



**PLANNING COMMISSION
PLANNING COMMISSION AGENDA**

Tuesday, September 20, 2022 at 7:00 p.m.

COUNCIL CHAMBERS AND/OR TELECONFERENCE

**DIAL-IN-NUMBER: 1(669) 900-6833
830 7654 1600**

[HTTPS://US02WEB.ZOOM.US/J/83076541600](https://us02web.zoom.us/j/83076541600)

Call To Order

Pledge of Allegiance

City Officials

CHAIRPERSON

Fabiola Inzunza

COMMISSIONERS

Jose Delgado

Ivy Duarte

Diego Sepulveda

VICE CHAIRPERSON

Roll Call

I. Report On Posting

I, Jose Montano, Acting Administrative Service Coordinator, certify that a true and correct copy of the foregoing meeting agenda was properly posted on September 15, 2022, seventy-two hours prior to the scheduled meeting, as required by law.

Meeting Compensation Disclosure

Pursuant to Government Code Section 54952.3: Disclosure of compensation for meeting attendance by the Planning Commission is \$125.00 per meeting.

Open Session Items

Item No. 1

The Planning Commission will consider approving the minutes for the Planning Commission meeting of August 16, 2022 & September 6, 2022.

Documents:

[Item No. 1 8.16.22 pdf](#)

[Item No. 1 9.20.22 pdf](#)

Item No. 2

The Planning Commission will conduct a public hearing for Conditional Use Permit No. 8 to allow a Type 20 Alcoholic Beverage Control license for Off-sale Beer and Wine at existing neighborhood market for the property located at 10365 California Avenue.

Documents:

[Item No. 2.pdf](#)

Item No. 3

The Planning Commission will conduct a public hearing for Conditional Use Permit No. 863. to install and operate an unmanned wireless telecommunications facility on an existing Southern California Edison lattice tower located at APN 6232-005-805 (Adjacent to property address 5911 Firestone Avenue).

Documents:

[Item No. 3.pdf](#)

Comments

At this time, members of the public and staff may address the City Planning Commission regarding any items within the subject matter jurisdiction of the Planning Commission. No action may be taken on items not listed on the agenda unless authorized by law.

AUDIENCE COMMENTS

CITY STAFF COMMENTS

PLANNING COMMISSION COMMENTS

Adjournment

In compliance with the American with Disabilities Act, if you need special assistance to participate in the Planning Commission Meetings, please contact Community Development Department.

Notification 48 hours prior to the City Council Meeting will enable the City to make reasonable arrangements to assure accessibility. Any final action of the Planning Commission, on this agenda, is appealable to the City Council upon filling the request with the City Clerk prior to 5:00pm on Monday, October 3, 2022.

Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 8650 California Avenue, South Gate, California 90280 (323) 563-9510 * fax (323) 563-5411 * www.cityofsouthgate.org.

**MINUTES OF THE REGULAR MEETING
OF THE SOUTH GATE CITY PLANNING COMMISSION
TUESDAY, AUGUST 16, 2022**

1. CALL TO ORDER

The Planning Commission of the City of South Gate met via teleconference on the above date at 7:00 PM
Chairperson Fabiola Inzunza presiding.

2. PLEDGE OF ALLEGIANCE – Commissioner Delgado**3. ROLL CALL**

Commissioners Present: Chairperson Fabiola Inzunza, Delgado, Duarte, and Sepulveda

Commissioners Absent:

Staff Present: Meredith Elguira, Director of Community Development
Yalini Siva, Senior Planner
Grace Hayashi, Planning Intern
Sandra Varela, Recording Secretary

4. REPORT ON POSTING AND MEETING COMPENSATION DISCLOSURE**5. MINUTES**

MOTION: Chairperson Inzunza moved to approve the minutes and Commissioner Sepúlveda seconded the motion. Motion carried unanimously, with the following roll call vote:

AYES: Inzunza, Delgado, Duarte, and Sepúlveda
NOES: None
ABSTAIN: None

6. THE PLANNING COMMISSION WILL REVIEW A REQUEST TO PAINT AN OUTDOOR MURAL AT 3420 FIRESTONE BOULEVARD.

Grace Hayashi, Planning Intern presented a staff report to the Planning Commission and there was a range of discussions amongst the Planning Commissioners and staff regarding Updating the Zoning Code.

MOTION: Vice Chairperson Inzunza moved to approve the mural at 3420 Firestone Boulevard and Commissioner Duarte seconded the motion. Motion carried unanimously, with the following roll call vote:

AYES: Inzunza, Delgado, Duarte, and Sepúlveda
NOES: None
ABSTAIN: None

7. THE PLANNING COMMISSION WILL REVIEW PREVIOUSLY APPROVED CONDITIONAL USE PERMITS FOR ALCOHOL SALES THROUGHOUT THE CITY

Yalini Siva, Senior Planner presented a staff report to the Planning Commission and there was a range of discussion amongst the Planning Commissioners and staff regarding the previously approved Conditional Use Permits for alcohol sales throughout the City.

This item has been received and filed

8. AUDIENCE COMMENTS

None

9. CITY STAFF COMMENTS

Meredith Elguira reminded the Commissioners of the upcoming Planning Commission training. Then, Ms. Elguira informed the Commissioners that at this time we currently cannot provide video recording of the Planning Commission meeting. Finally, the Commissioners were informed of the strategic planning meeting that occurred a few weeks ago. The highlight for the vision of the City is Communication, Internal and External, Work Force Development, Financial Sustainability, Economic Development, and Capital Improvements.

10. PLANNING COMMISSION COMMENTS

Chairperson Inzunza thanked Vice Chairperson De la Paz for his years of service on the Planning Commission.

11. ADJOURNMENT

The meeting was adjourned at 7:29 PM. The next regular meeting of the Planning Commission is scheduled to be held on Tuesday, September 6, 2022, beginning at 7:00 PM.

Respectfully,

Meredith T. Elguira, Director of Community Development

APPROVED:

Fabiola Inzunza, Chairperson

**MINUTES OF THE REGULAR MEETING
OF THE SOUTH GATE CITY PLANNING COMMISSION
TUESDAY, SEPTEMBER 6, 2022**

1. CALL TO ORDER

The Planning Commission of the City of South Gate met via teleconference on the above date at 7:00 PM Chairperson Fabiola Inzunza presiding.

2. PLEDGE OF ALLEGIANCE – The pledge of allegiance was not conducted

3. ROLL CALL

Commissioners Present: Chairperson Fabiola Inzunza and Duarte

Commissioners Absent: Commissioner Delgado and Sepulveda

Staff Present: Meredith Elguira, Director of Community Development
Yalini Siva, Senior Planner
Norma Hernandez, Assistant Planner

THE MEETING WAS CANCELLED DUE TO LACK OF QUORUM NO ITEMS WERE DISCUSSED

4. ADJOURNMENT

The meeting was adjourned at 7:03 PM. The next regular meeting of the Planning Commission is scheduled to be held on Tuesday, September 20, 2022, beginning at 7:00 PM.

Respectfully,

Meredith T. Elguira, Director of Community Development

APPROVED:

Fabiola Inzunza, Chairperson

City of South Gate

PLANNING COMMISSION

AGENDA BILL

For the Regular Meeting of: September 20, 2022

Assistant Planner: _____

Norma Hernandez

Community Development Director: _____

Meredith Elguira

SUBJECT: CONDITIONAL USE PERMIT NO. 862 TO PERMIT SALES UNDER A TYPE 20 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR OFF-SALE BEER AND WINE AT AN EXISTING NEIGHBORHOOD MARKET LOCATED AT 10365 CALIFORNIA AVENUE.

PURPOSE: To consider a request by San Juana Rubio ("Applicant") for Conditional Use Permit ("CUP") No. 862 to permit sales under a Type 20 Alcoholic Beverage Control ("ABC") license for off-sale beer and wine at an existing neighborhood market located at 10365 California Avenue.

RECOMMENDED ACTIONS:

- a. **CONDUCT** a public hearing;
- b. **ACCEPT** the Class 1 Categorical Exemption from the California Environmental Quality Act ("CEQA"), codified at Division 6 of Title 14 of the California Code of Regulations. A Class 1 (Existing Facilities) exemption under the CEQA Guidelines, at 14 CCR Section 15301, consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project qualifies under Class 1 Exemption since the proposed project does not consist of an expansion of an existing or former use;
- c. **ADOPT** the findings under Resolution No. 2022-14 (see Exhibit A), certifying a Class 1 Categorical Exemption from the California Environmental Quality Act ("CEQA"); and approve Conditional Use Permit No. 862, subject to the recommended conditions of approval (see Exhibit B); and
- d. **RECOMMEND** that the Planning Commission approve the issuance of a Type 20 Off-Sale Beer and Wine Alcoholic Beverage at an existing neighborhood market located at 10365 California Avenue.

PUBLIC NOTIFICATION: Advertising and notification of the public hearing for the application was conducted in compliance with Chapter 11.50.020, Title 11 of the South Gate Municipal Code. Notice of the hearing was originally posted and published in the "South Gate Press" newspaper and was mailed to surrounding properties on August 25, 2022.

ENVIRONMENTAL EVALUATION: This project is Categorically Exempt from CEQA under state regulations known as the "CEQA Guidelines" codified at Division 6 of Title 14 of the California Code of Regulations. The Class 1 (Existing Facilities) exemption under the CEQA

Guidelines, at 14 CCR Section 15301, consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project qualifies under Class 1 Exemption since the proposed project does not consist of an expansion of an existing or former use.

ANALYSIS: On September 6th, 2022, the Planning Commission conducted a Public Hearing regarding Conditional Use Permit No. 863. Due to a lack of quorum, the subject agenda item could not be heard, and the item was continued to Planning Commission meeting of September 20th, 2022.

Staff has completed a review of the subject application and determined that the proposed Conditional Use Permit No. 862 is in compliance with the City of South Gate's General Plan.

Project Overview

The subject property is zoned MS (Main Street) and is located on the northeast corner of California and Tenaya Avenues (see *Figure 1*). It is within a Corridor Overlay Zone, California (5 Sub Area) and is subject to the development and permit procedures of the City of South Gate's General Plan. The project proposal is to allow the off-sale of beer and wine at an existing neighborhood market.



Figure 1 – Aerial Map

Abutting Properties – Zoning Designation

Table 1 – Zoning Designation

Direction	Address	Zoning
Subject Property	10365 California Avenue	MS (Main Street)
North	10361 California Avenue	MS (Main Street)
South	3490 Tenaya Avenue	MS (Main Street)
West	3465 Tenaya Avenue	NL (Neighborhood Low)
East	10360 California Avenue	MS (Main Street)

Existing Neighborhood Market

The project site is currently developed with an approximately 1,619 square feet retail store, which is currently occupied by a neighborhood market, “Rubio’s Market.” City records show the following historical uses:

	Business Name
2018-Present	Rubio’s Market
1975-2017	Rocky’s Beer and Wine

Conditional Use Permit Findings

Conditional Use Permit No. 858 is a request to allow the off-sale of beer and wine. The findings are provided below:

1. *Approval of the CUP is consistent with and will not adversely affect the intent and purpose of this title or the city’s general plan.*

The subject property has a designated zoning of Main Street (“MS”) and sits on a Corridor Overlay Zone (5 Sub Area) and therefore must comply with the regulations set forth in the Zoning Code. Any alcohol sales permitted under the Alcoholic Beverage License Type 20, will be ancillary to an existing neighborhood market, which is already contributing to the economic growth of the City.

2. *The design and development of the land use and conditions of the CUP are compatible with the existing and future land uses of the applicable zone.*

Per section 11.21.030 Table 11.21-3: Allowed Land Uses, Urban Mixed Zones, a neighborhood market is a permitted use in areas (or properties) zoned MS. While the Zoning Code does have locational separation requirements (see section 11.42.060 of the ZC), sub letter C states that the five-hundred-foot separation requirement is not applicable to establishments such as mini-marts (“neighborhood markets”).

3. *Approval of the CUP would not result in detrimental impacts to adjacent properties or to the character or function of the neighborhood.*

Approval of the CUP would not result in detrimental impacts to adjacent properties or to the character or function of the neighborhood, as the project proposal does not constitute any changes in use or an intensification of use.

4. *The project proposal is exempt from CEQA under Class 1 Categorical Exemption.*

The proposed Conditional Use Permit is Categorically Exempt from the California Environmental Quality Act (CEQA) as a under Class 1(Existing Facilities) Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The project qualifies under Class 1 Exemption since the proposed project does not consist of an expansion of an existing or former use.

ABC Review

Alcohol sales will be in accordance with the provisions of a Type 20 (Off-Sale Beer and Wine) alcohol license as issued by the California Department of Alcoholic Beverage Control (ABC). The neighborhood market is located within Census Tract No. 5358.02. Based on the records obtained on the Alcoholic Beverage License website, this census tract does not have an “undue concentration” of licenses already issued by the ABC, as that term is defined by *Business and Professions Code* Section 23958.4(a)(2), which sets a ratio for the maximum amount of recommended licensed premises (see *Figure 2*). Under the formula set forth by that statute, a maximum of four (4) on-sale licensed premises are recommended in this census tract, with any additional licenses constituting an undue concentration. Currently, the census tract holds one (see *Figure 3*).

Map of On-Sale Alcohol License within Census Tract No. 5358.02



Figure 2

<i>License Number</i>	<i>Status</i>	<i>License type</i>	<i>Premises Address</i>	<i>Business Name</i>
545240	Active	20	10400 California Avenue	Han's Market

Figure 3

Permit Process and Police Department Review

Table 4-2: *Allowed Land Uses* in the land-use type. The additional use regulation is Section 11.42 of the South Gate Municipal Code, which requires a Conditional Use Permit for the sale of alcoholic beverages from a commercial establishment. As such, the applicant has submitted an application for the proposed alcohol license at an existing neighborhood market. As part of the review process, the application was submitted to the Police Department for comments and no issues of concern were identified by the department regarding this application.

Applicant:

San Juana Rubio
10365 California Avenue
South Gate, CA. 90280

Property Owner:

Miwa A. Arai
19791 Quiet Lane
Huntington Beach, CA. 92648

Property Address:

10365 California Avenue
South Gate, CA 90280

Site Features:

Lot size: 3, 065 square feet

Assessor's Parcel No.

6208-022-045

Zoning Designation:

Main Street ("MS")

General Plan Designation:

Corridor Overlay Zone (5 Sub Area)

Surrounding Land Uses:

North: Main Street (MS)
South: Main Street (MS)
East: NL (Neighborhood Low)
West: Main Street (MS)

EXHIBITS:

- A. Resolution No. 2022-14
- B. Conditions of Approval
- C. Site Plan
- D. Floor Plan
- E. Elevation
- F. Notice of Exemption
- G. License Report
- H. Notice of Public Hearing

RESOLUTION NO. 2022-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, CALIFORNIA CERTIFYING A CLASS 1 CEQA EXEMPTION AND APPROVING CONDITIONAL USE PERMIT NO. 862 FOR OFF SALES UNDER AN ALCOHOL BEVERAGE LICENSE, TYPE 20, AT AN EXISTING NEIGHBORHOOD MARKET LOCATED AT 10365 CALIFORNIA AVENUE.

WHEREAS, on May 31, 2022 the Department of Community Development received an application from San Juana Rubio (“**Applicant**”) for Conditional Use Permit No. 862 to allow sales under a Type 20 (Off-Sale Beer and Wine) alcohol license, in conjunction with the operation of a neighborhood market, located at 10365 California Avenue; and

WHEREAS, the Planning Commission upon giving the required notice did, on the twentieth day of September, 2022, conduct a duly advertised public hearing as required by law to consider the approval of said Conditional Use Permit. Notice of the hearing was originally posted and published in the “The Wave” newspaper and mailed to the surrounding properties on August 25, 2022; and

WHEREAS, studies and investigations were made and a report with recommendations was submitted; and

WHEREAS, the Planning Commission determined that the facts of this matter are as follows:

1. The property is located on the northwest corner of California and Tenaya Avenue.
2. The Zoning designation for the property is Main Street and the General Plan designation is Corridor Overlay Zone, California (5 Sub Area).
3. The existing neighborhood market is proposing to offer a limited selection of craft beers and wine to be sold and consumed off-site.
4. The market will operate Monday through Sunday from 8:00 am to 11:00 pm and is proposing alcohol sales from opening until closing time. The business owner is the only employee on the premises.

WHEREAS, the City Planning Commission made the following findings:

1. *Approval of the CUP is consistent with and will not adversely affect the intent and purpose of this title or the city’s general plan.*

The subject property has a designated zoning of Main Street (“MS”) and is within the Corridor Overlay Zone (5 Sub Area), pursuant to the General Plan and therefore must comply with the regulations set forth in the Zoning Code. Any alcohol sales permitted under the Alcoholic Beverage License Type 20, will be ancillary to an existing neighborhood market, which is already contributing to the economic growth of the City.

2. *The design and development of the land use and conditions of the CUP are compatible with the existing and future land uses of the applicable zone.*

Per SGM Section 11.21.030, *Table 11.21-3: Allowed Land Uses, Urban Mixed Zones*, a neighborhood market is a permitted use in areas (or properties) zoned MS (Main Street). While the code does have locational separation requirements (see SGM Section 11.42.060), sub letter C states that the five-hundred-foot separation requirement is not applicable to establishments such as mini-marts (“neighborhood markets”).

3. *Approval of the CUP would not result in detrimental impacts to adjacent properties or to the character or function of the neighborhood.*

Approval of the CUP would not result in detrimental impacts to adjacent properties or to the character or function of the neighborhood, as the project proposal does not constitute any changes in use or an intensification of use.

4. *The project proposal is exempt from CEQA under Class 1 Categorical Exemption.*

The proposed Conditional Use Permit is Categorically Exempt from the California Environmental Quality Act (CEQA) as a under Class 1(Existing Facilities) Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of South Gate, pursuant to the facts, noted above, does hereby approve Conditional Use Permit No. 862 to allow the off-sale consumption of beer and wine (Type 20 alcohol license) at an existing neighborhood market, subject to the conditions of approval contained in **Exhibit B**.

This recommendation was adopted by the following vote at the Planning Commission meeting of September 20, 2022.

AYES:

NOES:

ABSENT:

APPROVED and ADOPTED this twentieth day of September 2022.

Meredith Elguira
Secretary
City Planning Commission

APPROVED:

Fabiola Inzunza
Chairperson
City Planning Commission

**CUP NO. 862 - CONDITIONS OF APPROVAL
10365 CALIFORNIA AVENUE**

Mandatory Conditions:

1. No alcoholic beverages, including beer and wine, shall be sold from the premises for on-site consumption.
2. No alcohol sales displays shall be permitted that are visible from the public street or parking lot.
3. Employees selling alcoholic beverages shall be of an age consistent with Section 25663 of the California Business and Professions Code.

Standard Conditions of Approval:

4. The validity of the CUP shall be conditioned on compliance with all state regulations and conditions.
5. The premises shall be maintained at all times in a neat and orderly manner.
6. Trash receptacles shall be provided in such number and at such locations as specified by the Community Development Department.
7. All alcoholic beverages sales shall be conducted completely within an enclosed building for off-site consumption.
8. Building and site design and maintenance shall be consistent with the standards of the immediate neighborhood so as not to cause blight or deterioration, or to substantially diminish or impair property values within the neighborhood.
9. The owner/operator or lessee shall be responsible for the conduct of all employees, including their education concerning Alcoholic Beverage Control regulations and provisions of the South Gate Municipal Code pertaining to sales of alcohol (e.g., verification of age of purchaser).
10. The permittee shall acknowledge that the city has specifically reserved the right and authority to impose sanctions, including suspension or revocation of the CUP, as a consequence of one or more violations of a state statute, rule, or regulation concerning the sale to or consumption of alcoholic beverages by a minor.
11. The permit shall be subject to compliance review of the property and CUP conditions at planning-commission-established intervals; the first compliance review shall occur within six months of permit issuance or actuation.
12. Adequate refrigeration shall be maintained at all times for the preservation of any food on the permittee's premises.
13. The permit shall, after notice to the permittee and an opportunity to be heard, be subject to additional conditions to maintain or remedy land use compatibility, security, or crime control issues that have arisen since the issuance of the permit.

Planning Conditions:

14. Windows shall maintain visibility. Signs placed or displayed on a window or window frame, covering less than twenty-five percent of the window area, announcing special sales, a change of management or similar information, and designed to be viewed from adjacent streets, sidewalks, public rights-of-way, or parking lots within a business center.

- a. Size. Such window signs in the aggregate shall cover less than twenty-five percent of the window area.
 - b. Height. Bottom of sign must be placed a minimum of forty-two inches above the sidewalk.
 - c. Location. In all commercial and industrial zones.
 - d. Limitations. Shall be dated with the date the sign is first displayed; and placed on the interior and be temporary (not to exceed thirty days) signs which are to be removed two days following the event they were intended for, and shall be nonilluminated signs. Total area of all window signs, both permanent and temporary, shall not exceed one-half of the window area.
- 15. Applicant shall provide proper lighting all around building.
 - 16. The use of security bars in the outside of any building entrance or window shall not be permitted.
 - 17. A tree shall be planted in accordance with the City's Master Tree Plan and the location and type shall be approved by the Community Development Director and the Public Works Department.

Building & Safety Conditions:

- 18. Obtain sign permit for unpermitted illuminated channel letter sign at east and south walls.
- 19. Remove all peeling paint and repaint exterior south wall.
- 20. Obtain electrical permit for unpermitted exterior light fixtures along the south wall.
- 21. Repair or replace dilapidated wrought iron fence along south property line.
- 22. Remove all debris or unused items from the exterior rear westside of building.

Public Works:

No conditions.

Code Enforcement:

No conditions.

Police Department:

- 23. Applicant shall follow all ABC laws, penal code laws, and City ordinance regarding the sales of alcohol.

Additional Conditions:

- 24. Within thirty (30) days after issuance of the permit, the permittee shall certify his/her acceptance of the conditions placed on the approval by signing a notarized Affidavit of Acceptance stating that he/she accepts and shall be bound by all of the conditions.
- 25. The permittee shall defend, hold harmless and indemnify the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul any approval by the City concerning the Project. The City shall promptly notify the permittee of any filed claim, action or

proceeding and shall cooperate fully in the defense of the action.

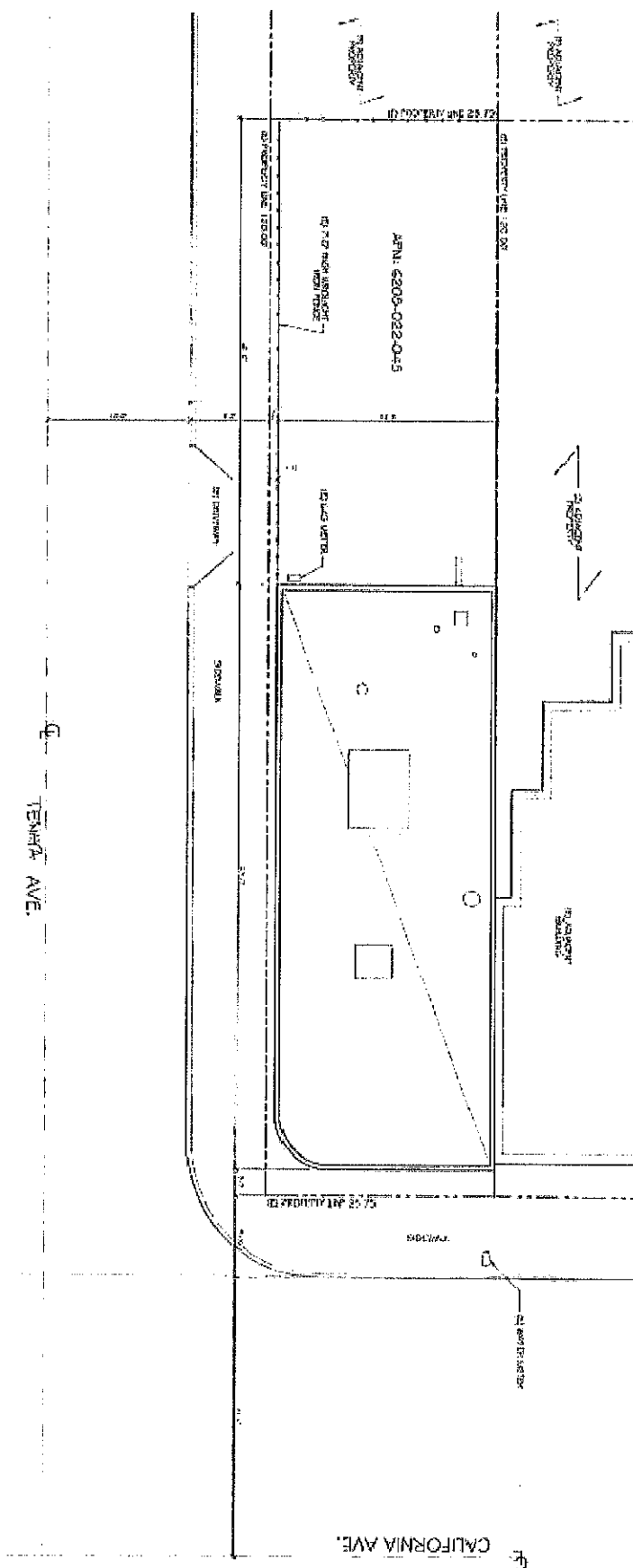
26. Violation of, or noncompliance with, any of these conditions shall constitute grounds for revocation of this permit.
27. Permittee shall agree to maintain (and/or cause its landlord to maintain, if the permittee is a tenant) the property and all related on-site improvements and landscaping thereon, including without limitation, buildings, parking areas, lighting, signs, and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all Federal, State, County and local bodies and agencies having jurisdiction, at permittee's sole cost and expense. Such maintenance and repair shall include, but not be limited to the following: (i) sweeping and the removal of trash and debris as soon as possible but at least within 24 hours; (ii) the care of all shrubbery, plantings and other landscaping in a healthy condition and replacement of diseased or dead plant material with new material at an age similar to the material being replaced; (iii) maintenance of all irrigation systems in properly operating condition; (iv) the removal of graffiti within 24 hours, with or without notice from the City; and (v) the repair, replacement and restriping of asphalt or concrete paving using the same type of material originally installed, to the end that such paving at all times be kept in a level and smooth condition.
28. The permittee shall comply with all state statutes, rules and regulations relating to the sale, purchase, display, possession and consumption of alcoholic beverages.
29. The permittee shall acknowledge and agree that the City has a legitimate and compelling governmental interest in the permittee's strict compliance with all conditions imposed upon the permit, including adherence to state status, rules and regulations as specified in this section. The permittee shall further acknowledge and agree that any violation of a state statute, rule or regulation concerning the sale to or consumption of alcoholic beverages by a minor has been determined by the city to have a deleterious secondary effect upon (i) the specific land use requested by the permittee and authorized by the city; (ii) the compatibility or permittee's authorized land use with adjacent land uses; and (iii) the welfare and safety of the general public within the city. In view of such deleterious secondary effects, permittee shall acknowledge that the city has specifically reserved the right and authority to impose sanctions, including suspension or revocation of the conditional use permit, as a consequence of one or more violations of a state statute, rule or regulation concerning the sale to or consumption of alcoholic beverages by a minor.
30. Any violation by permittee of any condition of this permit, or of any ordinance or statute concerning sale of alcoholic beverages to a minor or otherwise may result in the suspension or revocation of the permit at the discretion of the Planning Commission, or, on appeal, the City Council. The permit may be revoked and reissued with new or modified conditions, as may appropriate under the circumstances.
31. Reimbursement to the City for all costs and expenses reasonably incurred in investigating, identifying, and documenting the violation, and in processing information concerning the violation, may be imposed as a condition of the continuation, reinstatement, or reissuance of any permit.
32. For the duration of any suspension of an alcohol-related CUP, the Planning Commission,

or, upon any appeal, the City Council, may direct the permittee to post a sign on the premises of the establishment relating to such suspension. The size, content, and location of such sign shall be as specified by the Director of Community Development.

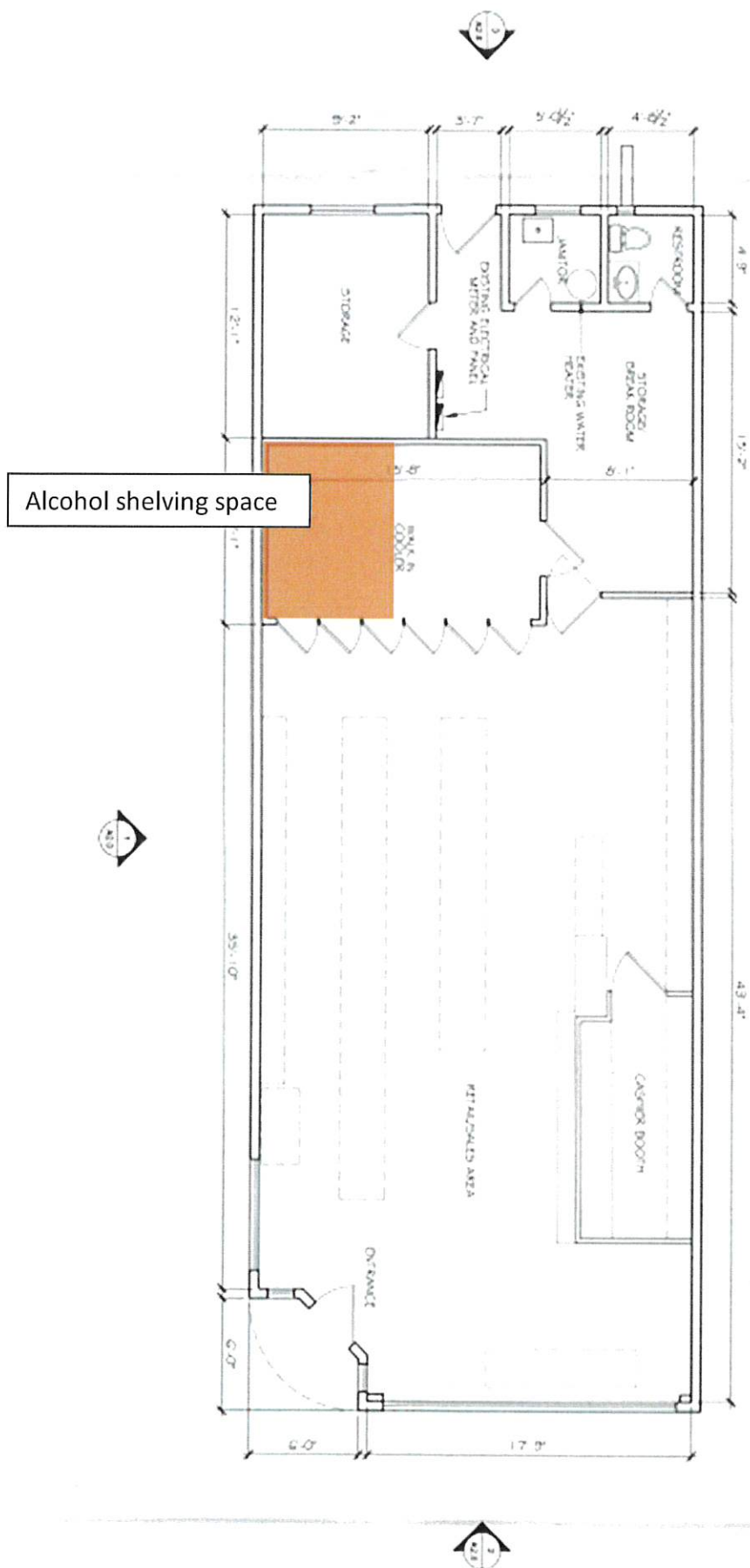
33. A public hearing consistent with Chapter 11.50 (Administration) shall be held for the consideration of a permit revocation. A permit or any associated conditions may be revoked or modified by the Planning Commission subject to any of the following grounds:
 - a. The permit or approval was obtained by fraud.
 - b. The property is not being use for the purpose which is the subject of the permit.
 - c. The use for which the approval was granted has ceased or has been suspended for 1 year or more.
 - d. The permit or conditions of the approval have been violated; exercised contrary to the terms of approval; or in violation of any statute, ordinance, law or regulation.
 - e. The use for which the approval was granted was exercised in a manner detrimental to the public health or safety, or as to constitute a public nuisance.
34. Any approval or permit granted by the City becomes null and void if the property is not being used for the approved or permitted purpose within one year from the date the approval or permits was issued, consistent with the provisions identified within Section 11.55 Nonconforming Uses and Buildings.
35. If the application or any conditions of the CUP violate the Zoning Code or do not fulfill the intent of the Code, the Planning Commission shall, following a public hearing, be authorized to take the following actions:
 - a. Revoke the CUP, revoke and reissue the CUP with new or modified conditions, or modify the conditions of the existing CUP as may be appropriate under the circumstances.
 - b. Impose, as a condition of the continuation, reinstatement, or reissuance of the CUP, a requirement that the permittee reimburse the City for all costs and expenses reasonably incurred in investigating, identifying, and documenting the violation, and in processing information concerning the violation for presentation to the Planning Commission, and, upon any appeal, to the City Council.
 - c. A CUP shall be revocable if the exercises of rights granted by the CUP are discontinued for 6 consecutive months. The use subject to the CUP may not be resumed of the CUP is revoked; a new CUP, including processing and public notification, shall be required.
36. If the conditions of this CUP issued are violated by the permittee, or by anyone acting under the authority of the permittee, the planning commission shall, in accordance with the procedures and noticing requirements set forth in Chapter 11.51, Permits and Procedures, be authorized to take the following actions:
 - a. First violation: a 15-day permit suspension.

- b. Second violation occurring within 3 years of the first violation: 60-day permit suspension.
- c. Third violation occurring within 3 years of the second violation: the permit shall be revoked.

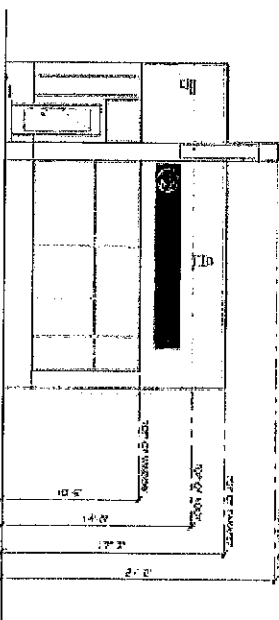
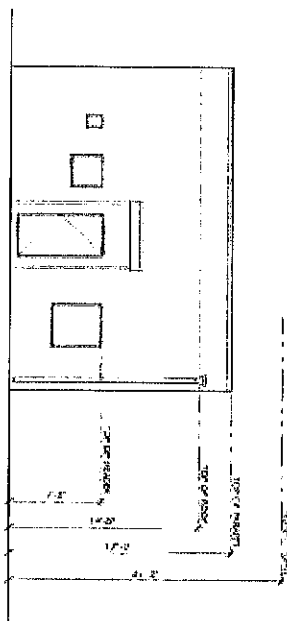
SITE PLAN



FLOOR PLAN



ELEVATIONS



(E) WEST ELEVATION

1/16" SCALE 1/8" = 1'-0"

24x36 SCALE 1/8" = 1'-0"

3

(E) EAST ELEVATION

1/16" SCALE 1/8" = 1'-0"

24x36 SCALE 1/8" = 1'-0"

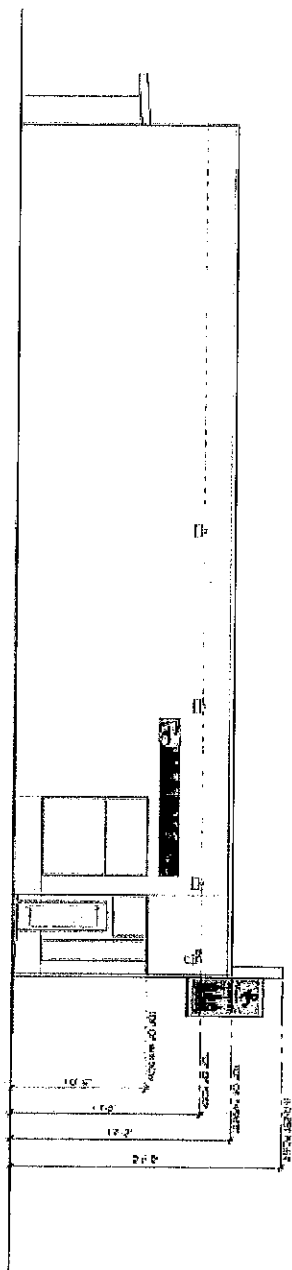
2

(E) SOUTH ELEVATION

1/16" SCALE 1/8" = 1'-0"

24x36 SCALE 1/8" = 1'-0"

1



NOTICE OF EXEMPTION

TO: County Clerk/Registrar-Recorder
County of Los Angeles
Environmental Filings
12400 E. Imperial Hwy
Norwalk, CA 90650

FROM: Planning Department
City of South Gate
8650 California Avenue
South Gate, CA 90280-3075

Project Title and Location (including county):

Conditional Use Permit No. 862
10365 California Avenue, South Gate, Los Angeles, CA 90280

Project Description:

Conditional Use Permit No. 862 is a request to operate a Type-20 (Off-Sale Beer and Wine) alcohol license at an existing neighborhood market.

Name of Public Agency Approving Project:

City of South Gate - Community Development Department

Name of Person/Agency Carrying Out Project:

Norma Hernandez – Assistant Planner

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));
- ☐ Emergency Project (Sec. 21080 (b) (4); 15269(b) (c));
- ☒ Categorical Exemption: Section: 15301 Class: 1
- ☐ Statutory Exemption: Section: _____ Class: _____

Reasons why project is exempt:

This project is Categorically Exempt under Class 1 Existing Facilities Section 15301 of the California Environmental Quality Act. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Lead Agency Contact Person and Phone Number:

Norma Hernandez, Assistant Planner
323-563-9514
nhernandez@sogate.org

Prepared and filed by the South Gate Community Development Department by:


Signature

Norma Hernandez, Assistant Planner
Printed Name and Title

8/18/2022
Date

License Report

Having trouble viewing the report?

Results for: Active Off-Sale Retail License

County: LOS ANGELES County

Census Tract: 5358.02

Report Date: Wednesday, August 17, 2022

Search:

License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Premises Addr.	Business Name	Geo Code
545240	ACTIVE	20	09/12/2014	08/31/2023	KIBUM CORP	10400 CALIFORNIA AVE, SOUTH GATE, CA 90280-6508 Census Tract: 5358.02	HAN'S MARKET	1956

Showing 1 to 1 of 1 entries

Previous **1** Next

**NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
OF THE CITY OF SOUTH GATE, CALIFORNIA**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of South Gate will hold a Public Hearing at **7:00 PM on Tuesday, September 6, 2022**, in the Council Chamber at South Gate City Hall, 8650 California Avenue, South Gate, California or Members of the public wishing to observe the meeting may join through a Call-In Conference. For the updated Dial-In Number and Conference Code for the September 6, 2022, Planning Commission meeting please visit the City's website at www.cityofsouthgate.org/AgendaCenter regarding the following items:

1. Conditional Use Permit No. 862: To consider a recommendation to the Planning Commission the adoption of the proposed Conditional Use Permit No. 862, which is a request by to allow the issuance of a California Department of Alcoholic Beverage Control (ABC) Type 20 Off-Sale Beer and Wine license at an existing neighborhood market located at 10365 California Avenue. The project qualifies under Class 1 Exemption because the proposed project does not consist of an expansion of an existing or former use.
2. Conditional Use Permit No. 863: To consider a recommendation to the Planning Commission the approval of Conditional Use Permit No. 863 to install and operate an unmanned Wireless Telecommunications Facility ("WTF") on an existing Southern California Edison lattice tower located at 5911 Firestone Boulevard. The project qualifies under Class 3 Exemption because the project proposal consists of the installation of a new wireless telecommunications facility at an existing Southern California Edison lattice tower.

Pursuant to Government Code Section 65009, if you challenge the items listed above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

THE PLANNING COMMISSION

Fabiola Inzunza, Chairperson

Phone: 323.563.9514
E-mail: Norma Hernandez, Assistant Planner
nhernandez@sogate.org

Posted: August 25, 2022
South Gate City Hall

Información en español acerca de esta junta puede ser obtenida llamando al 323-563-9514.

City of South Gate

PLANNING COMMISSION

AGENDA BILL

For the Regular Meeting of: September 20, 2022

Assistant Planner: _____


Norma Hernandez

Community Development Director: _____


Meredith Elguera

SUBJECT: CONDITIONAL USE PERMIT NO. 863 IS A REQUEST TO INSTALL AND OPERATE AN UNMANNED WIRELESS TELECOMMUNICATIONS FACILITY ON AN EXISTING SOUTHERN CALIFORNIA EDISON LATTICE TOWER LOCATED AT APN 6232-005-805 (ADJACENT TO PROPERTY ADDRESS 5911 FIRESTONE AVENUE).

PURPOSE: To consider a request to install a new wireless communications facility on an existing Southern California Edison lattice tower located at Assessor's Parcel Number 6232-005-805 (adjacent to property address 5911 Firestone Boulevard).

RECOMMENDED ACTIONS:

- a. **CONDUCT** a public hearing;
- b. **ACCEPT** the Class 3 Categorical Exemption from the California Environmental Quality Act ("CEQA"), codified at Division 6 of Title 14 of the California Code of Regulations. A Class 3 Categorical Exemption consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.
- c. **ADOPT** the findings under Resolution No. 2022-15 (see Exhibit A), certifying a Class 3 Categorical Exemption from the California Environmental Quality Act ("CEQA"); and approve Conditional Use Permit No. 863, subject to the recommended conditions of approval (see Exhibit B).
- d. **RECOMMEND** that the Planning Commission approve the installation of a new wireless communications facility on an existing Southern California Edison lattice tower.

PUBLIC NOTIFICATION: Advertising and notification of the public hearing for the application was conducted in compliance with Chapter 11.50.020, Title 11 of the South Gate Municipal Code. Notice of the hearing was originally posted and published in the "South Gate Press" newspaper and was mailed to surrounding properties on August 25, 2022.

ENVIRONMENTAL EVALUATION: This project is Categorically Exempt from CEQA under state regulations known as the "CEQA Guidelines" codified at Division 6 of Title 14 of the California Code of Regulations. The Class 3 Exemption under the CEQA Guidelines, at 14 CCR Section 15303, consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in

the exterior of the structure. The project proposal is to install a small wireless communications facility on an existing Southern California Edison lattice tower.

ANALYSIS: On September 6th, 2022, the Planning Commission conducted a Public Hearing regarding Conditional Use Permit No. 863. Due to a lack of quorum, the subject agenda item could not be heard, and the item was continued to Planning Commission meeting of September 20th, 2022.

Staff has completed a review of the subject application and determined that the proposed Conditional Use Permit No. 863 is in compliance with the City of South Gate's General Plan.

Project Overview

The subject property is zoned RC (Regional Commercial) and is located on Firestone Boulevard, between the Rio Hondo Bikeway and the City's boundary (see *Figure 1*). It is within a Corridor Overlay Zone, El Paseo/ South Gate Towne Center (3 Sub Area) and is subject to the development and permit procedures of the City of South Gate's General Plan.

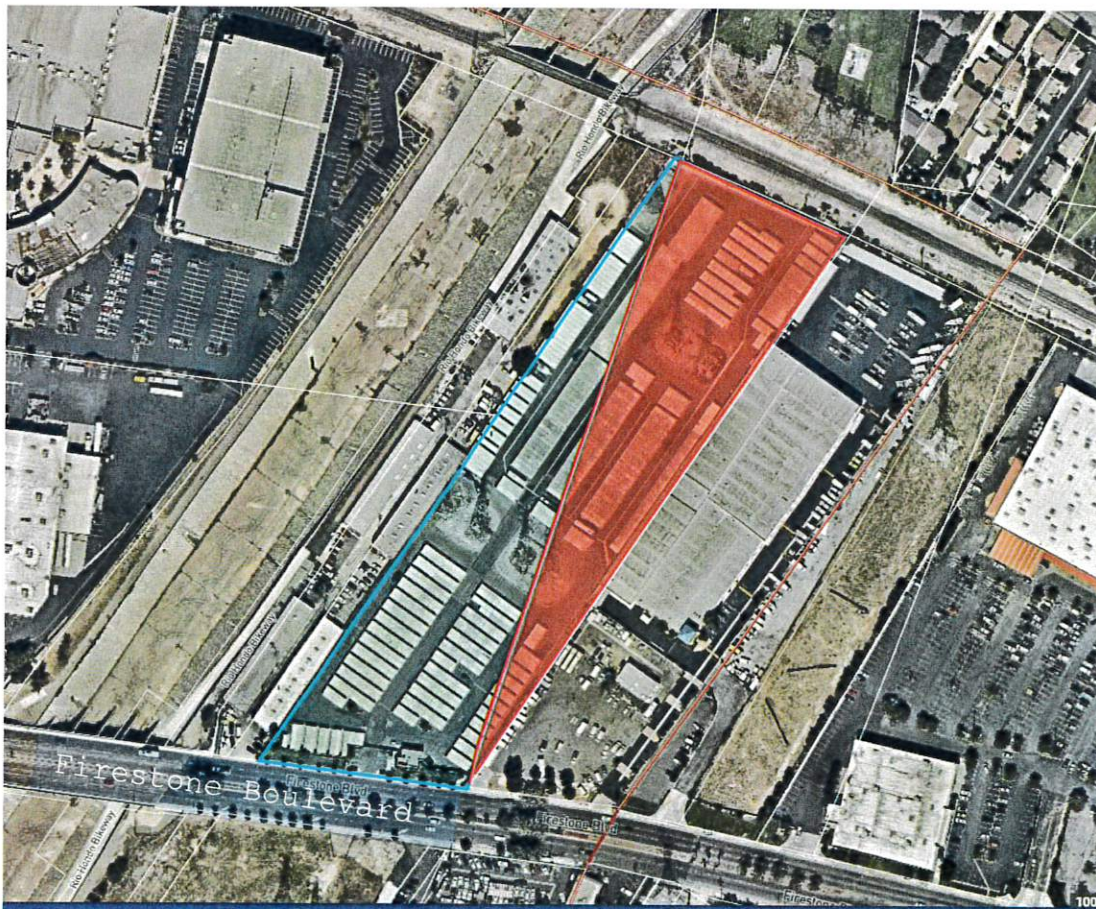


Figure 1 – Aerial Map

Abutting Properties – Zoning Designation

Table 1 – Zoning Designation

Direction	Address	Zoning
North	Outside of City limits	

South	APN No. 6232-007-802	M3 (Heavy Manufacturing)
West	APN No. 6232-007-034	RC (Regional Commercial)
East	5951 Firestone Boulevard	M3 (Heavy Manufacturing)

Background

The project site is currently developed with an approximately 101,449 square foot self-storage facility and 981 square foot office, which is currently occupied by Nova Storage. City records show the following historical businesses:

	Business Name
Current	Nova Storage
2001	Storage Outlet
1995	Techno-Landscape Company
1991	Santa's Forest
1972	Santa's Forest Christmas Tree Farm

The project consists of the installation of a "small-cell wireless" (as defined by the Federal Communications Commission) communication's facility on an existing Southern California Edison lattice tower. The proposal is to install six antennas, six RRU's (Remote Radio Unit), three surge suppressors, one GPS (Global Positioning System), and one cabinet with? ancillary equipment.

Conditional Use Permit Findings

Conditional Use Permit No. 858 is a request by Patrick Griffin ("Applicant"), to allow the off-sale of beer and wine. The findings are provided below:

1. *Approval of the CUP is consistent with and will not adversely affect the intent and purpose of this title or the city's general plan.*

The subject property has a designated zoning of Regional Commercial ("RC") and sits on a Corridor Overlay Zone, El Paseo/South Gate Towne Center (3 Sub Area), per the General Plan, and therefore must comply with the regulations set forth in the Zoning code and policies of the General Plan.

2. *The design and development of the land use and conditions of the CUP are compatible with the existing and future land uses of the applicable zone.*

Per SGMC Section 11.21.030 Table 11.21-4: Commercial Industrial Zones Allowed Land Uses, an antenna/communication facility ("wireless communication facility") type of use requires a Conditional Use Permit. The project proposal is to install a wireless facility on an existing Southern California Edison lattice tower.

3. *Approval of the CUP would not result in detrimental impacts to adjacent properties or to*

the character or function of the neighborhood.

Approval of the CUP would not result in detrimental impacts to adjacent properties or to the character or function of the neighborhood, as the project proposal does not constitute any changes in use or an intensification of use.

4. *The project proposal is exempt from CEQA under Class 3 Categorical Exemption.*

The proposed Conditional Use Permit is Categorically Exempt from the California Environmental Quality Act (CEQA) as a under Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

Applicant:

Patrick Griffin
12780 Newhope Street
Fountain Valley, CA. 92780

Property Owner:

Southern California Edison
2 Innovation Way, First Floor
Pomona, CA. 91768

Site Features:

Lot size: 3.57 acres

Property Address:

APN 6232-005-805 adjacent to property
address 5911 Firestone Boulevard

Assessor's Parcel No.

6232-005-805

Zoning Designation:

Regional Commercial ("RC")

General Plan Designation:

Corridor Overlay Zone, El Paseo/South Gate
Towne Center (3 Sub Area)

Surrounding Land Uses:

North: Outside of City limits

South: M3 (Heavy Manufacturing)

East: M3 (Heavy Manufacturing)

West: RC (Regional Commercial)

EXHIBITS:

- A. Resolution Number 2022-15
- B. Conditions of Approval
- C. Site Plan
- D. Layout Plan
- E. Elevations

RESOLUTION NO. 2022-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, CALIFORNIA CERTIFYING A CLASS 3 CEQA EXEMPTION AND APPROVING CONDITIONAL USE PERMIT NO. 863 FOR THE INSTALLATION OF A NEW SMALL-CELL WIRELESS FACILITY ON AN EXISTING SOUTHERN CALIFORNIA EDISON LATTICE TOWER LOCATED AT APN 6232005805 (ADJACENT TO PROPERTY ADDRESS 5911 FIRESTONE BOULEVARD)

WHEREAS, on April 7, 2022 the Department of Community Development received an application from Patrick Griffin (“**Applicant**”) for Conditional Use Permit No. 863 to the installation of unmanned new small wireless communications facility at Assessor’s Parcel Number (“APN”) 6232-005-805 adjacent to address 5911 Firestone Boulevard;

WHEREAS, the Planning Commission upon giving the required notice did, on the twentieth day of September, 2022, conduct a duly advertised public hearing as required by law to consider the approval of said Conditional Use Permit. Notice of the hearing was originally posted and published in the “South Gate Press” newspaper and mailed to the surrounding properties on August 25, 2022; and

WHEREAS, studies and investigations were made and a report with recommendations was submitted; and

WHEREAS, the Planning Commission determined that the facts of this matter are as follows:

1. The property is located on Firestone Boulevard between the Rio Hondo Bikeway and the City’s north boundary.
2. The Zoning designation for the property is Regional Commercial and the General Plan designation is Corridor Overlay Zone, El Paseo/South Gate Towne Center (3 Sub Area).
3. The project proposal is to install and operate an unmanned wireless communications facility on an existing Southern California Edison lattice tower.

WHEREAS, the City Planning Commission made the following findings:

1. *Approval of the CUP is consistent with and will not adversely affect the intent and purpose of this title or the city’s general plan.*

The subject property has a designated zoning of Regional Commercial (“RC”) and sits on a Corridor Overlay Zone, El Paseo/South Gate Towne Center (3 Sub Area) and therefore must comply with the regulations set forth in the Zoning code.

2. *The design and development of the land use and conditions of the CUP are compatible with the existing and future land uses of the applicable zone.*

Per SGMCA Section 11.21.030 Table 11.21-4: Commercial Industrial Zones Allowed Land Uses, an antenna/communication facility (“wireless communication facility”) type of use

that could be permitted via a Conditional Use Permit. The project proposal is to install a wireless facility on an existing Southern California Edison lattice tower.

3. *Approval of the CUP would not result in detrimental impacts to adjacent properties or to the character or function of the neighborhood.*

Approval of the CUP would not result in detrimental impacts to adjacent properties or to the character or function of the neighborhood, as the project proposal does not constitute any changes in use or an intensification of use.

4. *The project proposal is exempt from CEQA under Class 3 Categorical Exemption.*

The proposed Conditional Use Permit is Categorically Exempt from the California Environmental Quality Act (CEQA) as a under Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of South Gate, pursuant to the facts, noted above, does hereby approve Conditional Use Permit No. 863 to allow the installation of a new wireless facility on an existing SCE lattice tower subject to the conditions of approval contained in **Exhibit B**.

This recommendation was adopted by the following vote at the Planning Commission meeting of September 20, 2022.

AYES:

NOES:

ABSENT:

APPROVED and ADOPTED this twentieth day of September, 2022.

Meredith Elguira
Secretary
City Planning Commission

APPROVED:

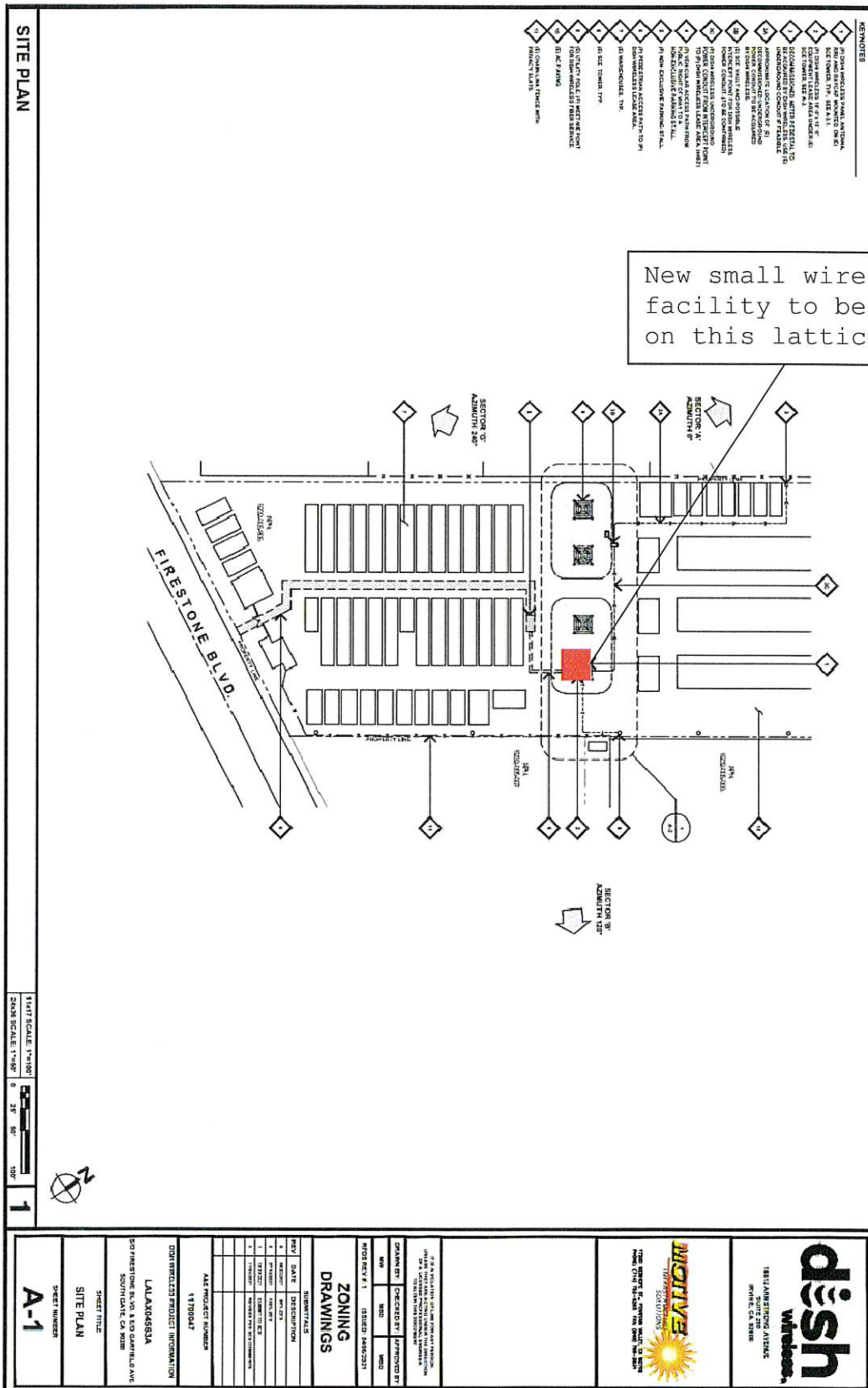
Fabiola Inzunza
Chairperson
City Planning Commission

**CUP NO. 863 - CONDITIONS OF APPROVAL
APN 6232005805**

Planning Conditions:

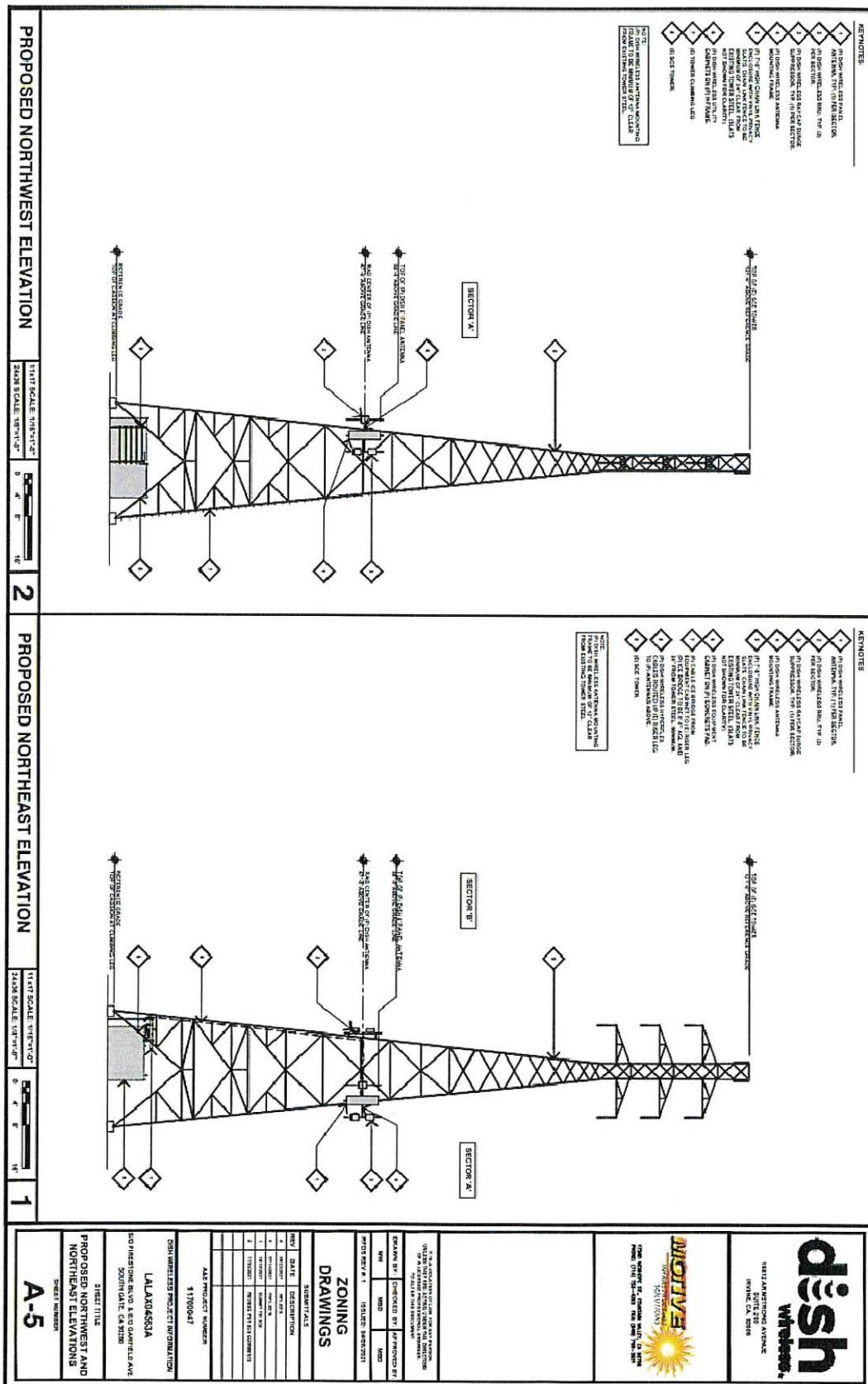
1. Permittee shall ensure that the proposed project meets all FCC emissions guidelines.
2. Project plans shall contain a licensed engineer stamp.
3. All elements of the project shall be included within the materials submitted.
4. Permittee shall ensure that the equipment shelter, associated with this wireless site, is always properly locked except when there is active maintenance.
5. Permittee shall ensure that all required radio frequency signage be installed and maintained at all times in good condition adjacent to the base of the SCE towers near the climbing leg space.
6. Permittee shall ensure that all federally required radio frequency signage be installed and maintained at all times in good condition. All such radio frequency signage be constructed of hard materials and be UV stabilized. All radio frequency signage must comply with the sign colors, sign sizes, sign symbols, and sign panel layouts in conformance with the most current versions of ANSI Z535.1, ANSI Z535.2, and ANSI C95.2 standards. All such radio frequency signage, or additional signage immediately adjacent to the radio frequency signage, shall provide a working local or toll-free telephone number to its network operations center that reaches a live person who can exert transmitter power-down control over this site as required by the FCC.
7. In the event that the FCC changes any of radio frequency signage requirements that are applicable to the project site approved herein or ANSI Z535.1, ANSI Z535.2, and ANSI C95.2 standards that are applicable to the project site approved herein are changed, Permittee, within 30 days of each such change, at its own cost and expense, shall replace the signage at the project site to comply with the then current standards.
8. All WCFs be designed to minimize the visual impact to the surrounding area to the maximum extent feasible.
9. An exterior cable chase and/or dog house may be permitted in areas where the visual impact would not be significant to the surrounding properties.
10. Where permitted, the materials and paint color of the cable chase and dog house shall be compatible with the proposed structure.
11. All cables, wires and jumpers shall be located inside a conduit that runs within the caisson and structure, with the exception of where such cables or wires attach to the antenna ports.
12. All ground-mounted equipment, including but not limited to equipment cabinets or power pedestals, maintain at least three (3) feet of ingress/egress around the equipment.
13. All antennas shall not have any exposed cables.
14. All ground-mounted equipment shall be contained within low-profile cabinets.
15. Enclosure access gates shall be opaque, compatible with the enclosure material, and where feasible be facing away from the street or primary public view.
16. The type of screening materials and design shall be architecturally compatible with buildings and fencing in the immediate vicinity. The use of barbed wire, razor wire, chain link, woven wire or other similar materials shall not be permitted.

SITE PLAN



[illegible]

ELEVATIONS



**NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
OF THE CITY OF SOUTH GATE, CALIFORNIA**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of South Gate will hold a Public Hearing at **7:00 PM on Tuesday, September 20, 2022**, in the Council Chamber at South Gate City Hall, 8650 California Avenue, South Gate, California or Members of the public wishing to observe the meeting may join through a Call-In Conference. For the updated Dial-In Number and Conference Code for the September 20, 2022, Planning Commission meeting please visit the City's website at www.cityofsouthgate.org/AgendaCenter regarding the following items:

1. Conditional Use Permit No. 862: To consider a recommendation to the Planning Commission the adoption of the proposed Conditional Use Permit No. 862, which is a request by to allow the issuance of a California Department of Alcoholic Beverage Control (ABC) Type 20 Off-Sale Beer and Wine license at an existing neighborhood market located at 10365 California Avenue. The project qualifies under Class 1 Exemption because the proposed project does not consist of an expansion of an existing or former use.
2. Conditional Use Permit No. 863: To consider a recommendation to the Planning Commission the approval of Conditional Use Permit No. 863 to install and operate an unmanned Wireless Telecommunications Facility ("WTF") on an existing Southern California Edison lattice tower located at Assessor's Parcel Number 6232005805 (adjacent to address 5911 Firestone Boulevard). The project qualifies under Class 3 Exemption because the project proposal consists of the installation of a new wireless telecommunications facility at an existing Southern California Edison lattice tower.

Pursuant to Government Code Section 65009, if you challenge the items listed above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

THE PLANNING COMMISSION

Fabiola Inzunza, Chairperson

Phone: 323.563.9514
E-mail: Norma Hernandez, Assistant Planner
nhernandez@sogate.org

Posted: August 25, 2022
South Gate City Hall

Información en español acerca de esta junta puede ser obtenida llamando al 323-563-9514.