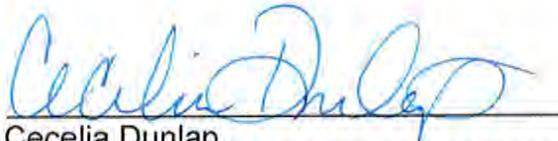
A copy of all relevant material, including the original Conditional Use Permit, is on file in the City Administrative Offices, 15625 East Stafford Street, Suite 100, City of Industry, California 91744.

The time, date and place of such hearing shall be as follows:

Time: 11:00 a.m.  
Date: November 12, 2015  
Place: City Council Chamber  
15651 East Stafford Street  
City of Industry, CA 91744

Any person wishing to be heard regarding this matter may appear at the above time, date and place. Written comments may be sent via U.S. Mail or by hand delivery to the City of Industry, at 15625 Stafford Street, Suite 100, City of Industry, CA 91744.

If you challenge the conditional use permit 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 of the City of Industry at, or prior to, the public hearing.



Cecelia Dunlap  
Deputy City Clerk of the City of Industry

# **Attachment 4**

**Resolution No. PC 2015-19**

## RESOLUTION NO. PC 2015-19

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING CONDITION OF APPROVAL NO. 5 OF CONDITIONAL USE PERMIT NO. 14-10 AT 1560 AZUSA AVENUE, CITY OF INDUSTRY, CALIFORNIA, AND THE NOTICE OF EXEMPTION REGARDING SAME.

#### RECITALS

**WHEREAS**, on March 12, 2015, the Planning Commission adopted Resolution No. PC 2015-01 approving Conditional Use Permit (“CUP”) No. 14-10 for American Multi-Cinema, Inc. (“AMC”) to operate an approximately 763 square foot bar area inside the Theater called MacGuffins that would offer a full line of alcoholic beverages with a type 47 license from the California Department of Alcoholic Beverage Control, located at 1560 Azusa Avenue (“Property”); and

**WHEREAS**, CUP 14-10 includes Condition of Approval No. 5, which states, “Prior to the opening/operation of MacGuffins and alcohol service, security cameras that are connected to the PSO system and allow law-enforcement real-time access to the surveillance feeds will be installed to provide coverage inside the theater lobby and of MacGuffins;” and

**WHEREAS**, the Public Safety Online (“PSO”) is a privately owned system that allows first responders to view private surveillance cameras using wireless internet access. Through the Industry Manufactures Council (“IMC”), equipment was provided to businesses so that they could connect to PSO’s system; and

**WHEREAS**, it was later determined that a condition of approval should not be structured such that it specifies a particular vendor or benefits a particular company; and

**WHEREAS**, Condition of Approval No. 5 is proposed to be revised to state: “Within 90 days of the opening of McGuffins, security cameras, which are connected to a system allowing local law-enforcement access to video surveillance feeds, will be installed to provide coverage inside the theater lobby and of MacGuffins. The video feeds may be live or an acceptable alternative and shall be compatible with and approved by the Los Angeles Sheriff’s Department prior to installation;” and

**WHEREAS**, the amendment of Condition of Approval No. 5 was determined not to have a significant impact on the environment and is categorically exempt from the California Environmental Quality Act (“CEQA”), pursuant to Section 15061(b)(3) of the CEQA Guidelines which exempts projects covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the

activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

**WHEREAS**, notice of the Planning Commission's November 12, 2015 public hearing on amending Condition of Approval No. 5 of CUP No. 14-10 was published in *The San Gabriel Valley Tribune* on October 30, 2015, in compliance with the City's Municipal Code and Government Code Section 65091, and was posted at the Property and at three public places on October 30, 2015; and

**WHEREAS**, the notice of the Planning Commission's November 12, 2015, public hearing on amending Condition of Approval No. 5 of CUP No. 14-10 was also mailed to property owners within 300 feet of the Property on October 30, 2015; and

**WHEREAS**, on November 12, 2015, the Planning Commission of the City of Industry conducted a duly noticed public hearing on the revision to Condition of Approval No. 5, and considered all testimony written and oral; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW THEREFORE**, it is hereby found, determined and resolved by the Planning Commission of the City of Industry as follows:

**SECTION 1.** The Planning Commission hereby finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

**SECTION 2.** All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law and the Municipal Code of the City of Industry.

**SECTION 3.** Upon independent review and consideration of the information contained in the Staff Report and the Notice of Exemption for the amendment to Conditional Use Permit Application No. 14-10, the Planning Commission hereby finds and determines that amending Condition of Approval No. 5 of Conditional Use Permit No. 14-10 will not result in or have a significant impact on the environment, because allowing a business operator to select the vendor that would provide the system allowing first responders to access video feeds from security cameras would not create any public health or safety hazards, would not have a significant impact on the resources or services within the surrounding area, and would not have a significant effect on the environment. Therefore, the proposed project is categorically exempt from the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 *et seq.*), pursuant to Section 15061(b)(3) (Title 14, Chapter 3 of the California Code of Regulations). Based on these findings, the Planning Commission adopts the Notice of Exemption and directs staff to file same as required by law.

**SECTION 4.** Based upon substantial evidence presented to the Planning Commission during the November 12, 2015, public hearing, including public testimony and written and oral staff reports, this Commission finds as follows:

A. The proposed amended Condition of Approval No. 5 is consistent with the goals and objectives of the General Plan. The General Plan designates the site as Commercial, including retail and entertainment uses. The Zoning Ordinance, which implements the General Plan, allows for entertainment and restaurants with alcohol service with approval of a CUP, which occurred for AMC on March 12, 2015. The revised Condition of Approval No. 5 clarifies a condition of approval to ensure the Business will operate in a manner consistent with the General Plan's policies related to public safety by allowing the Sheriff Department to monitor video feeds in emergency situations.

B. The Property is adequate in size and shape, topography and location, to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Sections 17.20.060 and 17.36.060 of the Municipal Code, and there are adequate utilities to accommodate the proposed use. The Property complies with the development standards outlined in Chapter 17.36, Zoning Code of the Industry Municipal Code and the revised Condition of Approval No. 5 does not involve any physical changes to the Property and there will be no increased demands placed upon the existing water, gas, electricity, and sewer utilities that adequately serve the site.

C. The nature, condition and proposed development of adjacent uses, buildings and structures has been considered, and the proposed revised Condition of Approval No. 5 will not adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare, in that the surrounding area is composed of other similar commercial uses. The revised Condition of Approval No. 5 will clarify the manner in which the Business may provide a system that allows the Sheriff Department to monitor video feeds and respond to emergency situations.

D. The Property is served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate. There is no expansion of the Property's footprint and the Property is currently served by Colima Road, which is of adequate capacity to serve the Business. The revised Condition of Approval No. 5 will clarify the manner in which the Business may provide a system that allows the Sheriff Department to monitor video feeds and respond to emergency situations.

E. The revised Condition of Approval No. 5 is compatible with surrounding properties and uses because the surrounding area is composed of commercial uses. The uses of the surrounding properties may change, but the character will remain commercial in nature consistent with the general plan and zoning designations of the site. The revised Condition of Approval No. 5 will clarify the manner in which the Business may provide a system that allows the Sheriff Department to monitor video feeds and respond to emergency situations.

Based upon the foregoing findings, the Planning Commission hereby approves the amendment to Condition of Approval No. 5 for CUP No. 14-10, subject to the conditions contained in Exhibit "A".

**SECTION 5.** The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

**SECTION 6.** That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Industry at a regular meeting held on November 12, 2015 by the following vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:

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Andria Welch  
Chairwoman

**ATTEST:**

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Cecelia Dunlap  
Secretary



# CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

## EXHIBIT A REVISED

### Standard Requirements and Conditions of Approval

**Application:** Conditional Use Permit 14-10 – AMC Theater

**Applicant:** AMC Entertainment Inc.

**Location:** 1560 Azusa Avenue

### Conditions of Approval

*Conditions of approval are unique provisions, beyond the requirements of law, the municipal code, or standard practices that are applied to a project by the Planning Commission per Section 17.48.060 of the Zoning Code. Please note that if the design of your project or site conditions change, the conditions of approval may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. Attachment A, AMC Alcohol Service Operations and Management Plan, is incorporated by reference and shall act as the enforceable conditions of approval for the service of alcohol at AMC Puente Hills. Violation of any of the actions listed in Attachment A, AMC Alcohol Service Operations and Management Plan, may be grounds for revocation of Conditional Use Permit 14-10.
2. MacGuffins shall not open for business or serve alcohol without prior written approval from the Planning Director. Prior to the opening/operation of MacGuffins and alcohol service, AMC Puente Hills shall notify the Planning Director who will inspect the site for compliance with the conditions of approval.
3. Conditional Use Permit 14-10 shall be renewed annually for a period of three years commencing from the initial date of operation of MacGuffins and service of alcohol. Thereafter, if there are not increased law enforcement activities at or attributed to AMC Hills Puente Hills, as determined by the Los Angeles County Sheriff's Department, and AMC Puente Hills has complied with the conditions of approval, the requirement for an annual renewal shall sunset. As part of the annual CUP renewal, the applicant shall provide an updated copy of the site specific risk assessment and security plan to the Planning Director.
  - a. The annual CUP review of Conditional Use Permit 14-10 shall be conducted by City Staff to verify compliance with all conditions of approval, applicable Chapters of the Municipal Code, and law enforcement activity occurring at or attributed to AMC Puente Hills. A report of the Staff's review shall be forwarded to the Planning Commission for review at a noticed public hearing.
4. After the sunset of the requirement for an annual renewal of the CUP, the Planning Director or Sheriff's Department may request an updated copy of the site specific risk assessment and

security plan at any time. Any concerns that may arise from review of the site specific risk assessment and security plan will be communicated with AMC Puente Hills with the aim of rectifying the concerns. If the concerns violate the approved conditions of approval and are not addressed to the satisfaction of the Planning Director and Sherriff's Department, the City may seek revocation of Conditional Use Permit 14-10.

5. ~~Prior to the opening/operation of MacGuffins and alcohol service, security cameras that are connected to the PSO system and allow law enforcement real time access to the surveillance feeds will be installed to provide coverage inside the theater lobby and of MacGuffins.~~ Within 90 days of the opening of McGuffins, security cameras, which are connected to a system allowing local law-enforcement access to video surveillance feeds, will be installed to provide coverage inside the theater lobby and of MacGuffins. The video feeds may be live or an acceptable alternative and shall be compatible with and approved by the Los Angeles Sheriff's Department prior to installation.
6. At any time, if there incidents of increased law enforcement activities at or attributed to AMC Puente Hills, as determined by the Los Angeles County Sheriff's Department, the Sheriff's Department may recommend actions to correct the situation, such as increased uniformed security personnel, expanded hours of security personnel, limitations of the hours of alcohol service, as well as measures provided by AMC staff and approved by the Sheriff's Department. The Planning Director may then direct that these measures be implemented to address the security concerns. If these measures or other measures fail to correct the situation or AMC fails to effectively enact corrective measures, the City may seek revocation of Conditional Use Permit 14-10.
7. Conditional Use Permit 14-10 is directly tied to the operation and management of AMC Puente Hills by American Multi-Cinema (AMC) Inc. as described in Attachment A. The transfer of the ABC license or change in ownership of the theater shall necessitate a revised CUP prior to continued alcohol service to ensure that all conditions of approval are maintained. Prior to the transfer of the ABC license or change in ownership of the theater, an application to revise Conditional Use Permit 14-10 shall be approved by the Planning Commission.
8. No changes to the approved floor plan may be permitted without prior written permission from the City of Industry in consultation with the Los Angeles County Sheriff's Department.

### **Code Requirements and Standards**

*The following is a list of code requirements and standards deemed applicable to the proposed project. The list is intended to assist the applicant by identifying requirements that must be satisfied during the various stages of project permitting, implementation, and operation. It should be noted that this list is in addition to any "conditions of approval" adopted by the Planning Commission and noted above. Please note that if the design of your project or site conditions change, the list may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. The entire premise is subject to inspection by the Los Angeles County Sheriff's Department and/or City representative at any reasonable time without prior notification.
2. Off-street parking shall be provided at all times in accordance with the originally approved site plan and shall be maintained in a clean and attractive manner (trash, litter, or other materials shall be removed regularly).

3. All landscaped areas shall be maintained in accordance with the originally approved landscaped plan and in a healthy and well-kept condition and kept weed free.
4. All trash containers shall be kept inside a building or in a designated trash enclosure.
5. Emergency fire facilities (hydrants) shall be kept free and unobstructed at all times.
6. No outside storage of any personal property, building materials, or other property not permanently affixed to the real property shall be allowed, unless approved by the Planning Director.
7. No outside display of goods, wares, or merchandise shall be permitted, unless approved by the Planning Director.
8. Any graffiti painted or marked upon the premises or any adjacent area under the control of the permittee shall be removed or painted over within 72 hours of being applied.
9. There shall be no adult entertainment, male or female performers or fashion shows permitted on the premises at any time.
10. No X-rated or adult films shall be maintained or shown anywhere on the premises.
11. No dancing or live entertainment by employees or customers will be permitted at any time.
12. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the permittee provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions, or guests of and for the customers.
13. No non-prescription drugs or drug paraphernalia shall be on the premises at any time.
14. All signs, banners, pennants, flags or other outside advertising materials or structures must be approved by the City.
15. Permittee will be held responsible for acquainting all employees with these rules and all local, county, state, or federal laws.
16. The noise level created by the business shall not exceed the following at the property line of any adjacent or nearby residential land use, hospital, school in session, church or public library as measured by a sound level meter:
  - (a) 55 dBA between 7:00 a.m. - 10:00 p.m.  
50 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 30 minutes in any hour;
  - (b) 60 dBA between 7:00 a.m. - 10:00 p.m.  
55 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 15 minutes in any hour;
  - (c) 65 dBA between 7:00 a.m. - 10:00 p.m.  
60 dBA between 10:00 p.m. - 7:00 a.m.

for a cumulative period of more than 5 minutes in any hour;

- (d) 70 dBA            between 7:00 a.m. - 10:00 p.m.
- 65 dBA            between 10:00 p.m. - 7:00 a.m.
- at any time.

17. Any violation of these conditions or any local, county, state or federal laws shall constitute grounds for revocation or suspension of the Conditional Use Permit.
18. No outside cooking, food preparation, or sales of product or merchandise, unless approved in advance by the Planning Director.

### **Interpretation and Enforcement**

1. The Planning Department, Engineering Department, and contract agencies (Los Angeles County Fire Department, Los Angeles Department of Building and Safety) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval.
2. The Planning Director may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of Industry Municipal Code.

# ATTACHMENT A

**EXHIBIT A**  
**of Conditions of Approval**

**AMC Alcohol Service Operations and Management Plan**

AMC Puente Hills 20 Theatre

The service of alcoholic beverages at the AMC Puente Hills 20 Theatre (the “Theatre”) will adhere to the policies outlined in this document and Exhibit C, the approved conditions of approval which, in the event of a conflict, shall prevail. Together, this document and the conditions of approval will ensure compliance with all local and state regulations and provide an overall safe experience. The General Manager is ultimately responsible for ensuring all Theatre associates are aware of applicable regulations and overseeing their enforcement.

Any person who violates the policies listed on the following pages will be appropriately disciplined. Violations also include assisting someone else in inappropriate conduct, failing to report any violation, and impeding an investigation. Possible disciplinary action may range from a verbal warning, up to and including termination. A person guilty of violating these policies may also be responsible in a criminal or civil suit for losses or other damages caused by his/her conduct. In addition, referral of the matter may be made to the appropriate government agencies.

**CONCEPT – MACGUFFINS**

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All alcohol sales will take place at MacGuffins, AMC’s designated alcohol sales concession area. All non-alcoholic beverages may be purchased at the currently existing concessions area, and no non-alcoholic drinks may be purchased at MacGuffins. After an alcoholic beverage is purchased at MacGuffins, adult patrons may enjoy that beverage in any of the Theatre’s auditoriums, all of which are subject to continuous monitoring by AMC staff. MacGuffins shall be maintained as shown on the approved floor plans, included herein as Exhibit D, or as subsequently revised and approved by the City of Industry. As described herein and shown on Exhibit D, MacGuffins shall be located behind the ticket-taking area, thus requiring the purchase of a movie ticket to access MacGuffins.

Alcohol sales at MacGuffins will be pursuant to a Type 47 On-Sale General Eating Place alcohol license issued by the California Department of Alcoholic Beverage Control. AMC proposes to sell a full line of alcoholic beverages, including beer, wine, and spirits, consistent with the Type 47 License.

**BACKGROUND CHECKS**

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Because of the additional responsibilities that accompany maintaining a liquor license, AMC conducts background checks on all bartenders, supervisors, and managers assigned to locations with alcohol operations.

**ALCOHOL SALES**

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The guidelines below must be adhered to when serving alcoholic beverages to guests.

## Age Verification

The minimum legal age for purchasing and consuming alcoholic beverages in the United States is 21 years. **Associates must require positive proof of age from all guests purchasing alcohol regardless of age.**

In most states, valid IDs may be driver's licenses, state IDs, military and active military IDs, passport cards, or visas. However, any local exceptions to these standards must be adhered to. A booklet containing examples, descriptions, and the security features of valid IDs from the United States called *ID Checking Guide* may be obtained by ordering from [www.idcheckingguide.com](http://www.idcheckingguide.com) or by calling (800) 227-8827. Since this booklet is updated annually, a subscription can be ordered at a savings.

When checking a government-issued ID, inspect the following information:

- Photograph of bearer
- Signature
- Height
- Date of Birth
- Expiration Date
- Watermark

### *Electronic Age Verification – ID Scanners*

All employees selling alcoholic beverages must electronically verify age before selling alcoholic beverage(s) to anyone who reasonably appears to be 35 years of age or younger.

AMC management must be able to read, print, or download the data in the ID scanners and have the knowledge and capability to produce the data upon request of a peace officer or authorized representative of the Department of ABC.

Any electronic age verification device must contain the technology to read a magnetic stripe and a two dimensional stack symbology (bar code), or an alternate technology capable of electronically verifying the proof of age, and must be capable of reading a valid state issued driver's license, a valid state issued identification card, a valid military identification card, or a valid passport.

Any electronic age verification device must have a screen that displays no more than a person's name, age, ID number, birth date, gender, ID status, and expiration date, and shall have the capability of electronically storing the name, age, ID number, birth date, gender, ID status and expiration date for one day (24 hours) including the time and date the proof of age was scanned.

If the proof of age cannot be scanned electronically, an alternative method of verifying an individual's proof of age shall include a record or log showing the type, number, and expiration date of the ID, the date the ID was presented, and the individual's name and date of birth.

Any data collected either electronically or otherwise may only be used for the purpose of verifying an individual's proof of age and may not be retained by AMC in a database for mailing, advertising, or promotional activity, to acquire personal information or to make inappropriate personal contact with the individual, and shall be retained until close of business on the day it was obtained, after which it must be deleted. The data collected may be acquired by law enforcement, or other investigative agencies.

### *Fake Identification*

If an associate believes an ID is fake, the following steps must be taken:

- Alert a manager – The manager must complete a review of the ID using the F.L.A.G. technique. F.L.A.G. stands for Feel, Look, Ask and Give Back.
- Notify Security if the ID appears to be fake.
- If Security is not present, return the card to the guest, unless local law requires a different procedure. Theatre staff should reference F-142, *Theatre Specific Alcohol Laws and Regulations* for specific laws and regulations.
- Do not serve the guest.

### Exceptions to Age Verification Policy (Limited Use)

When a guest requests an exception to AMC's age verification policy, the highest ranking manager in the building can review the request. However, **at no time** should any associate communicate to the guest that AMC may make exceptions to the age verification policies.

The highest ranking manager must complete the following actions prior to giving approval:

- Visual Check (**required**) – Manager must be present to determine if the guest looks over the age of 40. If the guest looks younger than 40, no exceptions should be made to the age verification policy, and valid ID for proof of age is required.
- Limit Order Quantity – Guests can only purchase one beverage per order if an exception is made.
- Documentation – If applicable, denote the exception on the *Alcohol Compliance Monitoring Worksheet*.
- Verify that it is legal to serve a guest without identification at the Theatre. Refer to F-142, *Theatre Specific Alcohol Laws and Regulations* for local exceptions.

In the event that the associate did not follow the outlined procedures, disciplinary action up to and including termination may occur.

**Note:** Supervisors or film crew may never make this exception. Only the highest-ranking manager may do so.

#### Quantity of Alcoholic Beverages Purchased

Alcohol sales limits are subject to the maximum imposed by local or state jurisdictions. An associate must NEVER serve more alcoholic beverages than the approved limit. Any employee found to be violating any of AMC's rules, including the approved number of drinks per person, will be subject to disciplinary action up to and including termination.

Pursuant to the California Department of Alcoholic Beverage Control Standard Condition Number 5, "[n]o more than two (2) alcoholic beverages shall be sold or served to any one (1) person during any transaction." Thus, no more than two alcoholic beverages may be served to any one person during any transaction at any theatre in California.

No person shall be served more than three (3) alcoholic beverages within a two (2) hour period (the duration of a typical movie).

#### Building Restrictions and Container Requirements

Alcoholic beverages must always be served in AMC-approved alcohol-specific containers and may never be poured into "traditional" fountain beverage vessels. AMC uses distinctive plastic cups for all alcoholic beverages, as shown on the attached image (Exhibit A).

All alcoholic beverages are served with a black straw, while non-alcoholic beverages are served with a red straw.

Finally, cups for beer and cocktails are a standard 16-ounce size, while cups for wine are 10 ounces.

Alcoholic beverages may only be purchased by ticketed guests and MacGuffins will be located behind the Theatre's ticket-taking stand.

### OPERATING HOURS AND ALCOHOL CUT-OFF REQUIREMENTS

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AMC will sell alcohol during the following hours, subject to any regulations that limit the sale of alcohol to certain times:

**Monday – Sunday:** 10:30 A.M. to **1:30** A.M. PC approved revision to hours 3/12/15

- **Operating Hours:** MacGuffins' operating hours should be part of the weekly business planning to ensure the most return and compliance with applicable law.

## **SIGNAGE**

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AMC requires the following signage:

- **ID Policy – Guest Facing:** Place signage at the counter and POS to notify guests of AMC’s policy to check the ID of all guests purchasing alcohol.
- **Age Check – Associate Facing:** Place age check signage on POS to help associates quickly identify whether a guest is 21 years of age or older.
- **Weapons Free:** Ensure that appropriate *No Weapons* door clings are displayed per SEC-40, *Weapons-Free Guidelines*.

## **ALCOHOL INVENTORY**

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All beer, wine, and liquor must be delivered by a vendor, and at no time is it allowable for a Theatre associate to go off-site to acquire it. All liquor, beer, and wine inventory must be kept in a secure location that is only accessible by managers and supervisors who are 21 years of age or older. When stocking the bar, we use a “Bottle-for-Bottle Exchange” system, in which a bottle does not leave the closet without an empty one in its place. Immediately following the close of the building, a manager must verify that all alcohol is secure.

## **ALCOHOL COMPLIANCE MONITORING**

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Whenever MacGuffins is open, a manager must oversee operations as part of managing the floor to ensure quality of service and alcohol compliance by observing the flow of guests and bartender execution. Management must also be available to investigate anything unusual reported by bartenders, other associates, or guests.

All associates who serve, sell, or handle alcohol and those who monitor for compliance, play a vital role in enforcing alcohol policies. Compliance monitoring occurs throughout the building by all associates using the procedures and guidelines provided by Training for Intervention Procedures (“TIPS”), a leader in education and training for the responsible service, sale, and consumption of alcohol. All associates will be TIPS certified, regardless of whether they staff MacGuffins or not. Upon hire, all sales employees are required to sign a form acknowledging that failure to follow AMC’s rules, policies, and procedures provided in the alcohol control plan will lead to immediate disciplinary action, up to and including termination.

All associates, including non-MacGuffins staff, are required to check ID for any guests consuming alcohol who appear to be under the legal drinking age of 21 in areas outside and inside the auditoriums. Pursuant to the California Department of Alcoholic Beverage Control Standard Conditions and AMC policies, at all times when the Theatre is exercising the privilege of its license, an employee must enter and monitor the activity within the theatres at least once every 30 minutes.

Associates who perform auditorium checks for presentation quality and comfort also monitor for alcohol compliance. Proper planning is essential and, depending on film bookings and expected audience draw, it may be necessary to increase frequency of auditorium checks for specific films. Assignment of duties to specific associates should be noted on the Daily Game Plan.

Monitoring for alcohol compliance includes these responsibilities:

- Ensure guest compliance with alcohol enforcement policies.
- Monitor and prevent alcohol consumption by minors.
- Ensure guests do not leave the premises with alcoholic beverages.

## **UNDERAGE DRINKING**

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Individuals under 21 years of age may not purchase nor consume alcoholic beverages on AMC property. In the event that an underage guest is caught with an alcoholic beverage, a manager must be notified immediately.

The following steps must be taken to ensure the issue is addressed correctly:

1. Remove the guest from the auditorium.
2. Verify the guest's age.

If the guest is determined to be underage:

3. Take the drink from the guest.
4. Notify law enforcement.
5. If the guest is under the age of 18, contact a parent or legal guardian.
6. Complete the Alcohol Compliance Monitoring Worksheet and submit an Incident Report.

<p><b>If it is determined that an associate failed to ask for proof of age or allowed a guest under 21 years of age to purchase and/or to consume an alcoholic beverage, due to AMC's zero tolerance policy that associate will be terminated.</b></p>
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## **INTOXICATED GUESTS**

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In the event that an associate encounters a guest that appears intoxicated, a manager must be notified immediately. The following steps must be taken to ensure we address the issue correctly:

1. Remove the guest from the auditorium.
2. Ask the guest to not leave the building.
3. Ask the guest to sit down, then provide water or food to the guest. This is designed to diffuse the situation as well as provide time for making alternative arrangements to get the guest home. This is not a tactic to help the guest “sober” up before driving home.
4. Make alternate arrangements for the guest to get home.
5. If the guest does not follow your instructions, monitor the guest’s location.
6. Notify law enforcement if you are unable to keep the guest from leaving.
7. Complete the Alcohol Compliance Monitoring Worksheet and submit an Incident Report.

## **UNDERCOVER ALCOHOL COMPLIANCE CHECKS**

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At any time, the Theatre may receive undercover compliance checks. Theatre teams should be prepared by always adhering to all AMC policies and local regulations.

### **Government Agencies**

Alcohol compliance checks are investigations into the purchase of alcohol by minors at businesses that sell alcohol. If the Theatre receives an undercover alcohol compliance check by a government agency, Theatre staff should e-mail 0411-MacGuffins and 0411-Inspections regardless of pass or fail. Staff must also follow the notification instructions outlined in OPS-90a, Government Inspections Notifications.

The sting operations will involve a minor, under the age of 21 years, (with undercover officers nearby) attempting to buy an alcoholic beverage from an associate. In some states, there is no legal standard that requires the minor to be truthful about their age and the minor may not present any identification.

If the associate sells alcohol to a minor, the following actions may occur:

- Fines (associate, business, etc.)
- Arrest (associate)
- Conviction (misdemeanor)
- Civil penalties
- Additional sting operations (multiple offenses)
- Loss of liquor license (multiple offenses)

**If it is determined that an associate failed to ask for proof of age or allowed a guest under 21 years of age to purchase and/or to consume an alcoholic beverage, due to AMC’s zero tolerance policy that associate will be terminated.**

## AMC Mystery Shop

As part of AMC's Mystery Shop program, there is a unique shop that is specific to locations that serve alcohol. Theatres will receive one alcohol mystery shop every month. This is an internal check to ensure compliance with local, state, and federal laws regarding alcohol enforcement. These shops are graded on a pass/fail system. Theatres that fail may receive additional checks.

## **ASSOCIATE AGE POLICIES**

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**Age to Manage:** All managers assigned to a location that sells alcohol must be 21 years of age or older.

**Age to Supervise:** Supervisors must be at least 18 years of age or older. However, if a Supervisor is under 21, he or she may not be involved in any aspect of bar operations. Supervisors under 21 may not have access to secured alcohol storage areas, accept deliveries, transport alcohol, assist with inventory process, or even step behind the bar to conduct a cash-pull.

**Age to Transport & Access:** All associates that may receive alcohol deliveries, have access to alcohol storage areas, or help with the inventory of alcohol must be 21 years of age or older.

**Age to Bartend:** Associates must be at least 21 years of age or older to bartend.

**Age to Clean Auditoriums:** Associates must be 18 years of age or older to pick up open containers of alcohol while cleaning an auditorium.

Open containers are defined as any vessel used to consume alcoholic beverages that contains any amount of alcohol or once contained alcohol. For example, an empty wine cup is considered an open container and may not be disposed of by an associate under the age of 18. If associates on duty are not old enough to pick up opened containers of alcohol, they must request assistance from a manager or supervisor.

## **ALCOHOL AWARENESS TRAINING**

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All associates play a vital role in enforcing alcohol policies and all associates are involved in compliance monitoring throughout the building to prevent underage drinking. Therefore, associates assigned to the Theatre must complete TIPS for On-Premises training within 30 days of hire. Exceptions are made for back-of-house associates who never have contact with guests, such as dishwashers and cooks. For bartenders/servers, or anyone serving alcoholic beverages, TIPS for On-Premises training must be completed prior to any service of alcohol.

TIPS offers both online and classroom training. If training is conducted online, participants will receive results immediately. Participants in TIPS classroom training should receive test results

within 4-6 weeks of the class. In either case, a copy of certification materials (card, certificate, etc.) must be maintained in each associate's file.

AMC will provide verification of TIPS training to City of Industry staff by keeping a binder with all TIPS Certifications for all employees at the Theatre. The binder will be available for review at all times.

## **STAFFING LEVELS**

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### MacGuffins

- Peak Shifts: 4 bartenders.
- Off-Peak Shifts: 1 bartender.

### Theatre (Including MacGuffins)

- Peak Shifts: 25-30 management and associates.
- Off-Peak Shifts: 10-15 management and associates.

## **FOOD SERVICE**

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MacGuffins will not sell food. However, at all times alcoholic beverages are available at MacGuffins, a wide variety of hot and cold food items, including chicken tenders and chicken sliders, French fries, pizza, and mozzarella sticks, will be available for sale at the Theatre's concession area. An example AMC Theatres Food & Beverage menu is attached as Exhibit B.

## **SECURITY – PERSONNEL POLICIES AND PROCEDURES**

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Management, including the Home Office Security Operations Department, makes the decisions regarding security issues and security personnel enforce these decisions. At theaters that use security personnel, the GM and the Home Office Security Operations Department are responsible for ensuring the theatre has reasonable and adequate security personnel employed—either off/paid duty law enforcement officers or private security personnel, depending on the location. The Home Office Security Operations Department determines what type of security personnel should be employed at the Theatre.

### Security Staffing and Hours

The Security Operations Department will provide a security schedule to serve as a baseline model for the Theatre. AMC realizes that no security plan can eliminate random violent acts; however, this baseline of security provides the proper allocation of resources, as needed, in the hopes of reducing the likelihood of a crime being committed.

Theatre management may not reduce security coverage below this model without first contacting the Home Office Security Operations Department. Theatre managers can temporarily increase

security coverage due to known or foreseeable factors such as high risk movies, crime trends etc.; however, any long term schedule changes must still be approved by Security Operations.

The lead officer or supervisor will coordinate with AMC management and the Security Operations Department to determine scheduling for personnel to work, and handle any administrative duties that may arise.

To ensure a safe experience for all patrons, the Theatre will have a uniformed, state-licensed security guard working in accordance with the Site Specific Risk Assessment and Security Plan submitted to the Sheriff's Department, no less than the following schedule:

- Friday – Saturday: 1 security officer from 6:00 P.M. to 3:00 A.M.

With respect to state licensing, the liaison from the Los Angeles County Sheriff's Department – Industry Sheriff Station, or his designee, shall be provided proof that the security guards to be employed at the AMC are state licensed prior to deployment at the Theatre. Assigned guards shall retain their state certification card ("guard card") on their person and produce it for immediate inspection by any law enforcement official with jurisdiction over the premises.

Mall security is not an acceptable substitute for, and may not be used in place of, AMC's obligation to provide security as specified above.

For any special events or screenings at the Theatre, where expected patron attendance equals or exceeds an average Friday or Saturday night attendance, AMC shall provide a security guard during said event(s), unless the service of alcoholic beverages is suspended (closed).

The liaison from the Los Angeles County Sheriff's Department – Industry Sheriff Station, or his designee, shall be provided contact information for the supervisor(s) overseeing the deployment of any guard.

### Roles and Responsibilities

Security personnel work at the direction of the senior AMC manager on duty at the facility. Their role is to assist with ensuring the safety of our guests and associates. Security personnel may perform security duties only. They may not perform operational functions such as presentation checks, handling guest complaints, or tearing tickets.

Below are some of their key responsibilities:

- **Positioning and Coverage in Theatre:** While on duty, security personnel should stay highly visible by patrolling the theatre and parking lots (where applicable). When multiple security personnel are working, one should be positioned between the main box office and the auditorium entrances, while the other patrols the theatre and parking lots (where applicable).

Security personnel should not double up at static locations unless on a call or directed to do so by management. Security personnel should remain in public view at all times, unless on break.

- **Communication and Response Time:** Whenever possible, security personnel should be assigned two-way radios for communication.

Security personnel should be attentive to the radio or communications device used by the theatre and respond immediately when called. Radio communications should not contain sensitive details and should remain professional and courteous.

- **Guest Interactions:** Security personnel should always be friendly and courteous to our guests and associates. Security personnel should always be helpful if a guest asks for direction or assistance.

When managers are assisting disappointed guests, security should assume a position close to the situation, always monitoring the interaction in case the situation escalates (if possible, security should remain out of the guest's view).

Security personnel should allow management the opportunity to resolve the issue without assistance, except in cases when assistance is requested or someone appears to pose an immediate threat.

- **Cash Pulls:** Security personnel should stand nearby when cash is pulled from workstations. A pneumatic tube system should always be used to transport money. If unavailable, security personnel must accompany the manager/Supervisor when the cash is transported across public areas.
- **Closing:** The last member of security to close must accompany the closing usher on a walk of the building to verify that all guests have exited and ensure that the facility is secure. (Special attention should be given to all doors, restroom stalls, and behind screens.)

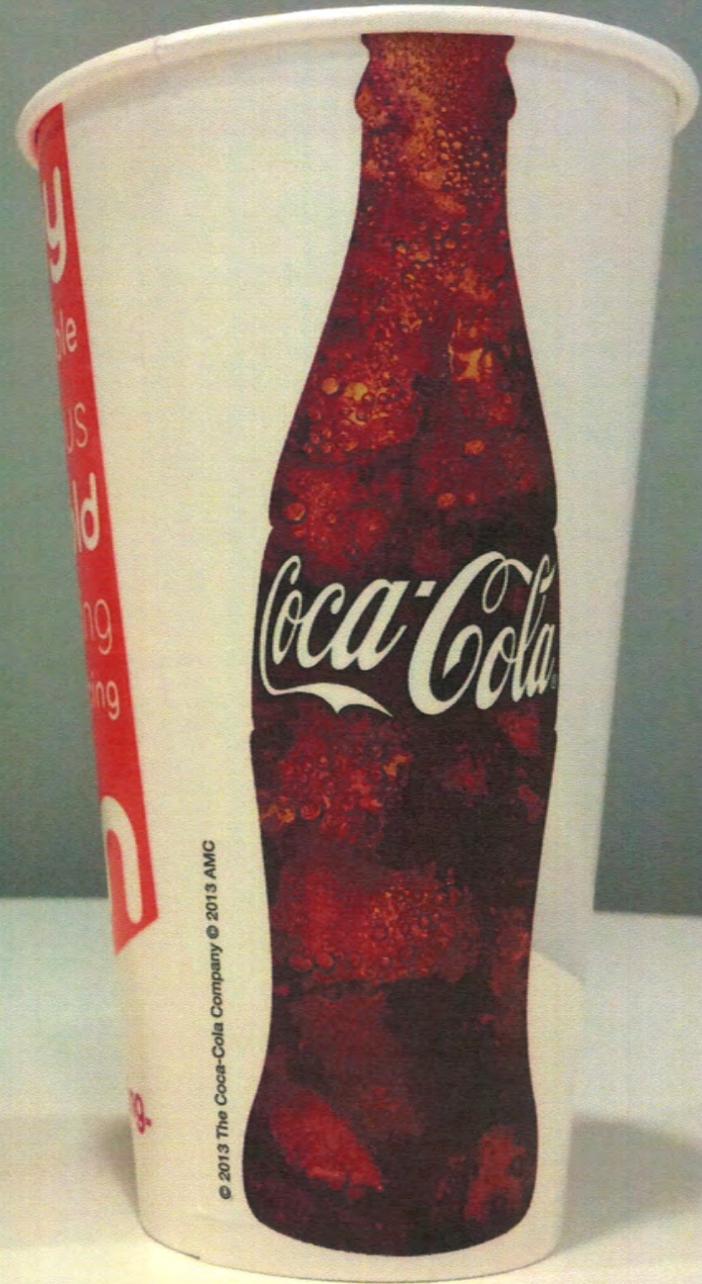
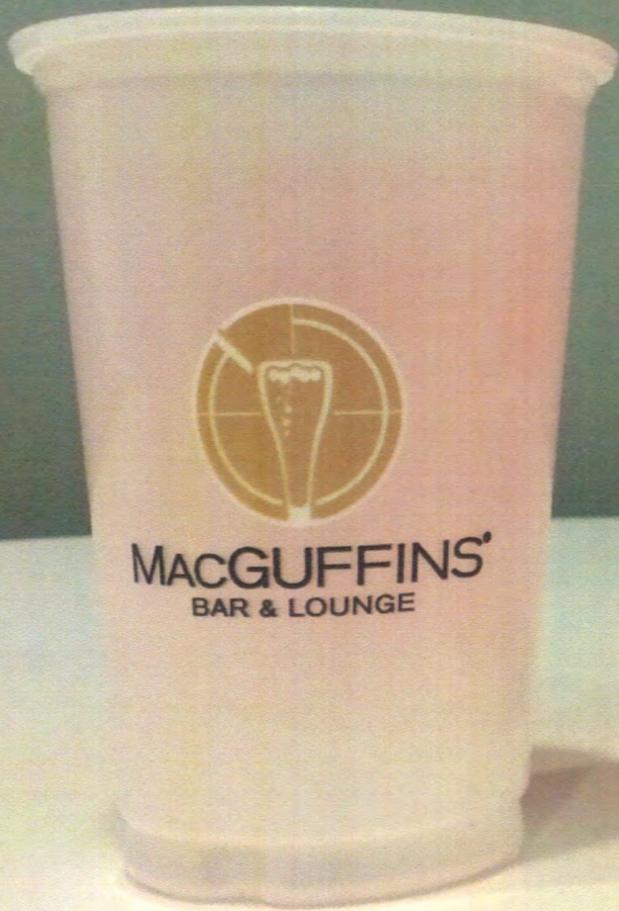
If security personnel are scheduled to close, they must remain at the theatre until all cash pulls have been made and all guests have exited the theatre. Under normal circumstances security must escort the last associates (management and crew members) out of the building to their cars.

### Legal Standards

Law enforcement officers must obey all federal, state, and municipal laws and work within the guidelines and/or general orders of their respective department while employed for AMC.

Security personnel must be licensed in the state in which they work and carry their license/identification.

EXHIBIT A



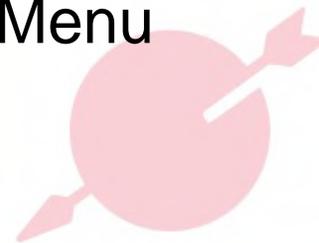
# EXHIBIT B



AMC Theatres



## AMC Theatres Food & Beverage Menu





AMC Theatres

## Hot Foods & Meal Replacements

### Mozzarella Sticks:

A meal-sized portion of crispy, melty cheese sticks. Served with a side of marinara.

### French Fries:

A generous half-pound portion of our seasoned curly fries.

### Jalapeno Poppers:

Jalapeno peppers stuffed with bubbly cream cheese offer more flavor than heat.





AMC Theatres

## Hot Foods & Meal Replacements

### Chicken Tenders:

100% white meat tenders served with your choice of ranch, BBQ, or honey mustard sauce.

### Chicken Sliders & Fries Meal:

Two sliders alongside an order of our seasoned fries.





AMC Theatres

## Hot Foods & Meal Replacements

### Hot Dog:

A juicy all-beef hot dog served inside a delicious split bun.





AMC Theatres

## Hot Foods & Meal Replacements



### Pizzas

#### Cheese:

A traditional crust with cheese blend and seasoning.

#### Pepperoni:

Our cheese pizza with the addition of spicy pepperoni.

#### BBQ Chicken:

Featuring white meat chicken, BBQ sauce, & red onion.



AMC Theatres

## Traditional Movie Fare

### Popcorn:

Orville Redenbacher seed is popped in 100% pure coconut oil for an authentic movie theatre taste. Popped fresh every day to ensure freshness and quality.



### Candy:

A variety of prepackaged candies are available from nationally recognized brands including Nestle, M&M Mars, and Hershey.





AMC Theatres

## Traditional Movie Fare



### MovieNachos:

Crunchy Tostitos corn chips served alongside FUNacho zesty cheese sauce.



### Gourmet Pretzel:

A freshly-steamed pretzel topped with salt, garlic parmesan blend, or cinnamon sugar.



### Ice Cream:

A variety of Edy's / Dreyer's ice cream novelties including Dibs, Haagen Dazs, and Nestle varieties.



AMC Theatres

## Multiple Beverage Options

**Coca Cola Fountain Drinks:**  
Multiple Coke flavors available in 30oz, 44oz, or 51oz cups.



**Bottled Drinks:**  
A variety of bottled beverages including water, teas, and sports beverages.



**ICEE:**  
This delicious Frozen Carbonated Beverage (FCB) is available in 30oz and 44oz servings.



# SPECIALTY DRINKS



## Caribbean Cooler

Bacardi and Malibu Rums, Blue Curaçao, Pineapple juice and Orange juice.

## Oreo Mudslide

Absolut Vodka blended with Vanilla Ice Cream and Oreo Cookie pieces, and drizzled with Kamora and Ryan's Irish Cream.

## Southern Slam

Southern Comfort, Amaretto, Sour Apple Pucker and Orange juice.

## Irish Coffee

Irish Whiskey, Cream and Sugar with Coffee.

## Mojito

Bacardi White Rum, Lime juice, Soda, Sugar Syrup and a hint of Mint.

## Golden Margarita

Cuervo Gold Tequila, Grand Marnier, Rose's Lime Juice and Sours Mix.

## Mango Margarita

Cuervo Gold Tequila, Triple Sec, Lemon juice and Sours Mix, blended with fresh Mango puree.

## Strawberry Margarita

Cuervo Gold Tequila, Triple Sec and fresh Strawberry puree.

## Pomegranate Martini

Absolut Citron Vodka, Cointreau and Pomegranate juice with a splash of Soda and Lemon juice.

## Sour Apple Martini

Absolut Vodka, Sour Apple Pucker, Sours Mix and Sprite.

## Blue Laguna

Tanqueray and Cranberry juice, with a splash of Blue Curaçao and Peach Schnapps.

## Cosmopolitan

Absolut Vodka, Triple Sec, Rose's Lime Juice and a kiss of Cranberry juice.

## Velvet Hammer

Triple Sec, White Crème de Cacao and Grenadine, blended with Half & Half and Vanilla Ice Cream.

## Bloody Mary

Absolut Vodka and our spicy house-made Bloody Mary Mix.

## Mimosa

Part Orange juice. Part Champagne.

## Hurricane

Bacardi Rum, Sours Mix, Orange juice and a dash of Grenadine.



# BEER

## Bottled Beer

### PREMIUM

Boulevard Wheat  
 Boulevard Pale Ale  
 Sam Adams  
 Stella Artois  
 Amstel Light  
 Bass

Bottle 4.89

### DOMESTIC

Budweiser  
 Bud Light  
 Coors Light  
 Miller Lite  
 Michelob Ultra  
 Bud Light Lime

Bottle 3.89

## Draft Beer

### PREMIUM

Boulevard Wheat  
 Boulevard Pale Ale  
 Boulevard Seasonal  
 Sam Adams  
 Fat Tire  
 Guinness

Pint 4.89

### DOMESTIC

Budweiser  
 Bud Light  
 Coors Light  
 Miller Lite

Pint 3.89



# WINE



## White Wine

	GLS
Pacific Rim Riesling California	6.79
Cavit Pinot Grigio Northern Italy	7.49
Estancia Pinot Grigio California	8.49
BV Coastal Chardonnay California	5.79
J Lohr Chardonnay California	6.79
Kendall Jackson Chardonnay Sonoma, California	8.49
Benziger Sauvignon Blanc California	8.49
Beringer White Zinfandel California	4.79
Domaine Ste. Michelle, Brut, Sparkling Columbia Valley, WA	8.49

## Red Wine

	GLS
Razors Edge Shiraz South Australia	8.49
Echelon Pinot Noir California	6.79
Angeline Pinot Noir California	8.49
Blackstone Merlot California	7.49
Sterling Vintners Merlot California	9.79
Mondavi Private Select Cabernet California	6.79
Hess Select Cabernet California	9.79
Ravenswood Zinfandel California	7.49

# EXHIBIT C

## Of AMC Alcohol Service Operations and Management Plan

### Standard Requirements and Conditions of Approval

**Application:** Conditional Use Permit 14-10 – AMC Theater

**Applicant:** AMC Entertainment Inc.

**Location:** 1560 Azusa Avenue

### Conditions of Approval

*Conditions of approval are unique provisions, beyond the requirements of law, the municipal code, or standard practices that are applied to a project by the Planning Commission per Section 17.48.060 of the Zoning Code. Please note that if the design of your project or site conditions change, the conditions of approval may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. The AMC Alcohol Service Operations and Management Plan is incorporated by reference and shall act as the enforceable conditions of approval for the service of alcohol at AMC Puente Hills. Violation of any of the actions listed in the AMC Alcohol Service Operations and Management Plan may be grounds for revocation of Conditional Use Permit 14-10.
2. MacGuffins shall not open for business or serve alcohol without prior written approval from the Planning Director. Prior to the opening/operation of MacGuffins and alcohol service, AMC Puente Hills shall notify the Planning Director who will inspect the site for compliance with the conditions of approval.
3. Conditional Use Permit 14-10 shall be renewed annually for a period of three years commencing from the initial date of operation of MacGuffins and service of alcohol. Thereafter, if there are not increased law enforcement activities at or attributed to AMC Hills Puente Hills, as determined by the Los Angeles County Sheriff's Department, and AMC Puente Hills has complied with the conditions of approval, the requirement for an annual renewal shall sunset. As part of the annual CUP renewal, the applicant shall provide an updated copy of the site specific risk assessment and security plan to the Planning Director.
  - a. The annual CUP review of Conditional Use Permit 14-10 shall be conducted by City Staff to verify compliance with all conditions of approval, applicable Chapters of the Municipal Code, and law enforcement activity occurring at or attributed to AMC Puente Hills. A report of the Staff's review shall be forwarded to the Planning Commission for review at a noticed public hearing.
4. After the sunset of the requirement for an annual renewal of the CUP, the Planning Director or Sheriff's Department may request an updated copy of the site specific risk assessment and security plan at any time. Any concerns that may arise from review of the site specific risk assessment and security plan will be communicated with AMC Puente Hills with the aim of rectifying the concerns. If the concerns violate the approved conditions of approval and are not addressed to the satisfaction of the Planning Director and Sherriff's Department, the City may

seek revocation of Conditional Use Permit 14-10.

5. ~~Prior to the opening/operation of MacGuffins and alcohol service, security cameras that are connected to the PSO system and allow law enforcement real-time access to the surveillance feeds will be installed to provide coverage inside the theater lobby and of MacGuffins.~~ Within 90 days of the opening of McGuffins, security cameras, which are connected to a system allowing local law-enforcement access to video surveillance feeds, will be installed to provide coverage inside the theater lobby and of MacGuffins. The video feeds may be live or an acceptable alternative and shall be compatible with and approved by the Los Angeles Sheriff's Department prior to installation.
6. At any time, if there incidents of increased law enforcement activities at or attributed to AMC Puente Hills, as determined by the Los Angeles County Sheriff's Department, the Sheriff's Department may recommend actions to correct the situation, such as increased uniformed security personnel, expanded hours of security personnel, limitations of the hours of alcohol service, as well as measures provided by AMC staff and approved by the Sheriff's Department. The Planning Direct may then direct that these measures be implemented to address the security concerns. If these measures or other measures fail to correct the situation or AMC fails to effectively enact corrective measures, the City may seek revocation of Conditional Use Permit 14-10.
7. Conditional Use Permit 14-10 is directly tied to the operation and management of AMC Puente Hills by American Multi-Cinema (AMC) Inc. as described in the AMC Alcohol Service Operations and Management Plan. The transfer of the ABC license or change in ownership of the theater shall necessitate a revised CUP prior to continued alcohol service to ensure that all conditions of approval are maintained. Prior to the transfer of the ABC license or change in ownership of the theater, an application to revise Conditional Use Permit 14-10 shall be approved by the Planning Commission.
8. No changes to the approved floor plan may be permitted without prior written permission from the City of Industry in consultation with the Los Angeles County Sheriff's Department.

### **Code Requirements and Standards**

*The following is a list of code requirements and standards deemed applicable to the proposed project. The list is intended to assist the applicant by identifying requirements that must be satisfied during the various stages of project permitting, implementation, and operation. It should be noted that this list is in addition to any "conditions of approval" adopted by the Planning Commission and noted above. Please note that if the design of your project or site conditions change, the list may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. The entire premise is subject to inspection by the Los Angeles County Sheriff's Department and/or City representative at any reasonable time without prior notification.
2. Off-street parking shall be provided at all times in accordance with the originally approved site plan and shall be maintained in a clean and attractive manner (trash, litter, or other materials shall be removed regularly).
3. All landscaped areas shall be maintained in accordance with the originally approved landscaped plan and in a healthy and well-kept condition and kept weed free.
4. All trash containers shall be kept inside a building or in a designated trash enclosure.
5. Emergency fire facilities (hydrants) shall be kept free and unobstructed at all times.

6. No outside storage of any personal property, building materials, or other property not permanently affixed to the real property shall be allowed, unless approved by the Planning Director.
7. No outside display of goods, wares, or merchandise shall be permitted, unless approved by the Planning Director.
8. Any graffiti painted or marked upon the premises or any adjacent area under the control of the permittee shall be removed or painted over within 72 hours of being applied.
9. There shall be no adult entertainment, male or female performers or fashion shows permitted on the premises at any time.
10. No X-rated or adult films shall be maintained or shown anywhere on the premises.
11. No dancing or live entertainment by employees or customers will be permitted at any time.
12. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the permittee provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions, or guests of and for the customers.
13. No non-prescription drugs or drug paraphernalia shall be on the premises at any time.
14. All signs, banners, pennants, flags or other outside advertising materials or structures must be approved by the City.
15. Permittee will be held responsible for acquainting all employees with these rules and all local, county, state, or federal laws.
16. The noise level created by the business shall not exceed the following at the property line of any adjacent or nearby residential land use, hospital, school in session, church or public library as measured by a sound level meter:
  - (a) 55 dBA between 7:00 a.m. - 10:00 p.m.  
50 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 30 minutes in any hour;
  - (b) 60 dBA between 7:00 a.m. - 10:00 p.m.  
55 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 15 minutes in any hour;
  - (c) 65 dBA between 7:00 a.m. - 10:00 p.m.  
60 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 5 minutes in any hour;
  - (d) 70 dBA between 7:00 a.m. - 10:00 p.m.  
65 dBA between 10:00 p.m. - 7:00 a.m.  
at any time.
17. Any violation of these conditions or any local, county, state or federal laws shall constitute grounds for revocation or suspension of the Conditional Use Permit.
18. No outside cooking, food preparation, or sales of product or merchandise, unless approved in

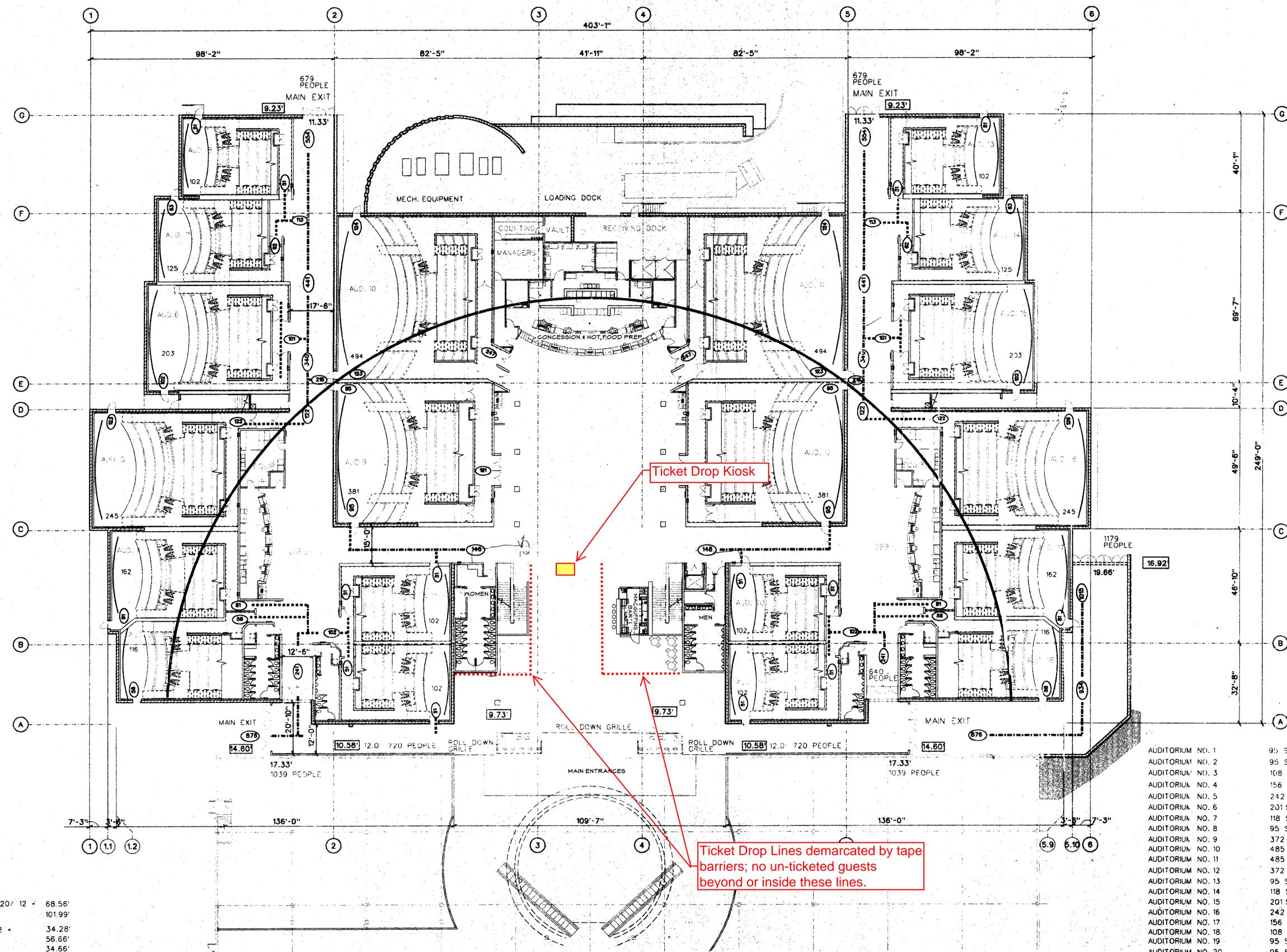
advance by the Planning Director.

### **Interpretation and Enforcement**

1. The Planning Department, Engineering Department, and contract agencies (Los Angeles County Fire Department, Los Angeles Department of Building and Safety) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval.
2. The Planning Director may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of Industry Municipal Code.

LEGEND

- ⊖ INDICATES NUMBER OF THEATER OCCUPANTS EXITING.
- 000" INDICATES REQUIRED EXIT WIDTH
- 0.00' INDICATES EXIT WIDTH PROVIDED



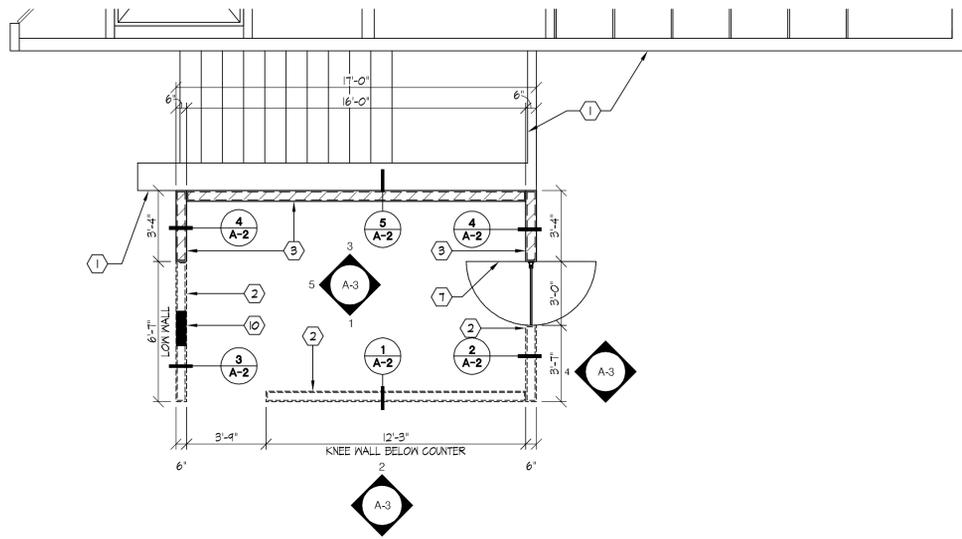
REQUIRED EXIT WIDTH	414 X .20 / 12	68.56'
PROVIDED EXIT WIDTH		101.99'
REQUIRED MAIN EXIT WIDTH	68.56/2	34.28'
PROVIDED MAIN EXIT WIDTH		56.66'
PROVIDED FRONT EXIT WIDTH		34.66'

AUDITORIUM NO. 1	95 SEATS
AUDITORIUM NO. 2	95 SEATS
AUDITORIUM NO. 3	108 SEATS
AUDITORIUM NO. 4	156 SEATS
AUDITORIUM NO. 5	242 SEATS
AUDITORIUM NO. 6	201 SEATS
AUDITORIUM NO. 7	118 SEATS
AUDITORIUM NO. 8	95 SEATS
AUDITORIUM NO. 9	372 SEATS
AUDITORIUM NO. 10	485 SEATS
AUDITORIUM NO. 11	485 SEATS
AUDITORIUM NO. 12	372 SEATS
AUDITORIUM NO. 13	95 SEATS
AUDITORIUM NO. 14	118 SEATS
AUDITORIUM NO. 15	201 SEATS
AUDITORIUM NO. 16	242 SEATS
AUDITORIUM NO. 17	156 SEATS
AUDITORIUM NO. 18	108 SEATS
AUDITORIUM NO. 19	95 SEATS
AUDITORIUM NO. 20	95 SEATS
TOTAL	3934 SEATS
EMPLOYEES	50
TOTAL	3984

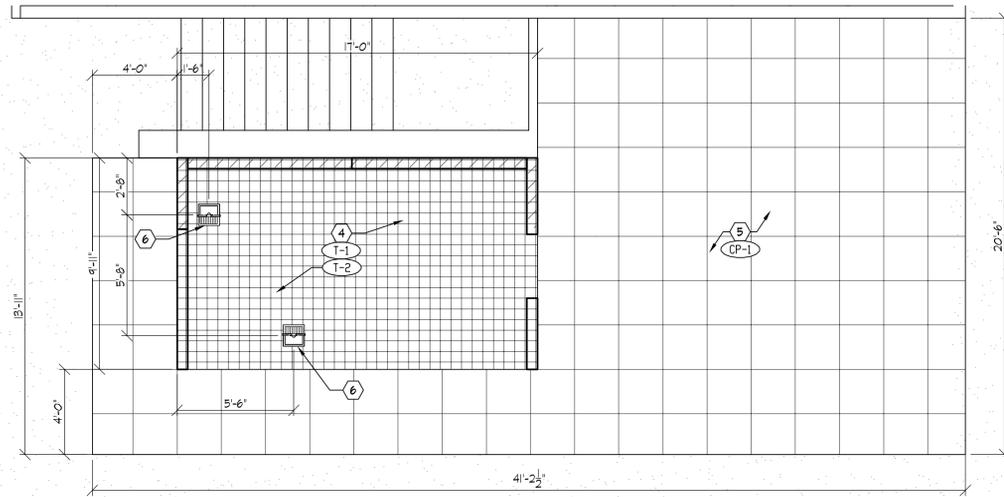
1 FIRST LEVEL EXIT PLAN  
 SCALE: 1/8" = 1'-0" NORTH

MCGUFFINS DETAIL AREA

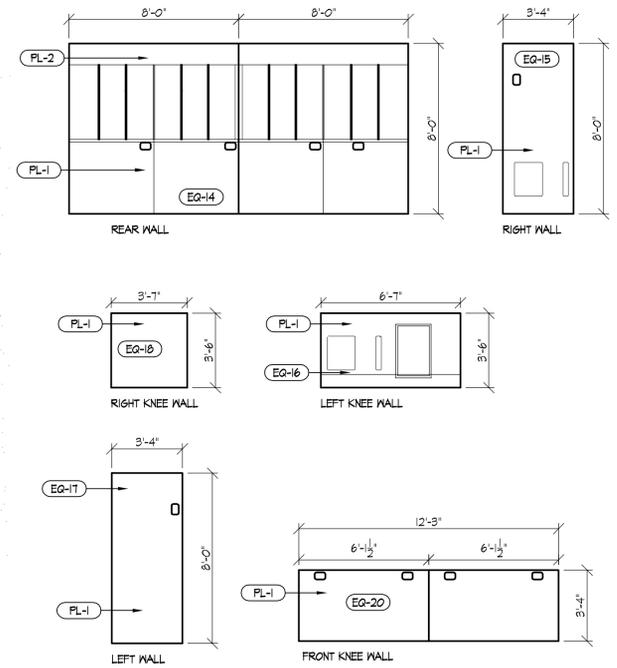
S T O U T E N B O R O U G H  
 ARCHITECTS & PLANNERS  
 One Ventura, Suite 200 • Irvine, Ca. 92718  
 TEL: 714.763.4433 • FAX: 714.763.4478



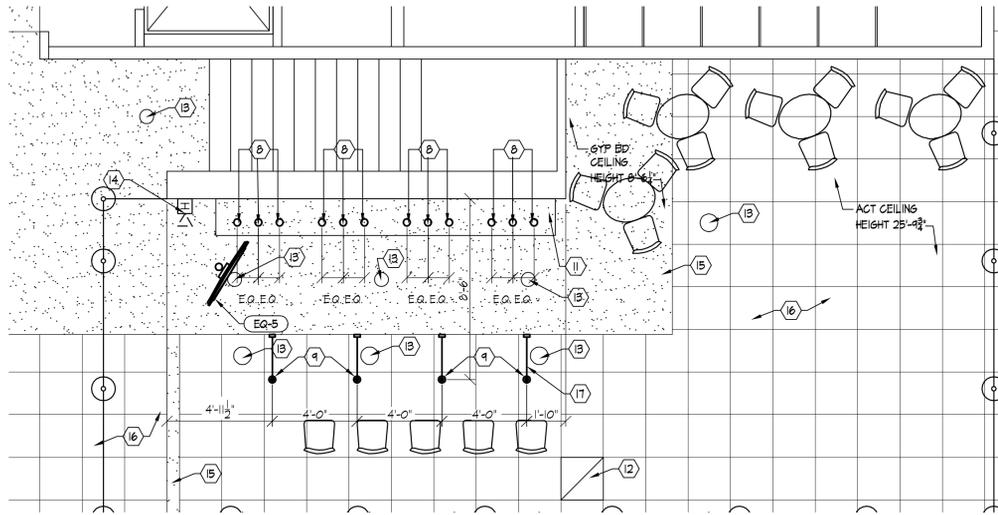
**1 PROPOSED FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**4 PROPOSED FLOOR FINISH PLAN**  
SCALE: 1/4" = 1'-0"



**5 PROPOSED EQUIPMENT ELEVATIONS**  
SCALE: 1/4" = 1'-0"



**2 PROPOSED RCP**  
SCALE: 1/4" = 1'-0"

SPECIFICATIONS	
<b>KEY FLOOR FINISHES</b>	
T-1	FLOOR TILE: DALTILE QUARRY TEXTURES, 6"x6"x1/2", WITH ABRASIVE, COLOR ASHEN GREY. PRISM SURE COLOR GROUT ANSI A118.7, COLOR: NATURAL GRAY #4. DALTILE FOUR STAR RAPID SETTING SYSTEM. DRS45 COMPLETE CONTACT RS SINGLE COMPONENT FORTIFIED MORTAR GRAY ANSI A118.4 NOTE: USE 6"x6" QUARRY TILE BULLNOSE Q-1665 WITH ABRASIVE TRANSITIONS. NOTE: CONTACT LOCAL DALTILE REPRESENTATIVE.
T-2	TILE BASE: DALTILE QUARRY TEXTURES, 5"x6"x1/2", #Q-3565, COLOR: ASHEN GRAY. PRISM SURE COLOR GROUT ANSI A118.7, COLOR: NATURAL GRAY #4. DALTILE FOUR STAR RAPID SETTING SYSTEM. DRS45 COMPLETE CONTACT RS SINGLE COMPONENT FORTIFIED MORTAR GRAY ANSI A118.4. NOTE: BASE GOES ON FLOOR, NOT ON TOP OF TILE.
CP-1	2' X 2' BLACK CARPET TILE SQUARES. TO BE PROVIDED BY LOAD KING.

KEY WALL/SURFACE FINISHES			
XXX	MANUFACTURER	COLOR	LOCATION
PL-1	WILSON ART LAMINATE	SATIN SILVER #4829	UPPER WALL
PL-2	WILSON ART LAMINATE	ASIAN NIGHT #1944	LOWER WALL
PL-3	WILSON ART LAMINATE	SILVER #D334	TOE KICK
PL-4	WILSON ART LAMINATE	BLACK	CHAIR RAIL
PL-5	WILSON ART LAMINATE	WHITE	--
S-1	CORIAN COUNTERTOP		BAR TOP, WALL CAP
S-2	SILESTONE COUNTERTOP		POS STATIONS
KEY CEILING			
C-1	SUSPENDED CEILING: 24"x24" VINYL FACED LAY-IN PANELS (WHITE) IN EXISTING T-GRID BY ARMSTRONG OR EQUAL. CLASS 'A' FIRE RATING.		
L-1	ASPECTS DROPLET COLLECTION- RED HAND BLOWN I- LIGHT PENDANT. MODEL # DLPI3RDSCT		

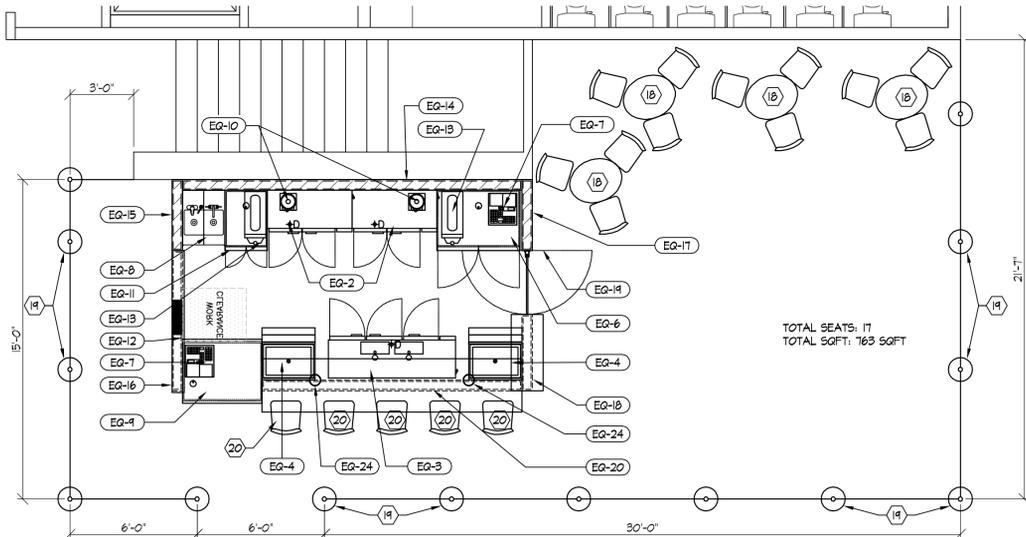
**KEYED NOTES:**

- (1) EXISTING WALL TO REMAIN. GC. TO REMOVE EXISTING FINISHES AND APPLY THE MAGGUFFIN FINISHES.
- (2) NEW LOW WALL BELOW COUNTER.
- (3) NEW WALL. SEE SHEET A-2.
- (4) NEW FLOOR TILE (T-1) AND TILE BASE (T-2)
- (5) NEW 24"x24" BLACK CARPET TILES.
- (6) NEW FLOOR SINK.
- (7) NEW SWING GATE.
- (8) NEW LED LIGHTS, TYP. REFER TO ELEC.
- (9) NEW PENDANT LIGHTS.
- (10) NEW ELECTRICAL PANEL BY LOAD KING.
- (11) NEW KIOSK SOFFIT.
- (12) EXISTING HVAC DEVICE DIFFUSER TO REMAIN.
- (13) EXISTING LIGHTING TO REMAIN.
- (14) RELOCATED FIRM ALARM STROBE LIGHT AND HORN.
- (15) EXISTING SOFFIT TO REMAIN
- (16) EXISTING CEILING GRID TO REMAIN
- (17) 1-5/8" UNISTRUT ATTACHED TO 4"x4" STEEL PLATE. BOLT PENDANT MOUNT TO EXISTING STRUCTURE.
- (18) NEW BAR HEIGHT TABLES AND SEATING. PROVIDED BY LOAD KING.
- (19) NEW TENSOR BARRIER. PROVIDED BY LOAD KING.
- (20) NEW BAR HEIGHT SEATING.

EQUIPMENT SCHEDULE			
TAG #	QTY	DESCRIPTION	MODEL #
EQ-1	--		
EQ-2	2	2- DOOR BEVERAGE REFRIGERATOR	#BB48 6SY (48 X 23.5 X 34)
EQ-3	1	72" KEGATOR	BEVERAGE-AIR #DD7B
EQ-4	2	30" ICE BIN W/ SP RAIL, W/COLD PLATE	KROWNE, KR18-30"
EQ-5	1	WALL MOUNTED TV	--
EQ-6	1	4'-0" P.O.S. TABLE	--
EQ-7	2	P.O.S. EQUIPMENT BY OWNER	--
EQ-8	1	DUMP SINK/HAND SINK	--
EQ-9	1	BAG-N-BOX CABINET	--
EQ-10	2	BLENDER	--
EQ-11	1	24" X 36" CABINET	--
EQ-12	1	VERTICAL CUP HOLDER	--
EQ-13	2	12" X 26" MARGARITA MIXER	FROSTY FACTORY, 12T
EQ-14	1	REAR WALL 16'-0"	BY LOAD KING
EQ-15	1	LEFT SIDE WALL 3'-4"	BY LOAD KING
EQ-16	1	LEFT SIDE LOW WALL 6'-7"	BY LOAD KING
EQ-17	1	RIGHT SIDE WALL 3'-4"	BY LOAD KING
EQ-18	1	RIGHT SIDE KNEE WALL 3'-7"	BY LOAD KING
EQ-19	1	SWING GATE	BY LOAD KING
EQ-20	1	FRONT KNEE WALL 12'-3"	BY LOAD KING
EQ-24	2	BAR GUN	BY LOAD KING

**WALL TYPE LEGEND:**

	EXISTING WALL CONSTRUCTION TO REMAIN
	NEW PRE-FABRICATED WALL PROVIDED BY LOAD KING
	NEW PRE-FABRICATED LOW WALL PROVIDED BY LOAD KING



**3 PROPOSED EQUIPMENT PLAN**  
SCALE: 1/4" = 1'-0"

ANY MODIFICATIONS TO EXISTING FIRE SPRINKLER SYSTEM SHALL BE UNDER SEPARATE PERMIT. SUBMITTED BY FIRE PROTECTION CONTRACTOR.

REGISTRATION SEAL  
**ARCVISION**  
 INCORPORATED  
 ARCHITECTURE • ENGINEERING • STORE PLANNING  
 SAINT LOUIS • DALLAS / LAS VEGAS / ORLANDO  
 1950 CRAIG ROAD, SUITE 300 ST. LOUIS, MO 63146  
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REV.	DATE	DESCRIPTION

PROJECT NO: 130902  
 DRAWN BY: JMR  
 CHECKED BY: CAB  
 ISSUE DATE: 12/13/13  
 FLOOR PLANS / RCP / EQUIPMENT PLAN

**A-1**

*PLANNING COMMISSION*

ITEM NO. 6.3



# CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

## MEMORANDUM

To: Planning Commission

November 5, 2015

From: Paul J. Philips, City Manager

Staff: Troy Helling, Senior Planner

**Subject: Conditional Use Permit 15-12 – Verizon Wireless, 18061 Valley Blvd.**

### Proposal

Section 17.70.040 of the Municipal Code allows camouflaged wireless telecommunications facilities in the “C” Commercial zone with approval of a Conditional Use Permit (“CUP”) by the Planning Commission. This application, submitted by Verizon Wireless Inc., is to establish and operate a 60’-0” tall camouflaged wireless telecommunications facility disguised as a palm tree located at 18061 Valley Boulevard (8727-011-019).

As shown in the attached site plan, elevations and photo simulations (Attachments 1, 2 and 3), the wireless facility would be a monopole cell tower disguised as a palm tree, which is considered a camouflaged wireless telecommunications facility. The Industry Municipal Code defines “Camouflaged wireless telecommunication facility” as a wireless telecommunications facility that is designed to mask or blend with the surrounding environment in such a manner to render it generally unnoticeable to the casual observer. The monopole would have an overall height of 60 feet and would accommodate 12 panel antennas. In addition, the project would include two equipment enclosures, an emergency generator, and an electrical meter within a 13’-11” by 12’-6” area surrounded by nine concrete bollards on the south and west sides, and an eight foot tall metal fence on the north and east sides.

### Location and Surroundings

As shown on the attached location map (Attachment 4), the proposed wireless telecommunications facility would be located on the northeast corner of a 0.51-acre commercial property at 18061 Valley Boulevard. The property is bounded by Valley Boulevard to the south, commercial uses to the west, and alleys to the east and north. In addition, there are commercial uses both to the east and north beyond the alleys in Unincorporated LA County. There are residential uses farther to the north. The closest residential property is 208 feet to the north.

### Staff Analysis

The proposed use is consistent with the Zoning (“C” – Commercial) and General Plan (Commercial) designations of the site. The proposed project is designed as a camouflaged wireless telecommunications facility, which according to Section 17.70.040 (A) 2 of the Municipal Code, are allowed in all zones subject to the approval of a Conditional Use Permit and under specific development standards.

### *Development and Design Standards*

The proposed project complies with the following wireless telecommunication facilities standards in Chapter 17.70 of the Industry Municipal Code:

- Meets footprint requirement. Section 17.70.060 (A) 2 of the Municipal Code requires the project to be designed as small as technically possible. The proposed project would be contained within an area that is approximately 160 square feet, which is consistent with the size of enclosures of other observable wireless telecommunication facilities.
- Meets parking and landscape standards. Section 17.70.060 (A) 3 of the Municipal Code requires that there be no net loss of required parking or landscaping. The proposed project is located at the rear of the property and will not remove required parking or landscaping.
- Meets height limits. Section 17.70.060 (A) 8 of the Municipal Code requires that monopoles not exceed 65 feet in height and the proposed monopole would be 60 feet tall.
- Meets co-location requirements. Section 17.70.060 (A) 1 of the Municipal Code requires that new wireless telecommunications facilities not be built if co-location on existing facilities would provide sufficient coverage, new capacity, and service quality with less environmental or aesthetic impact. As shown in Attachment 5, co-location on existing facilities was analyzed and determined not to be feasible in providing adequate coverage.
- Meets design standards. Section 17.70.060 (B) 4 of the Municipal Code states attempts to replicate trees or other natural objects may only be used as a last resort and only if adjacent to similar trees or natural objects. As shown on Attachment 2, the property has existing palm trees on the lot that will help the proposed project blend with the existing conditions.
- Meets colors and non-reflective material standards. Section 17.70.060 (A) 6 and 7 of the Municipal code states that paint colors must be selected to minimize visual impacts by blending with the surrounding environment and buildings and exterior surfaces must be constructed of non-reflective materials. The proposal would be painted and designed as a palm tree that would blend in well on the property with the existing palm trees on the site.

### **Findings**

According to Section 17.70.080 of the Municipal Code, a Conditional Use Permit for a new wireless telecommunications facility may be granted when the following findings are made:

- The proposed wireless telecommunications facility has been designed to achieve compatibility with the surrounding community to the maximum extent reasonably feasible. The facility has been placed at the rear of the property and disguised as a palm tree to blend in with the surrounding palm trees. The closest residential properties are farther than 200 feet to the north and will not negatively affect noise or views.
- An alternative configuration will not increase community compatibility or is not reasonably feasible. The applicant studied co-locating on nearby existing cell sites and found that the other existing sites were not able to provide the coverage that the project site does. (Attachment 5).

- The location of the wireless telecommunications facility on alternative sites will not increase community compatibility or is not reasonably feasible. The applicant studied building the facility on nearby sites but found that these sites were either not available or did not adequately cover the area that needed to be covered by this proposal (Attachment 5). The facility would be a camouflaged telecommunications facility located in a commercial area.
- The proposed facility is necessary to close a significant gap in coverage, increase network capacity, or maintain service quality, and is the least intrusive means of doing so. The location and height of this proposed facility is needed to close the gap in coverage and maintain service. The monopole disguised as a palm tree is needed to improve poor reception in the area. (Attachment 5)
- The applicant has submitted a statement of its willingness to allow other wireless service providers to co-locate on the proposed wireless telecommunications facility if technically and economically feasible and where co-location would not harm community compatibility and, as shown on Attachment 5, agreed to allow a co-location in the future.
- The proposed wireless telecommunications facility has been located and designed for co-location to the maximum extent possible because the area below the existing antennas would accommodate for future expansion or co-location. The applicant has agreed to allow co-location. (Attachment 5)
- Noise generated by equipment will not be excessive, annoying or detrimental to the public health, safety, and welfare. The project consists of electronic equipment well as antennae mounted on a monopole. The only mechanical equipment would be an emergency generator. This type of equipment would not generate significant noise consistent with other, similar wireless telecommunication facilities as stated in the initial study (Attachment 7).

## **Environmental Analysis**

An Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to determine if the proposed use could have a significant impact on the environment (Attachment 7). The Initial Study determined that the proposed project would not have a significant effect on the environment and a negative declaration accompanies this application for approval by the Planning Commission. The Notice of Intent to Adopt a Negative Declaration (Attachment 7) was posted on the site, fire station 118, city hall and council chambers, and distributed to surrounding property owners on October 22, 2015.

## **Public Hearing**

The required public hearing notice (Attachment 6), was posted on the site, fire station 118, city hall and council chambers, distributed to surrounding property owners, and published in the San Gabriel Tribune by October 30, 2015.

## **Recommendation**

Because the proposed project complies with the use and development standards of the Municipal Code, addresses environmental concerns, and satisfies the required CUP findings, Staff recommends that the Planning Commission: 1) Adopt Resolution No. PC 2015-20 (Attachment 7) approving the Negative Declaration: 2) Adopt Resolution No. PC 2015-21 (Attachment 8) approving Conditional Use Permit 15-12 with the Standard Requirements and Conditions of Approval contained therein.

## **Attachments**

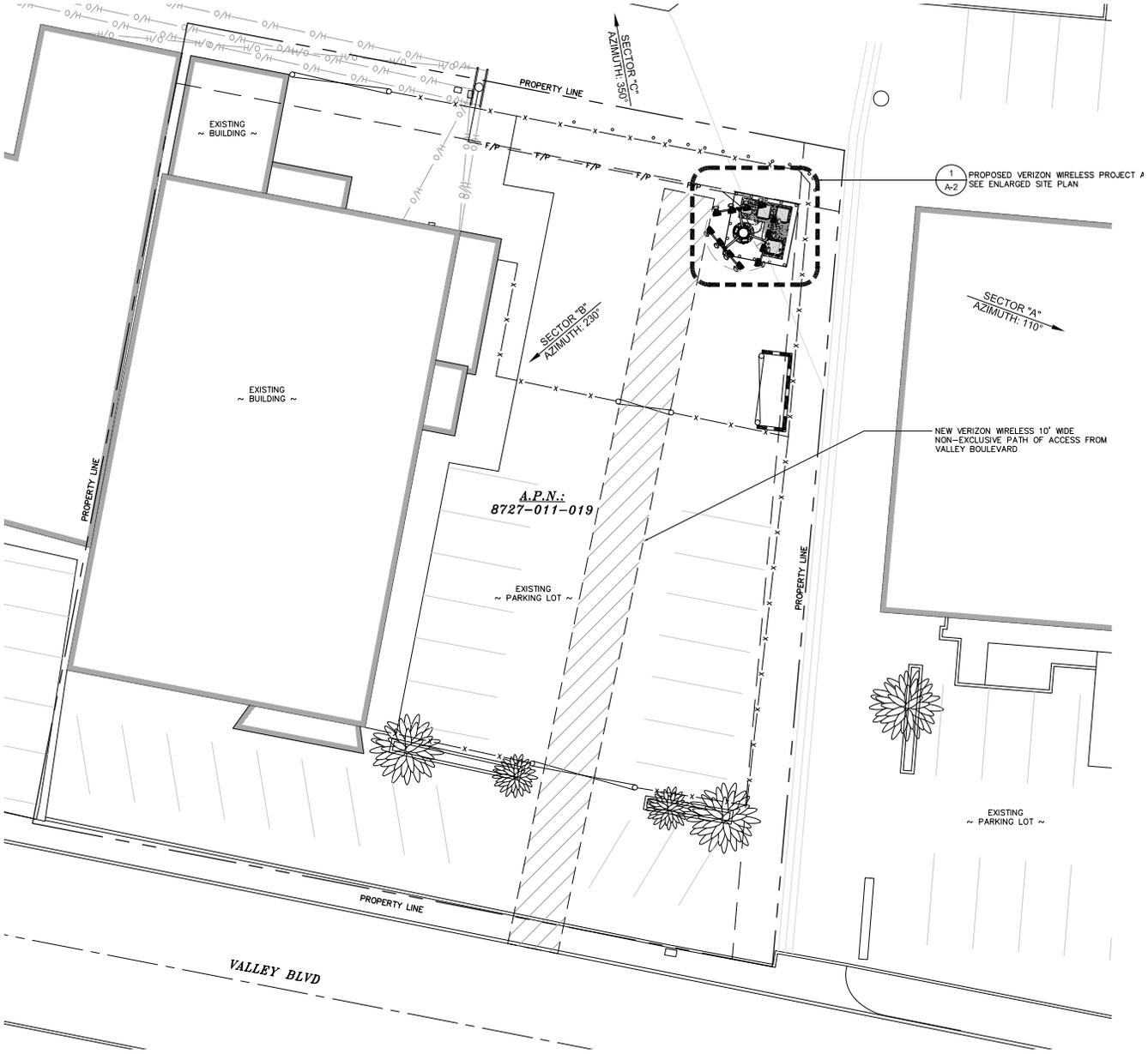
- Attachment 1: Site Plan
- Attachment 2: Elevations
- Attachment 3: Photo Simulations
- Attachment 4: Location Map
- Attachment 5: Verizon Wireless Exhibits
- Attachment 6: Public Hearing Notice
- Attachment 7: Resolution No. PC 2015-20 approving the Negative Declaration.
- Attachment 8: Resolution No. PC 2015-21 approving CUP 15-12 with findings and the Standard Requirements and Conditions of Approval contained therein.

# **Attachment 1**

## **Site Plan**

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# CUP 15-12 Site Plan



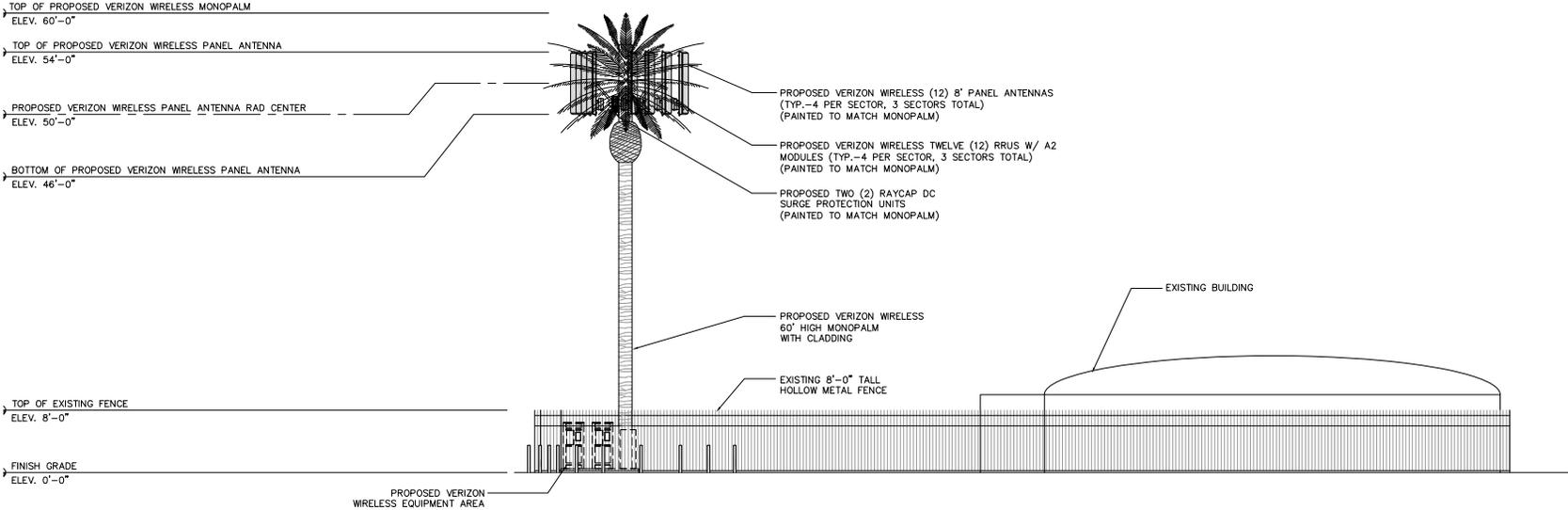
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# **Attachment 2**

## **Elevations**

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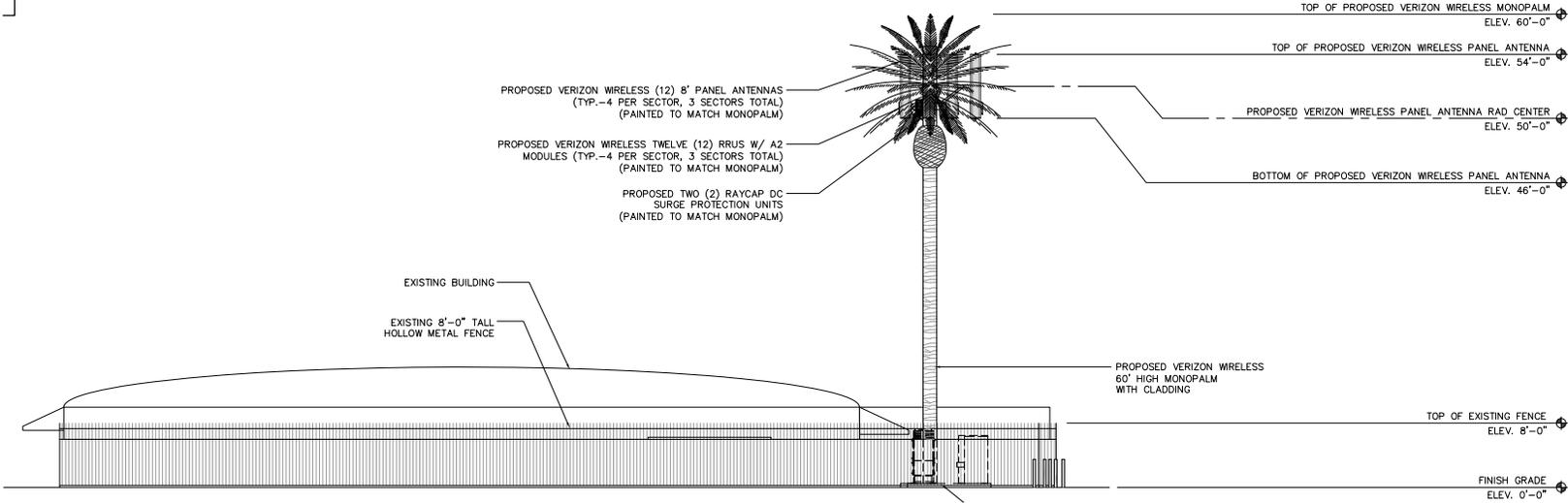
# CUP 15-12 Elevations



PROPOSED NORTH EAST ELEVATION



**NOTES:**  
 1. PROPOSED PANEL ANTENNAS AND ASSOCIATIVE EQUIPMENT TO BE PAINTED TO MATCH MONOPALM.



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# **Attachment 3**

## **Photo Simulations**

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**CUP 15-12**  
**Photo Simulation**



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# **Attachment 4 Location Map**

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# CUP 15-12

## Location Map



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# **Attachment 5**

## **Verizon Wireless Exhibits**

Inside Southern Baptist Church

(P) VZW Site

1 Mile Radius

South San Jose Hills

(E) VZW Site

Subject Site

(E) VZW Site

(E) VZW Site

Potential Co-location

(P) VZW Site

(E) VZW Site

1 Mile Radius Map - Verizon  
Wireless at 18061 E. Valley Blvd.

© 2015 Google

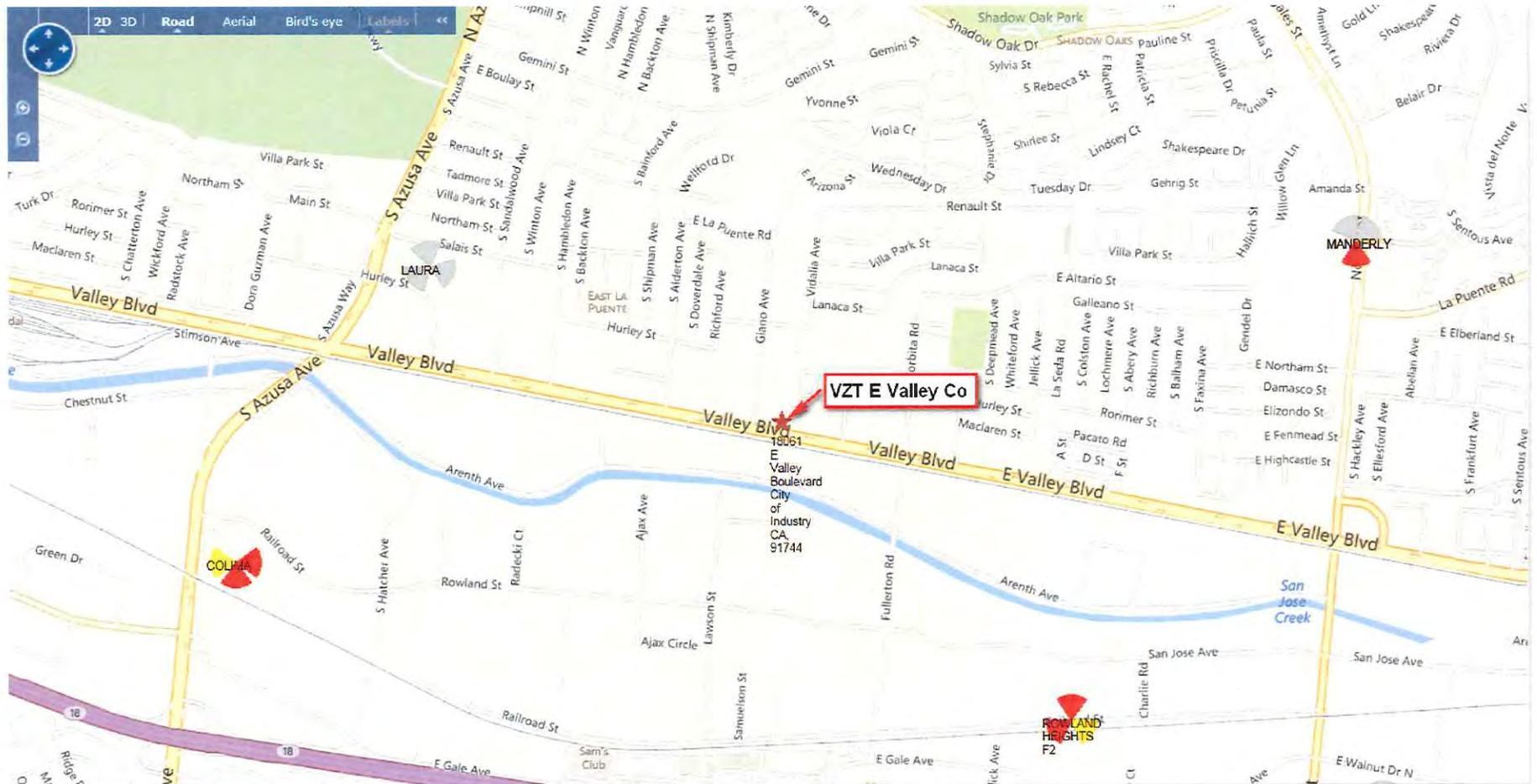
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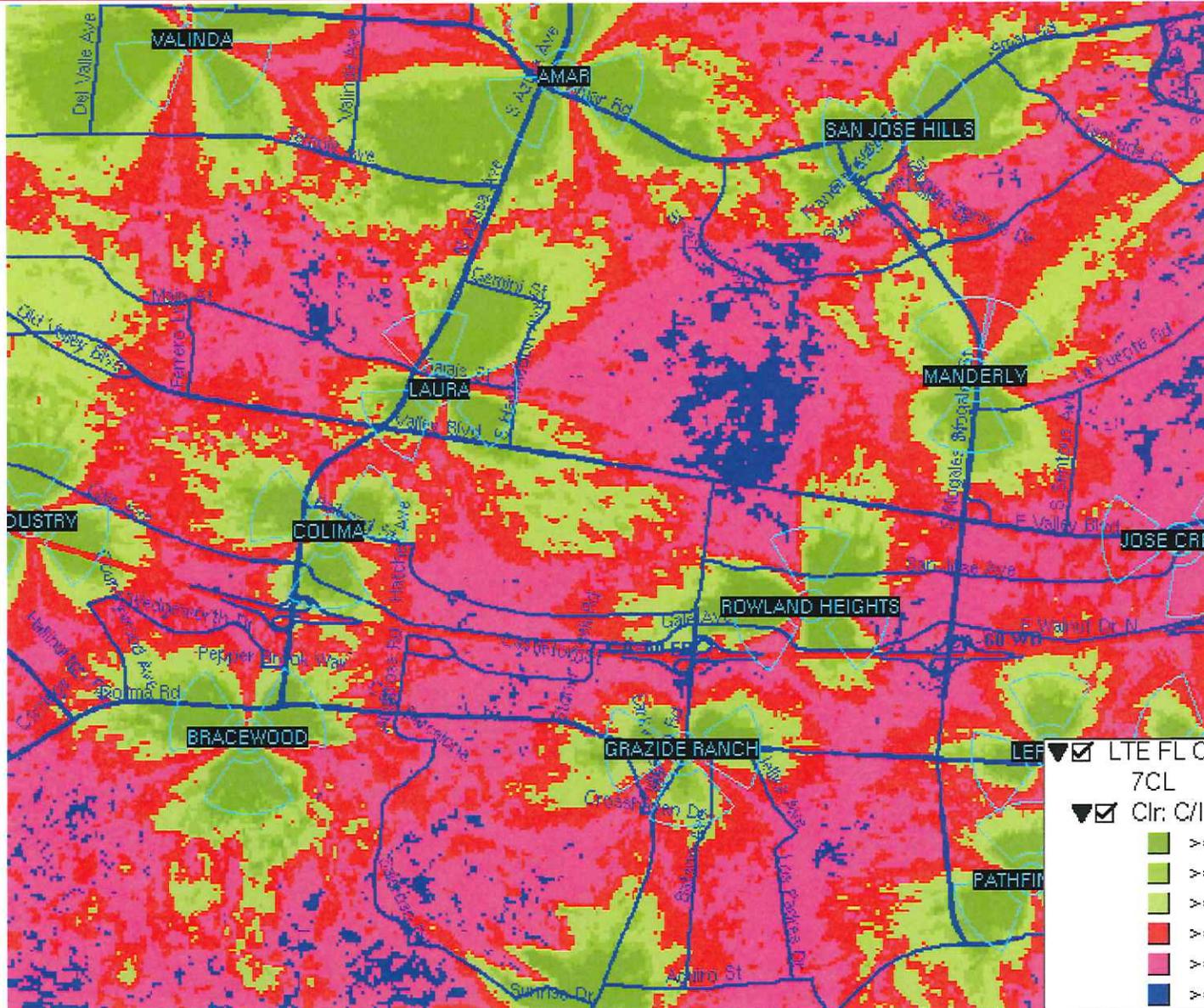
# VZT E VALLEY CO

Monday, July 27, 2015





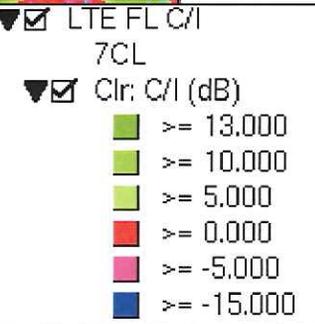
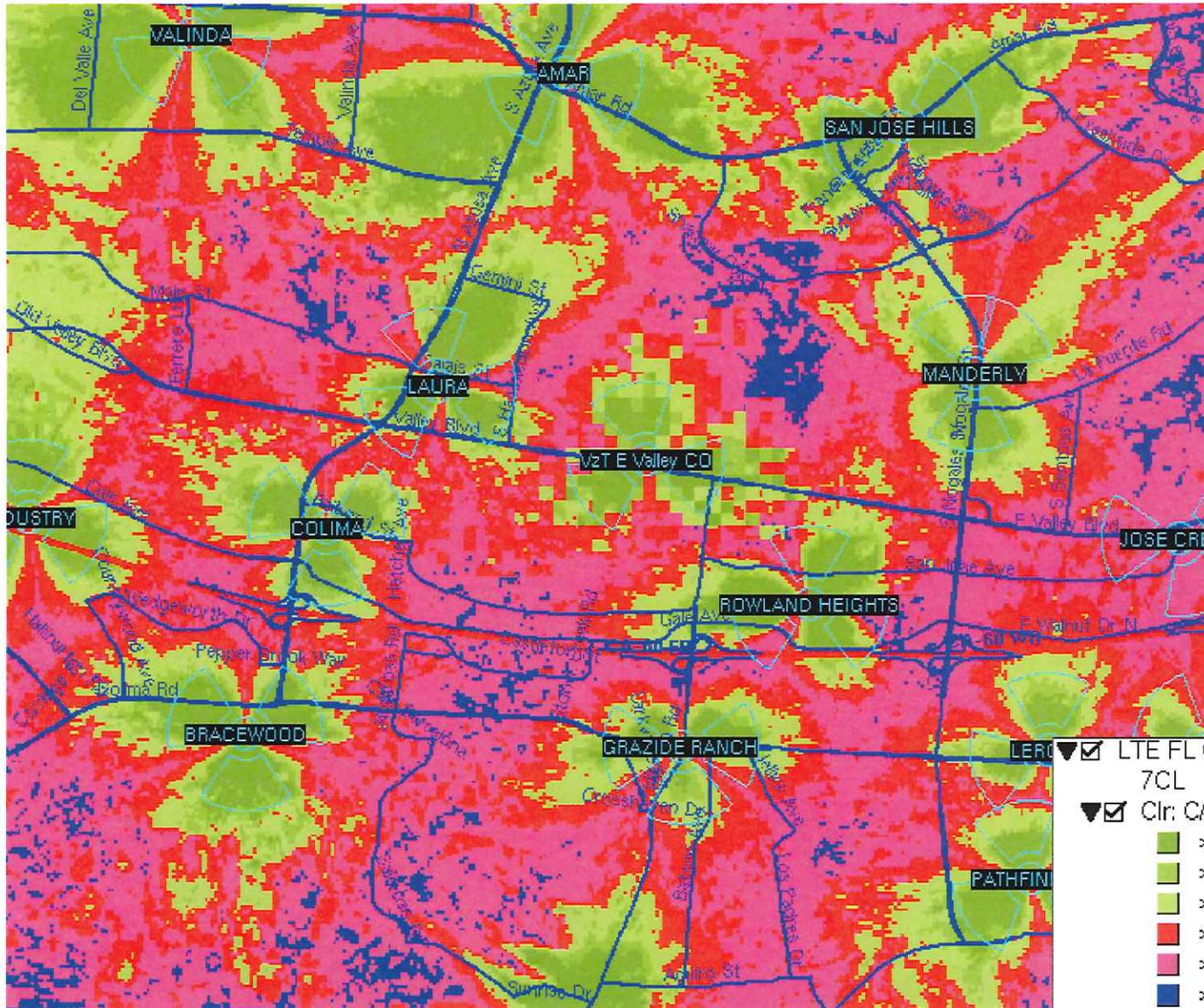
# Without VzT E Valle CO



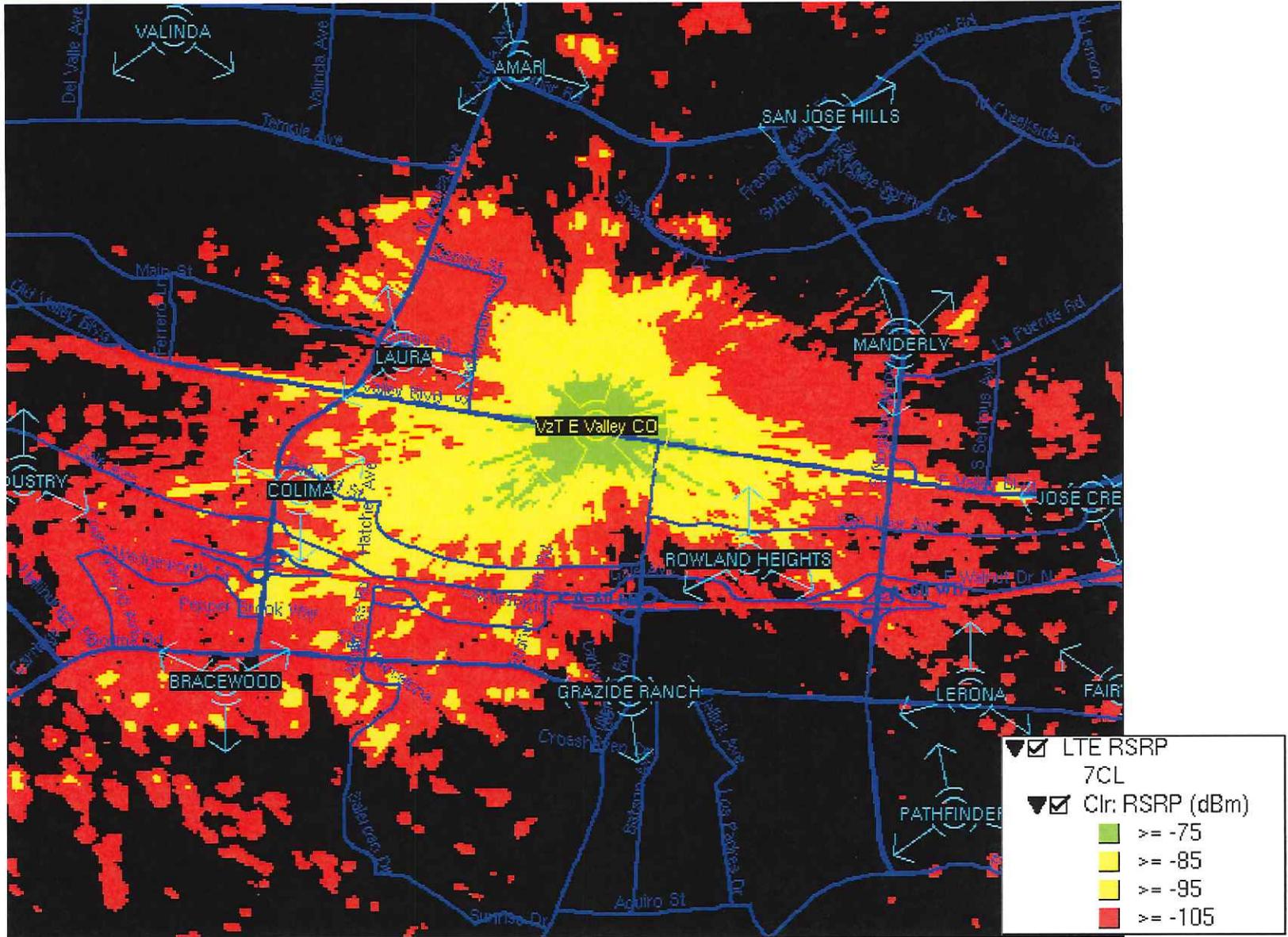
LTE FL C/I  
 7CL  
 Clr: C/I (dB)

- ≥ 13.000
- ≥ 10.000
- ≥ 5.000
- ≥ 0.000
- ≥ -5.000
- ≥ -15.000

# With VzT E Valle CO



# VzT E Valley CO



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**Attachment 6**  
**Public Hearing Notice**

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**NOTICE OF PUBLIC HEARING**  
**Conditional Use Permit No. 15-12**

On October 30, 2015, notice has been given that the Planning Commission of the City of Industry shall hold a public hearing on the application for Conditional Use Permit No. 15-12 by Verizon Wireless to establish and operate a 60'-0" tall wireless telecommunications facility disguised as a palm tree at 18061 Valley Blvd. in the City of Industry.

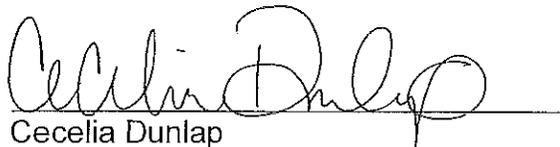
A copy of all relevant material, including the Conditional Use Permit Application, Initial Study and Negative Declaration, is on file in the City Administrative Offices, 15625 East Stafford Street, Suite 100, City of Industry, California 91744.

The time, date and place of such hearing shall be as follows:

Time: 11:00 a.m.  
Date: November 12, 2015  
Place: City Council Chambers  
15651 East Stafford Street  
City of Industry, CA 91744

Any person wishing to be heard regarding this matter may appear at the above time, date and place. Written comments may be sent via U.S. Mail or by hand delivery to the City of Industry, at 15625 Stafford Street, Suite 100, City of Industry, CA 91744.

If you challenge the conditional use permit 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 of the City of Industry at, or prior to, the public hearing.

  
Cecelia Dunlap  
Deputy City Clerk of the City of Industry

JN 9217

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**Attachment 7**  
**Resolution No. PC 2015-20**

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## RESOLUTION NO. PC 2015-20

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA MAKING FINDINGS AND ADOPTING THE NEGATIVE DECLARATION FOR THE CONSTRUCTION OF A 60 FOOT TALL WIRELESS TELECOMMUNICATIONS FACILITY AT 18061 VALLEY BOULEVARD, CITY OF INDUSTRY, CALIFORNIA, WITHIN THE "C" COMMERCIAL ZONE

#### RECITALS

**WHEREAS**, on July 30, 2015, Verizon Wireless Inc. ("Applicant") filed a complete application requesting the approval of Conditional Use Permit ("CUP") No. 15-12 described herein ("Application"); and

**WHEREAS**, the Application applies to an existing 0.51 acre property at 18061 Valley Boulevard, City of Industry, California, Assessor's Parcel Number 8727-011-019 ("Property"); and

**WHEREAS**, the Applicant desires to construct and operate a 60 foot tall wireless telecommunications facility, with associated equipment in the "C" Commercial zone, and in accordance with Section 17.70.040 (2) of the City's Municipal Code ("Code"), a CUP is required for this type of activity; and

**WHEREAS**, the Land Use Element of the General Plan designates the Property for commercial uses. The proposed use is consistent with the General Plan as it would provide an essential service commonly available, and does not conflict with the established goals and objectives of the Land Use Element. camouflaged wireless telecommunications facility uses are permitted in the "C" Commercial zone, subject to the approval of an CUP pursuant to Section 17.70.040 (2) of City's Code; and

**WHEREAS**, an Environmental Assessment form was submitted by the Applicant pursuant to the City's requirements. Based upon the information received and Staff's review and assessment, an Initial Study/Negative Declaration were prepared in accordance with the requirements of the California Environmental Quality Act ("CEQA"), California Public Resources Code section 21000 *et seq.*, the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections 15000 *et seq.*, and the Environmental Impact Report Guidelines of the City of Industry, and the Planning Commission has exercised its independent judgment when considering said Initial Study/Negative Declaration and all public comments received in connection therewith; and

**WHEREAS**, the Initial Study/Negative Declaration was circulated for public and agency review and comment on October 22, 2015 through, and including, November

11, 2015. Copies of the Initial Study/Negative Declaration were made available to the public at the Planning Department on October 22, 2015, and the Initial Study/Negative Declaration was distributed to interested parties and agencies. On October 22, 2015, a Notice of Intent to Adopt an Initial Study/Negative Declaration, including the time and place of the Planning Commission meeting to review the Application and Initial Study/Negative Declaration was published in the local newspaper and posted at the Property, City Hall, Council Chambers and Fire Station 118; and

**WHEREAS**, the Initial Study/Negative Declaration and all related environmental documents forming the basis for this Negative Declaration and Resolution are located in, and in the custody of, the Office of the City Clerk, City of Industry; and

**WHEREAS**, on November 12, 2015, the Planning Commission of the City of Industry conducted a duly noticed public meeting to consider the Initial Study/Negative Declaration, and considered all testimony written and oral; and

**WHEREAS**, the Planning Commission has reviewed and carefully considered the information in the Initial Study/Negative Declaration, including all comment letters submitted, and makes the findings contained in this Resolution, and adopts the Initial Study/Negative Declaration, as an objective and accurate document that reflects the independent judgment and analysis of the City in the discussion of the Project's environmental impacts; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF INDUSTRY DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:**

**SECTION 1:** That based on the entirety of the record before it, which includes without limitation, the California Environmental Quality Act, Public Resources Code §§ 21000, *et seq.* ("CEQA") and the CEQA Guidelines, 14 California Code of Regulations § 15000, *et seq.*; the Environmental Impact Report Guidelines of the City of Industry; the Initial Study/Negative Declaration, prepared for the Project, including all written comments received; all reports, minutes, and public testimony submitted as part of the City Council's duly noticed public meeting of November 12, 2015; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the City Council of the City of Industry hereby finds as follows:

- a. The foregoing recitals are true and correct and made a part of this Resolution.
- b. The Initial Study/Negative Declaration for the Project including any comment letters received, are attached hereto as Exhibit A and are incorporated by reference as part of this Resolution, as if each were set forth fully herein.

- c. The documents and other material constituting the record for these proceedings are located at the Office of the City Clerk, City of Industry, 15625 E. Stafford, Suite 100, Industry, CA 91744.
- d. The proposed Project is consistent with the City's General Plan because the land use, development standards, densities and intensities, buildings and structures proposed are compatible with the goals, policies, and land use designations established in the General Plan (see Gov't Code, § 65860), and none of the land uses, development standards, densities and intensities, buildings and structures will operate to conflict with or impede achievement of the any of the goals, policies, or land use designations established in the General Plan.
- e. In accordance with CEQA, the Planning Commission has considered the Initial Study and Negative Declaration for the Project, including all comments received on the Initial Study and Negative Declaration, and based on the entirety of the record, as described above, the Planning Commission, exercising its independent judgment and analysis, makes the following findings regarding the environmental analysis of the Project:
  - i. Design features of the Project will operate to ensure the impacts of the proposed Project will not exceed established CEQA thresholds of significance.
  - ii. For the reasons stated in this Resolution, the City Council finds that there is no substantial evidence in the record supporting a fair argument that approval of the Project will result in a significant environmental effect.
- f. That the Planning Commission of the City of Industry hereby makes the findings contained this Resolution, and adopts the Initial Study/Negative Declaration for the Project.

**SECTION 2:** The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

**SECTION 3:** That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Industry at a regular meeting held on November 12, 2015 by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

---

Andria Welch  
Chairwoman

**ATTEST:**

---

Cecelia Dunlap  
Secretary

## **Exhibit A.1**

### **Notice of Intent to Adopt a Negative Declaration for CUP 15-12**

**NOTICE OF INTENT TO ADOPT A  
NEGATIVE DECLARATION  
CONDITIONAL USE PERMIT 15-12  
18061 VALLEY BLVD., CITY OF INDUSTRY**

---

**Purpose:** In accordance with the State of California Public Resources Code Section 21092, Title 14 of the California Code of Regulations Guidelines for implementation of Section 15063 of the California Environmental Quality Act, and the Industry Municipal Code, this is to advise you that the Planning Department of the City of Industry has prepared an initial study of environmental impacts on the following project and is recommending the environmental determination described below.

**Project Description:** The proposed project (Conditional Use Permit 15-12) is a request to by Verizon Wireless to establish and operate a 60'-0" tall wireless telecommunications facility disguised as a palm tree.

**Location:** The proposed project is located at 18061 Valley Blvd. in the City of Industry, Los Angeles County (Assessor Parcel Numbers 8727-011-019).

**Environmental Determination:** Based on the findings of the Initial Study, the Planning Department has determined that the proposed project would not result in significant environmental impacts. Accordingly, the City intends to adopt a Negative Declaration pursuant to Section 21080 (c) of the Public Resources Code.

The project site is not included on the list of hazardous materials facilities, hazardous waste properties, or hazardous waste disposal sites named under Section 65962.5 of the California Government Code (Cortese List).

**Public Review and Comment Period:** Copies of the proposed Negative Declaration and Initial Study are available in the Planning Department at the address listed below. **A 20-day public review period for the Negative Declaration begins October 22, 2015, and ends November 11, 2015.** Written comments on the adequacy of the document must be received by the City prior to 5:00 PM on November 11, 2015. If you would like to comment, please send written comments to:

Troy Helling, Senior Planner  
15625 E. Stafford Street, Suite 100  
P.O. Box 3366  
City of Industry, CA 91744  
thelling@cityofindustry.org  
(626) 333-2211

**Public Hearing:** The Planning Commission is scheduled to consider the Negative Declaration and proposed project at a regularly scheduled meeting to be held on November 12, 2015, at 11:00 AM in the City of Industry Council Chambers located at 15651 E. Stafford Street, City of Industry, CA 91744. To confirm the date and time of the meeting, please check the City's website: [www.cityofindustry.org](http://www.cityofindustry.org).

## **Exhibit A.2**

### **Initial Study/Negative Declaration for CUP 15-12, September 2015**

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September 2015 | Initial Study

# Verizon VzT E. Valley Co. Cell Tower

Conditional Use Permit 15-12, City of Industry

*Prepared for:*

**City of Industry**

Contact: Troy Helling, Senior Planner  
15625 East Stafford, Suite 100  
City of Industry, California 91774-0366  
626.333.2211

*Prepared by:*

**PlaceWorks**

Contact: Dwayne Mears, Principal, Environmental Services  
3 MacArthur Place, Suite 1100  
Santa Ana, California 92707  
714.966.9220  
info@placeworks.com  
www.placeworks.com

IND-07.146



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- Appendix A Photo Simulations of Proposed Cell Tower
- Appendix B Air Quality and Greenhouse Gas Analysis

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# 1. Introduction

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The project applicant, Verizon Wireless, Inc., is seeking approval of a Conditional Use Permit (CUP No. 15-12) by the City of Industry for the installation and operation of a cell tower<sup>1</sup> within an approximately 160-square foot project site at 18061 E. Valley Boulevard in the City of Industry. The CUP application was prepared and submitted by Eukon Group as agent for Verizon Wireless, Inc. The project site is located at the northeast corner of a commercial property currently developed with a liquor store and surface parking lot. The proposed project involves construction of a 60-foot high cell tower disguised as a palm tree (i.e., “monopalm”), ancillary ground-mounted equipment, utilities, and a backup generator.

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA), as amended, to determine if approval of the discretionary action requested and subsequent development could have a significant impact on the environment. This analysis will also provide the City of Industry with information to document the potential impacts of the proposed project.

## 1.1 PROJECT LOCATION

The project site is in the City of Industry in the San Gabriel Valley in Los Angeles County, California. The City of Industry extends approximately 14 miles east-west across the southern San Gabriel Valley (see Figure 1, *Regional Location*). The San Gabriel Valley extends east-west from near central Los Angeles on the west to the eastern Los Angeles County boundary, and is bounded to the north by the San Gabriel Mountains and to the south by the Puente Hills.

The proposed cell tower would be located at the northeast corner of a 0.51-acre commercial property with an address of 18061 E. Valley Boulevard, City of Industry, California 91744. The property is located in the north-central part of the City of Industry and is bordered to the north and east by unincorporated Los Angeles County (see Figure 2, *Local Vicinity*). Regional access to the site is from the Pomona Freeway (SR-60) via the Fullerton Road off-ramp approximately 0.85 mile to the south. From there, one travels north on Fullerton Road and then west on E. Valley Boulevard to reach the site.

## 1.2 ENVIRONMENTAL SETTING

### 1.2.1 Existing Land Use

The property on which the project site is located is currently developed with a commercial building, a surface parking lot, and an enclosed asphalt/concrete-paved area used for storage and trash collection (see Figure 3, *Aerial Photograph of Project Site and Vicinity*). According to Los Angeles County Tax Assessor (2015) records, the building was constructed in 1955 and contains 6,000 square feet of space. The south end of the building,

---

<sup>1</sup> Also referred to as a cell phone tower or wireless telecom facility.

## 1. Introduction

fronting E. Valley Boulevard, is presently occupied by Mexim Liquor Store; the north end of the building is vacant and available for lease. Surface parking for up to 22 cars is available along the south and east sides of the liquor store. The current property owners are identified as Henry and Margaret Kwang in the CUP application.

The cell tower would be installed at the northeast corner of the property within an enclosed asphalt/concrete-paved area, where it would be set back approximately 150 feet from E. Valley Boulevard (see Figure 4, *Site Plan*). The area is protected by a 6- to 8-foot tall wrought iron fence partially covered by corrugated sheet metal panels for privacy and can be accessed by locked gates on the north and south. During a September 16, 2015 inspection, the enclosed area was found to be essentially vacant, with a trash enclosure on the east and a largely empty storage area covered by metal awning on the west. A 12.5-foot x 12.75-foot area (approximately 160 square feet) would be leased from the property owner to install the cell tower and supporting equipment. Photographs that depict site conditions as of the time of the inspection are provided in Figure 5, *Site Photographs*.

### 1.2.2 Surrounding Land Use

The project site parcel is situated within a commercial stretch of development along the north side of E. Valley Boulevard. Land uses in the near vicinity of the site are commercial/industrial in nature, except for a church that is approximately 175 feet west of the project site at 18047 E. Valley Boulevard. Residential neighborhoods characterized by single-family homes begin approximately 230 north of the site in the community of South San Jose Hills. As shown on Figure 3, *Aerial Photograph of Project Site and Vicinity*), land uses immediately surrounding the site are as follows:

- South – Bordered by E. Valley Boulevard, beyond which are a Union Pacific railroad track and an industrial warehouse building occupied by Mybat (a cell phone accessory supplier) at 18071 Arenth Avenue.
- East – Bordered by an alleyway, beyond which is a two story commercial building occupied by Roma Dance Studio at 18105 E. Valley Boulevard. Signage associated with the building indicates that Pink Beauty Salon was a former tenant.
- North -- Bordered by an alleyway, beyond which is a two-story building occupied by Waste and Recycling Services, Inc. at 638 Giano Avenue.
- West – Bordered by an attached commercial building occupied by Master Insurance Agency at 18053 E. Valley Boulevard, beyond which is the aforementioned church (Iglesia Adventista del Septimo Dia).

## 1. Introduction

### 1.3 PROJECT DESCRIPTION

#### 1.3.1 Purpose

The purpose of the project is to close a significant gap in cellular telephone coverage within the general area west of the E. Valley Boulevard and Fullerton Road intersection. Much of this area has poor/unreliable indoor, outdoor, and vehicular service for Verizon Wireless customers and the strength of signal is inadequate to meet customer demand. Installation of the proposed cell tower at 18061 E. Valley Boulevard would resolve the vast majority of this significant gap in service. According to the project applicant, the proposed project is the least intrusive option for the area, will improve operations of surrounding Verizon facilities, and will improve overall service in the area for both data and telephone service.

#### 1.3.2 Proposed Land Use

The project site consists of an approximately 160-square foot leased area at the northeast corner of an existing commercial property. The following features would be constructed/installed within or near this area (see Figure 6, *Equipment Layout*):

##### Cell Tower

The proposed cell tower would be 60 feet in height and disguised as a palm tree (i.e., “monopalm”). The following equipment would be mounted near the top of the cladded monopalm, at a height of 46 to 54 feet above ground surface, and camouflaged with artificial palm fronds (see Figure 7, *Elevations*):

- Twelve 8-foot panel antennas, four on each of three arms extending from the monopalm
- Twelve remote radio units with A2 modules, one connected to each panel antenna
- Two Raycap DC surge protection units.

All of the tower-mounted equipment would be painted to match the monopalm.

##### Ground-Mounted Equipment

The project would involve installation of a concrete pad to support two equipment cabinets, an electric service meter, and a diesel generator for backup power supply. The L-shaped concrete pad would be 4-feet wide and encompass a total area of 66 square feet. Each equipment cabinet would contain six 8.4-volt nickel-cadmium batteries (TLX 180-7) to maintain uninterrupted power until the standby generator could be brought on-line. The 15-kilowatt (kW) generator would be equipped with a 54-gallon diesel fuel tank. The lease area would be protected on three sides by thirteen new concrete bollards and on the fourth side by an existing 8-foot metal fence.

##### Utilities

Underground power and fiber optic cable lines would be installed from the equipment pad to an existing utility pole on the north side of the property. The trench required to install the conduit lines would be

## 1. Introduction

approximately 170 feet in length. The electric line would connect to a new 200-amp electrical service meter installed on the equipment pad. The fiber optic cable line would run through one of the equipment cabinets to the monopalm.

### Access

The lease agreement with the property owner includes a non-exclusive 10-foot wide path-of-access easement from E. Valley Boulevard to the equipment pad to allow for routine maintenance.

### 1.3.3 Project Phasing

#### Construction

Construction of the cell tower would commence upon approval of the CUP by the City of Industry. The project proponent has represented a 90 to 120 day “development schedule” in the application, a portion of which would be devoted to the construction of the cell tower and ground-mounted equipment. Construction would involve excavation of a foundation to install the cell tower, construction of the concrete equipment pad and protective bollards, utility trenching, and installation of the equipment cabinets and utility service connections. Based on recent similar projects, cell tower construction and equipment installation are estimated to require approximately 30 to 60 days to complete.

#### Operation and Maintenance

The cell tower would be unmanned and require no operational activities or personnel. Maintenance personnel would access the site one to two times per month for routine maintenance and optimization.

## 1.4 EXISTING ZONING AND GENERAL PLAN

The cell tower would be installed on an existing commercial property identified as APN 8727-011-019. The assigned zoning designation for this property is Commercial (C) and the existing General Plan designation is Commercial.<sup>2</sup>

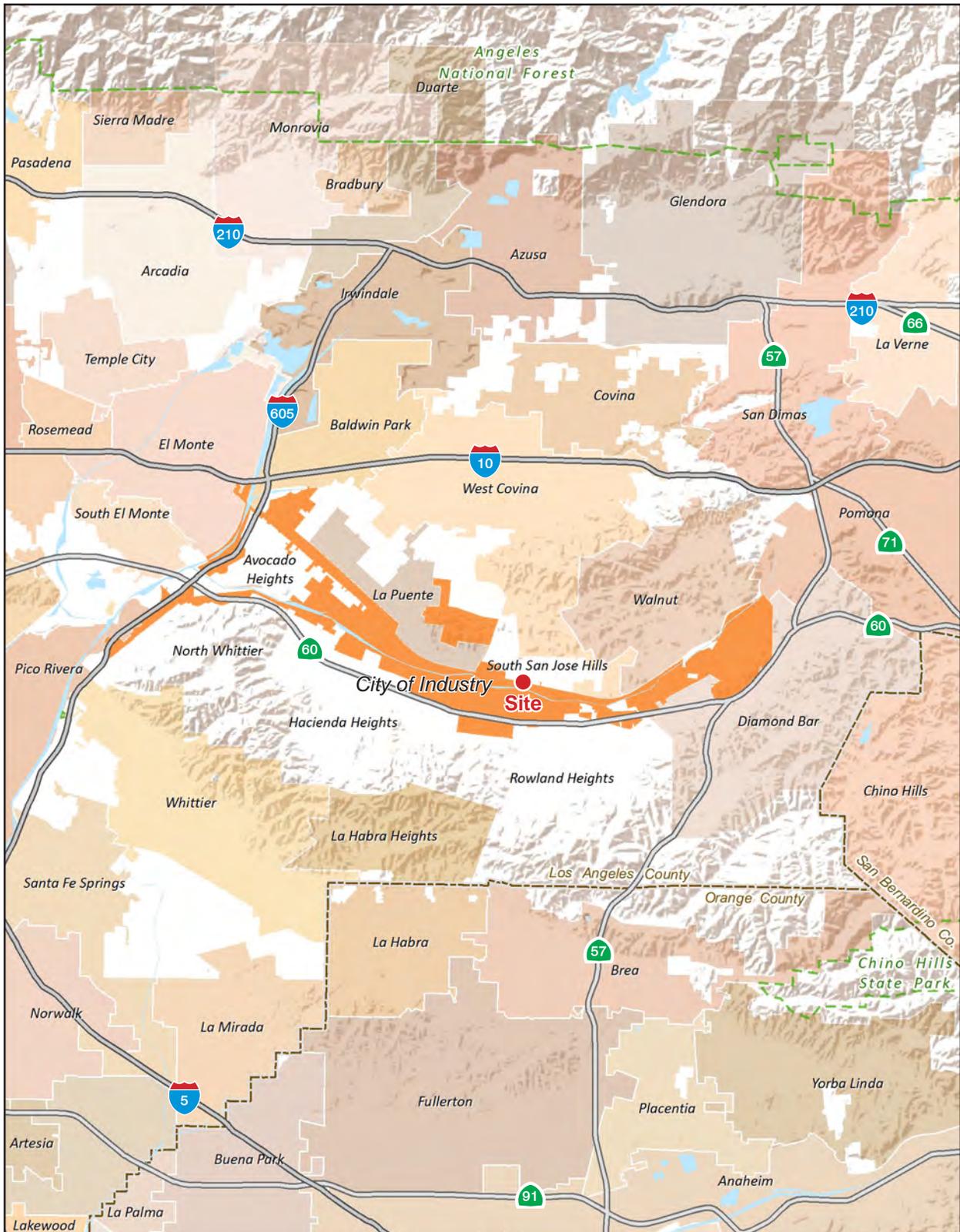
## 1.5 CITY ACTION REQUESTED

The applicant is seeking the City’s approval of a Conditional Use Permit (CUP No. 15-12) to build a new unmanned wireless telecommunications facility on an existing commercial property. A CUP is a discretionary permit issued by a hearing body to allow a conditional use that may or may not be allowable under the zoning code. An Initial Study is required to evaluate potential environmental impacts associated with the project. If approval is granted, the developer must meet certain conditions to harmonize the project with its surroundings. Each application is considered on its individual merits. CUPs require a public hearing, and if approval is granted, the developer must usually fulfill certain conditions. Approval of a CUP is not a change in zoning (ILG 2010).

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<sup>2</sup> Per City of Industry General Plan Amendment 13-1 and Zone Amendment 13-1, approved on September 26, 2013 and October 10, 2013, respectively.

Figure 1 - Regional Location  
1. Introduction



Note: Unincorporated county areas shown in white.



Source: ESRI, 2015.

## 1. Introduction

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## 1. Introduction

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Figure 3 - Aerial Photograph of Project Site and Vicinity  
1. Introduction



— Project Site    - - - - City Boundary

0                      60  
Scale (Feet)



Source: Google Earth Pro, 2015

## 1. Introduction

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Figure 4 - Site Photographs  
1. Introduction



Project site, viewed across E. Valley Blvd. toward the north. The cell tower ("monopalm") would be located in the approximate center of the photograph.



Driveway into project site, viewed toward the north. The liquor store parking lot is in the foreground.



Project site, viewed from the alleyway toward the south. The cell tower location is just beyond the fence.



Enclosed space where cell tower would be located, viewed toward the northeast. The cell tower would be constructed behind the trash enclosure on right.



Close-up of cell tower location, which is surrounded by fencing and secured gates.

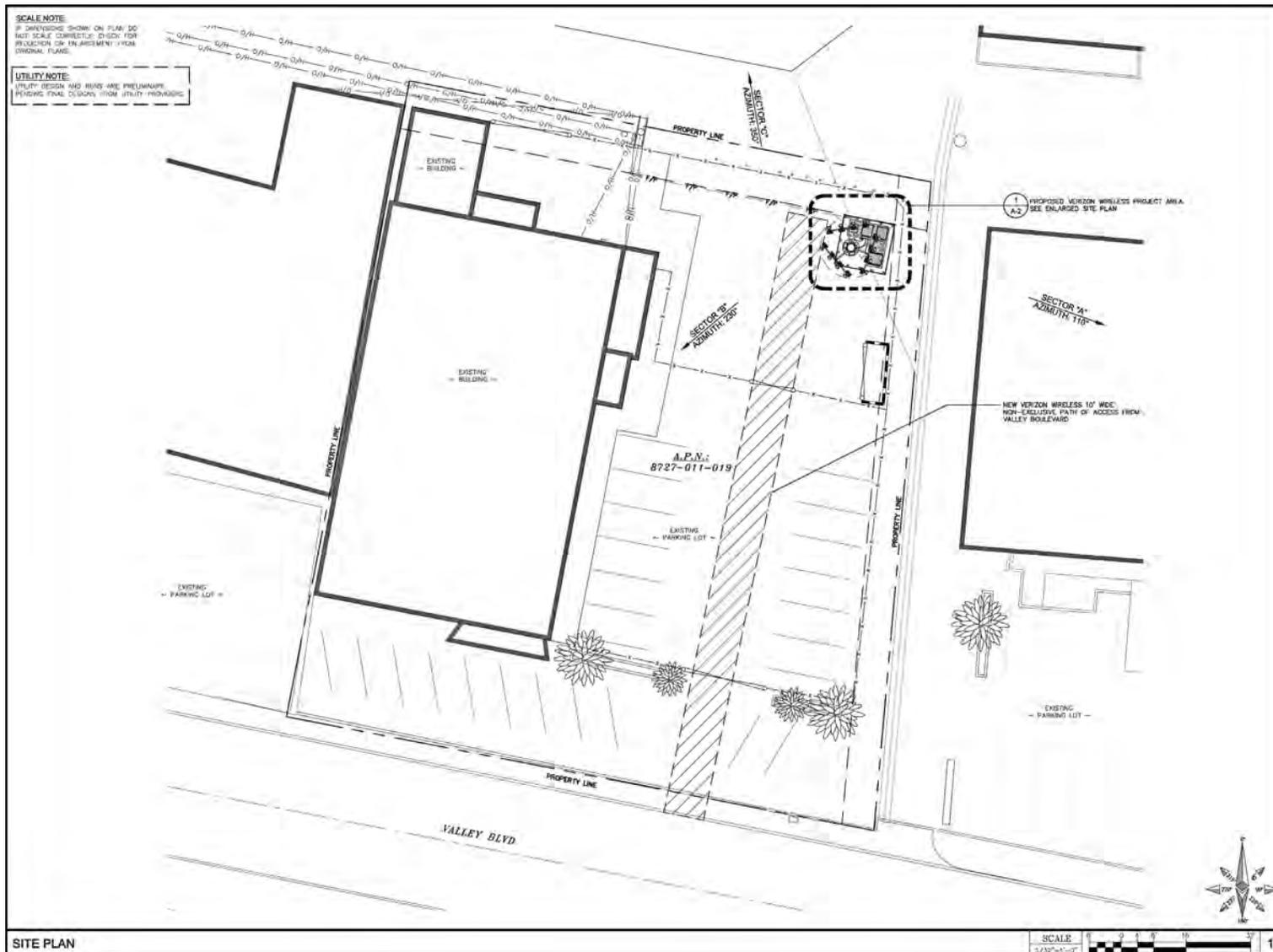


E. Valley Blvd. in front of the project site, viewed toward the west. A commercial warehouse building is present across this six-lane roadway to the south (on left).

## 1. Introduction

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Figure 5 - Site Plan  
1. Introduction



Source: Eukon Construction Drawing A-1 for VzT E. Valley Co., August 20, 2015

## 1. Introduction

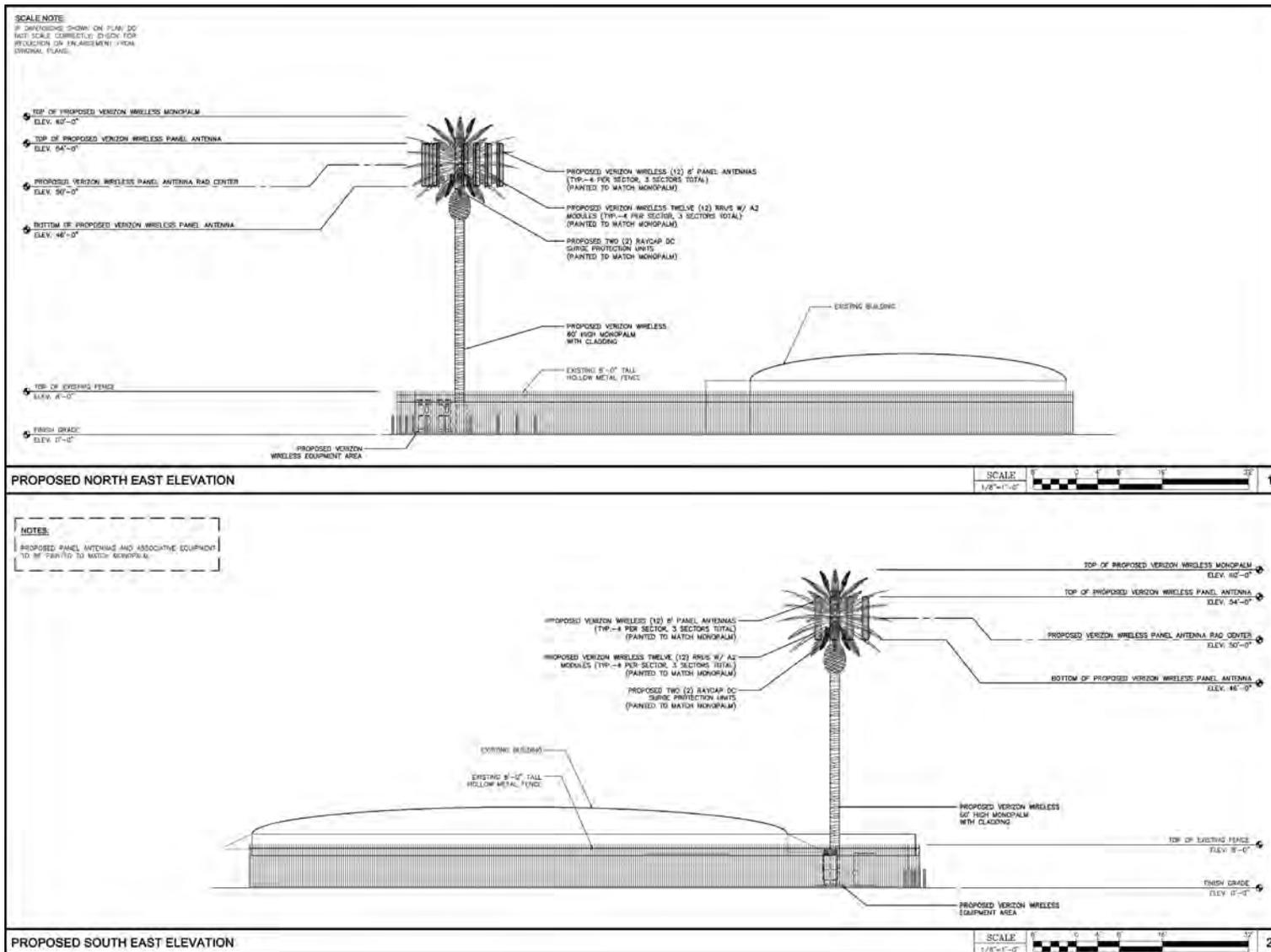
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## 1. Introduction

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Figure 7 - Elevations  
1. Introduction



Source: Eukon Construction Drawing A-5 for VzT E. Valley Co., August 20, 2015

## 1. Introduction

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## 2. Environmental Checklist

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### 2.1 BACKGROUND

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**1. Project Title:** Verizon VzT E. Valley Co. Cell Tower.

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**2. Lead Agency Name and Address:**

City of Industry  
15625 East Stafford, Suite 100  
P.O. Box 3366  
City of Industry, CA 91744-0366

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**3. Contact Person and Phone Number:**

Troy Helling, Senior Planner  
626.333.2211

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**4. Project Location:** 18061 E. Valley Boulevard in the north-central part of the City of Industry.

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**5. Project Sponsor's Name and Address:**

Verizon Wireless, Inc.  
c/o Jerry Ambrose, Eukon Group (Agent for Verizon)  
3905 State Street, Suite 7-188  
Santa Barbara, CA 93105  
805.637.7407  
jambrose@wireless01.com

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**6. General Plan Designation:** Commercial.

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**7. Zoning:** Commercial (C)

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**8. Description of Project:**

The project consists of the construction, operation, and maintenance of a cell tower disguised as a palm tree (i.e., “monopalm”), a concrete equipment pad, two ground-mounted cabinets containing supporting telecommunications equipment and batteries, a 15-kW standby diesel generator, and underground power and fiber optic conduits from the equipment pad to an existing utility pole on the north side of the subject property.

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**9. Surrounding Land Uses and Setting (briefly describe the project's surroundings):**

The areas surrounding the project site are zoned and developed for commercial/industrial uses. Commercial/industrial buildings border the site to the north, east, and west, and E. Valley Boulevard borders the site to the south. A Union Pacific rail line and additional commercial properties are present beyond E. Valley Boulevard to the south. The nearest sensitive receptors are a church that is approximately 175 feet west of the site and a residential neighborhood that begins approximately 230 feet to the north.

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## 2. Environmental Checklist

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

- Los Angeles County Fire Department
- Los Angeles County Public Works Department
- South Coast Air Quality Management District
- State Water Resource Control Board.

## 2.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact,” as indicated by the checklist on the following pages.

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture and Forestry 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/Service Systems          | <input type="checkbox"/> Mandatory Findings of Significance |
- 

## 2.3 EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g. the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

## 2. Environmental Checklist

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
  - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
  - 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
  - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
  - 9) The explanation of each issue should identify:
    - a) the significance criteria or threshold, if any, used to evaluate each question; and
    - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

## 2. Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?				<b>X</b>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				<b>X</b>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			<b>X</b>	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				<b>X</b>
<b>II. AGRICULTURE AND FORESTRY RESOURCES.</b> 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. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				<b>X</b>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				<b>X</b>
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))?				<b>X</b>
d) Result in the loss of forest land or conversion of forest land to non-forest use?				<b>X</b>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				<b>X</b>
<b>III. AIR QUALITY.</b> 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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			<b>X</b>	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			<b>X</b>	
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)?			<b>X</b>	
d) Expose sensitive receptors to substantial pollutant concentrations?			<b>X</b>	

## 2. Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create objectionable odors affecting a substantial number of people?			<b>X</b>	
<b>IV. BIOLOGICAL RESOURCES.</b> Would the project:				
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 US Fish and Wildlife Service?				<b>X</b>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				<b>X</b>
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?				<b>X</b>
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 native wildlife nursery sites?			<b>X</b>	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				<b>X</b>
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?				<b>X</b>
<b>V. CULTURAL RESOURCES.</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				<b>X</b>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			<b>X</b>	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			<b>X</b>	
d) Disturb any human remains, including those interred outside of formal cemeteries?			<b>X</b>	
e) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074? (Interim checklist question for AB 52 compliance.)			<b>X</b>	
<b>VI. GEOLOGY AND SOILS.</b> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				<b>X</b>

## 2. Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) Strong seismic ground shaking?			<b>X</b>	
iii) Seismic-related ground failure, including liquefaction?			<b>X</b>	
iv) Landslides?				<b>X</b>
b) Result in substantial soil erosion or the loss of topsoil?			<b>X</b>	
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?			<b>X</b>	
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?			<b>X</b>	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				<b>X</b>
<b>VII. GREENHOUSE GAS EMISSIONS.</b> Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			<b>X</b>	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				<b>X</b>
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			<b>X</b>	
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			<b>X</b>	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				<b>X</b>
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?			<b>X</b>	
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?				<b>X</b>
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?				<b>X</b>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				<b>X</b>

## 2. Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				<b>X</b>
<b>IX. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements?			<b>X</b>	
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)?				<b>X</b>
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 a substantial erosion or siltation on- or off-site				<b>X</b>
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?				<b>X</b>
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?				<b>X</b>
f) Otherwise substantially degrade water quality?			<b>X</b>	
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?				<b>X</b>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				<b>X</b>
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?				<b>X</b>
j) Inundation by seiche, tsunami, or mudflow?				<b>X</b>
<b>X. LAND USE AND PLANNING.</b> Would the project:				
a) Physically divide an established community?				<b>X</b>
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?				<b>X</b>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				<b>X</b>

## 2. Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. MINERAL RESOURCES.</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?				<b>X</b>
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?				<b>X</b>
<b>XII. NOISE.</b> Would the project result in:				
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?			<b>X</b>	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			<b>X</b>	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			<b>X</b>	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			<b>X</b>	
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?				<b>X</b>
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?				<b>X</b>
<b>XIII. POPULATION AND HOUSING.</b> Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				<b>X</b>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				<b>X</b>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				<b>X</b>
<b>XIV. PUBLIC SERVICES.</b> 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?				<b>X</b>
b) Police protection?				<b>X</b>
c) Schools?				<b>X</b>
d) Parks?				<b>X</b>
e) Other public facilities?				<b>X</b>

## 2. Environmental Checklist

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. RECREATION.</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				<b>X</b>
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?				<b>X</b>
<b>XVI. TRANSPORTATION/TRAFFIC.</b> Would the project:				
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 relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			<b>X</b>	
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?			<b>X</b>	
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?				<b>X</b>
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				<b>X</b>
e) Result in inadequate emergency access?				<b>X</b>
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?				<b>X</b>
<b>XVII. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
a) Exceed waste water treatment requirements of the applicable Regional Water Quality Control Board?			<b>X</b>	
b) Require or result in the construction of new water or waste water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			<b>X</b>	
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?				<b>X</b>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed?				<b>X</b>

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Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in a determination by the waste water 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?				<b>X</b>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			<b>X</b>	
g) Comply with federal, state, and local statutes and regulations related to solid waste?				<b>X</b>
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
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?				<b>X</b>
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.)			<b>X</b>	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				<b>X</b>

## 2. Environmental Checklist

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## 2. Environmental Checklist

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## 3. Environmental Analysis

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Section 2.3 provided a checklist of environmental impacts. This section provides an evaluation of the impact categories and questions contained in the checklist and identifies mitigation measures, if applicable.

### 3.1 AESTHETICS

Would the project:

**a) Have a substantial adverse effect on a scenic vista?**

**No Impact.** Scenic vistas are views of features such as mountains, forests, the ocean, or urban skylines, generally more than one mile distant from the viewer. The San Gabriel Mountains to the north and the Puente Hills to the south provide the greatest opportunities for scenic vistas in the City of Industry. The Puente Hills are partially visible from the project site. The proposed cell tower would not block this or any other scenic vistas from a public right-of-way. As seen from passersby along E. Valley Boulevard and adjacent businesses, the monopalm cell tower would blend into the existing landscape. Photo simulations that show the appearance of the monopalm from three nearby vantages are provided in Appendix A. No impact to scenic vistas would occur.

**b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

**No Impact.** The project site consists of an existing commercial building constructed in 1955 surrounded by paved areas used for parking and storage. The site does not contain any scenic resources, historic buildings, or rock outcrops, and only a few non-biologically sensitive palm trees provide for landscape aesthetics. Additionally, the project site is not adjacent to or near a state scenic highway. The nearest officially-designated state scenic highway is State Route 2 (SR-2), which traverses the Angeles National Forest approximately 19 miles to the north (Caltrans 2015). Therefore, no impact would occur.

**c) Substantially degrade the existing visual character or quality of the site and its surroundings?**

**Less Than Significant Impact.** The cell tower was designed as a monopalm specifically so that it would blend into the existing surroundings. The cell tower and ground-mounted equipment would be located near the rear of the property, set back from E. Valley Boulevard by approximately 150 feet, where it would be unnoticed by the general public. The monopalm would be similar in appearance to the row of five palm trees now present along the front of the property and, thus, would blend in with the surrounding neighborhood. Photo simulations that show the appearance of the monopalm from three nearby vantages are provided in Appendix A. The photos demonstrate that the visual character or quality of the site and surrounding area would not be degraded. Impacts would be less than significant.

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

**No Impact.** Project plans do not call for the installation or operation of any new sources of light to support cell tower operations or maintenance. The antenna panels and other equipment mounted on the monopalm would be painted to camouflage their presence within the fronds and would be unnoticeable. The ground-mounted equipment is not expected to have exceptionally glossy coatings that would create a source of glare. Therefore, the project would not create additional lighting, introduce a source of glare, or change nighttime views. No impact would occur.

### 3.2 AGRICULTURE AND FORESTRY RESOURCES

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 Department 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. Would the project:

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

**No Impact.** Project development would not convert mapped important farmland to nonagricultural uses. The San Gabriel Valley, including the project site, is not mapped on the Important Farmland Finder maintained by the California Department of Conservation, Division of Land Resource Protection (CDC 2014). In addition, there are no agricultural uses on or in the vicinity of the site. Therefore, the proposed project would not convert farmland to nonagricultural uses and no impact would occur.

**b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No Impact.** The project site is zoned for commercial use. Williamson Act contracts restrict the use of privately owned land to agriculture and compatible open-space uses under contract with local governments; in exchange, the land is taxed based on actual use rather than potential market value. No Williamson Act contracts are in effect for the project site. Thus, development of the proposed cell tower would not conflict with zoning for agricultural use or a Williamson Act contract. No impact would occur.

### 3. Environmental Analysis

- 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))?**

**No Impact.** The project site is zoned for commercial use; it is not zoned for forest land, timberland, or timberland production. Project development would not conflict with any such zones, and no impact would occur.

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

**No Impact.** The project site is part of a paved commercial lot. Project development would not cause a loss of forest land or convert forest land to non-forest use, and no impact would occur.

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

**No Impact.** The project site is in a fully urbanized area of the City of Industry and does not lie within or adjacent to agricultural or forest land. Thus, project development would not indirectly cause conversion of farmland or forest land to non-agricultural or non-forest use. No impact would occur.

### 3.3 AIR QUALITY

The Air Quality section addresses the impacts of the proposed project on ambient air quality and the exposure of people, especially sensitive individuals, to unhealthy pollutant concentrations. The primary air pollutants of concern for which ambient air quality standards (AAQS) have been established are ozone (O<sub>3</sub>), carbon monoxide (CO), coarse inhalable particulate matter (PM<sub>10</sub>), fine inhalable particulate matter (PM<sub>2.5</sub>), sulfur dioxide (SO<sub>2</sub>), nitrogen dioxides (NO<sub>2</sub>), and lead (Pb). Areas are classified under the federal and California Clean Air Acts as in either attainment or nonattainment for each criteria pollutant based on whether the AAQS have been achieved. The South Coast Air Basin (SoCAB), which is managed by the South Coast Air Quality Management District (SCAQMD), is designated as nonattainment for O<sub>3</sub> and PM<sub>2.5</sub> under the California and National AAQS, nonattainment for PM<sub>10</sub> under the California AAQS, and nonattainment for lead (Los Angeles County only) under the National AAQS (CARB 2014a).

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:

- a) **Conflict with or obstruct implementation of the applicable air quality plan?**

**Less Than Significant Impact.** A consistency determination plays an important role in local agency project review by linking local planning and individual projects to the air quality management plan (AQMP). It fulfills the CEQA goal in informing decision makers of the environmental efforts of the project under consideration at an early enough stage to ensure that air quality concerns are fully addressed. It also provides

### 3. Environmental Analysis

the local agency with ongoing information as to whether they are contributing to clean air goals contained in the AQMP. SCAQMD's most recent AQMP is the 2012 AQMP that was adopted on December 7, 2012.

Regional growth projections are used by the SCAQMD to forecast future emission levels in the SoCAB. For southern California, these regional growth projections are provided by the Southern California Association of Governments (SCAG) and are partially based on land use designations in city/county general plans. Typically, only large, regionally significant projects have the potential to affect the regional growth projections. The proposed project, an unmanned 60-foot tall cell tower, is not a regionally significant project and would not affect housing, employment, or population estimates in the southern California region, which would warrant Intergovernmental Review by SCAG. Therefore, the project would not affect the regional emissions inventory or conflict with strategies in the AQMP to attain the AAQS.

As explained in Section 3.3.b, regional emissions generated by construction and operation of the cell tower would be less than the SCAQMD emissions thresholds. The SCAQMD would not consider them a substantial source of air pollutant emissions with the potential to affect the attainment designations in the SoCAB. Therefore, the project would not affect the regional emissions inventory or conflict with strategies in the AQMP. Impacts are less than significant.

**b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

**Less Than Significant Impact.** The following describes project-related impacts from short-term construction activities and long-term operation of the proposed project.

#### **Short-Term Air Quality Impacts (Construction)**

Construction activities would result in the generation of air pollutants. These emissions would primarily be: 1) exhaust emissions from off-road diesel-powered construction equipment; 2) dust generated by grading, earthmoving, and other construction activities; and 3) exhaust emissions from on-road vehicles. More specifically, construction of the proposed cell tower would generate minimal amounts of air pollutants from construction equipment exhaust and fugitive dust from soil disturbance during: 1) demolition of a section of the existing pavement; 2) drilling to accommodate the monopalm structure; 3) grading and construction of a concrete pad; 4) erecting the monopalm; and 5) installation of two equipment cabinets, an electric service meter, and a diesel generator. Construction activities are expected to take place over a period of approximately one month.

Short-term construction emissions were estimated using the California Emissions Estimator Model (CalEEMod), version 2013.2.2 (see Appendix B). Results of the construction emission modeling are shown in Table 1, *Maximum Daily Regional Construction Emissions*. As shown in the table, air pollutant emissions from construction-related activities would be less than their respective SCAQMD regional significance threshold values. Therefore, air quality impacts from project-related construction activities would be less than significant.

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**Table 1 Maximum Daily Regional Construction Emissions**

Source	Criteria Air Pollutants (lbs/day) <sup>1,2</sup>					
	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Cell Tower Installation	2	16	12	<1	1	1
Maximum Daily Emissions	2	16	12	<1	1	1
SCAQMD Regional Threshold	75	100	550	150	150	55
Exceeds Regional Threshold?	No	No	No	No	No	No

Source: CalEEMod Version 2013.2.2

<sup>1</sup> Construction information is based on the preliminary information provided by the applicant. Where specific information regarding project-related construction activities was not available, construction assumptions were based on CalEEMod defaults, which are based on construction surveys conducted by SCAQMD of construction equipment and phasing for comparable projects.

<sup>2</sup> Includes implementation of fugitive dust control measures required by SCAQMD under Rule 403, including watering disturbed areas a minimum of two times per day, reducing speed limit to 15 miles per hour on unpaved surfaces, replacing ground cover quickly, and street sweeping with Rule 1186-compliant sweepers. Modeling also assumes a VOC of 100 g/L for paints pursuant to SCAQMD Rule 1113.

#### Long-Term Air Quality Impacts (Operations)

Long-term air pollutant emissions for the proposed project would be associated with the intermittent operation of the standby diesel generator during occasional power outages and routine maintenance and performance testing that would be conducted perhaps once or twice per month. Based on SCAQMD Rule 219, internal combustion engines with a manufacturer’s rating of 50 brake horsepower (bhp) or less do not require a written permit. With a 15 kW design capacity, the cell tower generator would have a power rating of approximately 20 bhp and would be exempt from this SCAQMD rule. Even though the generator would not require a permit, it is unlikely that it would be operated any more frequently than the 200 hours per year allowed for emergency generators under the rule. Given the infrequent and short duration of the generator operations, project-related air pollutant emissions would be nominal and would not exceed the SCAQMD’s regional emissions thresholds for operational activities. Therefore, long-term operation-related impacts to air quality would be less than significant.

**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)?**

**Less Than Significant Impact.** The SoCAB is designated nonattainment for O<sub>3</sub> and PM<sub>2.5</sub> under the California and National AAQS, nonattainment for PM<sub>10</sub> under the California AAQS, and nonattainment for lead under the National AAQS (CARB 2014a). According to SCAQMD methodology, any project that does not exceed or can be mitigated to less than the daily threshold values would not add significantly to a cumulative impact (SCAQMD 1993). Construction and operational activities of the proposed project would not result in emissions in excess of SCAQMD’s significance thresholds. Therefore, the project would not result in a cumulatively considerable net increase in criteria pollutants, and impacts would be less than significant.

**d) Expose sensitive receptors to substantial pollutant concentrations?**

**Less Than Significant Impact.** The proposed project could expose sensitive receptors to elevated pollutant concentrations if it would cause or contribute significantly to elevated pollutant concentration levels. Unlike

### 3. Environmental Analysis

regional emissions, localized emissions are typically evaluated in terms of air concentration rather than mass so they can be more readily correlated to potential health effects.

#### Local Air Quality Impacts (Construction)

Localized significance thresholds (LSTs) are based on the California AAQS, which are the most stringent AAQS that have been established to provide a margin of safety in the protection of public health and welfare. They are designated to protect those sensitive receptors most susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and people engaged in strenuous work or exercise. Construction LSTs are based on the size of the project site, distance to the nearest sensitive receptor, and Source Receptor Area (SRA). Although employees at adjacent commercial/industrial land uses are not sensitive receptors, SCAQMD requires evaluation—in accordance with the LST methodology—of nonsensitive receptors when AAQS averaging time is less than 24 hours.

Air pollutant emissions generated by construction activities are anticipated to cause temporary increases in air pollutant concentrations. Localized construction emissions were estimated using the California Emissions Estimator Model (CalEEMod), version 2013.2.2 (see Appendix B). Table 2, *Localized Construction Emissions*, shows the maximum daily construction emissions (lbs per day) expected to be generated during onsite construction activities compared with the SCAQMD’s LSTs. As shown in this table, construction activities would not exceed the LSTs. Therefore, localized impacts would be less than significant.

**Table 2 Localized Construction Emissions**

Source	Pollutants (lbs/day) <sup>1,2</sup>			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Cell Tower Installation	15	10	1	1
SCAQMD = <1-acre LST	83	673	40	13
Exceeds LST?	No	No	No	No

Source: CalEEMod Version 2013.2.2 and SCAQMD 2006.

Notes: In accordance with SCAQMD methodology, only onsite stationary sources are included in the analysis. NO<sub>x</sub> and CO construction LSTs are based on non-residential receptors within 82 feet (25 meters) of a 0.01-acre site in SRA 11. PM<sub>10</sub> and PM<sub>2.5</sub> construction LSTs are based on residential receptors within 440 feet (134 meters) of a 0.01-acre site in SRA 11.

<sup>1</sup> Construction information is based on the preliminary information provided by the Applicant. Where specific information regarding project-related construction activities was not available, construction assumptions were based on CalEEMod defaults, which are based on construction surveys conducted by SCAQMD of construction equipment and phasing for comparable projects.

<sup>2</sup> Includes implementation of fugitive dust control measures required by SCAQMD under Rule 403, including watering disturbed areas a minimum of two times per day, reducing speed limit to 15 miles per hour on unpaved surfaces, replacing ground cover quickly, and street sweeping with Rule 1186-compliant sweepers. Modeling also assumes a VOC of 100 g/L for paints pursuant to SCAQMD Rule 1113.

#### Local Air Quality Impacts (Operations)

Maximum daily operational emissions from the standby diesel generator would be intermittent and nominal and would not exceed SCAQMD operational phase LSTs. Therefore, operational emissions would not exceed the California AAQS and project operation would not expose sensitive receptors to substantial pollutant concentrations. Operational LST impacts would be less than significant.

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#### Carbon Monoxide Hotspots

Areas of vehicle congestion have the potential to create pockets of CO called hotspots, which can exceed the state one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9 ppm. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to ambient air quality standards is typically demonstrated through an analysis of localized CO concentrations. Hotspots are typically produced at intersections, where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds.

The SoCAB has been designated attainment under both the National and California AAQS for CO. Under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited—in order to generate a significant CO impact (BAAQMD 2011). The proposed project would generate minimal trips from cell tower maintenance activities once or twice a month. These trips are significantly less than the volumes cited above. Furthermore, the SoCAB is in attainment of both the National and California AAQS for CO. The project would not have the potential to substantially increase CO hotspots at intersections in the vicinity of the project site. Localized air quality impacts related to mobile-source emissions would be less than significant.

#### e) Create objectionable odors affecting a substantial number of people?

**Less Than Significant Impact.** The proposed project would not result in objectionable odors. The threshold for odor is if a project creates an odor nuisance pursuant to SCAQMD Rule 402, Nuisance, which states:

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

The type of facilities that are considered to have objectionable odors include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. Cell tower operations would not result in the types of odors generated by the aforementioned land uses.

During cell tower construction and operation of the standby generator, equipment exhaust and application of asphalt would generate odors. Any such construction- and operation-related odor emissions would be temporary and intermittent. Additionally, noxious odors would be confined to the immediate vicinity of the equipment. By the time emissions reach any sensitive receptors, they would be diluted to well below levels that could be discerned. Therefore, impacts associated with operation- and construction-generated odors would be less than significant.

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#### 3.4 BIOLOGICAL RESOURCES

Would the project:

- 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 US Fish and Wildlife Service?**

**No Impact.** Special status species include: 1) those listed as endangered or threatened under the federal Endangered Species Act or California Endangered Species Act; 2) species otherwise given certain designations by the California Department of Fish and Wildlife; and 3) plant species listed as rare by the California Native Plant Society. The project site has been previously graded and developed and the surrounding areas are highly urbanized and built-out areas of the City of Industry and unincorporated Los Angeles County. Therefore, there would be no adverse impacts on candidate, sensitive, or special status species, either directly or via modification of an existing habitat.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?**

**No Impact.** Sensitive natural communities are natural communities that are considered rare in the region by regulatory agencies; that are known to provide habitat for sensitive animal or plant species; or are known to be important wildlife corridors. Sensitive natural communities that are known to provide habitat for sensitive animal or plant species, or that are known to be important wildlife corridors, are considered rare in the region by regulatory agencies.

Riparian habitats are those occurring along the banks of rivers and streams. The US Fish and Wildlife Service (USFWS) National Wetlands Mapper is a tool to identify federally-protected streams, wetlands, other water bodies, or any riparian habitat. The wetlands mapper shows no such habitat on or adjacent to the project site (USFWS 2015a). The closest designated water body is the San Jose Creek diversion channel approximately 700 feet south of the site. The National Wetlands Mapper identifies the portion of the creek at this location to be Riverine Wetland. Given the distance from the site and the intervening urban land use, the San Jose Creek riparian habitat would not be directly or indirectly impacted by the proposed project. No impact would occur.

- 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?**

**No Impact.** Wetlands are defined by Section 404 of the federal Clean Water Act as land that is flooded or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that normally does support, a prevalence of vegetation adapted to life in saturated soils. Wetlands include areas such as swamps, marshes, and bogs. The project site is located within a paved commercial lot and there are no wetlands on or near the site. As explained in Section 3.4.b, the USFWS classifies the San Jose Creek as a

### 3. Environmental Analysis

Riverine Wetland, but the creek is sufficiently distant from the project site that it would not be affected. No impact would occur.

**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 native wildlife nursery sites?**

**Less Than Significant Impact.** Wildlife corridors are typically made up of undeveloped wildlife areas and open space between larger patches of wildlife habitat. The project site is fenced and gated and surrounded by developed urban land uses and, therefore, does not contain or support wildlife habitat or nursery use and is not used for overland wildlife movement. Nor does the site contain trees or shrubs that would be used for nesting by migratory birds.

Communication towers pose hazards to migratory birds, especially night-migrating birds. The USFWS issued revised voluntary standards for communication tower design in 2013. The USFWS considers the optimal tower design for minimizing hazards to birds to be towers that are under 200 feet high, unlit, unguyed, and of monopole or lattice construction (USFWS 2013). The proposed cell tower would be 60 feet high, unlit, and unguyed. Thus, the cell tower would not pose a substantial hazard to migratory birds, and impacts would be less than significant.

**e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**No Impact.** The project site and surrounding area do not contain biological resources that are protected by any local policies or ordinances, such as a tree preservation policy or ordinance. The City of Industry Municipal Code does not contain ordinances protecting trees or other biological resources on private property. No impact would occur.

**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?**

**No Impact.** The project site is located in a developed, disturbed, urban environment and is surrounded by contiguous development. It is not located within an adopted Habitat Conservation Plan area, as designated by the United States Fish and Wildlife Service (USFWS 2015b), or a Natural Community Conservation Plan area, as designated by the California Department of Fish and Game (CDFW 2015). Nor is the project site within an existing or proposed Significant Ecological Area (SEA)<sup>3</sup> designated by the County of Los Angeles (LACDRP 2014). The nearest designated SEA is the Powder Canyon Puente Hills SEA (No. 17), which is approximately 2.5 miles south of the project site. The nature of the proposed project and the distance to the SEA is such that no impact would occur.

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<sup>3</sup> Significant Ecological Areas (SEAs) are ecologically important land and water areas designated by Los Angeles County. SEAs are not preserves; however, development projects proposed in SEAs are subject to increased environmental and design review with the aim of balancing development with ecological resources.

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#### 3.5 CULTURAL RESOURCES

Would the project:

**a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?**

**No Impact.** Section 15064.5 defines historic resources as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or the lead agency. Generally a resource is considered to be “historically significant” if it meets one of the following criteria:

- i) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- ii) Is associated with the lives of persons important in our past;
- iii) Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values;
- iv) Has yielded, or may be likely to yield, information important in prehistory or history.

The project site is developed with a nondescript commercial building that was constructed in 1955. The proposed project would not demolish, alter, or otherwise affect the building and, in any case, the building has no historical or cultural significance. There are no resources listed on the National Register of Historic Places and no California Historical Landmarks within or near the project site (COHP 2015; NPS 2015). Therefore, no impact to historical resources would occur as a result of the proposed project.

**b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

**Less Than Significant Impact.** Archaeological resources are prehistoric or historic evidence of past human activities, including structural ruins and buried resources. Although the entire site has been previously graded, construction of the foundation for the cell tower would require excavation of soils to depths that may not have been previously disturbed (i.e., approximately 15 feet below ground surface). Therefore, there is some possibility, albeit unlikely, that prehistoric and/or historic archaeological resources could be encountered during the project’s ground-disturbing activities. In the event that archaeological resources are unearthed during project grading and/or construction activities, all work within 50 feet of the find would be halted and a qualified archeologist would be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5. Adherence to these guidelines would ensure that impacts are less than significant.

**c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Less Than Significant Impact.** The project site is relatively flat and there are no exposed rock formations or other unique geological features on or near the site. Paleontological resources are fossils, that is, evidence

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of past life on earth, including bones, shells, leaves, tracks, burrows, and impressions. The site is underlain by young alluvial fan deposits of sand and silt from the middle Holocene age; the Holocene Epoch extends from about 11,500 years before present to the present. Therefore, there is some possibility, albeit unlikely, that fossils could be encountered during the project's ground-disturbing activities. In the event that fossils are unearthed during project grading and/or construction activities, all work within 50 feet of the find would be halted and a qualified paleontologist would be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5. Adherence to these guidelines would ensure that impacts are less than significant.

**d) Disturb any human remains, including those interred outside of formal cemeteries?**

**Less Than Significant Impact.** California Health and Safety Code Section 7050.5 requires that disturbance of a site shall halt if human remains are discovered and shall remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Compliance with the applicable laws and regulations regarding the discovery of human remains would ensure that impacts are less than significant.

**e) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074? (Interim checklist question for AB 52 compliance.)**

**Less Than Significant Impact.** Section 21074 of the Public Resources Code defines a tribal cultural resource as either of the following:

1. Site features, places, cultural landscapes, sacred places, and objects of cultural value to a California Native American tribe that are either of the following:
  - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources
  - b. Included in a local register of historical resources as defined in subdivision (k) of section 5020.1.
2. 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 section 5024.1. In applying the criteria set forth in subdivision (c) of section 5024.1, lead agency shall consider the significance of the resource to a California Native American tribe.

There are no resources listed on the National Register of Historic Places or California Historical Resources on the project site (NPS 2015; COHP 2015). Therefore, no impact to historical resources would occur as a result of the proposed project. In addition, the City of Industry does not list any historical resources

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associated with the project site in a local register, and does not have substantial evidence indicating that a significant resource is located on the project site associated with California Native American tribes.

Separate letters were transmitted to the Gabrieleño Band of Mission Indians – Kizh Nation and the Soboba Band of Luiseño Indians on September 23, 2015 providing advance notification that an application had been received to construct and operate a cell tower within the traditional use territories of the tribes. The Native American groups were invited to request consultation with the City of Industry to discuss any potential impacts that the project could pose to tribal cultural resources. If consultation is requested, it will be accommodated and any concerns will be addressed in accordance with Public Resources Code Section 21080.3. While no impacts to tribal cultural resources are anticipated, any issues raised by the tribal representatives during the consultation would be resolved prior to project implementation such that the impacts would be less than significant.

### 3.6 GEOLOGY AND SOILS

Would the project:

- a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**
  - i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

**No Impact.** Fault rupture impacts can occur when a structure is situated on top of an active fault that produces surface displacement during an earthquake event. Active faults are those where surface rupture has occurred within the last 11,000 years. Potentially active faults are defined as those where surface rupture has occurred during the past 1,600,000 years. The project site is not located within an Alquist-Priolo Earthquake Fault Zone,<sup>4</sup> as delineated by the California Geological Survey, nor is it situated on or near any known active or potentially active fault. The nearest Alquist-Priolo Earthquake Fault Zone is the Whittier Fault, which is located approximately 3.5 miles south of the project site (CDC 1999a). The nearest potentially active fault is the San Jose Fault, which is located approximately 1.3 miles northeast of the site (CGS 2010a). Because known active and potentially active faults do not cross the site, the proposed project would not expose people or structures to substantial hazards arising from surface rupture of a known active fault. In addition, the project would not construct buildings for human occupancy. No impact would occur.

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<sup>4</sup> The Alquist-Priolo Earthquake Fault Zoning Act was passed to prevent construction of buildings used for human occupancy on the surface of active faults, in order to minimize the hazard of surface rupture of a fault to people and buildings. Before cities and counties can permit development within Alquist-Priolo Earthquake Fault Zones, geologic investigations are required to show that the sites are not threatened by surface rupture from future earthquakes.

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#### ii) Strong seismic ground shaking?

**Less Than Significant Impact.** Several active faults are known in the project region, including the Whittier Fault 3.5 miles to the south, the East Montebello Fault 9.5 miles to the west, the Chino Fault 11 miles to the east, the Raymond Fault 13 miles to the northwest, and the Cucamonga Fault 16 miles to the northeast (CGS 2010a). More regionally, the San Andreas Fault is capable of producing an earthquake that could cause significant damage at the project site. Each of these faults is classified as active, with strong seismic capabilities. Lesser, potentially active faults that are closer to the site include the Walnut Creek and San Jose Faults. The expected ground motion characteristics of future earthquakes in the region depend on the distance to the epicenter and magnitude of the earthquake, as well as the soil profile of the site.

Strong ground shaking is considered very likely to occur at the project site during the design lifetime of the proposed cell tower. The tower would be built to requirements in Section 3108 of the California Building Code (CBC; California Code of Regulations, Title 24, Part 2) and industry standards in Telecommunications Industry Association's Standard TIA 222-G, "Structural Standard for Antenna Supporting Structures and Antennas."<sup>5,6</sup> Compliance with applicable construction standards would ensure that impacts are less than significant.

#### iii) Seismic-related ground failure, including liquefaction?

**Less Than Significant Impact.** Liquefaction refers to unconsolidated, saturated sand or silt deposits that lose their load-supporting capability when subjected to intense shaking. Like much of the available land in the City of Industry, the project site is located in an area that is underlain by unconsolidated sediments that include interbedded silts, sands, and gravel. The thickness of these unconsolidated sediments beneath the site has not been determined. Unconsolidated silts, sands, and gravel may produce surface cracking, differential settlement, and, depending upon groundwater depth, liquefaction during high-intensity seismic ground shaking.

The California Geological Survey (CGS), a branch of the State Department of Conservation, has a mandate to identify and map the state's most prominent earthquake hazards pursuant to the Seismic Hazards Mapping Act of 1990. These hazards include areas where earthquakes are likely to cause shaking, liquefaction, or ground failure. In 1999, the CGS updated existing seismic hazard maps for portions of southern California, including the area that encompasses the City of Industry. The updated map that covers the project site (Baldwin Park 7.5-minute quadrangle) indicates that the site is located in a state-mapped liquefaction zone, which is defined as follows (CDC 1999b):

"Areas where historic occurrence of liquefaction or local geological, geotechnical, or groundwater conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required."

<sup>5</sup> The current California Building Code is the 2013 CBC that took effect January 1, 2014.

<sup>6</sup> The Telecommunications Industry Association is accredited by the American National Standards Institute (ANSI) to develop voluntary industry standards for a variety of information and communications technology structures and equipment.

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As explained in Section 3.6.a.ii, the proposed cell tower and equipment pad would be built to CBC requirements and TIA 222-G standards. Impacts would be less than significant.

#### **iv) Landslides?**

**No Impact.** As discussed in the previous section, the CGS is mandated by the Seismic Hazards Act of 1990 to identify and map the state's most prominent earthquake hazards, including hazard areas that are at risk for earthquake-induced landslides. If a project site is located in one of the landslide hazard areas, the City of Industry is required to prepare a geotechnical report defining and delineating landslide hazards in the project area. Based on a review of the Baldwin Park 7.5-minute quadrangle map (CDC 1999b), the project site is not located in a mapped landslide hazard area and is not subject to landslide hazards. Moreover, the project site and surrounding land are virtually flat. Therefore, no impact related to landslide hazards would occur.

#### **b) Result in substantial soil erosion or the loss of topsoil?**

**Less Than Significant Impact.** Erosion is the movement of rock fragments and soil from one place to another. Precipitation, running water, waves, and wind are all agents of erosion. Significant erosion typically occurs on steep slopes where stormwater and high winds can carry topsoil down hillsides. Erosion can be accelerated dramatically by ground-disturbing activities if effective erosion control measures are not used. The project site and surrounding area are in a highly urbanized area that is virtually flat and contains minimal rises or changes in elevation. No major slopes or bluffs are on or adjacent to the site.

Project development would disturb limited amounts of soil for construction of the cell tower foundation and the equipment pad. The project would include implementation of best management practices (BMPs) for erosion control and sediment control pursuant to National Pollution Discharge Elimination System (NPDES) regulations implementing portions of the federal Clean Water Act. The City of Industry Director of Public Safety enforces NPDES regulations in the City. Impacts would be less than significant.

#### **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?**

**Less Than Significant Impact.** Hazards related to liquefaction and landslides are addressed in Sections 3.6.a.iii and 3.6.a.iv, respectively. The project would implement measures to minimize the liquefaction hazard in compliance with CBC regulations and TIA 222-G standards. Lateral spreading is the downslope movement of surface sediment due to liquefaction in a subsurface layer. The risk of lateral spreading at the project site is negligible due to the relatively flat terrain.

The major cause of ground subsidence is withdrawal of groundwater. Groundwater levels in the Main San Gabriel Groundwater Basin, which underlies the project site, are managed by the Main San Gabriel Basin Watermaster to avoid groundwater withdrawals exceeding recharges. The project would not require direct groundwater withdrawal, nor would it involve or allow significant groundwater recharge.

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Collapsible soils shrink upon being wetted, being subject to a load, or under both conditions. The project engineer would assess subsurface site soils for suitability for supporting the proposed cell tower and equipment pad. If the engineer determines that existing site soils are not suitable for supporting the proposed improvements, the engineer would recommend measures to remedy such unsuitable soils. Based on the foregoing, impacts related to lateral spreading, subsidence, and collapsible soils would be less than significant.

**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?**

**Less Than Significant Impact.** With respect to engineering principles, expansive soils are soils that alternately expand and contract upon wetting and drying, thereby causing problems for foundations of buildings and other structures. The project engineer would assess subsurface site soils for suitability for supporting the proposed cell tower and equipment pad. If the engineer determines that existing site soils are not suitable for supporting the proposed improvements, the engineer would recommend measures to remedy such unsuitable soils. Impacts would be less than significant.

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

**No Impact.** Development of the proposed project would not require the installation of a septic tank or alternative wastewater disposal system. Significant quantities of wastewater would not be generated by the construction or operation of the cell tower. No impact would occur.

## 3.7 GREENHOUSE GAS EMISSIONS

Scientists have reached a general consensus that human activities are contributing to global climate change by adding large amounts of heat-trapping gases, known as greenhouse gases (GHGs), into the atmosphere. The primary source of GHGs is fossil fuel use. The Intergovernmental Panel on Climate Change (IPCC) has identified four major GHGs -- water vapor, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and ozone (O<sub>3</sub>) -- that are the likely causes of an increase in global average temperatures observed during the 20<sup>th</sup> and 21<sup>st</sup> centuries. Other GHGs identified by the IPCC that contribute to global warming to a lesser extent include nitrous oxide (N<sub>2</sub>O), sulfur hexafluoride (SF<sub>6</sub>), hydrofluorocarbons, perfluorocarbons, and chlorofluorocarbons.<sup>7,8</sup>

This section of the Initial Study analyzes the project's contribution to global climate change impacts through an analysis of project-related GHG emissions. Information on the manufacture of cement, steel, and other "life cycle" emissions that would occur as a result of the project are not applicable and are not included in the

<sup>7</sup> Water vapor (H<sub>2</sub>O) is the strongest GHG and the most variable in its phases (vapor, cloud droplets, ice crystals). However, water vapor is not considered a pollutant, but part of the feedback loop rather than a primary cause of change.

<sup>8</sup> Black carbon contributes to climate change both directly, by absorbing sunlight, and indirectly, by depositing on snow (making it melt faster) and by interacting with clouds and affecting cloud formation. Black carbon is the most strongly light-absorbing component of PM emitted from burning fuels. Reducing black carbon emissions globally can have immediate economic, climate, and public health benefits. California has been an international leader in reducing emissions of black carbon, with close to 95 percent control expected by 2020 due to existing programs that target reducing PM from diesel engines and burning activities (CARB 2014b). However, state and national GHG inventories do not yet include black carbon due to ongoing work resolving the precise global warming potential of black carbon. Guidance for CEQA documents does not yet include black carbon.

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analysis.<sup>9</sup> 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:

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

**Less Than Significant Impact.** Global climate change is not confined to a particular project area and is generally accepted as the consequence of global industrialization over the last 200 years. A typical project, even a very large one, does not generate enough GHGs on its own to influence global climate change significantly; hence, the issue of global climate change is, by definition, a cumulative environmental impact.

Annual GHG emissions were calculated for activities associated with the construction of the cell tower (see Appendix B). Annual average construction emissions (total and amortized over 30 years) are provided for informational purposes and are shown in Table 3, *Project-Related GHG Emissions from Construction*. The total GHG emissions from the project would not exceed the SCAQMD’s bright-line threshold of 3,000 metric tons of carbon dioxide-equivalent (MTCO<sub>2e</sub>).<sup>10</sup> Therefore, the proposed project’s cumulative contribution to GHG emissions is less than significant.

**Table 3 Project-Related GHG Emissions from Construction**

Source	MTCO <sub>2e</sub> /year
Total Construction Emissions	19
Amortized Construction Emissions <sup>1</sup>	0.63
SCAQMD's Proposed Screening Threshold	3,000
<b>Exceeds Proposed Screening Threshold</b>	No

Source: CalEEMod, Version 2013.2.2. Totals may not add up to 100 percent due to rounding.

Note: MTCO<sub>2e</sub>: metric tons of carbon dioxide-equivalent

<sup>1</sup> Total construction emissions are amortized over 30 years.

Long-term GHG emissions for the proposed project would be associated with the intermittent operation of the standby diesel generator during occasional power outages and routine maintenance and performance testing that would be conducted perhaps once or twice per month. Emergency generators permitted by the SCAQMD must restrict their operational hours to 200 hours per year or less. Even though the cell tower standby generator does not need to be permitted (see Section 3.3.b), it is unlikely that it would be operated any more frequently than this. Given the infrequent and short duration of the generator operations, project-related GHG emissions would be nominal and impacts would be less than significant.

<sup>9</sup> Life cycle emissions include indirect emissions associated with materials manufacture. However, these indirect emissions involve numerous parties, each of which is responsible for GHG emissions of their particular activity. The California Resources Agency, in adopting the CEQA Guidelines Amendments on GHG emissions found that lifecycle analyses was not warranted for project-specific CEQA analysis in most situations, for a variety of reasons, including lack of control over some sources, and the possibility of double-counting emissions (see Final Statement of Reasons for Regulatory Action, December 2009). Because the amount of materials consumed during the operation or construction of the proposed project is not known, the origin of the raw materials purchased is not known, and manufacturing information for those raw materials are also not known, calculation of life cycle emissions would be speculative. A life-cycle analysis is not warranted (OPR 2008).

<sup>10</sup> This threshold is based on SCAQMD’s 3,000 MTCO<sub>2e</sub> for all land use types combined threshold proposed by SCAQMD’s Working Group, which is based on a survey of the GHG emissions inventory of CEQA projects. Approximately 90 percent of CEQA projects GHG emissions inventories exceed 3,000 MTCO<sub>2e</sub>, which is based on a potential threshold approach cited in CAPCOA’s White Paper, *CEQA and Climate Change*.

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

**No Impact.** The California Air Resources Board’s (CARB’s) Scoping Plan is California’s GHG reduction strategy to achieve the state’s GHG emissions reduction target established by Assembly Bill (AB) 32, which is to return to 1990 emission levels by year 2020. To estimate the reductions necessary, CARB projected statewide 2020 business-as-usual (BAU) GHG emissions and identified that the state as a whole would need to reduce GHG emissions by 28.5 percent from year 2020 BAU to achieve the target of AB 32 (CARB 2008). Since release of the 2008 Scoping Plan, CARB has updated the 2020 BAU forecast to reflect GHG emissions in light of the economic downturn and measures not previously considered within the 2008 Scoping Plan baseline inventory. The revised 2020 BAU forecast shows that the state would have to reduce GHG emissions by 21.6 percent from BAU without Pavley<sup>11</sup> and the 33 percent Renewable Portfolio Standard (RPS) or 15.7 percent from the adjusted baseline (i.e., with Pavley and 33 percent RPS) (CARB 2012).<sup>12</sup>

Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard (LCFS), California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the Corporate Average Fuel Economy (CAFE) standards, and other early action measures as necessary to ensure the state is on target to achieve the GHG emissions reduction goals of AB 32.

The primary source of GHG emissions related to the proposed project would be from the construction equipment and vehicles. These emissions would be minimal due to the short duration of construction and the small amount of equipment that would be used to construct the cell tower. Moreover, equipment and vehicles would be compliant with the Low Carbon Fuel Standard and the Heavy-Duty National Program where applicable. Therefore, the proposed project would not have the potential to interfere with the State of California's ability to achieve GHG reduction goals and strategies and no impact would occur.

## 3.8 HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

**Less Than Significant Impact.** This potential environmental impact is evaluated in the sections presented on the following page.

<sup>11</sup> The CARB originally approved regulations to reduce GHGs from passenger vehicles in September 2004, with the regulations to take effect in 2009. These regulations were authorized by the 2002 legislation Assembly Bill 1493 (Pavley). On September 24, 2009, the CARB adopted amendments to the “Pavley” regulations that reduce GHG emissions in new passenger vehicles from 2009 through 2016. These amendments are part of California’s commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016. CARB’s September amendments will cement California’s enforcement of the Pavley rule starting in 2009, while providing vehicle manufacturers with new compliance flexibility.

<sup>12</sup> In May 2014, CARB completed a five year update to the 2008 Scoping Plan. CARB recalculated the 1990 GHG emission levels with the updated global warming potential (GWP) in the Intergovernmental Panel on Climate Change’s Fourth Assessment Report, and the 427 million metric tons of carbon dioxide-equivalent (MMTCO<sub>2e</sub>) 1990 emissions level and 2020 GHG emissions limit, established in response to AB 32, is slightly higher, at 431 MMTCO<sub>2e</sub> (CARB 2014b).

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#### Hazardous Materials

Cell tower construction and operation would involve the transport, use, and disposal of small amounts of hazardous materials, as explained in Section 3.8.b. Such activities are governed by federal and state laws and regulations established and overseen by several agencies, including the Department of Toxic Substances Control (DTSC), the US Environmental Protection Agency (EPA), the US Department of Transportation (DOT), the Occupational Safety & Health Administration (OSHA), and the Los Angeles County Fire Department (LACFD).<sup>13</sup> Compliance with applicable laws and regulations would ensure that impacts are less than significant.

#### Electromagnetic Radiation

The radio frequency (RF) emissions from cell tower antennas are generally directed toward the horizon in a relatively narrow pattern in the vertical plane. In the case of sector (panel) antennas, the pattern is fan-shaped. The maximum power radiated in any direction usually does not exceed 50 watts. As with all forms of electromagnetic energy, the power density from the antenna decreases rapidly as one moves away from the antenna. Consequently, ground-level exposures are much less than exposures if one were at the same height and directly in front of the antenna.

Measurements made near typical cellular and personal communication service (PCS) installations, especially those with tower-mounted antennas, have shown that ground-level power densities are thousands of times less than the Federal Communications Commission's (FCC's) limits for safe exposure. This makes it extremely unlikely that a member of the general public would be exposed to RF levels in excess of FCC guidelines due solely to cellular or PCS base station antennas on towers or monopoles (FCC 2015). Impacts would be less than significant.

**b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

**Less Than Significant Impact.** The project construction contractor would maintain equipment and supplies for containing and cleaning up minor spills of hazardous materials, and would train construction workers on such containment and cleanup. Considering the small amounts of hazardous materials the project would use, it is very unlikely that project construction would result in an accidental release of hazardous materials of such quantity and/or hazard that construction workers would be unable to contain and clean it up. In that event, the construction contractor would notify the LACFD immediately.

Once operational, the cell tower would employ nickel-cadmium batteries housed in the two equipment cabinets and a standby diesel fuel generator. The batteries would contain hazardous compounds that include nickel, cadmium, and approximately 20 gallons (total) of an 18-30% potassium hydroxide electrolyte solution. Potassium hydroxide is corrosive and direct contact with the electrolyte can cause serious burns to skin tissues. The National Fire Protection Association (NFPA) assigns the batteries a health rating of 3 (short

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<sup>13</sup> The Los Angeles County Fire Department is the Certified Unified Program Agency (CUPA) for the City of Industry; the Certified Unified Program coordinates and makes consistent enforcement of several state and federal regulations governing hazardous materials.

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exposure could cause serious, temporary or moderate residual injury) and a reactivity rating of 1 (normally stable, but can become unstable at elevated temperatures and pressures).

The standby generator would be equipped with a 54-gallon diesel fuel tank. Diesel fuel is classified as a Class II combustible liquid by the NFPA, EPA, DOT, OSHA, and others. Class II combustible liquids are defined as liquids having a flash point greater than 100°F but less than 140°F. The NFPA assigns diesel fuel a flammability rating of 2 (must be moderately heated or exposed to relatively high ambient temperature before ignition can occur) and a health rating of 1 (exposure would cause irritation with only minor residual injury).

The following regulations were evaluated for their applicability to the use and storage of hazardous materials associated with the batteries and standby generator at the project site:

- In accordance with LACFD Fire Code Title 32, Section 5003.5, visible hazard identification signs, as specified in NFPA 704, are required to be placed on stationary containers, aboveground storage tanks, and at entrances to locations where hazardous materials are stored, dispensed, used, or handled in quantities requiring a permit. Because the CUP application indicates that the LACFD approved the project without the need for a permit, posting of a hazard identification label is not a requirement (it may be done, however, as a discretionary action).
- In accordance with the 2010 California Fire Code (CFC), Sections 2704.2.1 and 2704.2.2, areas used for the storage of hazardous material liquids having a capacity of more than 55 gallons, or in which the aggregate capacity of multiple vessels exceeds 1,000 gallons, shall be provided with spill control features and secondary containment. Because the capacity of the generator diesel fuel tank is only 54 gallons, and the cumulative capacity of the hazardous material liquids stored within the equipment pad (including 20 gallons of battery electrolyte) is less than 1,000 gallons, the CFC requirements do not apply.
- In accordance with EPA regulations found at Title 40 of the Code of Federal Regulations (40 CFR) Section 112, Spill Prevention Control and Countermeasure (SPCC) Plans are required for facilities with an aggregate storage capacity greater than 1,320 gallons of petroleum products that, if discharged, could reasonably be expected to reach navigable waters of the United States. Because the volume of petroleum products that would be stored at the site is below this threshold, an SPCC Plan is not required.
- In accordance with California Health & Safety Code (H&SC) Chapter 6.95, Article 1, facilities that handle hazardous materials equal to or greater than 55 gallons, 500 pounds, or 200 cubic feet at any time during the year must prepare and file a hazardous material business plan (HMBP) with their local CUPA (see also LACFD Fire Code Title 32, Section 5001.5.1.1). Because the volumes of hazardous materials that would be stored at the site are below these thresholds, a HMBP is not required.

The volumes of hazardous materials that would be stored at the project site are relatively small and are not subject to federal, state, or local environmental regulations, as explained above. Any spills or releases would be limited to a relatively small area and would be contained and cleaned up before significant exposures or environmental impacts could occur. Therefore, the possibility of a release that poses a potential threat to the public or environment is considered to be less than significant.

### 3. Environmental Analysis

**c) 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.** The school nearest the project site is Yorbita Elementary School, which is located at 502 S. Vidalia Avenue, La Puente, approximately 650 feet (0.12 mile) to the northeast. As explained in Section 3.8.b, the cell tower would use only small volumes of hazardous materials that would not create hazardous air emissions and are unlikely to result in a significant environmental release. Therefore, the proposed project would not pose a health risk or safety hazard to nearby schools through hazardous emissions or hazardous material handling practices and no impact would occur.

**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?**

**Less Than Significant Impact.** California Government Code Section 65962.5 specifies that the DTSC, California Department of Health Services (DHS), State Water Quality Control Board (SWRCB), and local enforcement agencies compile lists for various types of hazardous materials sites, including hazardous waste facilities subject to corrective action, designated border zone properties, hazardous waste discharges to public land, public drinking water wells containing detectable levels of organic contaminants, underground storage tanks with reported unauthorized releases, and solid waste disposal facilities from which hazardous waste has migrated. The site lists that were assembled pursuant to the original regulations have largely been subsumed by lists currently maintained by the SWRCB (GeoTracker) and DTSC (Envirostor). No listings are identified for the project site on either database.

Three leaking underground storage tank (LUST) sites were identified within 1,000 feet of the project site:

- E-Z Serve #847 at 18005 E. Valley Boulevard (Site ID No. T0603799306)
- Quixtop at 18039 E. Valley Boulevard (Site ID No. T0603786250)
- Verizon Rowland Central Office at 18131 E. Valley Boulevard (Site ID No. T0603794611).

The E-Z Serve #847 property involved a gasoline release and was closed under Los Angeles Regional Water Quality Control Board (RWQCB) oversight on October 18, 2004; the latter two sites remain open with additional investigation pending. The Quixtop property (approximately 250 feet west of the project site) involves a gasoline release, while the Verizon property (approximately 300 feet east of the project site) involves a diesel release. Groundwater was reported to be present at a depth of approximately 30 feet below ground surface at the Verizon property but was not impacted. The extent of groundwater and/or soil gas impacts beneath the Quixtop property is presently unknown. Because the two off-site properties have not received formal agency closure and the investigations are incomplete, it is not known whether or not they have impacted the project site. However, based on a review of the project files, the possibility of such impacts is judged to be low.

### 3. Environmental Analysis

The project does not involve any development that would introduce additional occupants to the site or any construction that would create habitable spaces where vapor intrusion via the indoor air exposure pathway would be a concern. Therefore, potential impacts associated with the off-site properties are less than significant.

- 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?**

**No Impact.** The project site is not located within an area covered by an airport land use plan or within 2 miles of a public airport or public-use airport. The nearest public airport is El Monte Airport, approximately 9 miles northwest of the site and outside of any safety hazard zone for those working at the proposed project site. Therefore, project approval would not cause aviation-related hazards for people working in the project area and no impact would occur.

- 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.** The closest private airstrip is the Recreation and Conference Center Heliport (9CA3), which is approximately 1.4 miles northwest of the project site at One Industry Hills Parkway in the City of Industry (Airnav 2015). Over congested areas, helicopters must maintain an altitude of at least 1,000 feet above the highest obstacle within 2,000 feet of the aircraft, except as needed for takeoff and landing (14 CFR 91.119). Numerous objects near the project site are about the same height as the proposed cell tower (60 feet), including electric transmission lines and palm trees. Thus, development of the proposed cell tower would not create a substantial hazard to air navigation for helicopters arriving or departing from this or any other nearby heliport. No impact would occur.

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**No Impact.** The existing emergency response plan for the County of Los Angeles is the Operational Area Emergency Response Plan (ERP) approved by the County Board of Supervisors in 1998. The ERP identifies county agencies and other entities that would be involved in emergency responses; threat summaries and assessments; and procedures for responding agencies as well as county agencies that would be involved in coordinating and managing responses. The ERP is focused on emergencies beyond the scope of the daily functions of public safety agencies, such as emergencies requiring multi-agency and/or multi-jurisdictional responses.

Further assessments of potential hazards and county resources available for responding to hazards are contained in the County of Los Angeles All-Hazard Mitigation Plan (AHMP) adopted by the County Board of Supervisors in June 2005. The AHMP includes a vulnerability analysis for many types of hazards including earthquakes, floods, fires, and manmade hazards including terrorism and civil unrest; goals and objectives for strategies for mitigating hazards; proposed strategies and actions for reducing vulnerability to identified hazards; and lists of facilities and equipment available for responding to disasters.

### 3. Environmental Analysis

Construction, operation, and maintenance of the cell tower would not block access to the project site or to surrounding properties and would not interfere with the duties of emergency response officials. Project development would not interfere with implementation of the emergency response plan, and no impact would occur.

**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?**

**No Impact.** The project site is in a highly urbanized and built-out area of the City of Industry and is not located within a fire hazard severity zone mapped by the California Department of Forestry and Fire Prevention (CAL FIRE 2015). The nearest such zone is associated with the Puente Hills approximately 1.1 miles southeast of the site. Therefore, no significant risk of loss, injury or death involving wildland fires would occur as a result of the proposed project.

### 3.9 HYDROLOGY AND WATER QUALITY

Would the project:

**a) Violate any water quality standards or waste discharge requirements?**

**Less Than Significant Impact.** The proposed project does not involve building demolition, and only very limited grading and new construction would be performed within the approximately 160-square foot area where the cell tower would be located. Dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the SWRCB's General Permit for Discharges of Storm Water Associated with Construction Activity (Order No. 2012-0006-DWQ). Due to the project's size and scope, coverage under the Construction General Permit would not be required.

City of Industry Municipal Code Chapter 13.17 subjects certain new development or redevelopment<sup>14</sup> activities to specific regulatory requirements for the management of stormwater runoff, including the Los Angeles Countywide Standard Urban Storm Water Mitigation Plan (SUSMP) and the provisions of any applicable municipal storm water permit issued by the RWQCB. SUSMP requirements include minimizing stormwater pollutants and limiting peak post-project stormwater runoff rates to no greater than pre-development rates where increased runoff could increase downstream erosion. Because the proposed project does not meet the definition of new development or redevelopment, as defined by the Municipal Code, these regulatory requirements do not apply.

Project construction would generate small amounts of pollutants that could contaminate stormwater, including soil, oil and grease, substances from concrete curing and finishing, and trash. The project construction contractor would implement best management practices (BMPs) to minimize contamination of stormwater, including erosion control, BMPs pertaining to concrete curing and finishing, and proper

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<sup>14</sup> "Redevelopment" means land-disturbing activity that results in the creation, addition, or replacement of five thousand square feet or more of impervious surface area on an already developed site.

### 3. Environmental Analysis

containment and disposal of trash and other wastes. Cell tower operation and maintenance is not expected to generate pollutants that could contaminate stormwater. Workers performing maintenance work on the tower and equipment would remove trash in their vehicles after maintenance work. Through its inspection and enforcement authority, the City of Industry would ensure that the project complies with various statutory requirements necessary to achieve regional water quality objectives and protect groundwater and surface waters from pollution by contaminated storm water runoff. Therefore, water quality impacts from project construction and operation would be less than significant.

- 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)?**

**No Impact.** The project site is located above the Main San Gabriel Groundwater Basin. Groundwater levels in the Main San Gabriel Groundwater Basin are managed by the Main San Gabriel Basin Watermaster to avoid groundwater withdrawals exceeding recharges. The San Gabriel Valley Water Company (SGVWC) provides water to the project site. The SGVWC's water supply is derived primarily from locally-produced groundwater, using 31 wells located in the Main San Gabriel Groundwater Basin and another 4 wells located in the Central Groundwater Basin (Stetson 2011). A small amount of surface water (about 2%) is also imported from the Metropolitan Water District of Southern California.

Construction and operation of the cell tower would not add to the overall water demand at the project site and, therefore, would not affect regional groundwater levels or supplies. The project site is not used for intentional groundwater recharge. The site is completely covered with a building and pavement and is impervious to stormwater infiltration. Therefore, the project would have no impact on local groundwater recharge. No impact would occur.

- 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 a substantial erosion or siltation on- or off-site.**

**No Impact.** The proposed project would not affect existing drainage patterns on or in the vicinity of the project site, which are controlled by conventional "curb and gutter" systems. No stormwater control or drainage features are present at the project site. Incident rainfall appears to sheet flow toward the alley to the east, where it is directed by a concrete swale to local catchment basins along E. Valley Boulevard. Stormwater flow eventually discharges to San Jose Creek and the San Gabriel River. Because the site and surrounding area are almost completely covered by buildings or are paved, there currently is little opportunity for local drainage to result in substantial on-site or off-site erosion or siltation. The project would not result in the alteration of watercourses in the vicinity of the site, including San Jose Creek approximately 650 feet to the south. Therefore, no impact would occur.

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- 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?**

**No Impact.** Development of the proposed project would not change the amount of impervious surface onsite, the runoff rate or volume, or the existing drainage pattern to E. Valley Boulevard. No impact would occur.

- 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?**

**No Impact.** Project development would not change the rate or volume of runoff from the project site, and thus would have no impact on storm drainage capacity.

- f) Otherwise substantially degrade water quality?**

**Less Than Significant Impact.** Project impacts related to water quality are addressed in Section 3.9.a and would be less than significant.

- 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?**

**No Impact.** The proposed project does not involve construction of any housing units. Furthermore, a flood hazard map prepared by the Federal Emergency Management Agency (FEMA 2008) indicates that the project site is in Flood Zone X, which does not include designated 100-year and 500-year flood zones. Therefore, no impact would occur.

- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?**

**No Impact.** As stated above, the project site is not within a 100-year or 500-year flood hazard area (FEMA 2008). Approval of the proposed project would not impede or redirect flood flows, since there is little potential for flood flows to travel through or near the project site. Therefore, no impact would occur.

- 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?**

**No Impact.** San Jose Creek passes about 650 feet south of the project site. This creek has been improved as a concrete-lined channel to accommodate design floodwaters. Four dams have been identified in the San Gabriel River Watershed upstream from the City of Industry -- Puddingstone Dam, Santa Fe Dam, Thompson Creek Dam, and Whittier Narrows Dam. The project site is not located within flood inundation areas associated with the failure of any of these dams (City of Industry 2014). Therefore, impacts associated with flooding would not occur.

### 3. Environmental Analysis

#### j) Inundation by seiche, tsunami, or mudflow?

**No Impact.** A seiche is a surface wave created when a body of water is shaken, usually by earthquake activity. Seiches are of concern relative to water storage facilities, because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam, or other artificial body of water. No such water bodies are close enough to the project site to pose a potential flood hazard. Therefore, the potential for seiches to affect the project site is considered negligible and no impact would occur.

Tsunamis are a type of earthquake-induced flooding that is produced by large-scale sudden disturbances of the sea floor. Tsunamis interact with the shallow sea floor topography upon approaching a landmass, resulting in an increase in wave height and a destructive wave surge into low-lying coastal areas. The project site is approximately 33 miles inland from the Pacific Ocean and lies at an approximate elevation of 420 feet above mean sea level; thus, impacts from tsunamis are considered negligible and no impact would occur.

Mudflows are landslide events in which a mass of saturated soil flows downhill as a very thick liquid. The project site and surroundings are relatively flat and contain no abrupt changes in elevation. As indicated in Section 3.6.a.iv, the site is not located in a mapped landslide hazard area. Additionally, there are no substantial slopes on or in the immediate vicinity of the site with the potential to result in mudflow impacts. In the absence of slopes, the potential for mudslides to affect the project site is considered negligible and no impact would occur.

## 3.10 LAND USE AND PLANNING

Would the project:

#### a) Physically divide an established community?

**No Impact.** The project site is located within an existing industrial/commercial area of the City of Industry. Established commercial businesses and warehouses surround the project site and the nearest residential neighborhood lies approximately 230 feet to the north. The proposed project would not result in any new development that would affect the site or this nearby neighborhood. No impact would occur.

#### 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?

**No Impact.** Cell phone towers are permitted in the Commercial (C) Zone with a CUP. The project includes an application for a CUP by the City of Industry. Upon approval of the requested CUP, development of the proposed tower would be permitted on the site and no conflict would occur.

### 3. Environmental Analysis

**c) Conflict with any applicable habitat conservation plan or natural community conservation plan?**

**No Impact.** As explained in Section 3.4.f, the project site is not within or near a Habitat Conservation Plan area (USFWS 2015b) or Natural Community Conservation Plan area (CDFW 2015). No impact would occur.

### 3.11 MINERAL RESOURCES

Would the project:

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

**No Impact.** The project site is outside of areas mapped Mineral Resource Zone 2 (MRZ-2) by the California Geological Survey to indicate the presence of mineral resources (CGS 2010b). Moreover, the project site is not available for mining due to existing development and the proximity of nearby residences. The project site and surrounding properties are built out with commercial/industrial land uses and are thus unavailable for mining. Project development would not cause a loss of availability of known mineral resources, and no impact would occur.

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

**No Impact.** The project site is not designated as a mining site in the City of Industry General Plan (2014) and the project would not cause a loss of availability of a designated mining site. No impact would occur.

### 3.12 NOISE

The existing on-site noise environment consists of vehicle noise emanating from E. Valley Boulevard and occasional trains that pass on the Union Pacific rail line just south of this busy roadway. Nearby noise-sensitive receptors include a church that is approximately 175 feet west of the project site and a single-family residential neighborhood in South San Jose Hills approximately 230 feet to the north. Due to the nature of the project and its relatively small scale, ambient noise measurements and noise modeling were not deemed necessary for this Initial Study. Noise impacts associated with the proposed project are addressed qualitatively in the following sections. Would the project result in:

**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?**

**Less Than Significant Impact.** An impact could be significant if the project would site a sensitive land use in a location where noise levels would exceed the appropriate standards. In this case, the proposed project is located in a commercial area, where the tolerance for noise is higher than if it were located within a residential area. The proposed project is not a sensitive land use, and it would be congruent with the surrounding commercial environment. It would also be consistent with the City of Industry General Plan and the City of Industry Noise Element with respect to land use compatibility.

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The City of Industry uses Los Angeles County's noise ordinance (County Code of Ordinances Section 12.08.440), which limits construction work to within the hours of 7:00 AM to 8:00 PM Monday through Saturday. Project construction hours would comply with the pertinent time-of-day restrictions used by the City of Industry. Once the cell tower is operational, the only equipment that would generate a significant level of noise would be the standby generator. Occasional and short-term use of the generator would not produce noise that would be noticed by nearby sensitive receptors over and above the existing ambient noise environment. Impacts would be less than significant during cell tower construction and operation.

**b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

**Less Than Significant Impact.** There is existing groundborne vibration on and near the project site from truck movements and from trains. Vibration impacts are often associated with construction projects that involve the use of heavy construction equipment, blasting operations, pile driving, or large-scale demolition. Groundborne vibration generated by project construction would not be excessive relative to the existing vibration environment and would not be noticed by nearby sensitive receptors. Because the proposed project would not involve demolition or the use of heavy construction equipment that would induce significant groundborne vibration, related vibration impacts would not occur. Nor would infrequent activation of the standby generator induce noticeable groundborne vibration. Vibration impacts during construction and operation would be less than significant.

**c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

**Less Than Significant Impact.** Routine operation of the cell tower is expected to generate little or no noise. Cooling fans housed within the equipment cabinets could generate an extremely low humming sound that would be indiscernible to nearby receptors. The project would also include a standby generator that would have planned operations only during periodic testing sessions required to verify the response readiness of the system. The generator would be tested periodically – at least once per month – but the tests would be brief and would not generate noise of substantially greater amplitude than existing noise levels on and near the site. Thus, the operation of the proposed project would not create a substantial permanent increase in noise levels in the project vicinity. Impacts would be less than significant.

**d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

**Less Than Significant Impact.** The project construction phase would occur over a relatively short period of time (approximately one month) and the equipment required to construct the cell tower would not be especially noisy. In general, the amplitude of the construction noise would not be substantially greater than noise from existing activities and vehicle traffic near the site. Immediately adjacent to the work zone, construction noise levels would be infrequent and short-lived throughout the least noise-sensitive portions of the day. At sensitive receptor locations, the construction noise would be reduced to acceptable levels by distance attenuation (minimum of 175 feet) and the shielding provided by intervening buildings. Thus, the

### 3. Environmental Analysis

construction of the proposed project would not create a substantial temporary increase in noise levels in the project vicinity. Impacts would be less than significant.

- 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 project site is not located within an area covered by an airport land use plan or within 2 miles of a public airport or public-use airport. As explained in Section 3.8.e, the nearest public airport is El Monte Airport approximately 9 miles northwest of the site. While light plane and other aircraft noise may be occasionally noticeable in the project area, the project site is well beyond any airport's noise control zone. The proposed project would not expose people residing or working in the area to excessive airport-related noise levels and no impact would occur.

- 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.** As explained in Section 3.8.f, the private airstrip nearest to the project site is the Recreation and Conference Center Heliport approximately 1.4 miles northwest of the project site. The site is well beyond this heliport's noise control zone. While all areas of the City of Industry and the broader Los Angeles metropolitan area are occasionally subject to helicopter noise, such impacts are infrequent and typically of low duration. Over congested areas, helicopters must maintain an altitude of at least 1,000 feet above the highest obstacle within 2,000 feet of the aircraft, except as needed for takeoff and landing (14 CFR 91.119). Helicopter takeoffs and landings from nearby heliports or occasional flyovers would not expose site workers or visitors to excessive noise levels. No impact would occur.

### 3.13 POPULATION AND HOUSING

Would the project:

- a) **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

**No Impact.** The proposed project would not involve or require the construction of new homes or the extension of infrastructure such as roads or sewers. The improvement in cell phone signal in a small area of the City and surrounding communities, by itself, would not attract new residents or induce new businesses to open or relocate. Therefore, it would not directly or indirectly induce population growth in the area. No impact would occur.

### 3. Environmental Analysis

**b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

**No Impact.** The project site is part of a paved enclosed space within a commercial property that does not contain residential homes. Therefore, existing housing would not be involved and replacement housing would not be needed. No impact would occur.

**c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

**No Impact.** Construction and operation of the cell tower would not displace people, nor would it require the construction of replacement housing. No impact would occur.

#### 3.14 PUBLIC SERVICES

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 City of Industry contracts with the Los Angeles County Fire Department (LACFD) for fire protection and emergency medical services. The City is served by Division 8, Battalion 12 of the LACFD, which mans and operates six fire stations (Fire Station Nos. 26, 43, 87, 91, 118, and 145). The nearest LACFD station to the project site is Station 118 at 17056 Gale Avenue in the City of Industry, about 1.6 miles to the southwest (LACFD 2015).

The proposed tower would improve cell phone signal in part of the City and surrounding communities, facilitating emergency cell phone calls for fire protection, medical services, and law enforcement. In the first half of 2013, 39 percent of U.S. households were estimated to be wireless-only households, based on National Health Interview Survey data (Centers for Disease Control 2013). The project would have a slightly favorable impact on Verizon cell signal available for emergency phone calls in the affected parts of the City of Industry and surrounding communities.<sup>15</sup> No adverse impact would occur.

**b) Police protection?**

**No Impact.** The City of Industry contracts with the Los Angeles County Sheriff's Department (LASD) for law enforcement and crime prevention services. The LASD has a patrol station in the City of Industry at 150 Hudson Avenue, approximately 3.1 miles northwest of the project site. This station is responsible for providing police services to the cities of Industry, La Puente, and La Habra Heights, and the unincorporated Los Angeles County communities of East and West Valinda, Bassett/North Whittier, and Hacienda Heights.

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<sup>15</sup> Given the widespread use of cell phones, it is assumed here that some, if not most, emergency calls to first responders would be via cell phone.

### 3. Environmental Analysis

Development of the proposed cell tower would not increase the need for police protection service over previous site uses and no new public safety issues would result from project implementation. Nor is the project expected to create a need for new or expanded police facilities or additional officers. The proposed cell tower would improve the cell phone signal available for emergency phone calls from parts of the City of Industry and surrounding communities, which is a positive impact. No adverse impact would occur.

#### c) Schools?

**No Impact.** The project site is in the Rowland Unified School District. Demand for public services such as schools is generally based on population. The proposed project does not involve residential development and would not induce population growth. Therefore, the project would not increase the demand on local schools and no impact would occur.

#### d) Parks?

**No Impact.** The proposed project does not involve park development or displacement. Demand for parks is determined by the population of the parks' service areas. The project would not add residences or cause an increase in the population of the surrounding community. Therefore, the project would not increase the demand for parks and no impact would occur (see also Section 3.15).

#### e) Other public facilities?

**No Impact.** The proposed project would not directly or indirectly lead to an increase in population in the project area. Additionally, the proposed project would not require the use or maintenance of other public facilities, such as libraries. Therefore, no impact to other public facilities would occur.

### 3.15 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?

**No Impact.** The demand for parks is determined by changes in housing and population. The proposed project would not involve the development of any housing and would not directly or indirectly induce population or increase demand on parks and recreational resources. Therefore, no impact would occur.

#### 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.** The proposed project would not develop recreational facilities and would not require the development of such facilities. No impact would occur.

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### 3.16 TRANSPORTATION/TRAFFIC

Due to the nature of the project and its relatively small scale, modeling and quantitative analysis of traffic impacts were not deemed necessary for this Initial Study. Traffic impacts associated with the proposed project are addressed qualitatively in the following sections. Would the project:

- 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 relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

**Less Than Significant Impact.** The potential environmental impacts are described and evaluated in the following sections.

#### Existing Conditions

##### *Roadways and Intersections*

E. Valley Boulevard has six full-time travel lanes and is designated a major highway in the City of Industry General Plan (2014). According to the General Plan, major highways primarily serve through-traffic and major activity centers, carry high volumes of traffic, and provide access to abutting properties as a secondary function. Major highways (Class I) are designed for more than 50,000 vehicles per day (VPD) average daily traffic (ADT) according to City of Los Angeles standards (Fehr & Peers 2010).

Entry to the project site is from the westbound side of E. Valley Boulevard; the site is not directly accessible from the eastbound side of the street due to the presence of a concrete median divider. The intersections of E. Valley Boulevard with Giano Avenue (about 330 feet west of the site) and Fullerton Road (about 0.3 mile east of the site) are signalized and have crosswalks. Fullerton Road is the nearest north-south arterial roadway to the site. A sidewalk is present on the north side of E. Valley Boulevard in front of the project site. All sidewalks in the City of Industry accommodate both pedestrian and bicycle travel. The City discourages bicycling in roadways for safety reasons.

##### *Public Transit*

The nearest public transit bus route to the project site is Los Angeles County Metropolitan Transportation Authority (Metro) Line 194, which runs along E. Valley Boulevard and stops at Giano Avenue. Connections to Foothill Transit Line bus routes can be made at the E. Valley Boulevard intersections with Azusa Way west of the site and Nogales Street east of the site. There are no existing or planned bike lanes along E. Valley Boulevard at or near the site (COI General Plan 2014).

### 3. Environmental Analysis

#### Project Impacts

##### *Construction*

Construction would require one or two pieces of heavy equipment and would involve a limited number of vehicle and truck trips to haul employees, equipment, and materials (e.g., concrete) to the site. These activities are expected to generate a small number of daily worker vehicle trips for about a month. The limited number of vehicle trips generated by project construction would not noticeably affect traffic on E. Valley Boulevard or other nearby roadways and intersections.

##### *Operation and Maintenance*

Project operation would only generate one to two vehicle trips per month for maintenance and optimization of tower-mounted and ground-mounted equipment. Parking at the project site is adequate to accommodate these occasional maintenance visits. Traffic associated with cell tower maintenance would have no impact on roadway operations at or near the project site.

##### *Sidewalks (Pedestrian and Bicycle Uses)*

Due to the nature of the proposed project and the commercial/industrial setting, pedestrian or bicycle traffic would not be generated or affected in the vicinity of the site. The proposed project would not adversely affect the performance of these transit or non-motorized transportation facilities and would not conflict with any plans or policies relative to these transportation modes. When heavy equipment and heavy trucks cross the sidewalk on the north side of E. Valley Boulevard to access the site, a project construction worker would monitor the sidewalk to ensure that no traffic-pedestrian hazards occur.

**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?**

**Less Than Significant Impact.** The Los Angeles County Congestion Management Program (CMP) was issued by the Metropolitan Transit Authority in December 2010 (MTA 2010). All freeways and selected arterial roadways are designated elements of the CMP Highway System. The CMP requires that individual development projects of potentially regional significance undergo a traffic impact analysis. Per the CMP Transportation Impact Analysis (TIA) guidelines, a significant impact may result and a traffic impact analysis is required under the conditions listed on the following page.

- At CMP arterial monitoring intersections where the proposed project will add 50 or more vehicle trips during either morning or evening weekday peak hours
- At CMP mainline freeway monitoring locations where the proposed project will add 150 or more vehicle trips, in either direction, during either morning or evening weekday peak hours.

As indicated in Section 3.16.a, project construction and operation would generate only a very small number of daily trips that would not rise to thresholds requiring the analysis of traffic impacts to CMP roadways, as

### 3. Environmental Analysis

outlined above. Therefore, the proposed project does not meet the intersection/freeway criteria, and the analysis of traffic impacts to CMP roadways is not required. Impacts would be less than significant and no mitigation measures are necessary.

**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?**

**No Impact.** There are no airports in the immediate project vicinity (see Section 3.8.e) and the proposed project would not create or add to any structures that could interfere with air travel or air safety. The project would not increase or alter air traffic. No impact would occur.

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

**No Impact.** No physical alterations are proposed for the project site that would create hazards associated with increased traffic, pedestrian conflicts, and/or vehicular turning movements. The project would not change the designs of public roadways or the driveway that connects the site to E. Valley Boulevard. No impact would occur.

**e) Result in inadequate emergency access?**

**No Impact.** Approved fire apparatus roads are required within 150 feet of the exterior walls of the first story of a building. Such roads must be at least 20 feet wide, have 13 feet 6 inches of vertical clearance, and provide all-weather driving capabilities for fire apparatus (2013 California Fire Code § 503 [Title 24, California Code of Regulations, Part 9]). The existing access and circulation features at the project site meet these criteria and are adequate to accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. More specifically, the onsite commercial building is accessible to emergency equipment by a driveway and parking lot along the east side of the building, as well as an alleyway that borders the property on the north and east. Project development would not alter these improvements and adequate emergency access to the building and cell tower location would be maintained. No impact would occur.

**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?**

**No Impact.** The proposed project would not conflict with policies, plans, or programs regarding transit, bicycle, or pedestrian facilities, and the project would not decrease the performance or safety of such facilities. The project would not block pedestrian and bicycle use of the sidewalk on the north side of E. Valley Boulevard. When heavy equipment and heavy trucks cross the sidewalk, a project construction worker would monitor the sidewalk to ensure that no traffic-pedestrian hazards occur. Construction and operation of the cell tower would not affect public bus service along E. Valley Boulevard. No impact would occur.

### 3. Environmental Analysis

#### 3.17 UTILITIES AND SERVICE SYSTEMS

Would the project:

**a) Exceed waste water treatment requirements of the applicable Regional Water Quality Control Board?**

**Less Than Significant Impact.** Construction and operation of the cell tower would not generate significant volumes of wastewater or wastewater that contains potentially hazardous constituents. Therefore, the proposed project would not require an Industrial Wastewater Discharge Permit (IWDP) from the Los Angeles County Sanitation Districts (LACSD) for discharge to the sanitary sewer or a National Pollutant Discharge Elimination System (NPDES) permit from the Los Angeles Regional Water Quality Control Board (RWQCB) for discharge to a storm drain. Impacts would be less than significant.

**b) Require or result in the construction of new water or waste water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**Less Than Significant Impact.** The potential environmental impacts are described and evaluated in the following sections.

##### **Wastewater Treatment**

Wastewater treatment for the City of Industry, including the project site, is provided through the Los Angeles County Sanitation Districts (LACSD), whose purpose is to construct, operate, and maintain facilities that collect, treat, recycle, and dispose of domestic and industrial wastewater. Individual districts operate and maintain their own portions of the collection system. There are 24 independent districts serving Los Angeles County; the City of Industry is located in portions of Districts 15, 18, and 21. Cities are responsible for collection of wastewater through local lines, which feed to major trunk lines that vary from 8 inches to 144 inches in diameter. The San Jose Creek Water Reclamation Plant (WRP), with a treatment capacity of 100 million gallons per day (mgd), serves the City of Industry (LACSD 2015). It provides primary, secondary, and tertiary treatment that yields approximately 42 mgd of reclaimed water for use in groundwater recharge and irrigation; the remainder is discharged to the San Gabriel River.

Cell tower construction would generate a small volume of wastewater for a short period of time, primarily to support construction worker hygiene and equipment cleaning. Operation and maintenance of the cell tower would not result in the generation of wastewater. Therefore, the project would not place any significant demands on wastewater treatment capacity and the LACSD would not be required to build new or expand existing treatment facilities. Impacts would be less than significant.

##### **Water Supply**

The San Gabriel Valley Water Company (SGVWC) supplies potable water to the project site. The SGVWC's water supply is derived primarily from locally-produced groundwater, using 31 wells located in the Main San Gabriel Groundwater Basin and another 4 wells located in the Central Groundwater Basin (Stetson 2011). A small amount of surface water (about 2%) is also imported from the Metropolitan Water District of Southern

### 3. Environmental Analysis

California. SGVWC's projected water supplies in 2015 in normal water year conditions are 37,961 acre-feet, or about 12.4 billion gallons.

Cell tower construction would require a small volume of potable water for a short period of time, primarily to support construction worker hygiene, concrete preparation, and perhaps dust suppression during trenching and excavation. Operation and maintenance of the cell tower would not require the use of potable water. Therefore, the project would not place any significant demands on water supplies and the SGVWC would not be required to build new or expand existing treatment facilities. Impacts would be less than significant.

**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?**

**No Impact.** The project site is completely covered with a building and pavement and is virtually impermeable to stormwater infiltration. Development of the proposed project would not change these conditions. The rate and volume of runoff from the project site would remain the same and would continue to be managed by the local curb and gutter system, which has proven adequate for the site and surrounding area. No new stormwater management facilities would need to be constructed, nor would existing facilities need to be expanded. No impact would occur.

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

**No Impact.** As explained in Section 3.17.b, construction and operation of the cell tower would not require significant volumes of water. Because the project does not involve construction or development that would create a new water demand, new or expanded entitlements, including a "will-serve" letter from the SGVWC, would not be required. No impact would occur.

**e) Result in a determination by the waste water 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.** As explained in Section 3.17.b, construction and operation of the cell tower would not generate significant quantities of wastewater that would be discharged to the sewer. Because the project does not involve construction or development that would create a new wastewater treatment demand, new or expanded entitlements, including a "will-serve" letter from the LACSD, would not be required. No impact would occur.

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

**Less Than Significant Impact.** The LACSD provides solid waste disposal services to the City of Industry, and waste management needs are currently met through several facilities, including the Puente Hills Materials Recovery Facility, Downey Area Recycling and Transfer Facility, South Gate Transfer Station, and Commerce Refuse-to-Energy Facility. Long-term waste disposal needs are expected to be met by exporting solid waste to the Mesquite Regional Landfill in Imperial County by rail via the Puente Hills Intermodal Facility in the City

### 3. Environmental Analysis

of Industry. The Puente Hills Intermodal Facility will be able to handle up to 8,000 tons per day of solid waste, while the Mesquite Regional Landfill, with a 100-year capacity, will be permitted to accept 20,000 tons per day (LACSD 2015b).

The proposed project does not involve building demolition (with the associated generation of demolition debris) and construction activities are modest. Cell tower construction would generate small amounts of inert construction debris (e.g., soil, concrete/asphalt pavement, miscellaneous trash, etc.), particularly during construction of the equipment pad and trenching for utility installation. Cell tower operation could generate very small amounts of solid waste during maintenance work once or twice per month. Any such waste would be removed by maintenance workers at the time, and the project would not include storage areas for solid waste or recyclable materials. The solid waste volumes from cell tower construction and operation would be negligible and easily absorbed by the available waste disposal and recycling facilities that currently serve the City of Industry and would not require the development of additional landfill capacity. Impacts would be less than significant.

#### **g) Comply with federal, state, and local statutes and regulations related to solid waste?**

**No Impact.** The United States Environmental Protection Agency administers the Resource Conservation and Recovery Act of 1976 and the Solid Waste Disposal Act of 1965, which govern solid waste disposal. In the State of California, Assembly Bill (AB) 939 -- the Integrated Solid Waste Management Act of 1989, Public Resources Code 40050 et seq. -- required every California city and county to divert 50 percent of its waste from landfills by the year 2000 by such means as recycling, source reduction, and composting. AB 939 also requires California counties to show 15 years disposal capacity for all jurisdictions within the county, or provide a plan to transform or divert its waste. AB 1327, the California Solid Waste Reuse and Recycling Access Act of 1991, requires local agencies to adopt ordinances mandating the use of recyclable materials in development projects.

The proposed project would comply with laws and regulations governing solid waste, as outlined above, and would not affect the City of Industry's ability to continue to meet the required AB 939 waste diversion requirements as it has in the past (CalRecycle 2012). The proposed project would also comply with Section 5.408 of the 2013 California Green Building Standards Code (Title 24, California Code of Regulations, Part 11), which requires that at least 50 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse. Construction and operation of the cell tower would generate negligible volumes of solid waste that would be disposed of at permitted landfills, recycled, or otherwise diverted from landfills via solid waste diversion programs operated by the City of Industry. No impact would occur.

### 3. Environmental Analysis

#### 3.18 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 proposed project involves the construction and operation of a cell tower at an existing commercial property in a fully urbanized area of the City of Industry. The commercial property has been developed since at least 1955 and currently houses a liquor store and parking lot. The surrounding area is built out with a mix of commercial, industrial, and residential development. No wildlife habitat is present on the project site and natural communities and populations of rare or threatened plant or animal species do not exist on or near the site. Additionally, the site and existing building do not meet the criteria to be considered historically significant. Therefore, the proposed project would not degrade any natural environment or cultural resources and no impact would occur.

- 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.)**

**Less Than Significant Impact.** The proposed project involves the construction and operation of a cell tower at an existing commercial property in a fully urbanized area of the City of Industry. Potential environmental impacts associated with the project would be of limited magnitude, occur primarily during a brief construction period (approximately one month), and be confined to the immediate project area. The project would be consistent with the long-term goals of developing the site with a mix of commercial and industrial uses in accordance with the City’s General Plan. Therefore, the project would not weigh short-term goals above the long-term environmental goals of the City. Project approval would not result in impacts that are individually limited but cumulatively considerable, as defined above. Therefore, no significant cumulatively considerable impacts are anticipated to result from the proposed project and no mitigation measures are necessary.

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

**No Impact.** This Initial Study reviewed the proposed project’s potential impacts to aesthetics, air quality, noise, traffic, public health and safety, and other environmental issues. As explained herein, project approval would not result in an environmental impact for some of the issues analyzed and a less than significant environmental impact for others, assuming applicable laws, regulations, and standard conditions were followed. Therefore, the proposed project would not result in substantial adverse effects on human beings, either directly or indirectly.

### 3. Environmental Analysis

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## 4. Consultant Recommendation

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Based on the information and environmental analysis contained in this Initial Study, we recommend that the City of Industry adopt a Negative Declaration for this project. We find that the project could have a significant effect on the environment. However, with the mitigation measure incorporated in this document, plus all standard conditions of approvals and best practices, all impacts would be reduced to a less than significant level. We recommend that the second category be selected for the City's determination (See Chapter 5, *Lead Agency Determination*).

September 30, 2015

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Date



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Dwayne Mears, AICP, for PlaceWorks

## 4. Consultant Recommendation

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## 5. Lead Agency Determination

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On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

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 measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

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.

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*Signature*

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*Date*

---

*Printed Name*

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*For*

## 5. Lead Agency Determination

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## 6. List of Preparers

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### **LEAD AGENCY**

Brian James, Planning Director

Troy Helling, Senior Planner

### **PLACEWORKS**

Dwayne Mears, AICP, Director, Environmental Services

Ron Cavagrotti, D.Env., Senior Associate

Nicole Vermilion, Manager, Air Quality and Greenhouse Gas Analysis

Stephanie Chen, Planner

Cary Nakama, Graphic Artist

## 6. List of Preparers

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# Appendix A Photo Simulations of Proposed Cell Tower

## Appendix

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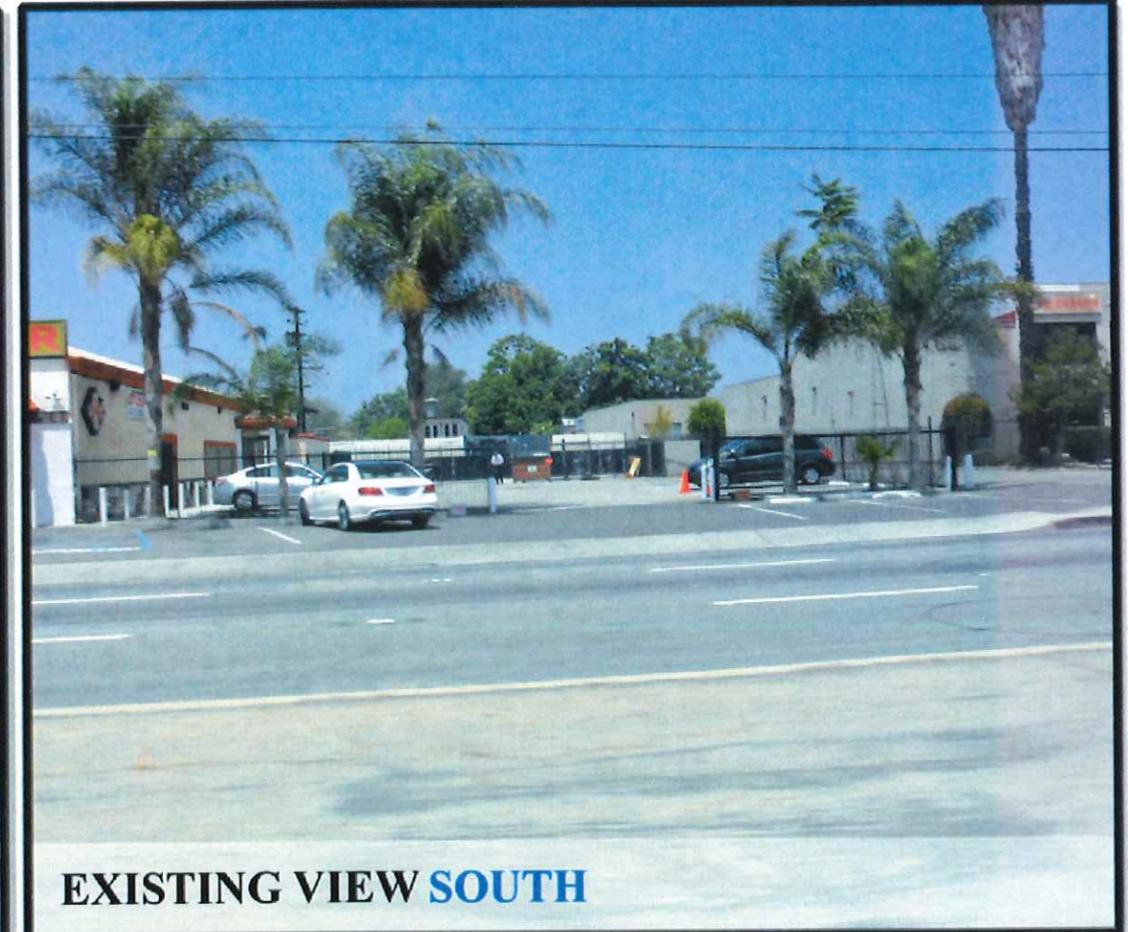


# E Valley Co

18071 E Valley Blvd., City of Industry, CA 91744



Eukon Group  
65 Post, Suite 1000 - Irvine,  
CA, 92618 - (949) 553-8566



**EXISTING VIEW SOUTH**



### SITE COORDINATES

**Latitude:** 34.006865°

**Longitude:** -117.908126°

### APPLICANT

Verizon Wireless  
15505 Sand Canyon Ave.  
Building "D", First Floor,  
Irvine, CA 92618

**SHEET NUMBER**

1  
3



### SITE COORDINATES

Latitude: 34.006865°

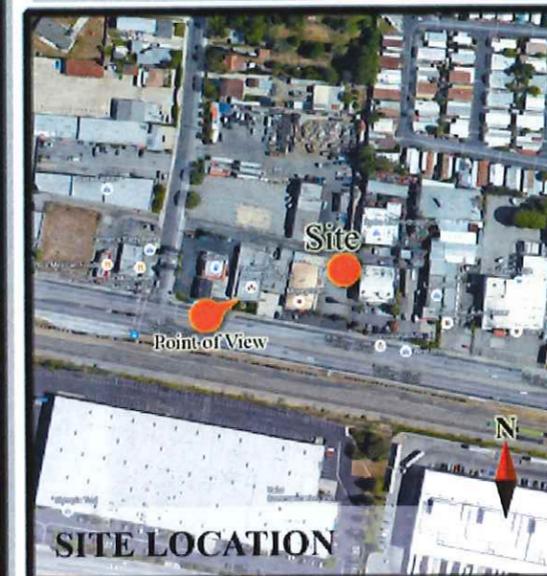
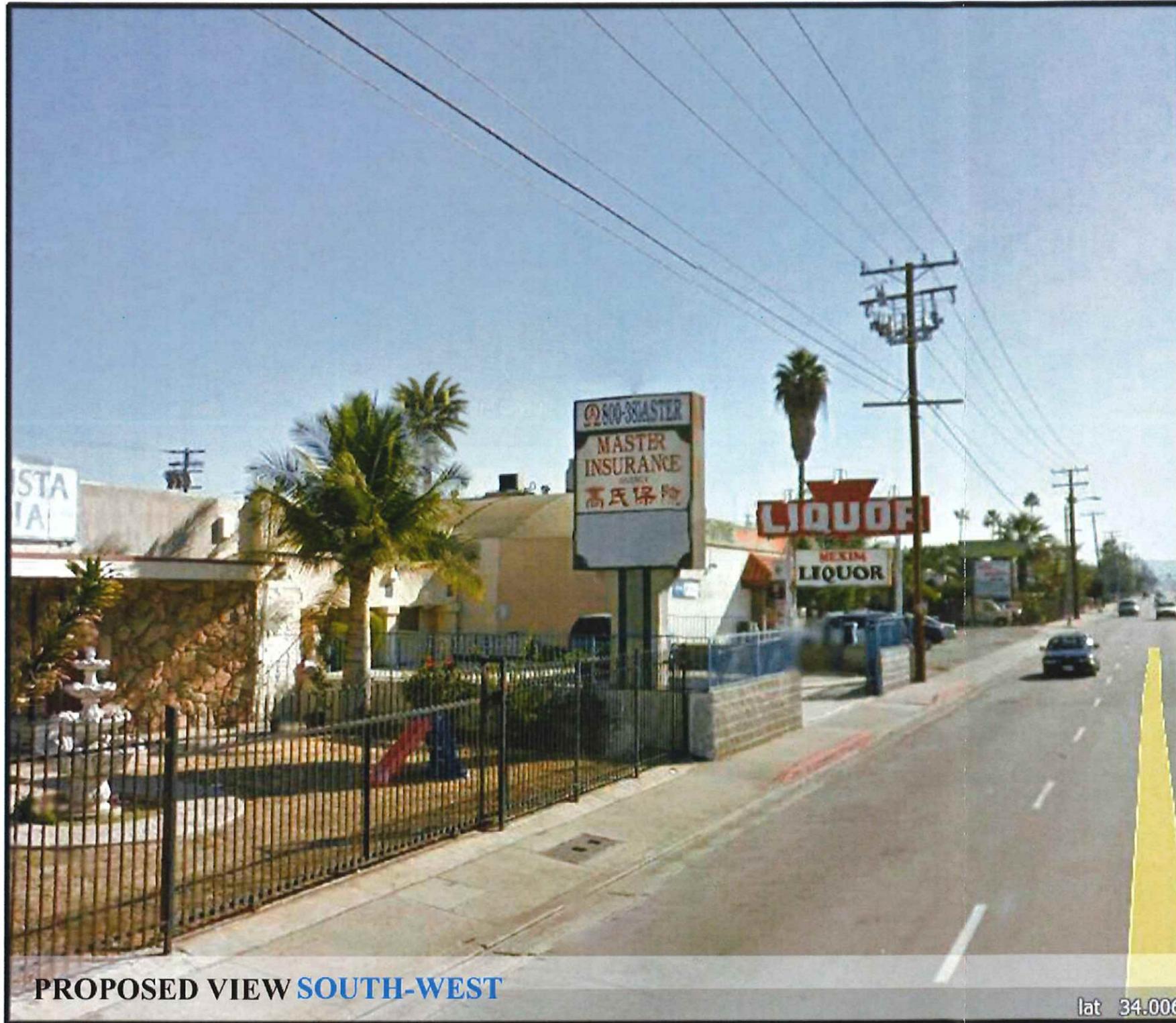
Longitude: -117.908126°

### APPLICANT

Verizon Wireless  
15505 Sand Canyon Ave.  
Building "D", First Floor,  
Irvine, CA 92618

SHEET NUMBER

2  
3



**SITE COORDINATES**

**Latitude:** 34.006865°

**Longitude:** -117.908126°

**APPLICANT**

Verizon Wireless  
15505 Sand Canyon Ave.  
Building "D", First Floor,  
Irvine, CA 92618

**SHEET NUMBER**

3  
3

# Appendix B Air Quality and Greenhouse Gas Analysis

## Appendix

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**CalEEMod Project Characteristics Inputs (Construction)**

**Name:** Verizon Cell Tower  
**Project Location:** 18061 E. Valley Boulevard, City of Industry, CA 91744  
**Project Location:** Los Angeles-South Coast County  
**Climate Zone:** 9  
**Land Use Setting:** Urban  
**Operational Year:** 2016  
**Utility Company:** Southern California Edison  
**Air Basin:** South Coast Air Basin  
**Air District:** SCAQMD  
**SRA:** 11

**CalEEMod Land Use Inputs**

Land Use	Land Use Type	Land Use Subtype	Unit Amount	Size Metric	Lot Acreage	Land Use Square Feet
Cell Tower	Parking	Parking Lot	0.16	1000sqft	0.00	0

**CalEEMod Construction Phase Inputs**

5-Day Work Week/8 hours per day

Phase Name	Phase Type	Start Date	End Date	CalEEMod Total Days
Grading	Grading	12/1/2015	12/31/2015	23

**Construction - Unmitigated Run**

**SCAQMD Rule 403**

Replace Ground Cover  
 PM10: 5 % Reduction  
 PM25: 5 % Reduction

Water Exposed Area  
 Frequency: 2 per day  
 PM10: 55 % Reduction  
 PM25: 55 % Reduction

Unpaved Roads      Vehicle Speed: 15 mph

**SCAQMD Rule 1186**

Clean Paved Road      9 % PM Reduction

**CalEEMod Construction Off-Road Equipment Inputs**

Equipment Type	CalEEMod Equipment Type	Unit Amount	Hours/Day	HP	LF	CalEEMod Vendor Trips
<b>Grading**</b>						
Cranes	Cranes	1	4	226	0.29	
Welders	Welders	1	8	46	0.45	
Concrete/Industrial Saws	Concrete/Industrial Saws	1	8	81	0.73	
Cement and Motar Mixers	Cement and Motar Mixers	1	8	9	0.56	
Tractors/Loaders/Backhoes	Tractors/Loaders/Backhoes	1	8	97	0.37	
Concrete Truck Trips						4
Water Trucks						4

## Regional Construction Emissions Worksheet

Grading			ROG	NOx	CO	SO2	PM10 Total	PM2.5 Total
Onsite		<b>2015</b>						
	Fugitive Dust						0	0
	Off-Road		2.1264	15.0398	10.0914	0.0154	1.0286	0.9911
	Total		<b>2.1264</b>	<b>15.0398</b>	<b>10.0914</b>	<b>0.0154</b>	<b>1.0286</b>	<b>0.9911</b>
Offsite								
	Hauling		0	0	0	0	0	0
	Vendor		0.0848	0.8114	1.0672	1.75E-03	0.06	0.0257
	Worker		0.0668	0.0894	0.9366	1.78E-03	0.1354	0.0371
	Total		<b>0.1516</b>	<b>0.9008</b>	<b>2.0038</b>	<b>3.53E-03</b>	<b>0.1954</b>	<b>0.0628</b>
<b>TOTAL</b>			<b>2.2780</b>	<b>15.9406</b>	<b>12.0952</b>	<b>0.0189</b>	<b>1.2240</b>	<b>1.0539</b>
<b>Regional Thresholds</b>			<b>75</b>	<b>100</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
Exceeds Thresholds?			No	No	No	No	No	No

## Localized Construction Emissions Worksheet

Grading			NOx	CO	PM10 Total	PM2.5 Total
Onsite		<b>2015</b>				
	Fugitive Dust				0	0
	Off-Road		15.0398	10.0914	1.0286	0.9911
	Total		<b>15.0398</b>	<b>10.0914</b>	<b>1.0286</b>	<b>0.9911</b>
LSTs			83	673	39.57	12.75
Exceed Thresholds?			No	No	No	No

## GHG Emissions Worksheet

	<b>MTons Total</b>
<b>Total Construction</b>	18.94

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<b>Source</b>	<b>MTons/Year</b>	<b>Percent of Total</b>
Amortized Construction Emissions*	0.6312	100%
Total All Sectors	0.6312	100%

\*Total construction emissions are amortized over 30 years per SCAQMD methodology; SCAQMD. 2010, September 28. Greenhouse Gases (GHG) CEQA Significance Thresholds Working Group Meeting 15.

<http://www.aqmd.gov/ceqa/handbook/GHG/2010/sept28mtg/sept29.html>.

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Winter**

**1.0 Project Characteristics**

---

**1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Parking Lot	0.16	1000sqft	0.00	0.00	0

**1.2 Other Project Characteristics**

<b>Urbanization</b>	Urban	<b>Wind Speed (m/s)</b>	2.2	<b>Precipitation Freq (Days)</b>	33
<b>Climate Zone</b>	9			<b>Operational Year</b>	2016
<b>Utility Company</b>	Southern California Edison				
<b>CO2 Intensity (lb/MWhr)</b>	630.89	<b>CH4 Intensity (lb/MWhr)</b>	0.029	<b>N2O Intensity (lb/MWhr)</b>	0.006

**1.3 User Entered Comments & Non-Default Data**

Project Characteristics -

Land Use - 0 Land Use Square Feet to exclude striping

Construction Phase - Based on construction info provided by the Applicant.

Off-road Equipment - Based on equipment mix for previous cell tower projects.

Trips and VMT - concrete and water truck trips

Construction Off-road Equipment Mitigation - SCAQMD Rule 403 & 1186

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Winter**

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	CleanPavedRoadPercentReduction	0	9
tblConstructionPhase	NumDays	0.00	23.00
tblLandUse	LandUseSquareFeet	160.00	0.00
tblOffRoadEquipment	LoadFactor	0.29	0.29
tblOffRoadEquipment	OffRoadEquipmentType		Cranes
tblOffRoadEquipment	OffRoadEquipmentType		Welders
tblOffRoadEquipment	OffRoadEquipmentType		Cement and Mortar Mixers
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	1.00
tblOffRoadEquipment	UsageHours	6.00	8.00
tblProjectCharacteristics	OperationalYear	2014	2016
tblTripsAndVMT	VendorTripNumber	0.00	8.00

**2.0 Emissions Summary**

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**2.1 Overall Construction (Maximum Daily Emission)**

**Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2015	2.2780	15.9406	12.0953	0.0190	0.1952	1.0434	1.2386	0.0527	1.0048	1.0575	0.0000	1,805.0208	1,805.0208	0.3216	0.0000	1,811.7743
<b>Total</b>	<b>2.2780</b>	<b>15.9406</b>	<b>12.0953</b>	<b>0.0190</b>	<b>0.1952</b>	<b>1.0434</b>	<b>1.2386</b>	<b>0.0527</b>	<b>1.0048</b>	<b>1.0575</b>	<b>0.0000</b>	<b>1,805.0208</b>	<b>1,805.0208</b>	<b>0.3216</b>	<b>0.0000</b>	<b>1,811.7743</b>

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Winter**

**Mitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2015	2.2780	15.9406	12.0953	0.0190	0.1805	1.0434	1.2240	0.0491	1.0048	1.0539	0.0000	1,805.0208	1,805.0208	0.3216	0.0000	1,811.7743
<b>Total</b>	<b>2.2780</b>	<b>15.9406</b>	<b>12.0953</b>	<b>0.0190</b>	<b>0.1805</b>	<b>1.0434</b>	<b>1.2240</b>	<b>0.0491</b>	<b>1.0048</b>	<b>1.0539</b>	<b>0.0000</b>	<b>1,805.0208</b>	<b>1,805.0208</b>	<b>0.3216</b>	<b>0.0000</b>	<b>1,811.7743</b>

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	7.51	0.00	1.18	6.81	0.00	0.34	0.00	0.00	0.00	0.00	0.00	0.00

**3.0 Construction Detail**

**Construction Phase**

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Grading	Grading	12/1/2015	12/31/2015	5	23	

**Acres of Grading (Site Preparation Phase): 0**

**Acres of Grading (Grading Phase): 0**

**Acres of Paving: 0**

**Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0 (Architectural Coating – sqft)**

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Winter**

**OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Grading	Cranes	1	4.00	226	0.29
Grading	Welders	1	8.00	46	0.45
Grading	Cement and Mortar Mixers	1	8.00	9	0.56
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Grading	Rubber Tired Dozers	0	1.00	255	0.40
Grading	Tractors/Loaders/Backhoes	1	8.00	97	0.37

**Trips and VMT**

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Grading	5	13.00	8.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

**3.1 Mitigation Measures Construction**

Replace Ground Cover

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

Clean Paved Roads

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Winter**

**3.2 Grading - 2015**

**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000			0.0000
Off-Road	2.1264	15.0398	10.0914	0.0154		1.0286	1.0286		0.9911	0.9911		1,472.3841	1,472.3841	0.3107		1,478.9086
<b>Total</b>	<b>2.1264</b>	<b>15.0398</b>	<b>10.0914</b>	<b>0.0154</b>	<b>0.0000</b>	<b>1.0286</b>	<b>1.0286</b>	<b>0.0000</b>	<b>0.9911</b>	<b>0.9911</b>		<b>1,472.3841</b>	<b>1,472.3841</b>	<b>0.3107</b>		<b>1,478.9086</b>

**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0848	0.8114	1.0672	1.7500e-003	0.0499	0.0134	0.0633	0.0142	0.0123	0.0265		176.6227	176.6227	1.4700e-003		176.6536
Worker	0.0668	0.0894	0.9366	1.7800e-003	0.1453	1.4500e-003	0.1468	0.0385	1.3300e-003	0.0399		156.0140	156.0140	9.4300e-003		156.2121
<b>Total</b>	<b>0.1516</b>	<b>0.9008</b>	<b>2.0038</b>	<b>3.5300e-003</b>	<b>0.1952</b>	<b>0.0149</b>	<b>0.2101</b>	<b>0.0527</b>	<b>0.0137</b>	<b>0.0664</b>		<b>332.6367</b>	<b>332.6367</b>	<b>0.0109</b>		<b>332.8657</b>

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Winter**

**Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000			0.0000
Off-Road	2.1264	15.0398	10.0914	0.0154		1.0286	1.0286		0.9911	0.9911	0.0000	1,472.3840	1,472.3840	0.3107		1,478.9086
<b>Total</b>	<b>2.1264</b>	<b>15.0398</b>	<b>10.0914</b>	<b>0.0154</b>	<b>0.0000</b>	<b>1.0286</b>	<b>1.0286</b>	<b>0.0000</b>	<b>0.9911</b>	<b>0.9911</b>	<b>0.0000</b>	<b>1,472.3840</b>	<b>1,472.3840</b>	<b>0.3107</b>		<b>1,478.9086</b>

**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0848	0.8114	1.0672	1.7500e-003	0.0466	0.0134	0.0600	0.0134	0.0123	0.0257		176.6227	176.6227	1.4700e-003		176.6536
Worker	0.0668	0.0894	0.9366	1.7800e-003	0.1339	1.4500e-003	0.1354	0.0358	1.3300e-003	0.0371		156.0140	156.0140	9.4300e-003		156.2121
<b>Total</b>	<b>0.1516</b>	<b>0.9008</b>	<b>2.0038</b>	<b>3.5300e-003</b>	<b>0.1805</b>	<b>0.0149</b>	<b>0.1954</b>	<b>0.0491</b>	<b>0.0137</b>	<b>0.0628</b>		<b>332.6367</b>	<b>332.6367</b>	<b>0.0109</b>		<b>332.8657</b>

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Summer**

**1.0 Project Characteristics**

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**1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Parking Lot	0.16	1000sqft	0.00	0.00	0

**1.2 Other Project Characteristics**

<b>Urbanization</b>	Urban	<b>Wind Speed (m/s)</b>	2.2	<b>Precipitation Freq (Days)</b>	33
<b>Climate Zone</b>	9			<b>Operational Year</b>	2016
<b>Utility Company</b>	Southern California Edison				
<b>CO2 Intensity (lb/MWhr)</b>	630.89	<b>CH4 Intensity (lb/MWhr)</b>	0.029	<b>N2O Intensity (lb/MWhr)</b>	0.006

**1.3 User Entered Comments & Non-Default Data**

Project Characteristics -

Land Use - 0 Land Use Square Feet to exclude striping

Construction Phase - Based on construction info provided by the Applicant.

Off-road Equipment - Based on equipment mix for previous cell tower projects.

Trips and VMT - concrete and water truck trips

Construction Off-road Equipment Mitigation - SCAQMD Rule 403 & 1186

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Summer**

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	CleanPavedRoadPercentReduction	0	9
tblConstructionPhase	NumDays	0.00	23.00
tblLandUse	LandUseSquareFeet	160.00	0.00
tblOffRoadEquipment	LoadFactor	0.29	0.29
tblOffRoadEquipment	OffRoadEquipmentType		Cranes
tblOffRoadEquipment	OffRoadEquipmentType		Welders
tblOffRoadEquipment	OffRoadEquipmentType		Cement and Mortar Mixers
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	1.00
tblOffRoadEquipment	UsageHours	6.00	8.00
tblProjectCharacteristics	OperationalYear	2014	2016
tblTripsAndVMT	VendorTripNumber	0.00	8.00

**2.0 Emissions Summary**

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**2.1 Overall Construction (Maximum Daily Emission)**

**Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2015	2.2672	15.9114	11.9736	0.0191	0.1952	1.0433	1.2384	0.0527	1.0046	1.0573	0.0000	1,815.7638	1,815.7638	0.3216	0.0000	1,822.5165
<b>Total</b>	<b>2.2672</b>	<b>15.9114</b>	<b>11.9736</b>	<b>0.0191</b>	<b>0.1952</b>	<b>1.0433</b>	<b>1.2384</b>	<b>0.0527</b>	<b>1.0046</b>	<b>1.0573</b>	<b>0.0000</b>	<b>1,815.7638</b>	<b>1,815.7638</b>	<b>0.3216</b>	<b>0.0000</b>	<b>1,822.5165</b>

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Summer**

**Mitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2015	2.2672	15.9114	11.9736	0.0191	0.1805	1.0433	1.2238	0.0491	1.0046	1.0537	0.0000	1,815.7638	1,815.7638	0.3216	0.0000	1,822.5165
<b>Total</b>	<b>2.2672</b>	<b>15.9114</b>	<b>11.9736</b>	<b>0.0191</b>	<b>0.1805</b>	<b>1.0433</b>	<b>1.2238</b>	<b>0.0491</b>	<b>1.0046</b>	<b>1.0537</b>	<b>0.0000</b>	<b>1,815.7638</b>	<b>1,815.7638</b>	<b>0.3216</b>	<b>0.0000</b>	<b>1,822.5165</b>

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	7.51	0.00	1.18	6.81	0.00	0.34	0.00	0.00	0.00	0.00	0.00	0.00

**3.0 Construction Detail**

**Construction Phase**

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Grading	Grading	12/1/2015	12/31/2015	5	23	

**Acres of Grading (Site Preparation Phase): 0**

**Acres of Grading (Grading Phase): 0**

**Acres of Paving: 0**

**Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0 (Architectural Coating – sqft)**

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Summer**

**OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Grading	Cranes	1	4.00	226	0.29
Grading	Welders	1	8.00	46	0.45
Grading	Cement and Mortar Mixers	1	8.00	9	0.56
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Grading	Rubber Tired Dozers	0	1.00	255	0.40
Grading	Tractors/Loaders/Backhoes	1	8.00	97	0.37

**Trips and VMT**

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Grading	5	13.00	8.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

**3.1 Mitigation Measures Construction**

Replace Ground Cover

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

Clean Paved Roads

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Summer**

**3.2 Grading - 2015**

**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000			0.0000
Off-Road	2.1264	15.0398	10.0914	0.0154		1.0286	1.0286		0.9911	0.9911		1,472.3841	1,472.3841	0.3107		1,478.9086
<b>Total</b>	<b>2.1264</b>	<b>15.0398</b>	<b>10.0914</b>	<b>0.0154</b>	<b>0.0000</b>	<b>1.0286</b>	<b>1.0286</b>	<b>0.0000</b>	<b>0.9911</b>	<b>0.9911</b>		<b>1,472.3841</b>	<b>1,472.3841</b>	<b>0.3107</b>		<b>1,478.9086</b>

**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0766	0.7910	0.8882	1.7600e-003	0.0499	0.0133	0.0631	0.0142	0.0122	0.0264		178.0950	178.0950	1.4300e-003		178.1250
Worker	0.0641	0.0806	0.9940	1.8900e-003	0.1453	1.4500e-003	0.1468	0.0385	1.3300e-003	0.0399		165.2848	165.2848	9.4300e-003		165.4829
<b>Total</b>	<b>0.1407</b>	<b>0.8716</b>	<b>1.8822</b>	<b>3.6500e-003</b>	<b>0.1952</b>	<b>0.0147</b>	<b>0.2099</b>	<b>0.0527</b>	<b>0.0135</b>	<b>0.0663</b>		<b>343.3798</b>	<b>343.3798</b>	<b>0.0109</b>		<b>343.6079</b>

## Verizon Cell Tower

### Los Angeles-South Coast County, Summer

#### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			0.0000			0.0000
Off-Road	2.1264	15.0398	10.0914	0.0154		1.0286	1.0286		0.9911	0.9911	0.0000	1,472.3840	1,472.3840	0.3107		1,478.9086
<b>Total</b>	<b>2.1264</b>	<b>15.0398</b>	<b>10.0914</b>	<b>0.0154</b>	<b>0.0000</b>	<b>1.0286</b>	<b>1.0286</b>	<b>0.0000</b>	<b>0.9911</b>	<b>0.9911</b>	<b>0.0000</b>	<b>1,472.3840</b>	<b>1,472.3840</b>	<b>0.3107</b>		<b>1,478.9086</b>

#### Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0766	0.7910	0.8882	1.7600e-003	0.0466	0.0133	0.0598	0.0134	0.0122	0.0256		178.0950	178.0950	1.4300e-003		178.1250
Worker	0.0641	0.0806	0.9940	1.8900e-003	0.1339	1.4500e-003	0.1354	0.0358	1.3300e-003	0.0371		165.2848	165.2848	9.4300e-003		165.4829
<b>Total</b>	<b>0.1407</b>	<b>0.8716</b>	<b>1.8822</b>	<b>3.6500e-003</b>	<b>0.1805</b>	<b>0.0147</b>	<b>0.1952</b>	<b>0.0491</b>	<b>0.0135</b>	<b>0.0627</b>		<b>343.3798</b>	<b>343.3798</b>	<b>0.0109</b>		<b>343.6079</b>

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Annual**

**1.0 Project Characteristics**

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**1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Parking Lot	0.16	1000sqft	0.00	0.00	0

**1.2 Other Project Characteristics**

<b>Urbanization</b>	Urban	<b>Wind Speed (m/s)</b>	2.2	<b>Precipitation Freq (Days)</b>	33
<b>Climate Zone</b>	9			<b>Operational Year</b>	2016
<b>Utility Company</b>	Southern California Edison				
<b>CO2 Intensity (lb/MW hr)</b>	630.89	<b>CH4 Intensity (lb/MW hr)</b>	0.029	<b>N2O Intensity (lb/MW hr)</b>	0.006

**1.3 User Entered Comments & Non-Default Data**

- Project Characteristics -
- Land Use - 0 Land Use Square Feet to exclude striping
- Construction Phase - Based on construction info provided by the Applicant.
- Off-road Equipment - Based on equipment mix for previous cell tower projects.
- Trips and VMT - concrete and water truck trips
- Construction Off-road Equipment Mitigation - SCAQMD Rule 403 & 1186

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Annual**

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	CleanPavedRoadPercentReduction	0	9
tblConstructionPhase	NumDays	0.00	23.00
tblLandUse	LandUseSquareFeet	160.00	0.00
tblOffRoadEquipment	LoadFactor	0.29	0.29
tblOffRoadEquipment	OffRoadEquipmentType		Cranes
tblOffRoadEquipment	OffRoadEquipmentType		Welders
tblOffRoadEquipment	OffRoadEquipmentType		Cement and Mortar Mixers
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	1.00
tblOffRoadEquipment	UsageHours	6.00	8.00
tblProjectCharacteristics	OperationalYear	2014	2016
tblTripsAndVMT	VendorTripNumber	0.00	8.00

**2.0 Emissions Summary**

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**2.1 Overall Construction**  
**Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2015	0.0261	0.1835	0.1389	2.2000e-004	2.2000e-003	0.0120	0.0142	6.0000e-004	0.0116	0.0122	0.0000	18.8662	18.8662	3.3500e-003	0.0000	18.9366
<b>Total</b>	<b>0.0261</b>	<b>0.1835</b>	<b>0.1389</b>	<b>2.2000e-004</b>	<b>2.2000e-003</b>	<b>0.0120</b>	<b>0.0142</b>	<b>6.0000e-004</b>	<b>0.0116</b>	<b>0.0122</b>	<b>0.0000</b>	<b>18.8662</b>	<b>18.8662</b>	<b>3.3500e-003</b>	<b>0.0000</b>	<b>18.9366</b>

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Annual**

**Mitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2015	0.0261	0.1835	0.1389	2.2000e-004	2.0400e-003	0.0120	0.0140	5.6000e-004	0.0116	0.0121	0.0000	18.8661	18.8661	3.3500e-003	0.0000	18.9366
<b>Total</b>	<b>0.0261</b>	<b>0.1835</b>	<b>0.1389</b>	<b>2.2000e-004</b>	<b>2.0400e-003</b>	<b>0.0120</b>	<b>0.0140</b>	<b>5.6000e-004</b>	<b>0.0116</b>	<b>0.0121</b>	<b>0.0000</b>	<b>18.8661</b>	<b>18.8661</b>	<b>3.3500e-003</b>	<b>0.0000</b>	<b>18.9366</b>

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
<b>Percent Reduction</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>7.27</b>	<b>0.00</b>	<b>1.13</b>	<b>6.67</b>	<b>0.00</b>	<b>0.33</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**3.0 Construction Detail**

**Construction Phase**

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Grading	Grading	12/1/2015	12/31/2015	5	23	

**Acres of Grading (Site Preparation Phase): 0**

**Acres of Grading (Grading Phase): 0**

**Acres of Paving: 0**

**Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0 (Architectural Coating – sqft)**

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Annual**

**OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Grading	Cranes	1	4.00	226	0.29
Grading	Welders	1	8.00	46	0.45
Grading	Cement and Mortar Mixers	1	8.00	9	0.56
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Grading	Rubber Tired Dozers	0	1.00	255	0.40
Grading	Tractors/Loaders/Backhoes	1	8.00	97	0.37

**Trips and VMT**

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Grading	5	13.00	8.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

**3.1 Mitigation Measures Construction**

Replace Ground Cover

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

Clean Paved Roads

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Annual**

**3.2 Grading - 2015**

**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0245	0.1730	0.1161	1.8000e-004		0.0118	0.0118		0.0114	0.0114	0.0000	15.3608	15.3608	3.2400e-003	0.0000	15.4289
<b>Total</b>	<b>0.0245</b>	<b>0.1730</b>	<b>0.1161</b>	<b>1.8000e-004</b>	<b>0.0000</b>	<b>0.0118</b>	<b>0.0118</b>	<b>0.0000</b>	<b>0.0114</b>	<b>0.0114</b>	<b>0.0000</b>	<b>15.3608</b>	<b>15.3608</b>	<b>3.2400e-003</b>	<b>0.0000</b>	<b>15.4289</b>

**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	9.4000e-004	9.5200e-003	0.0118	2.0000e-005	5.6000e-004	1.5000e-004	7.2000e-004	1.6000e-004	1.4000e-004	3.0000e-004	0.0000	1.8516	1.8516	2.0000e-005	0.0000	1.8519
Worker	7.3000e-004	1.0500e-003	0.0110	2.0000e-005	1.6400e-003	2.0000e-005	1.6500e-003	4.4000e-004	2.0000e-005	4.5000e-004	0.0000	1.6538	1.6538	1.0000e-004	0.0000	1.6558
<b>Total</b>	<b>1.6700e-003</b>	<b>0.0106</b>	<b>0.0228</b>	<b>4.0000e-005</b>	<b>2.2000e-003</b>	<b>1.7000e-004</b>	<b>2.3700e-003</b>	<b>6.0000e-004</b>	<b>1.6000e-004</b>	<b>7.5000e-004</b>	<b>0.0000</b>	<b>3.5053</b>	<b>3.5053</b>	<b>1.2000e-004</b>	<b>0.0000</b>	<b>3.5077</b>

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Annual**

**Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0245	0.1730	0.1161	1.8000e-004		0.0118	0.0118		0.0114	0.0114	0.0000	15.3608	15.3608	3.2400e-003	0.0000	15.4289
<b>Total</b>	<b>0.0245</b>	<b>0.1730</b>	<b>0.1161</b>	<b>1.8000e-004</b>	<b>0.0000</b>	<b>0.0118</b>	<b>0.0118</b>	<b>0.0000</b>	<b>0.0114</b>	<b>0.0114</b>	<b>0.0000</b>	<b>15.3608</b>	<b>15.3608</b>	<b>3.2400e-003</b>	<b>0.0000</b>	<b>15.4289</b>

**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	9.4000e-004	9.5200e-003	0.0118	2.0000e-005	5.3000e-004	1.5000e-004	6.8000e-004	1.5000e-004	1.4000e-004	2.9000e-004	0.0000	1.8516	1.8516	2.0000e-005	0.0000	1.8519
Worker	7.3000e-004	1.0500e-003	0.0110	2.0000e-005	1.5100e-003	2.0000e-005	1.5300e-003	4.0000e-004	2.0000e-005	4.2000e-004	0.0000	1.6538	1.6538	1.0000e-004	0.0000	1.6558
<b>Total</b>	<b>1.6700e-003</b>	<b>0.0106</b>	<b>0.0228</b>	<b>4.0000e-005</b>	<b>2.0400e-003</b>	<b>1.7000e-004</b>	<b>2.2100e-003</b>	<b>5.5000e-004</b>	<b>1.6000e-004</b>	<b>7.1000e-004</b>	<b>0.0000</b>	<b>3.5053</b>	<b>3.5053</b>	<b>1.2000e-004</b>	<b>0.0000</b>	<b>3.5077</b>

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Mitigation Report**

**Construction Mitigation Summary**

Phase	ROG	NOx	CO	SO2	Exhaust PM10	Exhaust PM2.5	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction												
Grading	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**OFFROAD Equipment Mitigation**

Equipment Type	Fuel Type	Tier	Number Mitigated	Total Number of Equipment	DPF	Oxidation Catalyst
Cement and Mortar Mixers	Diesel	No Change	0	1	No Change	0.00
Cranes	Diesel	No Change	0	1	No Change	0.00
Concrete/Industrial Saws	Diesel	No Change	0	1	No Change	0.00
Welders	Diesel	No Change	0	1	No Change	0.00
Rubber Tired Dozers	Diesel	No Change	0	0	No Change	0.00
Tractors/Loaders/Backhoes	Diesel	No Change	0	1	No Change	0.00

## Verizon Cell Tower

### Los Angeles-South Coast County, Mitigation Report

Equipment Type	ROG	NOx	CO	SO2	Exhaust PM10	Exhaust PM2.5	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Unmitigated tons/yr							Unmitigated mt/yr					
Cement and Mortar Mixers	6.80000E-004	4.26000E-003	3.55000E-003	1.00000E-005	1.70000E-004	1.70000E-004	0.00000E+000	5.27020E-001	5.27020E-001	5.00000E-005	0.00000E+000	5.28170E-001
Concrete/Industrial Saws	8.19000E-003	5.74300E-002	4.37400E-002	7.00000E-005	4.46000E-003	4.46000E-003	0.00000E+000	6.18306E+000	6.18306E+000	6.60000E-004	0.00000E+000	6.19700E+000
Cranes	4.24000E-003	5.03300E-002	1.75200E-002	3.00000E-005	2.30000E-003	2.11000E-003	0.00000E+000	3.06966E+000	3.06966E+000	9.20000E-004	0.00000E+000	3.08890E+000
Rubber Tired Dozers	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000
Tractors/Loaders/Bulldozers	4.14000E-003	3.94700E-002	2.78900E-002	4.00000E-005	3.09000E-003	2.84000E-003	0.00000E+000	3.41656E+000	3.41656E+000	1.02000E-003	0.00000E+000	3.43798E+000
Welders	7.20000E-003	2.14700E-002	2.33500E-002	3.00000E-005	1.81000E-003	1.81000E-003	0.00000E+000	2.16454E+000	2.16454E+000	5.90000E-004	0.00000E+000	2.17686E+000

Equipment Type	ROG	NOx	CO	SO2	Exhaust PM10	Exhaust PM2.5	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Mitigated tons/yr							Mitigated mt/yr					
Cement and Mortar Mixers	6.80000E-004	4.26000E-003	3.55000E-003	1.00000E-005	1.70000E-004	1.70000E-004	0.00000E+000	5.27020E-001	5.27020E-001	5.00000E-005	0.00000E+000	5.28170E-001
Concrete/Industrial Saws	8.19000E-003	5.74300E-002	4.37400E-002	7.00000E-005	4.46000E-003	4.46000E-003	0.00000E+000	6.18305E+000	6.18305E+000	6.60000E-004	0.00000E+000	6.19699E+000
Cranes	4.24000E-003	5.03300E-002	1.75200E-002	3.00000E-005	2.30000E-003	2.11000E-003	0.00000E+000	3.06965E+000	3.06965E+000	9.20000E-004	0.00000E+000	3.08890E+000
Rubber Tired Dozers	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000	0.00000E+000
Tractors/Loaders/Bulldozers	4.14000E-003	3.94700E-002	2.78900E-002	4.00000E-005	3.09000E-003	2.84000E-003	0.00000E+000	3.41655E+000	3.41655E+000	1.02000E-003	0.00000E+000	3.43797E+000
Welders	7.20000E-003	2.14700E-002	2.33500E-002	3.00000E-005	1.81000E-003	1.81000E-003	0.00000E+000	2.16454E+000	2.16454E+000	5.90000E-004	0.00000E+000	2.17686E+000



**Verizon Cell Tower**  
**Los Angeles-South Coast County, Mitigation Report**

**Fugitive Dust Mitigation**

Yes/No	Mitigation Measure	Mitigation Input	Mitigation Input	Mitigation Input			
No	Soil Stabilizer for unpaved Roads	PM10 Reduction	0.00	PM2.5 Reduction	0.00		
Yes	Replace Ground Cover of Area Disturbed	PM10 Reduction	5.00	PM2.5 Reduction	5.00		
Yes	Water Exposed Area	PM10 Reduction	55.00	PM2.5 Reduction	55.00	Frequency (per day)	2.00
No	Unpaved Road Mitigation	Moisture Content %	0.00	Vehicle Speed (mph)	15.00		
Yes	Clean Paved Road	% PM Reduction	9.00				

Phase	Source	Unmitigated		Mitigated		Percent Reduction	
		PM10	PM2.5	PM10	PM2.5	PM10	PM2.5
Grading	Fugitive Dust	0.00	0.00	0.00	0.00	0.00	0.00
Grading	Roads	0.00	0.00	0.00	0.00	0.07	0.08

**Verizon Cell Tower**  
**Los Angeles-South Coast County, Mitigation Report**

**Fugitive Dust Mitigation**

Yes/No	Mitigation Measure	Mitigation Input	Mitigation Input	Mitigation Input			
No	Soil Stabilizer for unpaved Roads	PM10 Reduction	0.00	PM2.5 Reduction	0.00		
Yes	Replace Ground Cover of Area Disturbed	PM10 Reduction	5.00	PM2.5 Reduction	5.00		
Yes	Water Exposed Area	PM10 Reduction	55.00	PM2.5 Reduction	55.00	Frequency (per day)	2.00
No	Unpaved Road Mitigation	Moisture Content %	0.00	Vehicle Speed (mph)	15.00		
Yes	Clean Paved Road	% PM Reduction	9.00				

Phase	Source	Unmitigated		Mitigated		Percent Reduction	
		PM10	PM2.5	PM10	PM2.5	PM10	PM2.5
Grading	Fugitive Dust	0.00	0.00	0.00	0.00	0.00	0.00
Grading	Roads	0.00	0.00	0.00	0.00	0.07	0.08

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**Attachment 8**  
**Resolution No. PC 2015-21**

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## RESOLUTION NO. PC 2015-21

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 15-12 TO ALLOW THE ESTABLISHMENT AND OPERATION OF A 60 FOOT TALL WIRELESS TELECOMMUNICATIONS FACILITY AT 18061 VALLEY BOULEVARD, CITY OF INDUSTRY, CALIFORNIA, WITHIN THE "C" COMMERCIAL ZONE, MAKING FINDINGS IN SUPPORT THEREOF

#### RECITALS

**WHEREAS**, on July 30, 2015, Verizon Wireless Inc., ("Applicant") filed a complete application requesting the approval of Conditional Use Permit ("CUP") No. 15-12 described herein ("Application"); and

**WHEREAS**, the Application applies to allowing the construction and operation of a 60 foot tall wireless telecommunications facility, with associated equipment on an existing 0.51 acre property, at 18061 Valley Boulevard, City of Industry, California, Assessor's Parcel Number 8727-011-019 ("Property"); and

**WHEREAS**, the Applicant desires to construct and operate a 60 foot tall wireless telecommunications facility, with associated equipment in the "C" Commercial zone, and in accordance with Section 17.70.040 (2) of the City's Municipal Code ("Code"), a CUP is required for this type of activity; and

**WHEREAS**, the Land Use Element of the General Plan designates the Property for commercial uses. The proposed use is consistent with the General Plan as it would provide an essential service commonly available, and does not conflict with the established goals and objectives of the Land Use Element. Camouflaged wireless telecommunications facility uses are permitted in the "C" Commercial zone, subject to the approval of an CUP pursuant to Section 17.70.040 (2) of City's Code; and

**WHEREAS**, an Environmental Assessment form was submitted by the Applicant pursuant to the City's requirements. Based upon the information received and Staff's review and assessment, the project was determined that it could have a significant impact on the environment and an Initial Study/Negative Declaration were prepared in accordance with the requirements of the California Environmental Quality Act ("CEQA"), California Public Resources Code section 21000 *et seq.*, the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections 15000 *et seq.*, and the Environmental Impact Report Guidelines of the City of Industry, and the Planning Commission has exercised its independent judgment when considering said Initial Study/Negative Declaration and all public comments received in connection therewith; and,

**WHEREAS**, the Initial Study/Negative Declaration was circulated for public and agency review and comment on October 22, 2015 through, and including, November 11, 2015. Copies of the Initial Study/Negative Declaration also were made available to the public at the Planning Department on October 22, 2015. On October 22, 2015, a Notice of Intent to Adopt an Initial Study/Negative Declaration, including the time and place of the Planning Commission meeting to review the Application and Initial Study/Negative Declaration was published in the local newspaper and posted at the project site, City Hall, Council Chambers and Fire Station 118; and,

**WHEREAS**, the Initial Study/Negative Declaration and all related environmental documents forming the basis for this Negative Declaration and Resolution are located in, and in the custody of, the Office of the City Clerk, City of Industry; and,

**WHEREAS**, notice of the Planning Commission's November 12, 2015 public hearing on CUP No. 15-12 was published in *The San Gabriel Valley Tribune* on October 30, 2015, in compliance with the City's Code and Government Code Section 65091, and was posted at the Property and at three public places on August 28, 2015; and

**WHEREAS**, the notice of the Planning Commission's November 12, 2015, public hearing on CUP No. 15-12 was also mailed to property owners within 300 feet of the Property on October 30, 2015; and

**WHEREAS**, on November 12, 2015, the Planning Commission of the City of Industry conducted a duly noticed public hearing on the Application, and considered all testimony written and oral; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW THEREFORE**, it is hereby found, determined and resolved by the Planning Commission of the City of Industry as follows:

**SECTION 1.** The Planning Commission finds that all of the facts set forth in the Recitals are true and correct, and are incorporated herein by reference.

**SECTION 2.** All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law and the Municipal Code of the City of Industry.

**SECTION 3.** Upon independent review and consideration of the information contained in the Staff Report, Initial Study and Negative Declaration for Conditional Use Permit Application No. 15-12, the Planning Commission exercises its independent judgment and finds that no substantial evidence exists that the approval of the Application, as conditioned hereby, will have a significant effect on the environment

within the meaning of CEQA and hereby approves the issuance of the Negative Declaration prepared with respect to the Application.

**SECTION 4.** Based upon substantial evidence presented to the Planning Commission during the November 12, 2015, public hearing, including public testimony and written and oral staff reports, this Commission finds as follows:

(a) The proposed use is consistent with the goals and objectives of the General Plan. The General Plan designates the site for commercial uses, including a camouflaged wireless telecommunications facility with associated ground equipment. The Zoning Ordinance, which implements the General Plan, allows for a camouflaged wireless telecommunications facility with associated ground equipment with approval of a CUP. In addition, the attached conditions of approval set operational and management standards to ensure that the use will operate in a manner consistent with the General Plan's policies related to noise, safety, property maintenance, and maintaining a professional appearance.

(b) The Property is adequate in size and shape, topography and location, to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Sections 17.70.060 and 17.36.060 of the Municipal Code, and there will be adequate utilities to accommodate the proposed use. The Property complies with the development standards outlined in Chapter 17.36, Zoning Code of the Industry Municipal Code. The camouflaged wireless telecommunications facility with associated ground equipment does not involve any physical changes to the Property and there will be no increased demands placed upon the existing water, gas, electricity, and sewer utilities that adequately serve the site.

(c) The nature, condition and proposed development of adjacent uses, buildings and structures has been considered, and the proposed use, the camouflaged wireless telecommunications facility with associated ground equipment, will not adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare, in that the surrounding area is composed of other similar commercial uses.

(d) The Property is served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.

(e) The camouflaged wireless telecommunications facility with associated ground equipment use is compatible with surrounding properties and uses because the surrounding area is composed of other similar commercial uses. The uses of the surrounding properties may change, but the character will remain commercial in nature consistent with the General Plan and zoning designations of the site.

(f) The proposed use will not be detrimental to the public health, safety or general welfare.

Based upon the foregoing findings, the Planning Commission hereby approves CUP No. 15-12, subject to the conditions contained in Exhibit A.

**SECTION 5.** The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

**SECTION 6.** That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Industry at a regular meeting held on November 12, 2015 by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

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Andria Welch  
Chairwoman

**ATTEST:**

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Cecelia Dunlap  
Secretary



# CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

## EXHIBIT A

### Standard Requirements and Conditions of Approval

<b>Application:</b>	<b>Conditional Use Permit 15-12</b>
<b>Applicant:</b>	<b>Verizon Wireless Inc.</b>
<b>Location:</b>	<b>18061 Valley Boulevard</b>
<b>Use:</b>	<b>Wireless Telecommunications Facility</b>

### Conditions of Approval

*Conditions of approval are unique provisions, beyond the requirements of law, the municipal code, or standard practices that are applied to a project by the Planning Commission per Section 17.48.060 of the Zoning Code. Please note that if the design of your project or site conditions change, the conditions of approval may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. The operator shall maintain the wireless telecommunication facility and monopalm camouflaging materials (monopalm branches and bark, panel antennas and associated equipment) in a condition that approximates new and in a manner that maintains the integrity and intent of the camouflaging materials to mask the wireless facility. The operator shall make all necessary repairs and replacements of equipment and structural and aesthetic components that result from discoloring, fading, and damage caused by outdoor exposure and/or inclement weather. Under this condition, the applicant shall replace such components within 90 days of written notice by the Planning Director.

### Code Requirements and Standards

*The following is a list of code requirements and standards deemed applicable to the proposed project. The list is intended to assist the applicant by identifying requirements that must be satisfied during the various stages of project permitting, implementation, and operation. It should be noted that this list is in addition to any "conditions of approval" adopted by the Planning Commission and noted above. Please note that if the design of your project or site conditions change, the list may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. The approval expires twelve (12) months after the date of approval by the Planning Commission if a building permit for each building and structure thereby approved has not been obtained within such period.
2. The applicant shall verify with the City Engineer if drainage and grading plans are required prior to the issuance of a building permit. If required, such plans shall be in substantial conformity with the plans.
3. The applicant shall construct adequate fire protection facilities to the satisfaction of the Los Angeles County Fire Department.

4. All exterior surfaces of buildings and appurtenant structures shall be painted in accordance with the approved plan.
5. The applicant shall provide building plans to be approved prior to the issuance of a building permit. Such plans shall be in substantial conformity with the development plans. (Building plans shall be submitted to and approved by the Los Angeles County Engineer's Office - Building and Safety Division prior to the issuance of a building permit.)
6. No outside storage of any personal property, building materials, or other property not permanently affixed to the real property shall be allowed, unless approved by the Planning Director.
7. Any graffiti painted or marked upon the premises or any adjacent area under the control of the permittee shall be removed or painted over within 72 hours of being applied.
8. No changes to the approved plan shall be permitted without written permission from both the City of Industry.
9. The noise level created by the business shall not exceed the following at the property line of any adjacent or nearby residential land use, hospital, school in session, church or public library as measured by a sound level meter:
  - (a) 55 dBA between 7:00 a.m. - 10:00 p.m.  
50 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 30 minutes in any hour;
  - (b) 60 dBA between 7:00 a.m. - 10:00 p.m.  
55 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 15 minutes in any hour;
  - (c) 65 dBA between 7:00 a.m. - 10:00 p.m.  
60 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 5 minutes in any hour;
  - (d) 70 dBA between 7:00 a.m. - 10:00 p.m.  
65 dBA between 10:00 p.m. - 7:00 a.m.  
at any time.
10. Any violation of these conditions or any local, county, state or federal laws shall constitute grounds for revocation or suspension of the Conditional Use Permit.
11. Within sixty days of commencement of operations, the operator of a new wireless telecommunications facility must provide the planning department with a report, prepared by a qualified engineer acceptable to the city, indicating that the actual radio frequency (RF) emissions of the facility, measured at the property line or nearest point of public access and in the direction of maximum radiation from each antenna, is in compliance with all applicable FCC safety standards. This report must include RF emissions from all colocation facilities, if any, at the site. The operator must subsequently provide an updated report to the city within sixty days after completion of any change in design, number of antennas, operation, or other significant change in circumstances, or when such a report is otherwise required by the FCC, to the satisfaction of the planning director.

12. Wireless telecommunication facilities may not generate radio frequency emissions or electromagnetic radiation in excess of applicable FCC standards or any other applicable regulations. All wireless telecommunication facilities must comply with all standards and regulations of the FCC, and any other state or federal government agency with the authority to regulate wireless telecommunications facilities.
13. The site and the wireless telecommunications facility, including all landscaping, security fencing, and related equipment must be maintained in a neat and clean manner and in accordance with all approved plans.
14. All graffiti on wireless telecommunication facilities must be removed at the sole expense of the operator of the facility within forty-eight hours of notification.
15. A wireless telecommunications facility located in the public right-of-way may not unreasonably interfere with the use of any city property or the public right-of-way by the city, by the general public or by other persons authorized to use or be present in or upon the public right-of-way. Unreasonable interference includes disruption to vehicular or pedestrian traffic, and interference with any other city or public utilities.
16. If any FCC, CPUC or other required license or approval to provide telecommunications services is ever revoked, the operator must inform the planning director of the revocation within ten days of receiving notice of such revocation.
17. A wireless telecommunications facility and all equipment associated with the use must be removed in its entirety by the operator, at the operator's sole expense, within ninety days of a FCC or CPUC license or registration revocation or if the facility is abandoned or no longer needed. The site must be restored to its pre-installation condition and, where necessary, revegetated to blend in with the surrounding area. In the case of building mounted facilities, all antennas, equipment, screening devices, support structures, cable runs, and other appurtenant equipment must be removed and the building restored to its pre-installation condition. Restoration and revegetation must be completed within two months of removal of the facility. Facilities not removed within these time periods are subject to immediate removal and restoration of the premises. The city is not required to provide notice that removal is required under this section.
18. Prior to Planning Final, all outstanding fees and invoices due to the City shall be paid in full. If requested by City Staff, the applicant shall provide proof of payment.

### **Interpretation and Enforcement**

1. The Planning Department, Engineering Department, and contract agencies (Los Angeles County Fire Department, Los Angeles Department of Building and Safety) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval.
2. The Planning Director may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes

are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of Industry Municipal Code.

### **Indemnification and Hold Harmless Condition**

1. The owner of the property that 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 Industry and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council and Planning concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

*PLANNING COMMISSION*

ITEM NO. 6.4



# CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

## MEMORANDUM

To: Planning Commission

November 5, 2015

From: Paul J. Philips, City Manager

Staff: Troy Helling, Senior Planner

**Subject: Conditional Use Permit 15-13 – Verizon Wireless, 14711 Clark Avenue**

### Proposal

Section 17.70.040 of the Municipal Code allows observable wireless telecommunications facilities in the “M” Manufacturing zone with approval of a Conditional Use Permit (“CUP”) by the Planning Commission. This application, submitted by Verizon Wireless Inc., is to relocate existing base equipment for a wireless telecommunications facility from the public right-of-way to private property at 14711 Clark Avenue (Assessor’s Parcel Number 8217-002-009).

The City is installing a sidewalk as part of a public works project. Several years ago Verizon obtained an excavation permit to run phone lines in the street and behind the curb. They also obtained a building permit from LA County Building and Safety for installation of the above ground equipment and antennas. However, they did not obtain City approval for the wireless telecommunications facility. As part of the City’s sidewalk project, Verizon is required to comply with the City’s current Municipal Code requirements for telecommunications facilities requiring Verizon to either relocate their base equipment to private property or to keep the equipment in the right-of-way but disguise it as stealth. Verizon has chosen to relocate the base equipment to the adjacent private property. The existing pole and antennas do not have approval from the City and are not addressed as part of this application.

As shown in the site plan, elevations and photo simulations (Attachments 1, 2 and 3), the 13’-4” by 21’-4” 284 square foot area would consist of three base equipment cabinets, six cabinets attached to the inside of the wall and a standby emergency generator. The area is set back 45’-6” from the front property line and would be enclosed by an eight foot tall concrete block wall and a metal gate.

### Location and Surroundings

As shown on the location map (Attachment 4), the proposed wireless telecommunications facility would be located on the southeast corner of a 2.72-acre industrial property at 14711 Clark Avenue. The property is bounded by Clark Avenue to the south with residential properties in unincorporated LA County beyond, industrial properties to the east and west and the Union Pacific Railroad tracks to the north.

### Staff Analysis

The proposed use is consistent with the Zoning (“M” – Manufacturing) and General Plan (Employment) designations of the site. The proposed project is an observable wireless telecommunications facility, which according to Section 17.70.040 (A) 3 of the Municipal

Code, are allowed in the manufacturing zone subject to the approval of a Conditional Use Permit and under specific development standards.

#### *Development and Design Standards*

The proposed project complies with the following wireless telecommunication facilities standards in Chapter 17.70 of the Industry Municipal Code

- Meets footprint requirement. Section 17.70.060 (A) 2 of the Municipal Code requires the project to be designed as small as technically possible. The proposed project would be contained within an enclosure that is 284 square feet, which is consistent with the size of enclosures of other observable wireless telecommunication facilities.
- Meets parking and landscape standards. Section 17.70.060 (A) 3 of the Municipal Code requires that there be no net loss of required parking or landscaping. The proposed project is located at the side of the property and will not remove parking or landscaping.
- Meets design standards. Specifically, Section 17.70.060 (B) 1 of the Municipal Code states that observable wireless telecommunications facilities must be located in the rear of the subject property. As shown on Attachment 2, the base equipment would be located on the eastern side of the site, would be set back 45'-6" from the front property line, and would be shielded from direct public view by the existing and proposed block wall. The existing pole and antennas would remain in the public right-of-way.

#### **Findings**

According to Section 17.70.080 of the Municipal Code, a Conditional Use Permit for a new wireless telecommunications facility may be granted when the following findings are made:

- The proposed wireless telecommunications facility has been designed to achieve compatibility with the surrounding industrial community to the maximum extent reasonably feasible. The project would be located on the eastern side of the site, would be set back 45'-6" from the front property line, and would be shielded from direct public view by the existing and proposed block wall.
- Noise generated by equipment will not be excessive, annoying or detrimental to the public health, safety, and welfare. The project consists of electronic equipment within a solid enclosure. The only mechanical equipment would be an emergency generator. This type of equipment would not generate significant noise.

#### **Environmental Analysis**

The proposed project is exempt from the California Environmental Quality Act (CEQA) per Section 15301, (Class 1, Existing Facilities) which exempts minor alteration of existing mechanical equipment and Section 15302 (c), which exempts the replacement or reconstruction of existing utility systems and facilities involving negligible or no expansion of capacity. The applicant is proposing to relocate existing base equipment for a wireless telecommunications facility from the public right-of-way to private property. The Notice of Exemption (Attachment 5) will be posted at the Los Angeles County Clerk's Office after approval by the Planning Commission.

#### **Public Hearing**

The required public hearing notice (Attachment 6), was posted on the site, fire station 118, city hall and council chambers, distributed to surrounding property owners, and published in the San Gabriel Tribune on October 30, 2015.

## **Recommendation**

Because the proposed use complies with the use standards of the Municipal code and satisfies the findings noted in the Resolution, Staff recommends that the Planning Commission approve Resolution No. PC 2015-22 with findings for approval and Standard Requirements and conditions of approval contained in the Resolution (Attachment 7) and direct staff to file the Notice of Exemption.

## **Attachments**

- Attachment 1: Site Plan
- Attachment 2: Elevations
- Attachment 3: Photo Simulations
- Attachment 4: Location Map
- Attachment 5: Notice of Exemption
- Attachment 6: Public Hearing Notice
- Attachment 7: Resolution No. PC 2015-22 approving Conditional Use Permit No. 15-13 with findings of approval and Standard Requirements and Conditions of Approval

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# **Attachment 1**

## **Site Plan**

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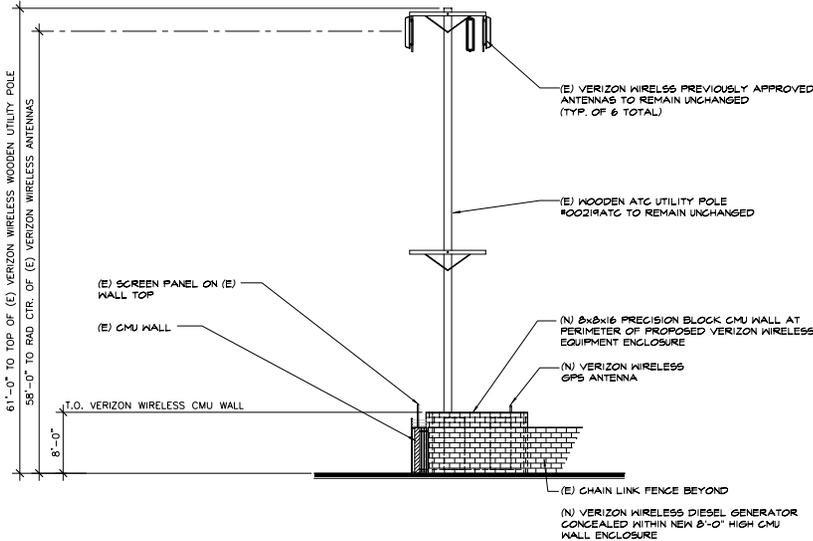
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# **Attachment 2**

## **Elevations**

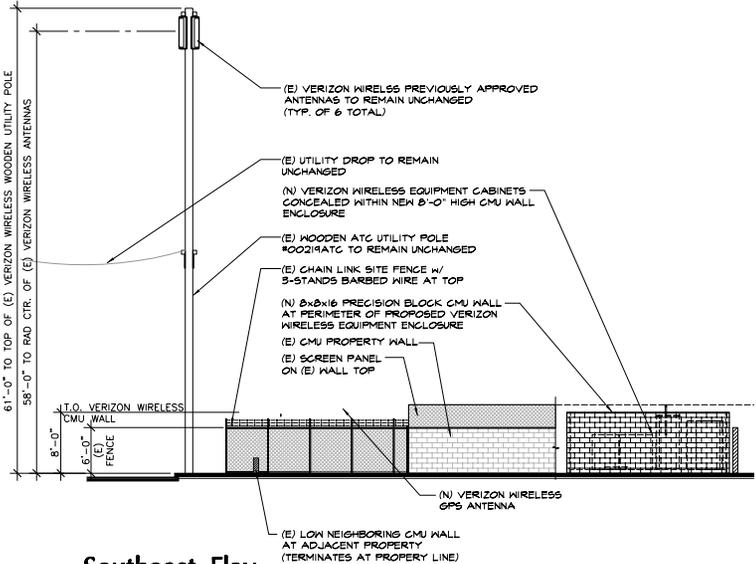
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# CUP 15-13 Elevations



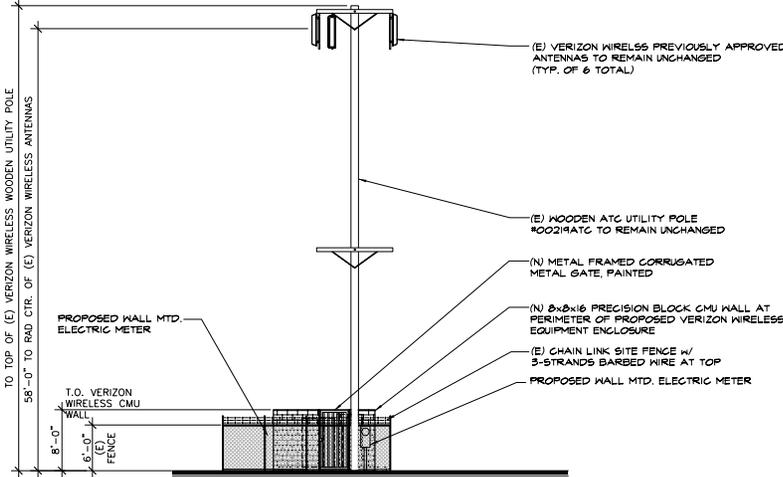
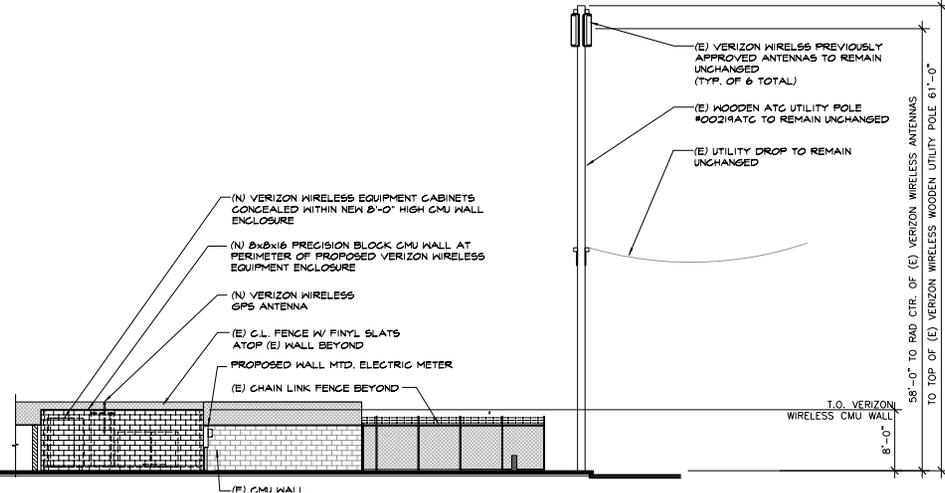
**Northeast Elev.**

SCALE 1/8"=1'-0"



**Southeast Elev.**

SCALE 1/8"=1'-0"



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# **Attachment 3**

## **Photo Simulations**

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# CUP 15-13 Photo Simulation



Proposed equipment enclosure

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# **Attachment 4 Location Map**

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# CUP 15-13

## Location Map



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# **Attachment 5**

## **Notice of Exemption**

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## NOTICE OF EXEMPTION

**To:** County Clerk  
County of Los Angeles  
Environmental Filings  
12400 East Imperial Highway #2001  
Norwalk, CA 90650

**From:** City of Industry  
15625 E. Stafford Street, Suite 100  
City of Industry, CA 91744

**Project Title:** CUP 15-13

**Project Location - Specific:** 14711 Clark Avenue

**Project Location-City:** City of Industry    **Project Location-County:** Los Angeles

**Description of Project:** Conditional Use Permit 15-13 is an application to relocate existing base equipment for a wireless telecommunications facility from the public right-of-way to private property in the "M" Manufacturing zone.

**Name of Public Agency Approving Project:** Planning Commission, City of Industry

**Name of Person or Agency Carrying Out Project:** Ira Siegal

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

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. *State type and section number:* 15301 and 15302
- Statutory Exemptions. *State code number:*

**Reasons why project is exempt:** Section 15301 Class 1, which exempts minor alteration of existing mechanical equipment and Section 15302 (c), which exempts the replacement or reconstruction of existing utility systems and facilities involving negligible or no expansion of capacity. The CUP is required to relocate existing base equipment for a wireless telecommunications facility from the public right-of-way to private property.

**Lead Agency**

**Contact Person:** Troy Helling

Telephone: (626)333-2211

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: Senior Planner

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**Attachment 6**  
**Public Hearing Notice**

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## NOTICE OF PUBLIC HEARING

### Conditional Use Permit No. 15-13

On October 30, 2015, notice has been given that the Planning Commission of the City of Industry shall hold a public hearing on the application for Conditional Use Permit No. 15-13 to relocate existing ground equipment for a wireless telecommunications facility from the public right-of-way to private property at 14711 Clark Avenue in the City of Industry.

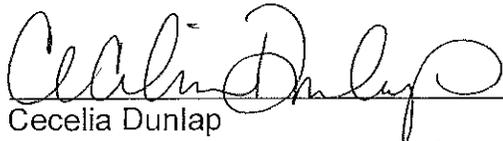
A copy of all relevant material, including the Conditional Use Permit Application, is on file in the City Administrative Offices, 15625 East Stafford Street, Suite 100, City of Industry, California 91744.

The time, date and place of such hearing shall be as follows:

Time: 11:00 a.m.  
Date: November 12, 2015  
Place: City Council Chambers  
15651 East Stafford Street  
City of Industry, CA 91744

Any person wishing to be heard regarding this matter may appear at the above time, date and place. Written comments may be sent via U.S. Mail or by hand delivery to the City of Industry, at 15625 Stafford Street, Suite 100, City of Industry, CA 91744.

If you challenge the conditional use permit 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 of the City of Industry at, or prior to, the public hearing.

  
Cecelia Dunlap  
Deputy City Clerk of the City of Industry

JN 9218

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# **Attachment 7**

**Resolution No. PC 2015-22 approving Conditional Use Permit No. 15-13 with findings of approval and Standard Requirements and Conditions of Approval**

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## RESOLUTION NO. PC 2015-22

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 15-13 TO ALLOW THE RELOCATION OF EXISTING BASE EQUIPMENT FOR A WIRELESS TELECOMMUNICATIONS FACILITY FROM THE PUBLIC RIGHT-OF-WAY TO PRIVATE PROPERTY AT 14711 CLARK AVENUE, CITY OF INDUSTRY, CALIFORNIA, WITHIN THE “M” MANUFACTURING ZONE, AND THE NOTICE OF EXEMPTION REGARDING SAME**

### RECITALS

**WHEREAS**, on October 7, 2015, Verizon Wireless Inc., (“Applicant”) filed a complete application requesting the approval of Conditional Use Permit (“CUP”) No. 15-13 described herein (“Application”); and

**WHEREAS**, the Application applies to relocation of existing base equipment for a wireless telecommunications facility 2.72 acre property, at 14711 Clark Avenue, City of Industry, California, Assessor’s Parcel Number 8217-002-009 (“Property”); and

**WHEREAS**, the Applicant desires to relocate existing base equipment for a wireless telecommunications facility in the “M” Manufacturing zone, and in accordance with Section 17.70.040 (2) of the City’s Municipal Code (“Code”), a CUP is required for this type of activity; and

**WHEREAS**, the Land Use Element of the General Plan designates the Property as Employment. The proposed use is consistent with the General Plan as it would provide an essential service commonly available, and does not conflict with the established goals and objectives of the Land Use Element. Wireless telecommunications facility uses are permitted in the “M” Manufacturing zone, subject to the approval of an CUP pursuant to Section 17.70.040 (2) of City’s Code; and

**WHEREAS**, an Environmental Assessment form was submitted by the Applicant pursuant to the City’s requirements. Based upon the information received and Staff’s review and assessment, the project was determined not to have a significant impact on the environment and is categorically exempt from the California Environmental Quality Act (“CEQA”), pursuant to Section 15301 which exempts minor alteration of existing mechanical equipment and Section 15302 (c), which exempts the replacement or reconstruction of existing utility systems and facilities involving negligible or no expansion of capacity. The applicant is proposing to relocate existing base equipment for a wireless telecommunications facility from the public right-of-way to private property. and

**WHEREAS**, notice of the Planning Commission's November 12, 2015 public hearing on CUP No. 15-13 was published in *The San Gabriel Valley Tribune* on October 30, 2015, in compliance with the City's Code and Government Code Section 65091, and was posted at the Property and at three public places on October 30, 2015; and

**WHEREAS**, the notice of the Planning Commission's November 12, 2015, public hearing on CUP No. 15-13 was also mailed to property owners within 300 feet of the Property on October 30, 2015; and

**WHEREAS**, on November 12, 2015, the Planning Commission of the City of Industry conducted a duly noticed public hearing on the Application, and considered all testimony written and oral; and

**WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

**NOW THEREFORE**, it is hereby found, determined and resolved by the Planning Commission of the City of Industry as follows:

**SECTION 1.** The Planning Commission finds that all of the facts set forth in the Recitals are true and correct, and are incorporated herein by reference.

**SECTION 2.** All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law and the Municipal Code of the City of Industry.

**SECTION 3.** Upon independent review and consideration of the information contained in the Staff Report, and the Notice of Exemption for Conditional Use Permit Application No. 15-13, will not result in or have a significant impact on the environment, because it's just a relocation of existing base equipment for a wireless telecommunications facility from the public right-of-way to private property. Therefore, the proposed project is categorically exempt from the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 *et seq.*), pursuant to Section 15301 (Class 1, Existing Facilities) and Section 15302 (c) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations). Based on these findings, the Planning Commission adopts the Notice of Exemption and directs staff to file same as required by law.

**SECTION 4.** Based upon substantial evidence presented to the Planning Commission during the November 12, 2015, public hearing, including public testimony and written and oral staff reports, this Commission finds as follows:

(a) The proposed wireless telecommunications facility has been designed to achieve compatibility with the community to the maximum extent reasonably feasible. The relocation of the base equipment will now be on private property and will be screened from public view.

(b) An alternative configuration will not increase community compatibility or is not reasonably feasible. The existing antennas will remain in the public right-of-way and the base equipment will be relocated onto private property.

(c) The location of the wireless telecommunications facility on alternative sites will not increase community compatibility or is not reasonably feasible.

(d) The proposed facility is necessary to close a significant gap in coverage, increase network capacity, or maintain service quality, and is the least intrusive means of doing so. The existing facility covers a gap in service.

(e) The applicant has submitted a statement of its willingness to allow other wireless service providers to colocate on the proposed wireless telecommunications facility if technically and economically feasible and where colocation would not harm community compatibility.

(f) The proposed wireless telecommunications facility has been located and designed for colocation to the maximum extent possible.

(g) Noise generated by equipment will not be excessive, annoying or detrimental to the public health, safety, and welfare.

(h) The proposed use is consistent with the goals and objectives of the General Plan. The General Plan designates the site as Employment, including the relocation of existing base equipment for a wireless telecommunications facility. The Zoning Ordinance, which implements the General Plan, allows for base equipment associated with wireless telecommunication facilities with approval of a CUP. In addition, the attached conditions of approval set operational and management standards to ensure that the use will operate in a manner consistent with the General Plan's policies related to noise, safety, property maintenance, and maintaining a professional appearance.

(i) The Property is adequate in size and shape, topography and location, to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Sections 17.70.060 and 17.36.060 of the Municipal Code, and there will be adequate utilities to accommodate the proposed use. The Property complies with the development standards outlined in Chapter 17.36, Zoning Code of the Industry Municipal Code. The wireless telecommunications facility base equipment does not involve any physical changes to

the Property and there will be no increased demands placed upon the existing water, gas, electricity, and sewer utilities that adequately serve the site.

(j) The nature, condition and proposed development of adjacent uses, buildings and structures has been considered, and the proposed use, the wireless telecommunications facility with associated base equipment, will not adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare, in that the surrounding area is composed of other similar industrial uses.

(k) The Property is served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.

(l) The wireless telecommunications facility and base equipment use is compatible with surrounding properties and uses because the surrounding area is composed of other similar commercial uses. The uses of the surrounding properties may change, but the character will remain industrial in nature consistent with the General Plan and zoning designations of the site.

(m) The proposed use will not be detrimental to the public health, safety or general welfare. Based upon the foregoing findings, the Planning Commission hereby approves CUP No. 15-13, subject to the conditions contained in Exhibit A.

**SECTION 5.** The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

**SECTION 6.** That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Industry at a regular meeting held on November 12, 2015 by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

---

Andria Welch  
Chairwoman

**ATTEST:**

---

Cecelia Dunlap  
Secretary





# CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

## EXHIBIT A

### Standard Requirements and Conditions of Approval

**Application:** Conditional Use Permit 15-13

**Applicant:** Verizon Wireless Inc.

**Location:** 14711 Clark Avenue

**Use:** Wireless Telecommunications Facility

### Conditions of Approval

*Conditions of approval are unique provisions, beyond the requirements of law, the municipal code, or standard practices that are applied to a project by the Planning Commission per Section 17.48.060 of the Zoning Code. Please note that if the design of your project or site conditions change, the conditions of approval may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. After the removal of the equipment within the public right of way, the public right of way shall be restored to have a proper sidewalk and driveway per the City of Industry standard plans. This may include but is not limited to the construction of a new curb and gutter including the asphalt paveout, a new sidewalk, and a driveway. Landscaping may also need to be restored and/or installed to match the new landscaping that is currently proposed by the City of Industry adjacent to the removals (City Project Number CITY-1422).

### Code Requirements and Standards

*The following is a list of code requirements and standards deemed applicable to the proposed project. The list is intended to assist the applicant by identifying requirements that must be satisfied during the various stages of project permitting, implementation, and operation. It should be noted that this list is in addition to any "conditions of approval" adopted by the Planning Commission and noted above. Please note that if the design of your project or site conditions change, the list may also change. If you have any questions regarding these requirements, please contact the City of Industry.*

1. The approval expires twelve (12) months after the date of approval by the Planning Commission if a building permit for each building and structure thereby approved has not been obtained within such period.
2. The applicant shall provide drainage and grading plans to be approved by the City Engineer prior to the issuance of a building permit. Such plans shall be in substantial conformity with the plans.
3. The applicant shall construct adequate fire protection facilities to the satisfaction of the Los Angeles County Fire Department.

4. All exterior surfaces of buildings and appurtenant structures shall be painted in accordance with the approved plan.
5. The applicant shall provide building plans to be approved prior to the issuance of a building permit. Such plans shall be in substantial conformity with the development plans. (Building plans shall be submitted to and approved by the Los Angeles County Engineer's Office - Building and Safety Division prior to the issuance of a building permit.)
6. No outside storage of any personal property, building materials, or other property not permanently affixed to the real property shall be allowed, unless approved by the Planning Director.
7. Any graffiti painted or marked upon the premises or any adjacent area under the control of the permittee shall be removed or painted over within 72 hours of being applied.
8. No changes to the approved plan shall be permitted without written permission from both the City of Industry.
9. The noise level created by the business shall not exceed the following at the property line of any adjacent or nearby residential land use, hospital, school in session, church or public library as measured by a sound level meter:
  - (a) 55 dBA between 7:00 a.m. - 10:00 p.m.  
50 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 30 minutes in any hour;
  - (b) 60 dBA between 7:00 a.m. - 10:00 p.m.  
55 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 15 minutes in any hour;
  - (c) 65 dBA between 7:00 a.m. - 10:00 p.m.  
60 dBA between 10:00 p.m. - 7:00 a.m.  
for a cumulative period of more than 5 minutes in any hour;
  - (d) 70 dBA between 7:00 a.m. - 10:00 p.m.  
65 dBA between 10:00 p.m. - 7:00 a.m.  
at any time.
10. Any violation of these conditions or any local, county, state or federal laws shall constitute grounds for revocation or suspension of the Conditional Use Permit.
11. Wireless telecommunication facilities may not generate radio frequency emissions or electromagnetic radiation in excess of applicable FCC standards or any other applicable regulations. All wireless telecommunication facilities must comply with all standards and regulations of the FCC, and any other state or federal government agency with the authority to regulate wireless telecommunications facilities.
12. The site and the wireless telecommunications facility, including all landscaping, security fencing, and related equipment must be maintained in a neat and clean manner and in accordance with all approved plans.
13. All graffiti on wireless telecommunication facilities must be removed at the sole expense of the

operator of the facility within forty-eight hours of notification.

14. A wireless telecommunications facility located in the public right-of-way may not unreasonably interfere with the use of any city property or the public right-of-way by the city, by the general public or by other persons authorized to use or be present in or upon the public right-of-way. Unreasonable interference includes disruption to vehicular or pedestrian traffic, and interference with any other city or public utilities.
15. If any FCC, CPUC or other required license or approval to provide telecommunications services is ever revoked, the operator must inform the planning director of the revocation within ten days of receiving notice of such revocation.
16. A wireless telecommunications facility and all equipment associated with the use must be removed in its entirety by the operator, at the operator's sole expense, within ninety days of a FCC or CPUC license or registration revocation or if the facility is abandoned or no longer needed. The site must be restored to its pre-installation condition and, where necessary, revegetated to blend in with the surrounding area. In the case of building mounted facilities, all antennas, equipment, screening devices, support structures, cable runs, and other appurtenant equipment must be removed and the building restored to its pre-installation condition. Restoration and revegetation must be completed within two months of removal of the facility. Facilities not removed within these time periods are subject to immediate removal and restoration of the premises. The city is not required to provide notice that removal is required under this section.
17. Prior to Planning Final, all outstanding fees and invoices due to the City shall be paid in full. If requested by City Staff, the applicant shall provide proof of payment.

### **Interpretation and Enforcement**

1. The Planning Department, Engineering Department, and contract agencies (Los Angeles County Fire Department, Los Angeles Department of Building and Safety) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval.
2. The Planning Director may interpret the implementation of each condition of approval and, with advanced notice, grant minor amendments to approved plans and/or conditions of approval based on changed circumstances, new information, and/or relevant factors as long as the spirit and intent of the approved condition of approval is satisfied. Permits shall not be issued until the proposed minor amendment has been reviewed and approved for conformance with the intent of the approved condition of approval. If the proposed changes are substantial in nature, an amendment to the original entitlement may be required pursuant to the provisions of Industry Municipal Code.

### **Indemnification and Hold Harmless Condition**

1. The owner of the property that 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 Industry and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City

Council and Planning concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.