MEETING AGENDA

MONTEBELLO PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
1600 W. BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA
TUESDAY, AUGUST 6, 2019
6:30 P.M.

MONTEBELLO PLANNING COMMISSION
SONA MOORADIAN
CHAIRPERSON

BERJ ALIKSANIAN
VICE CHAIR

ALEXANDRA BRISENO
PLANNING COMMISSIONER

MARLENE RAMIREZ
PLANNING COMMISSIONER

NATALIA LOMELI
PLANNING COMMISSIONER

CITY STAFF

MANUEL MANCHA
DIRECTOR OF PLANNING AND
COMMUNITY DEVELOPMENT

IAIN MACMILLAN
PLANNING COMMISSION LEGAL
COUNSEL

MATTHEW FESKE
PLANNING MANANGER

MARIA ROMAN
ADMINISTRATIVE SECRETARY

1. MEETING CALLED TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. PLANNING MANANGER
   A. CORRECTION TO AGENDA
5. STATEMENT OF PUBLIC ORAL COMMUNICATIONS:

Members of the public interested in addressing the Planning Commission on any agenda item or topic must fill out a form provided at the door, and turn it into the Planning Commission Secretary prior to the beginning Oral Communications. A form does not need to be submitted for public hearing items.

Speakers wishing to address the Planning Commission on an item that is not on the agenda will be called upon in the order that their speaker card was received. Those persons not accommodated during this thirty (30) minute period will have an opportunity to speak under “Oral Communications – Continued” after all scheduled matters have been considered.
Please be aware that the maximum time allotted for individuals to speak shall not exceed three (3) minutes per speaker. Please be aware that in accordance with State Law, the Planning Commission may not take action or entertain extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Planning Commission Chair.

6. MINUTES

A. None

7. STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

A. None

8. PUBLIC HEARING(S)

For each of the following items, the public will be given an opportunity to speak, following Planning staff's presentation of its report and the Planning Commissioners' disclosures (if any) of site visits to the location at issue and any relevant information obtained during same. The applicant is allowed to speak and the public is allowed three (3) minutes per person to speak on issues relating to the case. After all persons have spoken, the applicant is allowed to rebut and/or summarize, and then the hearing is closed.

A. Zone Code Amendment (ZCA07-19) - Continued

Project Applicant
City of Montebello

Project Description:
A Zone Code Amendment by Electric Guard Dog, LLC to amend Title 17 of the Montebello Municipal Code to add electric fences as an allowed fence material.

B. Conditional Use Permit (CUP24-19)

Project Applicant
2900 West Beverly Boulevard, Suite A-B

Project Description:
The applicant, 7-Eleven, has submitted a Conditional Use Permit application to allow alcohol sales (Beer and Wine) within building that will be located at 2900 West Beverly Boulevard

C. Conditional Use Permit (CUP21-19)

Project Applicant
1701 Aeros Way, Suite A

Project Description:
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery, within an
existing and proposed commercial building on the property located at 1701 Aeros Way, APN 6354-028-021.

D. Conditional Use Permit (CUP22-19)

Project Applicant
1701 Aeros Way, Suite B

Project Description:
A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery, within a proposed commercial building on the property located at 1701 Aeros Way, APN 6354-028-021

9. CONSENT ITEM(S)

A. None

10. STAFF COMMUNICATIONS TO THE PLANNING COMMISSION

A. None

11. ORAL COMMUNICATIONS – CONTINUED (IF NEEDED)

12. PLANNING COMMISSION ORALS

A. Chair, Sona Mooradian
B. Vice Chair, Berj Aliksanian
C. Commissioner, Alexandra Briseno
D. Commissioner, Natalia Lomeli
E. Commissioner, Marlene Ramirez

13. ADJOURNMENT

The next regularly scheduled meeting on August 20, 2019

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Building Official at 323/887-1497. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II/1203+)

Please note that the information contained in this agenda is a summary of the staff report prepared for each item. Complete copies of each staff report are available in the Office of the City Clerk.
City of Montebello

Planning Commission Agenda Staff Report

TO: Honorable Chair and Members of the Planning Commission

FROM: Matthew Feske, Planning Manager

SUBJECT: CONTINUED - Zone Code Amendment (ZCA07-19) to amend Title 17 of the Montebello Municipal Code to add electric fence as an allowed fence material.

DATE: August 6, 2019

RECOMMENDATION

Adopt Planning Commission Resolution denying Zone Code Amendment (ZCA07-19) to amend Title 17 of the Montebello Municipal Code to add electric fence as an allowed fence material.

SUMMARY FROM PREVIOUS STAFF REPORT

Staff and the Planning Commissions have been consistent in not allowing razor wire or barb wire due to safety concerns and liability concerns to the City. Electric fence material would be the same as razor wire or barb wire. Electric fences produce an electrical current that when in contact creates an electrical shock with the purpose to cause enough harm or discomfort to prevent additional contact.

Staff has expressed concern of the safety and liability issues with the applicant and at a previous Planning Commission meeting, where the Planning Commission denied the electric fence material.

ATTACHMENT(S)

- July 16, 2019 Staff Report, Resolution, and Survey
City of Montebello

Planning Commission Agenda Staff Report

TO: Honorable Chair and Members of the Planning Commission

FROM: Matthew Feske, Planning Manager

SUBJECT: Zone Code Amendment (ZCA07-19) to amend Title 17 of the Montebello Municipal Code to add electric fence as an allowed fence material.

DATE: July 16, 2019

RECOMMENDATION

Adopt Planning Commission Resolution denying Zone Code Amendment (ZCA07-19) to amend Title 17 of the Montebello Municipal Code to add electric fence as an allowed fence material.

PROJECT DESCRIPTION

The Zone Code Amendment would amend the Montebello Municipal Code, Title 17, Section 17.10.130 to add electric fence as an allowed fence material.

17.10.130 - Development standards—Walls, fences and hedges.
D. All screening or fencing visible from the public rights-of-way shall be composed of:
   1. Decorative masonry walls (slumpstone, stuccoed, split-face or similar);
   2. Evergreen shrubs closely spaced and maintained in a healthy and attractive state;
   3. Wooden fencing of adequate aesthetic and structural quality (no plywood sheeting);
   4. Decorative wrought iron, or
   5. Other materials if found by the planning commission to be architecturally or aesthetically in keeping with the building and the neighborhood.

However, in no event shall corrugated or sheet metal, fiberglass or any plastic material...

17.10.130 - Development standards—Walls, fences and hedges.
D. All screening or fencing visible from the public rights-of-way shall be composed of:
   1. Decorative masonry walls (slumpstone, stuccoed, split-face or similar);
   2. Evergreen shrubs closely spaced and maintained in a healthy and attractive state;
   3. Wooden fencing of adequate aesthetic and structural quality (no plywood sheeting);
   4. Decorative wrought iron, or
5. Electric Fence, or
6. Other materials if found by the planning commission to be architecturally or aesthetically in keeping with the building and the neighborhood.

However, in no event shall corrugated or sheet metal, fiberglass or any plastic material ...

ANALYSIS

Zone Code Amendment is being requested by the applicant so that additional security options can be installed. In addition, the applicant has stated that the electric fence is safe in that the electric fence can be grabbed and the electricity goes in pulses, but does not generate enough electricity to do bodily harm or damage.

Property owners have requested previously for razor wire or barb wire stating security reasons and that these types of fence material will only cause minimal damage. The same type of statements as the electric fence. Staff and the Planning Commission have been consistent in not allowing razor wire or barb wire due to safety concerns and liability concerns to the City.

Electric fence material would be the same as razor wire or barb wire. Electric fences produce an electrical current that when in contact creates an electrical shock with the purpose to cause enough harm or discomfort to prevent additional contact. There are many advances and safety elements that have been introduced over the years for electric fences, however the main function of electric fences remains the same – produce an electrical current and when contacted discharge an electric current.

Staff has expressed concern, with the applicant and at a previous Planning Commission meeting, the safety and liability with electric fences. The safety concerns are: (i) injury to person(s) or animal(s) who come in contact with the electric fence; (ii) electrical arches to nearby person(s), animal(s), and/or material(s); and (iii) potential fire hazard. The liability concerns placed with the City for the electric fence that causes damage or harm or fire.

In addition, as the applicant previously stated, the electric fence produces electric pulses that are uncomfortable but not strong enough to do harm. If the purpose of the electric fence is to prevent intruders, being momentarily uncomfortable would not be much of a deterrent.

ENVIRONMENTAL

Zone Code Amendment (ZCA16-19) are not considered a “project”, per the California Environmental Quality Act definition of a “project” and no further CEQA analysis is required.

FISCAL IMPACT

No fiscal impact.

ATTACHMENT(S)

- Resolution
- Public Hearing Notice
- Surrounding Cities Survey
RESOLUTION NO. ##-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO DENYING ZONE CODE AMENDMENT (ZCA07-19) TO THE MONTEBELLO MUNICIPAL CODE TO ADD ELECTRIC FENCE AS AN ALLOWED FENCE MATERIAL.

WHEREAS, the City of Montebello ("City") is a general law city, incorporated under the laws of the State of California, and has the power to make and enforce with its jurisdictional limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws of the state;

WHEREAS, the applicant, Electric Guard Dog, LLC has initiated a Zone Code Amendment (ZCA07-19) to add electric fence as an allowed fence material;

WHEREAS, the Planning Commission of the City of Montebello, after giving notice as required by law, held a public hearing concerning Zone Code Amendment (ZCA07-19) on July 16, 2019;

WHEREAS, the Zone Code Amendment (ZCA07-19) is not considered a "project", per the California Environmental Quality Act definition of a "project";

WHEREAS, a duly notice public hearing has been held, at which the Planning Commission received and considered testimony, all other matters presented at the public hearing, and included in the record for this matter; and

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

NOW, THEREFORE, the Planning Commission of the City of Montebello resolves that:

SECTION 1. The foregoing recitals are true and correct and are hereby incorporated as substantive findings in this Resolution.

SECTION 2. That the Planning Commission hereby finds that Zone Code Amendment (ZCA07-19) is denied because the proposed electric fence material poses a safety issue for the public, is not aesthetically in keeping with the surrounding neighborhood, and is not consistent with the objectives and policies General Plan.

PASSED, APPROVED AND ADOPTED this 16th day of July, 2019.

AYES:

NOES:
ABSENT:

ABSTAIN:

ATTEST:

Sona Mooradian, Chair

Matthew Feske
Secretary to the Planning Commission
NOTICE OF PUBLIC HEARING
CITY OF MONTEBELLO PLANNING COMMISSION

Zone Code Amendment (ZCA07-19)
Citywide

Project Description: A Zone Code Amendment by Electric Guard Dog, LLC to amend Title 17 of the Montebello Municipal Code to add electric fences as an allowed fence material.

Environmental: The proposal is not considered a "Project" under the California Environmental Act (CEQA).

NOTICE IS HEREBY GIVEN that the City of Montebello Planning Commission will hold a public hearing on the Conditional Use Permit application. The meeting is scheduled on:

Date: Tuesday, July 16, 2019
Time: 6:30 p.m.
Place: City Hall Council Chambers
1600 West Beverly Boulevard
Montebello, CA 90640

Any party interested in speaking may appear at the public hearing and comment on the project. Written comments may also be mailed or delivered to the City of Montebello Planning Commission at the Planning Division office address identified below. If you challenge the matter in court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City of Montebello at, or prior to, the public hearing.

For more information about the project and the related environmental documentation please contact:

Contact Person: Matthew Feske
Phone: 323.887.1200 Fax: 323.887.1488
Email: mbeske@cityofmontebello.com
Address: City of Montebello, City Hall, Planning Division, 1600 W. Beverly Blvd, Montebello, CA 90640
City Website: www.cityofmontebello.com
COPY OF NOTICE

Notice Type: HRG NOTICE OF HEARING
Ad Description: Zone Code Amendment (ZCA07-19) Citywide

To the right is a copy of the notice you sent to us for publication in the WHITTIER DAILY NEWS. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

07/04/2019

The change(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an

Daily Journal Corporation
Serving your legal advertising needs throughout California. Call your local

BUSINESS JOURNAL, RIVERSIDE
DAILY COMMERCIAL, LOS ANGELES
LOS ANGELES DAILY JOURNAL, LOS ANGELES
ORANGE COUNTY REPORTER, SANTA ANA
SAN FRANCISCO DAILY JOURNAL, SAN FRANCISCO
SAN JOSE POST-RECORD, SAN JOSE
THE DAILY READER, SACRAMENTO
THE DAILY TRANSCRIPT, SAN DIEGO
THE INTER-CITY EXPRESS, OAKLAND

(561) 784-0111 (213) 220-6300 (213) 220-6500 (714) 540-2027 (800) 866-4629 (408) 287-4866 (916) 444-2355 (919) 262-9406 (510) 273-4747

Contact Person: Matthew Feske
Phone: 323-897-1065 Fax: 323-897-1488
Email: mmfeske@cityofmontebello.com
Address: City of Montebello, City Hall, Planning Division, 1600 W. Beverly Blvd, Montebello, CA 90640
City Website: www.cityofmontebello.com
CNS-2270016#
WHITTIER DAILY NEWS
Electric Fencing Requirements Survey

**Commerce**
Prohibited

**Pico Rivera**
Prohibited

**Rosemead**
Prohibited

**Downey**
Prohibited

**La Mirada**
Prohibited

**El Monte**
Prohibited

**South El Monte**
Prohibited

**Baldwin Park**
Prohibited

**Ontario**
Allowed for commercial and industrial zones, prohibited for residential zones
TO: Honorable Chair and Planning Commissioners
DATE: August 6, 2019
FROM: Matthew Feske, Planning Manager
BY: Michael Donovan, Planning Intern
SUBJECT: Conditional Use Permit (CUP24-19) application to allow alcohol sales (Type 20 License) within a convenience store located at 2900 West Beverly Blvd., Suite A&B.

RECOMMENDATION:

Conduct a public hearing and upon conclusion adopt a Resolution approving Conditional Use Permit (CUP24-19) with conditions to allow alcohol sales (Type 20 License) within a new store located at 2900 West Beverly Boulevard., Suite A&B.

PROJECT/APPLICANT INFORMATION

Project Location: 2900 West Beverly Boulevard., Suite A - B
Project Applicant: 7-Eleven, Inc.
Property Owner: Alina, LLC
General Plan Designation: Commercial Boulevard
Zoning: C-2 (General Commercial)
Existing Use on Property: Multi-tenant building

SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zone</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>C-2</td>
<td>Commercial/Retail/Restaurants</td>
</tr>
<tr>
<td>South</td>
<td>C-2</td>
<td>Commercial/Retail/Restaurants</td>
</tr>
<tr>
<td>East</td>
<td>R-3</td>
<td>Multiple Family Residential</td>
</tr>
<tr>
<td>West</td>
<td>C-2</td>
<td>Commercial/Retail/Restaurants</td>
</tr>
</tbody>
</table>

BACKGROUND

The project site is located within the C-2 (General Commercial) zone. The project site is improved within an existing multiple tenant building.

The applicant proposes to sell alcohol which requires a Conditional Use Permit and the license
type 20 for the off-sale of beer and wine will be reviewed and issued by the California State agency, Department of Alcohol and Beverage Control (ABC).

ANALYSIS

GENERAL PLAN

The proposed project conforms with the Montebello General Plan, Land Use Element in that the proposed use will provide additional amenities for an existing business that will increase the taxable revenue from these properties to the City.

Goal #1: [T]o Formulate a plan which is responsive to the needs of the community and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development. Objective #3: “cluster” type commercial development is preferential to proliferation of strip commercial. Commercial Policy #4: The City should contain ample commercial facilities to meet the needs of its residents as well as provide taxable revenues to the City.

MONTEBELLO MUNICIPAL CODE (MMC)

Pursuant to Section 17.61.030 of the Montebello Municipal Code, Conditional Use Permit approval is required for the sale of alcohol. The said code section states, “...no place where alcohol beverages are sold, served or given away as a normal course of business for on-sale consumption, shall be established without first obtaining a conditional use permit from the city of Montebello." The proposed alcohol sales would be an ancillary use to the existing restaurant use, and alcohol sales would be permitted with a Conditional Use Permit.

ALCOHOL BEVERAGE CONTROL (ABC)

<table>
<thead>
<tr>
<th>County Name</th>
<th>Population</th>
<th>Ratio On Sale</th>
<th>Ratio Off Sale</th>
<th>Census Tract #</th>
<th>Census Tract Population</th>
<th>On Sale</th>
<th>Off Sale</th>
<th>Existing On Sale</th>
<th>Existing Off Sale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Los Angeles</td>
<td>10,283,729</td>
<td>987</td>
<td>1618</td>
<td>5302.02</td>
<td>4063</td>
<td>4</td>
<td>2</td>
<td>3</td>
<td>1</td>
</tr>
</tbody>
</table>
Findings

The proposed alcohol sales would not exceed the allotted Off Sale ABC Licenses Types and will not require the Planning Commission to make a finding of public convenience or necessity.

CEQA

The Conditional Use Permit (CUP24-19) application is considered a "project," per the California Environmental Quality Act definition of a "project." The project is Categorically Exempt per Section §15301 (a) (Existing Facilities) because 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 such as interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.

PUBLIC COMMENTS RECEIVED

Pursuant to Section 17.61.040 (Increased Public Notification Requirements) of the MMC, the following noticing was performed:
- Public Hearing Noticing was published in the newspaper on July 25, 2019;
- Public Hearing Notice was mailed on July 25, 2019:
  - Mailed to occupants of buildings within five hundred feet of the site boundaries;
  - Mailed to all property owners within three hundred feet of the site boundaries.

Staff has not received any public comments regarding the project, as of the writing of this report.

FISCAL IMPACT

None

ATTACHMENT(S)

A. Draft Resolution
B. Public Hearing Notice
CITY OF MONTEBELLO
PLANNING COMMISSION

RESOLUTION NO. ##-19

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO ADOPTING CEQA EXEMPTION AND APPROVING A CONDITIONAL USE PERMIT (CUP24-19) TO ALLOW THE SALES OF ALCOHOL (TYPE 20 LICENSE) WITHIN A NEW CONVENIENCE STORE LOCATED AT 2900 WEST BEVERLY BOULEVARD, SUITE A-B.

WHEREAS, a Conditional Use Permit (CUP24-19) application has been received and accepted;

WHEREAS, the Conditional Use Permit would allow sales of alcohol (type 20 License) within a new convenience store located at 2900 West Beverly Boulevard, Suite A-B;

WHEREAS, pursuant to section 21067 of the Public Resources Code, and section 15367 of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City of Montebello is the lead agency for the proposed Project;

WHEREAS, the Conditional Use Permit (CUP24-19) is considered a "project," as per the California Environmental Quality Act definition of a "project";

WHEREAS, the project is Categorically Exempt per CEQA Section §15301, Class 1 (Existing Facilities); and

WHEREAS, a duly notice public hearing on the proposed Project has been held, at which the Planning Commission received and considered staff presentations, recommendations, public testimony, and all other matters presented at the public hearing and included in the record for this matter; and

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

NOW, THEREFORE, the Planning Commission of the City of Montebello hereby resolves, finds, and declares as follows:

SECTION 1. The foregoing recitals are true and correct and are hereby incorporated as substantive findings in this Resolution.

SECTION 2. The Planning Commission approves and adopts a CEQA Categorical Exemption, Class 1 ("Existing Facilities") for the Project, in accordance with CEQA Guidelines Section 15301, based on the following findings:
1. The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as with applicable zoning designations and regulations. No General Plan Amendment or Zone Change will be required to accommodate the proposed Project; and

2. The Project involves negligible expansion of use to the current restaurant use and no expansion of the physical structure or floor area in which the use is operating.

SECTION 3: That the Planning Commission hereby finds and declares as follows:

1. The proposed use conforms with the City of Montebello General Plan Land Use Element, Goal 1, “[T]o formulate a plan which is responsive to the needs of the community and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development;” Objective #3, “cluster” type commercial development is preferential to proliferation of strip commercial;” Policy Commercial #1, “Commercial development in the City should be sited in appropriate locations according to need,” and Commercial Policy #4. “The City should contain ample commercial facilities to meet the needs of its residents as well as provide taxable revenues to the City”; because the Project site is fully developed for restaurant use, and the Project will occupy the existing commercial space and provide a service to the community while bringing tax revenues to the City.

2. Pursuant to Montebello Municipal Code, Title 17, Section 17.61.050, the proposed Project:
   
   a. Is consistent with the purposes and intent of Chapter 17.61 – Alcoholic Beverage Establishments – of the Montebello Municipal Code;
   
   b. Would not adversely affect the general welfare of the surrounding property owners;
   
   c. Would not result in an undesirable concentration of premises for the sale of alcoholic beverages in the area in light of the findings set forth below;
   
   d. Would not detrimentally affect the nearby surrounding area after giving special consideration to the proximity and nature of the proposed use with respect to other on-sale or off-sale alcoholic beverage establishments, residential districts and uses, schools (public or private), day care centers, public parks, playgrounds and other recreational facilities, churches and other places of religious worship, hospitals, clinics or other health care facilities;
   
   e. Would not aggravate existing problems created by the sale of alcohol (e.g. littering, loitering, noise, public drunkenness, calls for service, and sales to minors); and
f. Is in conformance with the goals, policies, and objectives of the general plan and the purpose and intent of this code and any applicable specific plan.

SECTION 4. The Planning Commission finds and declares that the foregoing conditions of approval are necessary and appropriate, and therefore adopts and imposes such conditions on the Project:

1. The applicant shall defend, indemnify, and hold harmless the city, its elected and appointed officials, agents, officers, and employees from any claim, action, or proceeding brought against the city, its elected and appointed officials, agents, officers, or employees arising out of, or which are related to the applicant’s project or application (collectively referred to as “proceedings”). The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the city, if any, and cost of suit, attorney’s fees, and other costs, liabilities, and expenses incurred or awarded in connection with the proceedings whether incurred by the applicant, the city and/or the parties initiating or bringing such proceedings. This indemnity provision shall include the applicant’s obligation to indemnify the city for all the city’s costs, fees, and damages that the city incurs in enforcing the indemnification provisions set forth herein. The city shall have the right to choose its own legal counsel to represent the city’s interest in the proceedings.

2. The utilization of the subject site shall conform to the allowed use, except as provided for herein and by subsequent revisions found by the Director of Planning and Community Development to be in substantial compliance with these provisions.

3. The development of the subject site shall be consistent with all of the provisions of the Montebello Municipal Code (MMC) and Conditional Use Permit (CUP24-19).

4. The Director of Planning and Community Development, at any time, can call for a review of the approved conditions of approval at a duly noticed public hearing before the Planning Commission. These condition(s) may be modified, or new condition(s) added to reduce any impacts of the use. The Planning Commission may revoke the Conditional Use Permit (CUP24-19) if sufficient cause is given.

5. Any change in ownership, lease and/or any other change should be given written notice to the Director of Planning and Community Development prior to the change.

6. The applicant or successor in interest shall meet the applicable Code requirements and all other City Departments regulations.

7. All applicable conditions of approval from previous entitlements on the property shall remain in full force and effect, unless otherwise specifically noted in this Resolution.
8. The property owner will bear the full costs of all monitoring and inspection activities to be conducted by City staff, or its designated representative(s), as necessary to ensure compliance with the conditions of this Resolution.

9. Any change, expansion, intensification and/or modification to the proposed plans use, or mode of operations shall be subject to the review and approval by the Director of Planning and Community Development who may take action or call for review by the Planning Commission at a noticed public hearing.

10. The property owner shall have all graffiti on site removed within 24 hours of its appearance.

11. The operation of the said use shall at all times be conducted in a manner not detrimental to surrounding properties or residents because of lights, noise, activities, parking or other actions.

12. All employees of the businesses on-site shall be out of the premises no later than one hour after closing. No "after hours" operations shall be permitted.

13. No loitering in the parking area and shall control noisy patrons leaving the location. Signs shall be posted notifying customers of the courtesy to adjacent residential uses. The size, content, and location of the sign(s) are subject to the review and approval of the Director of Planning and Community Development prior to installation.

14. All business operators shall take the necessary steps to assure the orderly conduct of employees, patrons, and visitors on the premises.

15. The establishment shall maintain all required permits and/or licenses for the sale of beer and wine in good standing.

16. The parking area shall be sufficiently lit and secured to discourage loitering and/or late night activity.

17. This approval shall not supersede the approval of any other responsible agencies. The applicant shall comply with all Federal, State and local laws.

18. The approval of this Conditional Use Permit (CUP24-19) shall expire if the rights granted are not exercised within two (2) years from the effective date of this Resolution. Exercise of rights shall mean the issuance of an ABC license to the applicant.

19. The approval of this Conditional Use Permit (CUP24-19) can be extended up to and not to exceed an additional two (2) years with a written request by the property owner stating the reason and need for an extension and upon review and approval by the Director of Planning and Community Development.
20. In the event of a violation of the conditions of approval, no further permits, licenses, approvals or certificates of occupancy shall be issued until such violation has been fully remedied.

21. The premises shall be kept clean, and the operator of the establishment shall ensure that no trash or litter originating from the site is deposited onto neighboring properties or public right-of-way.

22. If at any time, a litter problem arises, the Director of Planning and Community Development may require a litter clean-up plan to be submitted and reviewed. The litter clean-up plan shall include a schedule of time and frequency of litter clean-up activities. Upon approval of the plan by the Director of Planning and Community Development, the measures of the plan shall be implemented. This condition may require the operator of the use to post a bond to ensure litter compliance.

23. The development and utilization of the site shall comply with all the provisions of all of the current Building, Plumbing, Mechanical, Electrical Codes, and City Ordinances, as well as additional requirements from the Montebello Building and Safety Division.

24. The development and utilization of the site shall be subject to the review and approval of the Public Works Department. Additional Montebello Public Works Department requirements may be required prior to issuing building permits.

25. The development and utilization of the site shall comply with all the provisions of all of the California Fire Code, International Fire Code, and National Fire Protection Association standards as well as additional requirements from the Montebello Fire Department.

26. No pay telephone(s) on the exterior of the premises.

27. Exterior storage of any kind shall be prohibited.

28. No alcohol shall be consumed on the premises.

29. That no signs shall be installed on the site until a sign permit has been issued.

30. The Planning Commission and the City Council on appeal shall have the right to impose additional conditions for the protection of the public health, safety, and welfare.

31. The following Mandatory Conditions of Approval for on-sale alcoholic beverage establishments (Section 17.61.080) shall be met, where applicable to the said use.
a. Any off-sale alcoholic beverage establishments seeking to sell or store motor fuels on the same premises as alcoholic beverages shall comply with the following conditions:

b. No beer or wine shall be displayed within five feet of the cash register or the front door unless it is in a permanently affixed cooler.

c. No advertisements of alcoholic beverages shall be displayed at motor fuel islands and no self-illuminated advertising for alcoholic beverages shall be located on buildings or windows.

d. No sale of alcohol beverages shall be made from a drive-up window.

e. No display or sale of beer or wine shall be made from an ice tub.

f. Employees on duty between the hours of ten p.m. and two a.m. shall be at least twenty-one years of age to sell beer and wine.

g. The permittee at all times shall comply with all terms and provisions of the license issued by the State Department of Alcoholic Beverage Control and/or the terms and provisions of the Alcoholic Beverage Control Act.

h. No sale of single containers of beer and/or wine coolers shall be made.

i. In addition to the conditions enumerated above, additional conditions may be imposed by city staff.

j. That the noise levels generated by the operation of such establishment shall not exceed sixty-five dBA between the hours of seven a.m. to ten p.m., and not exceed sixty dBA between the hours of ten p.m. to seven a.m., so as to mitigate the impact on adjoining properties zoned or used for residential purposes. The measurement of noise levels shall be taken at the location of the shared property line.

k. That exterior lighting of the parking area shall be kept at an intensity of between one- and two-foot candles, so as to provide adequate lighting for patrons while not disturbing surrounding residential or commercial areas. Light sources shall be shielded from adjacent properties and from the sky.
l. The sorting of empty bottles and other recyclable products shall be limited to the hours between eight a.m. to nine p.m. daily.

m. That the sale of alcoholic beverages for consumption on premises shall be prohibited and appropriate posting of signs stating that drinking on the premises is prohibited by law shall be posted both inside and outside the establishment. The premises shall include the establishment proper and/or the appurtenant common area if located in a commercial center.

n. That special security measures such as burglar alarm systems as specified by the police department may be required.

o. That exterior public telephones that permit incoming calls may not be located on the premises.

p. That exterior storage of any kind shall be prohibited.

q. That litter and trash receptacles shall be located at convenient locations inside and outside establishments, and operators of such establishments shall remove trash and debris on a daily basis.

r. That paper or plastic cups shall not be sold or given away in quantities less than their usual and customary packaging.

s. That no signs shall be installed on the site until a sign permit has been approved by the building and safety division and the planning department in conformance with the provisions set forth in Chapter 17.62 of the Montebello Municipal Code.

32. Per Section 9.04.010 of the Montebello Municipal Code, no person shall drink any intoxicating liquor in or upon any public street or public place within the city. Signs shall be posted on the premises both inside and outside, citing Section 9.04.010 of the Montebello Municipal Code.

33. Premises shall be kept clean and the operator of the establishment shall ensure that no trash or litter originating from the site is deposited onto neighboring properties or public right-of-way.

34. The management of any establishment selling alcohol shall take the necessary steps to assure the orderly conduct of employees, patrons and visitors on the premises.

35. The owner of the establishment shall maintain all required permits and/or licenses for the sale of alcoholic beverages in good standing.
36. No person shall sell alcoholic beverages for on-premises consumption if there has been any lapse or breach in the good standing of any one or more of the permits and/or licenses required for such sale.

37. In addition to the conditions enumerated above, any other condition may be imposed by city staff.

38. There shall be no exterior advertising of any kind or interior window signage visible from the exterior, advertising the sale of alcoholic beverages.

39. No alcoholic beverages shall be stored, maintained, displayed or sold from an ice tub.

40. Beer, malt liquor, wine cooler and any other similar type of alcoholic beverage shall be sold and purchased in minimum quantities of 6 or more, except that wine coolers may be sold and purchased in minimum quantities of 4 or more. The applicant shall not display, offer for sale or sell single units of such alcoholic beverages in any size. Further, the applicant shall not store, maintain, display, and offer to sell or sell the following sized containers of such alcoholic beverages: 32 ounces, 40 ounces, 64 ounces or greater.

41. The subject alcoholic beverage license shall not be exchanged for any other type of on-sale license.

42. Before the location opens, all employees who will sell alcoholic beverages shall be required to attend either ABC LEAD training or a comparable in-house training program approved by the Director of Community Department. If the employees are hired after the location is open, they shall be required to attend LEAD training or the approved in-house training within thirty (30) days of their hire date.

43. The sale of alcoholic beverages shall be limited between the hours of 6:00 a.m. to 2:00 a.m. Monday through Sunday. During the hours that the sale of beer and wine are not permitted the coolers must be locked to prohibit customers from purchasing alcohol.

44. The applicant shall post a permanent sign or signs complying with 16-31 PC, "Possession of Opened Alcoholic Beverages containers on the premise is prohibited by law. The sign or signs shall be posted in areas that are clearly visible to patrons at all times.

PASSED AND ADOPTED this 6th day of August, 2019 by the Planning Commission.

AYES: Commissioner(s):
NOES: Commissioner(s):
ABSENT: Commissioner(s):
ABSTAIN: Commissioner(s):

__________________________________________
Sona Mooradian, Chair

ATTEST:

Matthew Feske
Secretary to the Planning Commission
NOTICE OF PUBLIC HEARING
CITY OF MONTEBELLO PLANNING COMMISSION

Conditional Use Permit (CUP 24-19)
2900 W. Beverly Blvd, Suite A-B

**Project Description:** The applicant, 7-Eleven, has submitted a Conditional Use Permit application to allow alcohol sales (Beer and Wine) within building that will be located at 2900 West Beverly Boulevard.

**Zone:** C-2 (General Commercial)

**General Plan Designation:** General Commercial

**Environmental:** The proposal is considered a “Project” and is categorically exempt under the California Environmental Act (CEQA) Section §15301.

**NOTICE IS HEREBY GIVEN** that the City of Montebello Planning Commission will hold a public hearing on the Conditional Use Permit application. The meeting is scheduled on:

- **Date:** Tuesday, August 6, 2019
- **Time:** 6:30 p.m.
- **Place:** City Hall Council Chambers
  1600 West Beverly Boulevard
  Montebello, CA 90640

Any party interested in speaking may appear at the public hearing and comment on the project. Written comments may also be mailed or delivered to the City of Montebello Planning Commission at the Planning Division office address identified below. If you challenge the matter in court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City of Montebello at, or prior to, the public hearing.

For more information about the project and the related environmental documentation please contact:

- **Contact Person:** Matthew Feske
- **Phone:** 323.887.1200 **Fax:** 323.887.1488
- **Email:** mneske@cityofmontebello.com
- **Address:** City of Montebello, City Hall, Planning Division, 1600 W. Beverly Blvd, Montebello, CA 90640
- **City Website:** [www.cityofmontebello.com](http://www.cityofmontebello.com)
COPY OF NOTICE

Notice Type: HRG NOTICE OF HEARING
Ad Description: Conditional Use Permit (CUP 24-19) 2900 W. Beverly Blvd, Suite A-B

To the right is a copy of the notice sent to us for publication in the WHITTIER DAILY NEWS. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

07/25/2019

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an

Daily Journal Corporation
Serving your legal advertising needs throughout California. Call your local

BUSINESS JOURNAL, RIVERSIDE (951) 784-0111
DAILY COMMERCIAL, LOS ANGELES (213) 229-5300
LOS ANGELES DAILY JOURNAL, LOS ANGELES (213) 229-5300
ORANGE COUNTY REPORTER, SANTA ANA (714) 543-2027
SAN FRANCISCO DAILY JOURNAL, SAN FRANCISCO (800) 640-4829
SAN JOSE POST-RECORD, SAN JOSE (408) 287-4886
THE DAILY RECORDER, SACRAMENTO (916) 444-2355
THE DAILY TRANSCRIPT, SAN DIEGO (619) 232-3480
THE INTER-CITY EXPRESS, OAKLAND (510) 272-4747

CNS 3276161
NOTICE OF PUBLIC HEARING
CITY OF MONTEBELLO
Planning Commission

Conditional Use Permit
(CUP 24-19)
2900 W. Beverly Blvd, Suite A-B

Project Description: The applicant, 7-Eleven, has submitted a Conditional Use Permit application to allow alcohol sales (Beer and Wine) within building that will be located at 2900 West Beverly Boulevard.

Zone: C-2 (General Commercial)
General Plan Designation: General Commercial

Environmental: The proposal is considered a "Project and is categorically exempt under the California Environmental Act (CEQA) Section 15332.

NOTICE IS HEREBY GIVEN that the City of Montebello Planning Commission will hold a public hearing on the Conditional Use Permit application. The meeting is scheduled on:

Date: Tuesday, August 6, 2019
Time: 6:30 p.m.
Place: City Hall Council Chambers
1600 West Beverly Boulevard
Montebello, CA 90640

Any party interested in speaking may appear at the public hearing and comment on the project. Written comments may also be mailed or delivered to the City of Montebello Planning Commission at the Planning Division office address identified below. If you challenge the matter in court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City of Montebello at, or prior to, the public hearing.

For more information about the project and the related environmental documentation please contact:

Contact Person: Matthew Feske
Phone: 323.887.1200 Fax: 323.887.1408
Email: mifeske@cityofmontebello.com
Address: City of Montebello, City Hall, Planning Division, 1600 W. Beverly Blvd, Montebello, CA 90640
City Website: www.cityofmontebello.com
CNS-3276161# WHITTIER DAILY NEWS

* A 0 0 0 0 0 0 5 1 5 9 0 4 1 *
TO: Honorable Chair and Planning Commissioners
DATE: August 6, 2019
FROM: Manuel Mancha, Director of Planning and Community Development
BY: Louis Morales, Planning Consultant
SUBJECT: Conditional Use Permit No. CUP 21-19 to allow a cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery service within an existing and proposed building located at 1701 Aeros Way, Suite A (APN 6354-028-021)

RECOMMENDATION:

Conduct a public hearing and, upon conclusion, adopt Resolution: (1) approving Conditional Use Permit No. CUP 21-19 with conditions; (2) denying Conditional Use Permit No. CUP 21-19; or (3) continue or table the public hearing to a date certain.

PROJECT/APPLICANT INFORMATION

Project Location: 1701 Aeros Way, Suite A.
APN Information: 6354-028-021.
Project Applicant: Cal Green, LLC. (Anzhela Proshak)
Property Owner: 1701 Gage Road LLC.
General Plan Designation: Industrial.
Zoning: M-2 (Heavy Manufacturing).
Existing Use on Property: Property is currently developed with a single-story 1,827 square-foot commercial/industrial building and a 2,100 square-foot metal building and the lot is approximately 45,378 sq. ft. The buildings were built in 1966 and the property is currently being used as a service yard for a rubbish collection company.

PRIOR PLANNING COMMISSION ACTIONS

None.

SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zone</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>M-2</td>
<td>Industrial</td>
</tr>
<tr>
<td>South</td>
<td>M-2</td>
<td>Industrial</td>
</tr>
<tr>
<td>-------</td>
<td>-----</td>
<td>------------</td>
</tr>
<tr>
<td>East</td>
<td>M-2</td>
<td>Industrial</td>
</tr>
<tr>
<td>West</td>
<td>M-2</td>
<td>Industrial</td>
</tr>
</tbody>
</table>

BACKGROUND

On September 13, 2017, the City adopted Ordinance No. 2399 adding Chapter 5.90 entitled Cannabis Cultivation, Manufacturing, and Testing with a required Development Agreement and Conditional Use Permit.

On June 13, 2018, the City adopted Ordinance No. 2404 adding Delivery-Only retailers along with Cultivation, Manufacturing, and Testing as conditionally approved activities/uses in the M-1 and M-2 zones with a Development Agreement (DA) and also adding a sensitive use buffer of 800-feet from residential zones.

On February 13, 2019 the City Council held a public hearing and recommended the selection of potential cannabis operators for Phase 3 consideration and adoption of fees. The City Council selected 21 potential operators and established a Conditional Use Permit filing due date of March 4, 2019 for said operators.

On July 2, 2019, CUP 21-19 submitted by Cal Green, LLC., for cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery was determined to be complete.

PROJECT DESCRIPTION

The project site is located within the M-2 (Heavy Manufacturing) zone and consists of one parcel approximately 45,378 square feet (1.04 acres) with two existing structures. The applicant proposes to maintain one of the existing buildings, the 1,827 square-foot building located along Aeros Way and will demolish an existing 2,100 square-foot metal building and develop a 2-story 14,804 square-foot commercial industrial building in the location of the existing 2,100 square-foot metal building. The applicant will occupy the existing 1,827 square-foot building that will be used for retail delivery, storage, security and records and the applicant will only occupy and utilize the first floor approximately 7,402 square feet of the proposed 2-story 14,804 square-foot building. The applicant will utilize the first floor of the proposed 2-story building (Suite A) for cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery. Total building area that will be occupied by the applicant will be 9,229 sq. ft. The proposed building and existing will match relative to color, wall finishes, and architecture features. The proposed uses and corresponding square footages are as follows:

<table>
<thead>
<tr>
<th>Cultivation (proposed building)</th>
<th>2,182 sq. ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Store Front Retail delivery (existing building)</td>
<td>692 sq. ft.</td>
</tr>
<tr>
<td>Manufacturing (proposed building)</td>
<td>1,583 sq. ft.</td>
</tr>
<tr>
<td>Distribution (proposed building)</td>
<td>1,250 sq. ft.</td>
</tr>
<tr>
<td>Office, storage, security, &amp; common area (existing and proposed buildings)</td>
<td>3,522 sq. ft.</td>
</tr>
</tbody>
</table>
Traffic and Parking

The site is an approximately 1.04 acre lot and will have access from two existing driveways for ingress and egress on Union Street and Aeros Way. The driveways are existing and adequate in width to accommodate the proposed project/business. The project is proposed for cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery. Thus, the operation will have limited employees compared to other typical industrial uses. This translates to less AM and PM peak hour trips.

The total building area that takes into consideration and existing 1,827 square-foot building and the proposed 14,804 square-foot building for a total building area of 16,631 square feet will require 34 parking spaces. The project provides 36 on-site parking spaces and the applicant will only require 19 spaces of the 36 parking spaces provided.

The parking will be for employee use only and since the cannabis operation will not be open to the public, there will be limited to no visitors to the site/business location. This will be a condition of approval.

CEQA

The Conditional Use Permit No. CUP 21-19 application is considered a “project”, per the California Environmental Quality Act definition of a “project and is categorically exempt under the California Environmental Act (CEQA) Section §15301 (Existing Facilities) Class 1 and Section §15332 (In-Fill Development Projects) Class 32 consisting of projects characterized as existing facilities and in-fill development meeting the conditions described in this section:

1. The project consist of the operation repair, maintenance, permitting, leasing, licensing, or minor alterations of existing private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing of former use.

2. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed use is a conditionally approved with the established M-2 zone designation.

3. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The proposed project will be located within the existing and proposed structures and the project site of 1.04 acres is completely paved.

4. The project site has no value as habitat for endangered, rare or threatened species. The Site has been previously disturbed and is developed with an existing 1,827 and a 2,100 square-foot buildings and a new 3,293 square-foot building is proposed on a 1.04 acre lot that is completely paved and is currently used as a storage yard for a rubbish collection business.

5. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The proposed project as cannabis Cultivation, Manufacturing Distribution, and Non-Store Front Retail delivery will reduce traffic as this type of use has
less employees than typical industrial uses and will have limited to zero customers/visitors from the general public.

6. The site can be adequately served by all required utilities and public services. The building(s) exists and currently has all the necessary and required utilities.

ANALYSIS

The subject project site is located at 1701 Aeros Way, Suite A (APN 6354-028-021) and is approximately 1.04 acres. The General Plan Land Use Designation is Industrial and the zone is M-2 (Heavy Manufacturing). The following is a code analysis of the proposed project:

<table>
<thead>
<tr>
<th>Code Standard</th>
<th>Proposed/Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>45,378 sq. ft. or 1.04 acres</td>
</tr>
<tr>
<td>Lot Width</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>210 +/- (existing)</td>
</tr>
<tr>
<td>Lot Depth</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>215 +/- (existing)</td>
</tr>
<tr>
<td>Building Height</td>
<td>35 feet maximum height</td>
</tr>
<tr>
<td></td>
<td>15 ft. (existing) and 24'-6&quot; (proposed)</td>
</tr>
<tr>
<td>Floor Area Ratio</td>
<td>3:1 (136,134 sq. ft. max)</td>
</tr>
<tr>
<td></td>
<td>9,229 sq. ft. (existing and proposed)</td>
</tr>
<tr>
<td>Loading Spaces</td>
<td>2 spaces</td>
</tr>
<tr>
<td></td>
<td>2 spaces</td>
</tr>
<tr>
<td>Required Building Setback</td>
<td></td>
</tr>
<tr>
<td>• Front, Aeros Way (east)</td>
<td></td>
</tr>
<tr>
<td>• Sides (north &amp; south)</td>
<td>10 ft. or 5 ft. with decorative façade</td>
</tr>
<tr>
<td>• Rear (west)</td>
<td>5 ft. or none if no windows or doors</td>
</tr>
<tr>
<td></td>
<td>9'-5&quot; ft. Aeros Way (existing)</td>
</tr>
<tr>
<td></td>
<td>27 ft. (north) and 37 (east)</td>
</tr>
<tr>
<td></td>
<td>67 ft. (east)</td>
</tr>
<tr>
<td>Parking 1 space/ 500 sq. ft.</td>
<td>34 parking spaces</td>
</tr>
<tr>
<td></td>
<td>36 parking spaces provided, applicant will need 19 parking spaces</td>
</tr>
</tbody>
</table>

The project provides landscaping throughout the site however will be required to submit a comprehensive landscape plan. In addition, the applicant will be required to incorporate the required 2 loading spaces for the project. Those two required items are included in the conditions of approval.

The proposed project conforms with the Montebello General Plan, Land Use Element in that the proposed will develop under-utilized or vacant properties with a cohesive development that will increase the taxable revenue from these properties to the City.

- Goal #1: Formulate a plan which is responsive to the needs of the community and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable
development.

- Objective #3: "cluster" type commercial development is preferential to proliferation of strip commercial.
  - Policy Industrial #1: The City's industrial area should be preserved and maintained.

The proposed project is in compliance with the M-2 (Heavy Manufacturing) zone because:

- Per the Index of Primary Uses, Cannabis uses are conditionally permitted uses in the M-1 and M-2 zone and the project site is not within six hundred feet of a R-zone.

- Proposed meets the development standards set forth in the Montebello Municipal Code Chapter 17.32.

The proposed design is compatible with the surrounding properties because:

- There is not a distinct Architectural style or design to the area.

- Proposed building will have wall finishes that will be consistent relative to color and application with the existing building on site and surrounding buildings.

Per the Montebello Municipal Code Chapter 17.70 the required findings:

- Would not adversely affect the general welfare of the surrounding property owners because there are no sensitive types of properties in the area, the area is mostly industrial.

- Would not result in an undesirable concentration of premises for cannabis uses, including Cultivation, Manufacturing, Distribution, and Non-Store Front retail delivery, in the area because cannabis establishments are inconspicuous with limited signage and limited visitors with restrictions.

- Would not detrimentally affect the nearby surrounding area after giving special consideration to the proximity and nature of the proposed use with respect to schools providing instruction in kindergarten of any grades 1 through 12, a day care center, or youth center, or a property zoned residential.

- Would not aggravate existing problems created by the transport of cannabis (e.g. littering, loitering, noise, calls for service, and sales to minors) because the general public is not allowed at the facility and the business is required to have a security plan submitted by a licensed and bonded security company.

- Is in conformance with the goals, policies, and objectives of the general plan and the purpose and intent of this code and any applicable specific plan.

**Police Department Review**

The Montebello Police Department reviewed the proposed project and does not object to the
proposed Conditional Use Permit and stated that they will be incorporating conditions and comments into the required Development Agreement between the City and Applicant.

PUBLIC COMMENTS RECEIVED

Pursuant to MMC Chapter 17.78 (Public Hearings, Notices, and Appeals), public hearing notices:

- On July 25, 2019, a Public Hearing Notice was published in the Whittier Daily News.
- On July 25, 2019, a Public Hearing Notice was mailed to property owners and occupants within three hundred feet of the site boundaries.

Staff has not received any public comments regarding the project, as of the writing of this report.

PLANNING COMMISSION OPTIONS

The following are options should the Planning Commission take action on this Conditional Use Permit No. CUP 21-19 application:

1. Conduct a Public Hearing and adopt a Resolution approving Conditional Use Permit No. CUP 21-19 to allow the development of cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery at 1701 Aeros Way, Suite A.

2. Conduct a Public Hearing and adopt a Resolution denying Conditional Use Permit No. CUP 21-19 to allow the development of cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery at 1701 Aeros Way, Suite A.

3. Open a Public Hearing and table the item to a date certain

FISCAL IMPACT

None

ATTACHMENT(S)

A. Public Hearing Notice
B. Resolution
C. NOE
D. Plans
WHEREAS, a Conditional Use Permit No. CUP 21-19 application was submitted by Anzhela Proshak with Cal Green, LLC. and has been received and accepted;

WHEREAS, the Conditional Use Permit would allow a new cannabis Cultivation (2,182 sq. ft.), Manufacturing, Distribution, and Non-Store Front retail delivery located at 1701 Aeros Way (APN 6354-028-021);

WHEREAS, pursuant to section 21067 of the Public Resources Code, and section 15367 of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City of Montebello is the lead agency for the proposed Project;

WHEREAS, the Conditional Use Permit No. CUP 21-19 is considered a "project", per the California Environmental Quality Act definition of a "project";

WHEREAS, the project is Categorically Exempt per CEQA Sections §15301 (Existing Facilities) and §15332 (In-Fill Development) because;

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

2. The project consists of the operation repair, maintenance, permitting, leasing, licensing, or minor alterations of an existing private structure, facility, mechanical equipment, or topographical features, involving negligible or no expansion of an existing or former use.

3. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

4. The project site has no value as habitat for endangered, rare or threatened species.

5. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
6. The site can be adequately served by all required utilities and public services.

WHEREAS, after conducting a duly noticed public hearing, and considering the evidence submitted by the applicant, public testimony, staff presentations, and such other matters properly presented during the hearing on this matter, the Planning Commission makes the following findings:

1. The proposed use would conform with the City of Montebello General Plan Land Use Element, Goal 1, "Formulate a plan which is responsive to the needs of the community and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development;" Objective 3, "cluster" type commercial development is preferential to proliferation of strip commercial," Policy Industrial 4, "The City's industrial area should be preserved and maintained"; because the proposed project will occupy an existing building and clean up a property that is not properly maintained to service to the community and bring taxable revenue to the City.

2. The proposed indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery is in compliance with the M-2 (Heavy Manufacturing) zone because:

   a. Per the Index of Primary Uses, Cannabis uses are conditionally permitted use in the M-1 and M-2 zones and the project site is not within six hundred feet of a R-zone.


3. The design of the building is compatible with the surrounding neighborhood because there is not a distinct Architectural style or design to the area and the proposed use is being proposed in a building(s) that will be consistent with the existing buildings on site and in the area.

4. Per MMC 17.71.010, the proposed use:

   a. Is consistent with the purposes and intent of Chapter 17.71 – Permitted Zones; Distance from sensitive uses – of the Montebello Municipal Code;

   b. Would not adversely affect the general welfare of the surrounding property owners;

   c. Would not result in an undesirable concentration of premises for the sale of cannabis as cannabis uses are inconspicuous with limited signage and limited and restricted visitors, in the
area;

d. Would not detrimentally affect the nearby surrounding area after giving special consideration to the proximity and nature of the proposed use with respect to schools providing instruction in kindergarten of any grades 1 through 12, a day care center, or youth center, or a properties zoned residential;

e. Would not aggravate existing problems created by the transport of cannabis (e.g. littering, loitering, noise, calls for service, and sales to minors); and

f. Is in conformance with the goals, policies, and objectives of the general plan and the purpose and intent of this code and any applicable specific plan.

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

NOW, THEREFORE, the Planning Commission of the City of Montebello resolves that:

SECTION 1. The foregoing recitals are true and correct and are hereby incorporated as substantive findings in this Resolution.

SECTION 2. The Planning Commission approves and adopts the CEQA Categorical Exemption Sections §15301 Class 1 (Existing Facilities) and §15332 (In-Fill Development) Class 32. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

1. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by industrial and urban uses.

2. The project site has no value as habitat for endangered, rare or threatened species.

3. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

4. The site can be adequately served by all required utilities and public services.

SECTION 3. The Planning Commission hereby approves Conditional Use Permit No. CUP 21-19 to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store-front delivery subject to the conditions of approval set forth in Section 4 of this Resolution.
SECTION 4. The Planning Commission finds that the foregoing conditions of approval are necessary and appropriate.

1. The applicant shall defend, indemnify, and hold harmless the city, its elected and appointed officials, agents, officers, and employees from any claim, action, or proceeding brought against the city, its elected and appointed officials, agents, officers, or employees arising out of, or which are related to the applicant's project or application (collectively referred to as "proceedings"). The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the city, if any, and cost of suit, attorney's fees, and other costs, liabilities, and expenses incurred or awarded in connection with the proceedings whether incurred by the applicant, the city and/or the parties initiating or bringing such proceedings. This indemnity provision shall include the applicant's obligation to indemnify the city for all the city's costs, fees, and damages that the city incurs in enforcing the indemnification provisions set forth herein. The city shall have the right to choose its own legal counsel to represent the city's interest in the proceedings.

2. The applicant shall sign, notarize, and return to the Planning Department an affidavit accepting all Conditions of Approval of Conditional Use Permit (CUP 21-19) within 30 days from the date of the approval in accordance with Montebello Municipal Code Sections 17.71.010 and 17-32. The applicant acknowledges and understands that all conditions set forth in this Resolution are conditions precedent to the grant of approval and failure to comply with any condition contained herein shall render this approval non-binding as against the city and shall confer applicant no legal rights under the law. The Applicant shall incorporate these conditions of approval in the project plans (constructions drawings) that are submitted for building plan check. Building Plans shall be reviewed and approved by the Planning Division for conformance to the Conditions of Approval and the approved Development Plan prior to the issuance of a building permit.

3. This approval shall be used within two years of the approval date of this project; by August 6, 2021. Otherwise if shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction under this approval. The applicant will incorporate all conditions of approval in all plans that will submitted for building plan check.

4. Approval of CUP 21-19 is subject to approval, adoption, and fully executed Development Agreement by and between the City and the Applicant.

5. The applicant must submit an application for Street Work Permit to the Public Works department for the assignment of proposed addresses. If such application is not approved, this conditional use permit application (CUP 21-19) shall be invalid.

6. This approval under CUP 21-19 is for indoor cannabis Cultivation (2,182 sq. ft.), Manufacturing, Distribution, and Non-Store Front Retail delivery occupying the first floor (7,402 sq. ft.) of a proposed two-story 14,804 square-foot building (Suite A) and an existing 1,827 square-foot building, with a total building area occupancy of 9,229 square feet.
7. Cal Green, LLC, must be a registered business or entity with the Secretary of State of the State of California. If Cal Green, LLC, is not registered in the State of California, this application and approval is invalid.

8. A Business License and a Certificate of Occupancy shall be applied for and approved by the Community Development Department at this location prior to operations. If operations commence prior to approval of these applications, this approval will be invalid and will be subject to revocation and all activities will be considered illegal.

9. The Applicant and operation shall continually remain in compliance with all Montebello codes, Regulations, Ordinances and applicable State and Federal laws.

10. This approval is the result of review of the submitted application and plans. Further review may be required as the operations begins activity to inspect facilities and review Live Scan results of employees.

11. Within one year of approval, a review of the operation and facility will be performed to determine continued compliance with the most current Cannabis Ordinance. The approval shall remain valid indefinitely as long as the organization remains in good standing and complies with all requirements including any and all payments required under the requisite Development Agreement.

12. A Security Plan must be submitted by a certified, bonded, and licensed security company. The security plan will include but not be limited to security cameras on site, screened fencing, and a storage vault or safe. The security Plan must be reviewed and approved by the Police Chief or his designee before a Certificate of Occupancy is issued.

13. Access to the security cameras must be granted upon request by the City representatives seeking access to the building.

14. The applicant's business of indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front activity will not have any members of the public visit the premises at 1701 Aeros Way, Suite A for acquisition or sale of any product.

15. The development and utilization of the subject site shall substantially conform to the plans authored for Cal Green date Stamped July 2, 2019, for the use, except as provided for herein and by subsequent revisions found by the Director of Planning and Community Development to be in substantial compliance with these provisions.

16. Off-street parking. The required parking is 34 spaces for the entire site. The Applicant will follow the approved site plan and will provide 36 parking spaces and 19 of the 36 parking spaces are required for the use under CUP 21-19 and as shown on the site plan.
17. The applicant will incorporate the two (2) required loading spaces into the site plan prior to the submittal of plans for building plan check and subject to approval by the Planning Division.

18. The development of the subject site shall be consistent with all of the provisions of the Montebello Municipal Code (MMC) and Conditional Use Permit (CUP 21-19).

19. The Applicant shall submit three copies of construction level Landscape and Irrigation Plans to the Community Development Department. The plans must be prepared by a registered landscape architect and include the location, number, genus, species, and container size of plants. The cover page shall identify the total square footage to the landscape area and note how it is to be maintained. Use of water efficient fixtures and drought plants is encouraged.

20. All storage shall be maintained indoors. The Applicant shall cause for the removal of any and all outdoor storage or excess debris.

21. Applicant will improve exterior of buildings with paint to match as necessary and as shown on the approved Elevations.

22. Trash Area and Enclosures. The applicant shall comply with all trash storage requirements and shall construct a trash enclosure on-site as required. The trash enclosure shall enclosed by a view-obscuring wall or fence with gates pursuant to Section 17.32.060 of the MMC.

23. All waste must be disposed of appropriately, including cannabis waste, wastewater, electronic waste, and recycling.

24. Modification to Plans. Subsequent modification to this approval, which do not intensify the use, including but not limited to reorientation of structures, alteration of parking and circulation design, minor changes to the Conditions of Approval, interpretations of the Conditions of Approval relative to intent, necessity of, and timing, may be approved by the Community Development Director within a 25% deviation, unless the Director requires a Substantial Conformance or revised Permit application in accordance with the City Development Code.

25. The Director of Planning and Community Development, at any time, can call for a review of the approved conditions of approval at a duly noticed public hearing before the Planning Commission. These condition(s) may be modified, or new condition(s) added to reduce any impacts of the use. The Planning Commission may revoke the Conditional Use Permit (CUP 21-19) if sufficient cause is given.

26. No transfer or Change in ownership or location. Applicant/owner may not transfer, sell, pledge, assign, grant an option, or other dispose of his or her ownership interest in the business or development agreement, without the advanced approval of the City Council.

27. The applicant or successor in interest shall meet the applicable Code requirements and all other City Departments regulations.
28. Applicant shall repair any and all damaged sidewalk along street frontage of property and install any new sidewalk as may be required and determined by the City Engineer/Public Works Department. A permit from the Montebello Public Works Department shall be secured before any and all work may commence within the public right away.

29. Any and all cannabis waste will and may not be discharged into public sewer. Provide a report that identifies waste materials that are going to be discharge into public sewer.

30. Provide report on how any toxic or hazardous waste materials or by products will disposed. Provide an ongoing program for monitoring the disposition of any identified hazardous or toxic materials.

31. Must obtain approval from LA County Sanitation District for any required Industrial Waste permit(s).

32. All applicable conditions of approval from previous entitlements on the property shall remain in full force and effect, unless otherwise specifically noted in this Resolution.

33. The Applicant will bear the full costs of all monitoring and inspection activities to be conducted by City staff, or its designated representative(s), as necessary to ensure compliance with the conditions of this Resolution.

34. Any change, expansion, intensification and/or modification to the proposed plans use, or mode of operations shall be subject to the review and approval by the Director of Planning and Community Development who may take action or call for review by the Planning Commission at a noticed public hearing.

35. The Applicant shall have all graffiti on-site removed within 24 hours of its appearance.

36. The operation of the said use shall at all times be conducted in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking or other actions. All activities must be conducted within the building.

37. All employees of the businesses on-site shall be out of the premises no later than one hour after closing. No "after hours" operations shall be permitted.

38. No loitering in the parking area and Applicant shall control all employees leaving the premises. Signs shall be posted notifying employees. The size, content, and location of the sign(s) are subject to the review and approval of the Director of Planning and Community Development prior to installation.

39. The applicant and business operator shall take the necessary steps to assure the orderly conduct of employees. No members of the public are allowed to patron and visit on the premises.
40. The parking area shall be sufficiently lit and secured to discourage loitering and/or late night activity.

41. All outdoor utilities, machinery, and equipment, including roof-mounted equipment, shall be completely screened from the public right-of-way, in a manner that is compatible with the structure. The method of screening shall be subject to the review and approval of the Director of Planning and Community Development and the Building Official prior to issuing building permits.

42. This approval shall not supersede the approval of any other responsible agencies. The applicant shall comply with all Federal, State and local laws.

43. The approval of this Conditional Use Permit (CUP 21-19) shall expire if the rights granted are not exercised within two (2) years from the effective date of this Resolution. Exercise of rights shall mean the issuance of a Building permit.

44. The approval of this Conditional Use Permit (CUP 21-19) can be extended up to and not to exceed an additional two (2) years with a written request by the Applicant stating the reason and need for an extension and upon review and approval by the Director of Planning and Community Development.

45. Within 30 days of the City Planning Division transmittal of the Acceptance Form, the applicant shall sign and return a copy of the Acceptance Form, agreeing to the conditions of approval and acknowledging that failure to comply with such conditions shall constitute grounds for potential revocation of the permit approval. Failure to return the Acceptance Form within 30 days shall constitute grounds for terminating the permit.

46. In the event of a violation of the conditions of approval, no further permits, licenses, approvals or certificates of occupancy shall be issued until such violation has been fully remedied.

47. Parking shall be provided in accordance with the regulations of Chapter 17.52 of the Montebello Municipal Zoning Code.

48. The premises shall be kept clean and the operator of the establishment shall insure that no trash or litter originating from the site is deposited onto neighboring properties or onto the public right-of-way.

49. All screening must be reviewed and approved by the Planning Division prior to the issuance of any building permits to construct the screening.

50. If, at any time, a litter problem arises, the Director of Community Development may require a litter clean-up plan to be submitted and reviewed. The litter clean-up plan shall include a schedule of time and frequency of litter clean-up activities. Upon approval of the plan by the Director of Planning and Community Development, the measures of the plan shall be implemented. This condition may require the operator of the use to post a bond to ensure litter compliance.
51. The premises shall be kept clean and the operator of the establishment shall insure that no trash or litter originating from the site is deposited onto neighboring properties or onto the public right-of-way.

52. The development and utilization of the site shall comply with all the provisions of all of the current Building, Plumbing, Mechanical, Electrical Codes and City Ordinances, as well as additional requirements from the Montebello Building and Safety Division.

53. The development and utilization of the site shall be subject to the review and approval of the Public Works Department. Additional Montebello Public Works Department requirements may be required prior to issuing building permits.

54. The development and utilization of the site shall comply with all the provisions of all of the California Fire Code, International Fire Code, and National Fire Protection Association standards as well as additional requirements from the Montebello Fire Department.

55. All signage is subject to final review and approval by the Planning Division and will be done under as separate permit.

56. All temporary signage is subject to the restrictions of the City's sign ordinance.

57. No coin operated games or video machines maintained upon the premises at any time.

58. The Planning Commission, and the City Council on appeal, shall have the right to impose additional conditions for the protection of the public health, safety and welfare.

59. Compliance with the current edition of the California Fire Code.

60. Applicant shall adhere to all applicable codes, standards, and/or regulations. And shall meet any all conditions as may be required by South Coast Air Quality Management District, any and all water boards, Montebello Building Safety, Montebello Public Works, and Montebello Police and Fire.

61. Compliance with the current edition of the California Fire Code, Appendix B, titled "Fire-Flow Requirements for Buildings", as the standard for delivery of fire flow to the site.


63. Compliance with all nationally recognized standards, laws, and ordinances.

   i. That a masonry wall of six feet in height shall be constructed around the parking area of such establishments when said area is adjacent to properties zones or used for residential purposes or any of the above referenced consideration points.
ii. That the noise levels generated by the operation of such establishment shall not exceed sixty-five dBA between the hours of seven a.m. to ten p.m., and not exceed sixty dBA between the hours of ten p.m. to seven a.m., so as to mitigate the impact on adjoining properties zoned or used for residential purposes. The measurement of noise levels shall be taken at the location of the shared property line.

iii. That exterior lighting of the parking area shall be kept at an intensity of between one- and two-foot candles, so as to provide adequate lighting for employees while not disturbing surrounding residential or commercial areas. Light sources shall be shielded from adjacent properties and from the sky.

iv. That special security measures such as security guards and burglar alarm systems as specified by the police department may be required, which must reflected in the submitted security plan.

v. Exterior storage of any kind shall be prohibited, except where allowed per the Montebello Municipal Code.

vi. That litter and trash receptacles shall be located at convenient locations inside and outside establishments, and operators of such establishments shall remove trash and debris on a daily basis.

vii. That no signs shall be installed on the site until a sign permit has been approved by the Planning Division and a building permit issued by the Building and Safety Division in conformance with the provisions set forth in Chapter 17.62 of the Montebello Municipal Code.

PASSED AND ADOPTED this 6th day of August, 2019 by the Planning Commission.

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Sona Mooradian, Chair
ATTEST:

Manuel Mancha
Director of Planning and Community Development
Notice of CEQA Exemption
Cal Green, LLC.
5914 Donna Avenue
Tarzana, CA 91356

To:
Los Angeles County
Registrar-Recorder/County Clerk
12400 Imperial Highway
Norwalk CA 90650

From:
Community Development Director
Planning and Development Dept.
1600 West Beverly Boulevard
Montebello, CA 90640

Project Title: CUP 21-19
Project Address: 1701 Aeros Way, Suite A, Montebello, CA 90640
Project Location – City: Montebello
Project Location – County: Los Angeles County

Description of Nature, Purpose, and Beneficiaries of Project: Conditional Use Permit to allow cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery in a proposed two-story 14,804 square-foot building and an existing 1,827 square-foot building located at 1701 Aeros Way in the M-2 (Heavy Manufacturing) zone. The project also call for the demolition of an existing 2100 SF metal industrial building.

Name of the Public Agency Approving the Project: City of Montebello,
Name of Person or Agency Carrying Out the Project: Cal Green, LLC., 5914 Donna Avenue, Tarzana, CA 91356

Exempt Status (check one)
☐ Ministerial (Sec. 21080(b)(1); 15268); N/A
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a)); N/A
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c)); N/A
☒ Categorical Exemption. State type and section number: Class 32 Infill Development Project and Class 1 Existing Facilities (CEQA Guidelines Sec. 15301 and 15332)
☐ Statutory Exemptions. State code number: N/A

Reasons Project is Exempt: See attached.

Lead Agency Contact Person: Louis Morales
Area Code/Telephone/Extension: 323-480-8145

If filed by applicant:
1. Attach certified document of exemption finding. (Refer to Attachment A)
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature: __________________________________ Date: ______________ Title: Project Planner

☒ Signed by Lead Agency ☐ Signed by Applicant
ATTACHMENT A FOR THE NOTICE OF CEQA EXEMPTION
CUP 21-19

1. INTRODUCTION

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, a Notice of Exemption (NOE) may be filed if the City of Montebello, in its capacity as the Lead Agency, determines that a proposed action or project is exempt from CEQA. According to the CEQA Guidelines, a NOE must contain the following information:

- A brief description of the action or project;
- A finding that the proposed action or project is exempt, including a citation of the State CEQA Guidelines section or statute under which the project is found to be exempt; and
- A brief statement is support of the finding.

This NOE provides a description of the proposed CUP 21-19, indicates the applicable sections of CEQA that support the findings for the CEQA exemption, and discusses the Lead Agency’s findings that are applicable to the proposed project. The project is described herein (Section 2, Project Description).

2. PROJECT DESCRIPTION

Project Applicant: Cal Green, LLC., 5914 Donna Avenue, Tarzana, CA 91356

Project Location: The project site encompasses approximately 1.04 acres and is located at 1701 Aeros Way, Montebello, CA (Assessor’s Parcel Numbers (APN): 6354-028-021), Los Angeles County. The site is located at the southwest corner of Aeros Way and Union Street.

Surrounding Land Uses: The project site is located within an existing and well established industrial area. Industrial uses are located to the north, east, west, and south. The proposed building will be two-story and 14,804 SF and the proposed use under CUP 21-19 will occupy the first floor (7,402 SF) and will also utilize an existing 1,827 SF building. The property is currently being used as a service yard for a waste disposal company.

Physical Characteristics of the Project: The CUP under CUP 21-19 will allow the cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery on the first floor (7,402 SF) of a proposed two-story 14,804 square-foot building and within an existing 1,827 SF building on a 1.04 acre site. Parking will meet the code standards and will be provided on-site.

Construction would take approximately 12-16 months.

3. APPLICABLE CEQA EXEMPTIONS

The City of Montebello has reviewed the proposed project and has determined that it is categorically exempt and qualifies for a Class 1 Existing Facilities and Class 32 Infill Development Project (CEQA Guidelines Sections 15301 and 15332). Class 1 exemptions consists of projects proposed in existing facilities and Class 32 exemption consists of projects characterized as infill development and meet the following conditions:

- The project consist of the operation repair, maintenance, permitting, leasing, licensing, or minor alterations of existing private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing of former use.
- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- The project site has no value as habitat for endangered, rare or threatened species.

---

1 CEQA Guidelines California Code of Regulations, Title 14, Division 6, Chapter 3, Article 19. Categorical Exemptions (Section 15300)

City of Montebello
Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The site can be adequately served by all required utilities and public services.

4. FINDINGS SUPPORTING THE APPLICABLE CEQA EXEMPTIONS

The City of Montebello, following a preliminary evaluation of the proposed project, determined that it would not result in any significant effects on the environment. This determination is based on the following:

- The applicant is seeking approval to utilize an existing 1,827 SF building and proposes to construct a 14,804 SF building to for cultivation, manufacturing, distribution, and retail delivery of cannabis infused edible and consumable products to cultivate. This is the first approval the application has sought in relationship to the use of this existing and proposed facility.
- The existing building located at 1701 Aeros Way is an 1,827 SF structure. The proposed two-story 14,804 SF building will be located on-site in an area previously developed with a 2,100 SF metal building that will be demolished. The total combined lot is approximately 1.04 acres and the existing and proposed buildings will continue to be used as industrial buildings.
- The applicant will conduct minor alterations to the existing 1,827 SF building’s interior space.
- The applicant does not plan to perform any exterior alterations. The existing building footprint will remain unchanged.
- The cultivation and manufacturing of the cannabis is consistent with the existing manufacturing zone uses and there is not a reasonable possibility that the cultivation, manufacturing, distribution and non-storefront delivery retail of edible and consumable products consistent which is consistent with the manufacturing of other foods and edible products conducted in the Manufacturing Zone and will not have a significant effect on the environment.
- The existing structure is located in a designated manufacturing zone off of a local street which is not part of a highway designated as a state scenic highway.
- The site is not included on any list compiled pursuant to Section 65962.5 of the Government Code and has not been deemed a hazardous waste site.
- The existing facility has not been designated a historical resource and will not cause a substantial adverse change in the significance of a historical resource.
- The proposed project is consistent with both the General Plan and Zoning designations that are applicable to the site and the City of Montebello Zoning Ordinance Map. NO General Plan Amendment or Zone Change will be required to accommodate the proposed project.
- The proposed project is within the City limits and is less than 5 acres. The project site is 1.04 acres and is surrounded by urban uses. The project site is located within an industrial area and is surrounded on all four sides by heavy industrial uses.
- No native or natural habitats are found within the project site or on adjacent parcels. Due to the urban, built-out nature of the urbanized projects in the City and surrounding area, there are no known natural biological resources in the vicinity of the project site. No known rare or endangered plant or animal species are located within the project site boundaries. The site’s highly disturbed nature, small size, and its isolation from other open space areas limit its utility as a habitat or an animal migration corridor.
- The approval of the proposed project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The City oversaw the completion of an Environmental Checklist that considered the project’s impacts pursuant to the CEQA Guidelines Appendix G Environmental Checklist Form.

As indicated in the studies completed for this project, and based on application of the existing Federal, State, and local laws and regulations, in can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. As a result, the following findings may be made by the City of Montebello:

- No significant dislocation of onsite or offsite uses will be required to accommodate the proposed project.
- The proposed project site does not contain any sensitive resources. The project site and surrounding areas have been disturbed as part of previous development.
Notice of CEQA Exemption
Cal Green, LLC.
5914 Donna Avenue
Tarzana, CA 91356

- The proposed project site is located within an urbanized area of the City of Montebello. No scenic resources or scenic corridor will be affected by the proposed project.
- The proposed project site is not located within an area, nor does it include a site the Department of Toxic Substances Control and the Secretary for Environmental Protection has identified as being affected by hazardous wastes.
- The proposed project will not result in any adverse impacts on historic resources.
- The proposed project will not involve the review of by a State trustee or responsible agency.

5. DISCUSSION OF THE LEAD AGENCIES FINDINGS

The City of Montebello may make the following findings with regard to the proposed project's exemption from the environmental review requirements outlines in CEQA:

- The proposed project will be confined to the project site and no dislocation of offsite uses will occur.
- The proposed project does not have a possibility of creating a significant environmental effect. The bases for this determination was discussed in the preceding section.
- The proposed project will not result in any impacts to sensitive resources.
- The proposed project will not result in impacts on sensitive resources; result in a cumulative impacts; have the potential for damaging scenic resources; involve the placement of a project over a site the Department of Toxic Substances Control and the Secretary for Environmental Protection has identified as being affected by hazardous wastes; or result in any impacts to historic resources.
- The Lead Agency, based on the rule of common sense, "has determined that there is no possibility" that the proposed project will result in significant environmental effects.²

² CEQA Guidelines Sec. 15061(b)3
City of Montebello
NOTICE OF PUBLIC HEARING
CITY OF MONTEBELLO PLANNING COMMISSION

Conditional Use Permit No. CUP 21-19
1701 Aeros Way Suite A

Project Description: A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery, within an existing and proposed commercial building on the property located at 1701 Aeros Way, APN 6354-028-021.

Zone: M-2 (Heavy Manufacturing)

General Plan Designation: Industrial

Environmental: The proposal is considered a "Project" and is categorically exempt under the California Environmental Act (CEQA) Sections §§ 15301(Existing Facilities) and 15332 (In-Fill Develop Projects).

NOTICE IS HEREBY GIVEN that the City of Montebello Planning Commission will hold a public hearing on the Conditional Use Permit application. The meeting is scheduled on:

Date: Tuesday, August 6, 2019
Time: 6:30 p.m.
Place: City Hall Council Chambers
1600 West Beverly Boulevard
Montebello, CA 90640

Any party interested in speaking may appear at the public hearing and comment on the project. Written comments may also be mailed or delivered to the City of Montebello Planning Commission at the Planning Division office address identified below. If you challenge the matter in court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City of Montebello at, or prior to, the public hearing.

For more information about the project and the related environmental documentation please contact:

Contact Person: Louis Morales
Phone: 323.887.1200, ext. 482 Fax: 323.887.1488
Email: lmoraes@cityofmontebello.com
Address: City of Montebello, City Hall, Planning Division, 1600 W. Beverly Blvd, Montebello, CA 90640
City Website: www.cityofmontebello.com
COPY OF NOTICE

Notice Type: HRG NOTICE OF HEARING
Ad Description: Conditional Use Permit No. CUP 21-19 1701 Aeros Way Suite A

To the right is a copy of the notice you sent to us for publication in the WHITTIER DAILY NEWS. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

07/25/2019

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an

Daily Journal Corporation
Serving your legal advertising needs throughout California. Call your local

BIZINESS JOURNAL, RIVERSIDE
DAILY COMMERCE, LOS ANGELES
LOS ANGELES DAILY JOURNAL, LOS ANGELES
ORANGE COUNTY REPORTER, SANTA ANA
SAN FRANCISCO DAILY JOURNAL, SAN FRANCISCO
SAN JOSE POST-RECORD, SAN JOSE
THE DAILY RECORDER, SACRAMENTO
THE DAILY TRANSCRIPT, SAN DIEGO
THE INTER-CITY EXPRESS, OAKLAND

(951) 784-0111
(213) 229-5300
(213) 226 6300
(714) 543-2027
(800) 640-4829
(408) 287-4868
(916) 444-2355
(510) 232-3486
(510) 272-4747

CNS 3276155

NOTICE OF PUBLIC HEARING
CITY OF MONTEBELLO Planning Commission
Conditional Use Permit No. CUP 21-19
1701 Aeros Way Suite A

Project Description: A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery, within an existing and proposed commercial building on the property located at 1701 Aeros Way, APN 6354-028-021.

Zone: M-2 (Heavy Manufacturing)

General Plan Designation: Industrial

Environmental: The proposal is considered a "Project" and is categorically exempt under the California Environmental Act (CEQA) Sections 15061 (Existing Facilities) and 15332 (In-Fill Develop Projects).

NOTICE IS HEREBY GIVEN that the City of Montebello Planning Commission will hold a public hearing on the Conditional Use Permit application. The meeting is scheduled on:

Date: Tuesday, August 6, 2019
Time: 6:30 p.m.
Place: City Hall Council Chambers
1600 West Beverly Boulevard
Montebello, CA 90640

Any party interested in speaking may appear at the public hearing and comment on the project. Written comments may also be mailed or delivered to the City of Montebello Planning Commission at the Planning Division office address identified below. If you challenge the matter in court, you may be limited to raising those issues you raise at the public hearing, or in written correspondence delivered to the City of Montebello or, prior to, the public hearing.

For more information about the project and the related environmental documentation please contact:

Contact Person: Louis Morales
Phone: 323.887.1206, ext. 402 Fax: 323.887.1488
Email: lmorales@cityofmontebello.com
Address: City of Montebello, City Hall, Planning Division, 1600 W. Beverly Blvd, Montebello, CA 90640

City Website: www.cityofmontebello.com
STAFF REPORT

TO: Honorable Chair and Planning Commissioners

DATE: August 6, 2019

FROM: Manuel Mancha, Director of Planning and Community Development

BY: Louis Morales, Planning Consultant

SUBJECT: Conditional Use Permit No. CUP 22-19 to allow a cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery service within a proposed building located at 1701 Aeros Way, Suite B (APN 6354-028-021)

RECOMMENDATION:

Conduct a public hearing and, upon conclusion, adopt Resolution: (1) approving Conditional Use Permit No. CUP 22-19 with conditions; (2) denying Conditional Use Permit No. CUP 22-19; or (3) continue or table the public hearing to a date certain.

PROJECT/APPLICANT INFORMATION

Project Location: 1701 Aeros Way, Suite B.
APN Information: 6354-028-021.
Project Applicant: Jasmine Rose (Joshua Rosenfield)
Property Owner: 1701 Gage Road LLC.
General Plan Designation: Industrial.
Zoning: M-2 (Heavy Manufacturing).
Existing Use on Property: Property is currently developed with a single-story 1,827 square-foot commercial/industrial building and a 2,100 square-foot metal building and the lot is approximately 45,378 sq. ft. The buildings were built in 1966 and the property is currently being used as a service yard for a rubbish collection company.

PRIOR PLANNING COMMISSION ACTIONS

None.

SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zone</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>M-2</td>
<td>Industrial</td>
</tr>
<tr>
<td>South</td>
<td>M-2</td>
<td>Industrial</td>
</tr>
<tr>
<td>-------</td>
<td>-----</td>
<td>------------</td>
</tr>
<tr>
<td>East</td>
<td>M-2</td>
<td>Industrial</td>
</tr>
<tr>
<td>West</td>
<td>M-2</td>
<td>Industrial</td>
</tr>
</tbody>
</table>

**BACKGROUND**

On September 13, 2017, the City adopted Ordinance No. 2399 adding Chapter 5.90 entitled Cannabis Cultivation, Manufacturing, Distribution, and Testing with a required Development Agreement and Conditional Use Permit.

On June 13, 2018, the City adopted Ordinance No. 2404 adding Delivery-Only retailers along with Cultivation, Manufacturing, and Testing as conditionally approved activities/uses in the M-1 and M-2 zones with a Development Agreement (DA) and also adding a sensitive use buffer of 600-feet from residential zones.

On February 13, 2019 the City Council held a public hearing and recommended the selection of potential cannabis operators for Phase 3 consideration and adoption of fees. The City Council selected 21 potential operators and established a Conditional Use Permit filing due date of March 4, 2019 for said operators.

On July 2, 2019, CUP 22-19 submitted by Jasmine Rose, LLC, for cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery was determined to be complete.

**PROJECT DESCRIPTION**

The project site is located within the M-2 (Heavy Manufacturing) zone and consists of one parcel approximately 45,378 square feet (1.04 acres) with two existing structures and id located at the southwest corner of Aeros Way and Union Street. The applicant proposes to maintain one of the existing buildings, the 1,827 square-foot building located along Aeros Way and will demolish an existing 2,100 square-foot metal building and develop a 2-story 14,804 square-foot commercial industrial building in the location of the existing 2,100 square-foot metal building. The applicant will only occupy utilize the second floor (7,402 SF) of the proposed 2-story 14,804 square-foot building (Suite B) for cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery. The proposed building and existing building will match relative to color, wall finishes, and architecture features. The proposed uses and corresponding square footages are as follows:

<table>
<thead>
<tr>
<th>Cultivation</th>
<th>2,190 sq. ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Store Front retail delivery</td>
<td>275 sq. ft.</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>1,308 sq. ft.</td>
</tr>
<tr>
<td>Distribution</td>
<td>1,250 sq. ft.</td>
</tr>
<tr>
<td>Office, hall space, common area</td>
<td>2,379 sq. ft.</td>
</tr>
<tr>
<td>Total Area</td>
<td>7,402 sq. ft.</td>
</tr>
</tbody>
</table>
Traffic and Parking

The site is an approximately 1.04 acre lot and will have access from two existing driveways for ingress and egress on Union Street and Aeros Way. The driveways are existing and adequate in width to accommodate the proposed project/business. The project is proposed for cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery. Thus, the operation will have limited employees compared to other typical industrial uses. This translates to less AM and PM peak hour trips.

The total building area that takes into consideration and existing 1,827 square-foot building and the proposed 14,804 square-foot building for a total building area of 16,631 square feet will require 34 parking spaces. The project provides 36 on-site parking spaces and the applicant will only require 15 spaces of the 36 parking spaces provided.

The parking will be for employee use only and since the cannabis operation will not be open to the public, there will be limited to no visitors to the site/business location. This will be a condition of approval.

CEQA

The Conditional Use Permit No. CUP 22-19 application is considered a “project”, per the California Environmental Quality Act definition of a “project and is categorically exempt under the California Environmental Act (CEQA) Section §15332 (In-fill Development) Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section:

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed use is a conditionally approved within the established M-2 zone designation.

2. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The proposed project will be located with the a proposed structures and the project site of 1.04 acres is completely paved.

3. The project site has no value as habitat for endangered, rare or threatened species. The Site was previously disturbed and is now a vacant lot.

4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The proposed project as cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery will reduce traffic as this type of use has less employees than typical industrial uses and will have limited to zero customers/visitors from the general public, which will further reduce vehicle trip counts for AM and PM peak hours.

5. The site can be adequately served by all required utilities and public services. The building(s) exists and currently has all the necessary and required utilities.
ANALYSIS

The subject project site is located at 1701 Aeros Way, Suite B (APN 6354-028-021) and is approximately 1.04 acres. The General Plan Land Use Designation is Industrial and the zone is M-2 (Heavy Manufacturing). The following is a code analysis of the proposed project:

<table>
<thead>
<tr>
<th>Code Standard</th>
<th>Proposed/Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>None</td>
</tr>
<tr>
<td>Lot Width</td>
<td>None</td>
</tr>
<tr>
<td>Lot Depth</td>
<td>None</td>
</tr>
<tr>
<td>Building Height</td>
<td>35 feet</td>
</tr>
<tr>
<td>Floor Area Ratio</td>
<td>3:1 (136,134 sq. ft. max)</td>
</tr>
<tr>
<td>Loading Spaces</td>
<td>2 spaces</td>
</tr>
<tr>
<td>Required Building Setback</td>
<td>2 spaces</td>
</tr>
<tr>
<td>- Front, Aeros Way (east)</td>
<td>2 spaces</td>
</tr>
<tr>
<td>- Sides (north &amp; south)</td>
<td>2 spaces</td>
</tr>
<tr>
<td>- Rear (west)</td>
<td>2 spaces</td>
</tr>
<tr>
<td>- 10 ft. or 5 ft. with decorative façade</td>
<td>2 spaces</td>
</tr>
<tr>
<td>- 5 ft. or none if no windows or doors</td>
<td>2 spaces</td>
</tr>
<tr>
<td>- 9'-5&quot; ft. Aeros Way (existing)</td>
<td>2 spaces</td>
</tr>
<tr>
<td>- 27 ft. (north) and 37 (east)</td>
<td>2 spaces</td>
</tr>
<tr>
<td>- 67 ft. (east)</td>
<td>2 spaces</td>
</tr>
</tbody>
</table>

The project provides landscaping throughout the site however will be required to submit a comprehensive landscape plan. In addition, the applicant will be required to incorporate the required 2 loading spaces for the project. These two required items are included in the conditions of approval.

The proposed project conforms with the Montebello General Plan, Land Use Element in that the proposed project will develop under-utilized or vacant properties with a cohesive development that will increase the taxable revenue from these properties to the City.

- Goal #1: Formulate a plan which is responsive to the needs of the community and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development.
  - Objective #3: "cluster" type commercial development is preferential to proliferation of strip commercial.
Policy Industrial #1: The City’s industrial area should be preserved and maintained.

The proposed project is in compliance with the M-2 (Heavy Manufacturing) zone because:

- Per the Index of Primary Uses, Cannabis uses are a conditionally permitted use in the M-1 and M-2 zone and the project site is not within six hundred feet of a R-zone.

- Proposed meets the development standards set forth in the Montebello Municipal Code Chapter 17.32.

The proposed design is compatible with the surrounding properties because:

- There is not a distinct Architectural style or design to the area.

- Proposed buildings will have exterior metal panels that will be consistent relative to color and application with the existing buildings in the area.

Per the Montebello Municipal Code Chapter 17.70 the required findings:

- Would not adversely affect the general welfare of the surrounding property owners because there are no sensitive types of properties in the area, the area is mostly industrial.

- Would not result in an undesirable concentration of premises for cannabis uses, including Cultivation, Manufacturing, Distribution, and Non-Store Front retail delivery, in the area because cannabis establishments are inconspicuous with limited signage and limited visitors with restrictions.

- Would not detrimentally affect the nearby surrounding area after giving special consideration to the proximity and nature of the proposed use with respect to schools providing instruction in kindergarten of any grades 1 through 12, a day care center, or youth center, or a property zoned residential.

- Would not aggravate existing problems created by the transport of cannabis (e.g. littering, loitering, noise, calls for service, and sales to minors) because the general public is not allowed at the facility and the business is required to have a security plan submitted by a licensed and bonded security company.

- Is in conformance with the goals, policies, and objectives of the general plan and the purpose and intent of this code and any applicable specific plan.

Police Department Review

The Montebello Police Department reviewed the proposed project and does not object to the proposed Conditional Use Permit and stated that they will be incorporating conditions and comments into the required Development Agreement between the City and Applicant.
PUBLIC COMMENTS RECEIVED

Pursuant to MMC Chapter 17.78 (Public Hearings, Notices, and Appeals), public hearing notices:

- On July 25, 2019, a Public Hearing Notice was published in the Whittier Daily News.
- On July 25, 2019, a Public Hearing Notice was mailed to property owners and occupants within three hundred feet of the site boundaries.

Staff has not received any public comments regarding the project, as of the writing of this report.

PLANNING COMMISSION OPTIONS

The following are options should the Planning Commission take action on this Conditional Use Permit No. CUP 22-19 application:

1. Conduct a Public Hearing and adopt a Resolution approving Conditional Use Permit No. CUP 22-19 to allow the development of indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery at 1701 Aeros Way, Suite B.

2. Conduct a Public Hearing and adopt a Resolution denying Conditional Use Permit No. CUP 22-19 to allow the development of indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery at 1701 Aeros Way, Suite B.

3. Open a Public Hearing and table the item to a date certain

FISCAL IMPACT

None

ATTACHMENT(S)

A. Public Hearing Notice
B. Resolution
C. NOE
D. Plans
RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
MONTEBELLO ADOPTING CEQA EXEMPTION AND APPROVING
CONDITIONAL USE PERMIT NO. CUP 22-19 TO ALLOW A
CANNABIS CULTIVATION, MANUFACTURING, DISTRIBUTION, AND
NON-STORE FRONT RETAIL DELIVERY IN PROPOSED BUILDING
LOCATED AT 1701 AEROS WAY, SUITE B (APN 6354-038-021)

WHEREAS, a Conditional Use Permit No. CUP 22-19 application was
submitted by Joshua Rosenfield with The Jasmine Rose , LLC. and has been received
and accepted;

WHEREAS, the Conditional Use Permit would allow a new cannabis
Cultivation (2,190 sq. ft.), Manufacturing, Distribution, and Non-Store Front retail
delivery located at 1701 Aeros Way, Suite B (APN 6354-038-021);

WHEREAS, pursuant to section 21067 of the Public Resources Code, and
section 15367 of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.),
the City of Montebello is the lead agency for the proposed Project;

WHEREAS, the Conditional Use Permit No. CUP 22-19 is considered a
"project", per the California Environmental Quality Act definition of a "project";

WHEREAS, the project is Categorically Exempt per CEQA Section
§15332 (In-Fill Development) because;

1. The project is consistent with the applicable general plan designation and
all applicable general plan policies as well as with applicable zoning
designation and regulations.

2. The proposed development occurs within city limits on a project site of no
more than five acres substantially surrounded by urban uses.

3. The project site has no value as habitat for endangered, rare or
threatened species.

4. Approval of the project would not result in any significant effects relating to
traffic, noise, air quality, or water quality.

5. The site can be adequately served by all required utilities and public
services.

WHEREAS, after conducting a duly noticed public hearing, and
considering the evidence submitted by the applicant, public testimony, staff
presentations, and such other matters properly presented during the hearing on this matter, the Planning Commission makes the following findings:

1. The proposed use would conform with the City of Montebello General Plan Land Use Element, Goal 1, "Formulate a plan which is responsive to the needs of the community and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development;" Objective 3, "cluster" type commercial development is preferential to proliferation of strip commercial," Policy Industrial 4, "The City's industrial area should be preserved and maintained"; because the proposed project will occupy an existing building and clean up a property that is not properly maintained to service to the community and bring taxable revenue to the City.

2. The proposed indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery is in compliance with the M-2 (Heavy Manufacturing) zone because:

   a. Per the Index of Primary Uses, Cannabis uses is a conditionally permitted use in the M-1 and M-2 zones and the project site is not within six hundred feet of a R-zone.


3. The design of the building is compatible with the surrounding neighborhood because there is not a distinct Architectural style or design to the area and the proposed use is being proposed in a building(s) that will be consistent with the existing buildings in the area.

4. Per MMC 17.71.010, the proposed use:

   a. Is consistent with the purposes and intent of Chapter 17.71 – Permitted Zones; Distance from sensitive uses – of the Montebello Municipal Code;

   b. Would not adversely affect the general welfare of the surrounding property owners;

   c. Would not result in an undesirable concentration of premises for the sale of cannabis as cannabis uses are inconspicuous with limited signage and limited and restricted visitors, in the area;

   d. Would not detrimentally affect the nearby surrounding area after giving special consideration to the proximity and nature of the proposed use with respect to schools providing
instruction in kindergarten of any grades 1 through 12, a day care center, or youth center, or a properties zoned residential;

e. Would not aggravate existing problems created by the transport of cannabis (e.g. littering, loitering, noise, calls for service, and sales to minors); and

f. Is in conformance with the goals, policies, and objectives of the general plan and the purpose and intent of this code and any applicable specific plan.

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

NOW, THEREFORE, the Planning Commission of the City of Montebello resolves that:

SECTION 1. The foregoing recitals are true and correct and are hereby incorporated as substantive findings in this Resolution.

SECTION 2. The Planning Commission approves and adopts the CEQA Categorical Exemption §15332 (In-Fill Development) Class 32. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

1. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by industrial and urban uses.

2. The project site has no value as habitat for endangered, rare or threatened species.

3. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

4. The site can be adequately served by all required utilities and public services.

SECTION 3. The Planning Commission hereby approves Conditional Use Permit No. CUP 22-19 to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store-front delivery subject to the conditions of approval set forth in Section 4 of this Resolution.

SECTION 4. The Planning Commission finds that the foregoing conditions of approval are necessary and appropriate.

1. The applicant shall defend, indemnify, and hold harmless the city, its elected and appointed officials, agents, officers, and employees from any claim,
action, or proceeding brought against the city, its elected and appointed officials, agents, officers, or employees arising out of, or which are related to the applicant's project or application (collectively referred to as "proceedings"). The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the city, if any, and cost of suit, attorney's fees, and other costs, liabilities, and expenses incurred or awarded in connection with the proceedings whether incurred by the applicant, the city and/or the parties initiating or bringing such proceedings. This indemnification provision shall include the applicant's obligation to indemnify the city for all the city's costs, fees, and damages that the city incurs in enforcing the indemnification provisions set forth herein. The city shall have the right to choose its own legal counsel to represent the city's interest in the proceedings.

2. The applicant shall sign, notarize, and return to the Planning Department an affidavit accepting all Conditions of Approval of Conditional Use Permit (CUP 22-19) within 30 days from the date of the approval in accordance with Montebello Municipal Code Sections 17.71.010 and 17-32. The applicant acknowledges and understands that all conditions set forth in this Resolution are conditions precedent to the grant of approval and failure to comply with any condition contained herein shall render this approval non-binding as against the city and shall confer applicant no legal rights under the law. The Applicant shall incorporate these conditions of approval in the project plans (constructions drawings) that are submitted for building plan check. Building Plans shall be reviewed and approved by the Planning Division for conformance to the Conditions of Approval and the approved Development Plan prior to the issuance of a building permit.

3. This approval shall be used within two years of the approval date of this project; by August 6, 2021. Otherwise if shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction under this approval. The applicant will incorporate all conditions of approval in all plans that will submitted for building plan check.

4. Approval of CUP 22-19 is subject to approval, adoption, and fully executed Development Agreement by and between the City and the Applicant.

5. The applicant must submit an application for Street Work Permit to the Public Works department for the assignment of proposed addresses. If such application is not approved, this conditional use permit application (CUP 22-19) shall be invalid.

6. This approval under CUP 22-19 is for indoor cannabis Cultivation (2,190 sq. ft.), Manufacturing, Distribution, and Non-Store Front Retail delivery within a 7,402 square-foot area on the second floor (Suite B) of a proposed 14,804 square-foot building.

7. The Jasmine Rose, LLC, must be a registered business or entity with the Secretary of State of the State of California. If The Jasmine Rose, LLC., is not registered in the State of California, this application and approval is invalid.

8. A Business License and a Certificate of Occupancy shall be applied for and approved by the Community Development Department at this location prior to
operations. If operations commence prior to approval of these applications, this approval will be invalid and will be subject to revocation and all activities will be considered illegal.

9. The Applicant and operation shall continually remain in compliance with all Montebello codes, Regulations, Ordinances and applicable State and Federal laws.

10. This approval is the result of review of the submitted application and plans. Further review may be required as the operations begin activity to inspect facilities and review Live Scan results of employees.

11. Within one year of approval, a review of the operation and facility will be performed to determine continued compliance with the most current Cannabis Ordinance. The approval shall remain valid indefinitely as long as the organization remains in good standing and complies with all requirements including any and all payments required under the requisite Development Agreement.

12. A Security Plan must be submitted by a certified, bonded, and licensed security company. The security plan will include but not be limited to security cameras on site, screened fencing, and a storage vault or safe. The security Plan must be reviewed and approved by the Police Chief or his designee before a Certificate of Occupancy is issued.

13. Access to the security cameras must be granted upon request by the City representatives seeking access to the building.

14. The applicant’s business of indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front activity will not have any members of the public visit the premises at 1701 Aeros Way, Suite B for acquisition or sale of any product.

15. The development and utilization of the subject site shall be substantially conform to the plans authored for The Jasmine Rose date Stamped July 2, 2019, for the use, except as provided for herein and by subsequent revisions found by the Director of Planning and Community Development to be in substantial compliance with these provisions.

16. Off-street parking. The required parking is 34 spaces for the entire site. The Applicant will follow the approved site plan and will provide 36 parking spaces and 15 of the 36 parking spaces are required for the use under CUP 22-19 and as shown on the site plan.

17. The applicant will incorporate the two (2) required loading spaces into the site plan prior to the submittal of plans for building plan check and subject to approval by the Planning Division.

18. The development of the subject site shall be consistent with all of the provisions of the Montebello Municipal Code (MMC) and Conditional Use Permit (CUP 22-19).
19. The Applicant shall submit three copies of construction level Landscape and
Irrigation Plans to the Community Development Department. The plans must
be prepared by a registered landscape architect and include the location, number, genus, species, and container size of plants. The cover page shall
identify the total square footage to the landscape area and note how it is to
be maintained. Use of water efficient fixtures and drought plants is
encouraged.

20. All storage shall be maintained indoors. The Applicant shall cause for the
removal of any and all outdoor storage or excess debris.

21. Applicant will improve exterior of buildings with paint to match as necessary.

22. Trash Area and Enclosures. The applicant shall comply with all trash storage
requirements and shall construct a trash enclosure on-site. The trash
enclosure shall enclosed by a view-obscuring wall or fence with gates
pursuant to Section 17.32.060 of the MMC.

23. All waste must be disposed of appropriately, including cannabis waste,
cannabis wastewater, electronic waste, and recycling.

24. Modification to Plans. Subsequent modification to this approval, which do not
intensify the use, including but not limited to reorientation of structures,
alteration of parking and circulation design, minor changes to the Conditions
of Approval, interpretations of the Conditions of Approval relative to intent,
necessity of, and timing, may be approved by the Community Development
Director within a 25% deviation, unless the Director requires a Substantial
Conformance or revised Permit application in accordance with the City
Development Code.

25. The Director of Planning and Community Development, at any time, can call
for a review of the approved conditions of approval at a duly noticed public
hearing before the Planning Commission. These condition(s) may be
modified, or new condition(s) added to reduce any impacts of the use. The
Planning Commission may revoke the Conditional Use Permit (CUP 22-19) if
sufficient cause is given.

26. No transfer or Change in ownership or location. Applicant/owner may not
transfer, sell, pledge, assign, grant an option, or other dispose of his or her
ownership interest in the business or development agreement, without the
advanced approval of the City Council.

27. The applicant or successor in interest shall meet the applicable Code
requirements and all other City Departments regulations.

28. Applicant shall repair any and all damaged sidewalk along street frontage of
property and install any new sidewalk as may be required and determined by
the City Engineer/Public Works Department. A permit from the Montebello
Public Works Department shall be secured before any work may commence
within the public right away.
29. Any and all cannabis waste will and may not be discharged into public sewer. Provide a report that identifies waste materials that are going to be discharge into public sewer.

30. Provide report on how any toxic or hazardous waste materials or by products will disposed. Provide an ongoing program for monitoring the disposition of any identified hazardous or toxic materials.

31. Must obtain approval from LA County Sanitation District for any required Industrial Waste permit(s).

32. All applicable conditions of approval from previous entitlements on the property shall remain in full force and effect, unless otherwise specifically noted in this Resolution.

33. The Applicant owner will bear the full costs of all monitoring and inspection activities to be conducted by City staff, or its designated representative(s), as necessary to ensure compliance with the conditions of this Resolution.

34. Any change, expansion, intensification and/or modification to the proposed plans use, or mode of operations shall be subject to the review and approval by the Director of Planning and Community Development who may take action or call for review by the Planning Commission at a noticed public hearing.

35. The Applicant shall have all graffiti on-site removed within 24 hours of its appearance.

36. The operation of the said use shall at all times be conducted in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking or other actions. All activities must be conducted within the building.

37. All employees of the businesses on-site shall be out of the premises no later than one hour after closing. No "after hours" operations shall be permitted.

38. No loitering in the parking area and Applicant shall control all employees leaving the premises. Signs shall be posted notifying employees. The size, content, and location of the sign(s) are subject to the review and approval of the Director of Planning and Community Development prior to installation.

39. The applicant and business operator shall take the necessary steps to assure the orderly conduct of employees. No members of the public are allowed to patron and visit on the premises.

40. The parking area shall be sufficiently lit and secured to discourage loitering and/or late night activity.

41. All outdoor utilities, machinery, and equipment, including roof-mounted equipment, shall be completely screened from the public right-of-way, in a manner that is compatible with the structure. The method of screening shall be subject to the review and approval of the Director of Planning and
Community Development and the Building Official prior to issuing building permits.

42. This approval shall not supersede the approval of any other responsible agencies. The applicant shall comply with all Federal, State and local laws.

43. The approval of this Conditional Use Permit (CUP 22-19) shall expire if the rights granted are not exercised within two (2) years from the effective date of this Resolution. Exercise of rights shall mean the issuance of a Building permit.

44. The approval of this Conditional Use Permit (CUP 22-19) can be extended up to and not to exceed an additional two (2) years with a written request by the property owner stating the reason and need for an extension and upon review and approval by the Director of Planning and Community Development.

45. Within 30 days of the City Planning Division transmittal of the Acceptance Form, the applicant shall sign and return a copy of the Acceptance Form, agreeing to the conditions of approval and acknowledging that failure to comply with such conditions shall constitute grounds for potential revocation of the permit approval. Failure to return the Acceptance Form within 30 days shall constitute grounds for terminating the permit.

46. In the event of a violation of the conditions of approval, no further permits, licenses, approvals or certificates of occupancy shall be issued until such violation has been fully remedied.

47. Parking shall be provided in accordance with the regulations of Chapter 17.52 of the Montebello Municipal Zoning Code.

48. The premises shall be kept clean and the operator of the establishment shall insure that no trash or litter originating from the site is deposited onto neighboring properties or onto the public right-of-way.

49. All screening must be reviewed and approved by the Planning Division prior to the issuance of any building permits to construct the screening.

50. If, at any time, a litter problem arises, the Director of Community Development may require a litter clean-up plan to be submitted and reviewed. The litter clean-up plan shall include a schedule of time and frequency of litter clean-up activities. Upon approval of the plan by the Director of Planning and Community Development, the measures of the plan shall be implemented. This condition may require the operator of the use to post a bond to ensure litter compliance.

51. The premises shall be kept clean and the operator of the establishment shall insure that no trash or litter originating from the site is deposited onto neighboring properties or onto the public right-of-way.

52. The development and utilization of the site shall comply with all the provisions of all of the current Building, Plumbing, Mechanical, Electrical Codes and City Ordinances, as well as additional requirements from the Montebello Building and Safety Division.
53. The development and utilization of the site shall be subject to the review and approval of the Public Works Department. Additional Montebello Public Works Department requirements may be required prior to issuing building permits.

54. The development and utilization of the site shall comply with all the provisions of all of the California Fire Code, International Fire Code, and National Fire Protection Association standards as well as additional requirements from the Montebello Fire Department.

55. All signage is subject to final review and approval by the Planning Division and will be done under as separate permit.

56. All temporary signage is subject to the restrictions of the City's sign ordinance.

57. No coin operated games or video machines maintained upon the premises at any time.

58. The Planning Commission, and the City Council on appeal, shall have the right to impose additional conditions for the protection of the public health, safety and welfare.

59. Compliance with the current edition of the California Fire Code.

60. Applicant shall adhere to all applicable codes, standards, and/or regulations. And shall meet any all conditions as may be required by South Coast Air Quality Management District, any and all water boards, Montebello Building Safety, Montebello Public Works, and Montebello Police and Fire.

61. Compliance with the current edition of the California Fire Code, Appendix B, titled "Fire-Flow Requirements for Buildings", as the standard for delivery of fire flow to the site.


63. Compliance with all nationally recognized standards, laws, and ordinances.

   i. That a masonry wall of six feet in height shall be constructed around the parking area of such establishments when said area is adjacent to properties zones or used for residential purposes or any of the above referenced consideration points.

   ii. That the noise levels generated by the operation of such establishment shall not exceed sixty-five dBA between the hours of seven a.m. to ten p.m., and not exceed sixty dBA between the hours of ten p.m. to seven a.m., so as to mitigate the impact on adjoining properties zoned or used for residential purposes. The measurement of noise levels shall be taken at the location of the shared property line.
iii. That exterior lighting of the parking area shall be kept at an intensity of between one- and two-foot candles, so as to provide adequate lighting for employees while not disturbing surrounding residential or commercial areas. Light sources shall be shielded from adjacent properties and from the sky.

iv. That special security measures such as security guards and burglar alarm systems as specified by the police department may be required, which must reflected in the submitted security plan.

v. Exterior storage of any kind shall be prohibited, except where allowed per the Montebello Municipal Code.

vi. That litter and trash receptacles shall be located at convenient locations inside and outside establishments, and operators of such establishments shall remove trash and debris on a daily basis.

vii. That no signs shall be installed on the site until a sign permit has been approved by the Planning Division and a building permit issued by the Building and Safety Division in conformance with the provisions set forth in Chapter 17.62 of the Montebello Municipal Code.

PASSED AND ADOPTED this 6th day of August, 2019 by the Planning Commission.

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

________________________________________
Sona Mooradian, Chair

ATTEST:

________________________________________
Manuel Mancha
Director of Planning and Community Development
Notice of CEQA Exemption
The Jasmine Rose, LLC
9315 La Reina
Downey, CA 90240

To: Los Angeles County
Registrar-Recorder/County Clerk
12400 Imperial Highway
Norwalk CA 90650

From: Community Development Director
Planning and Development Dept.
1600 West Beverly Boulevard
Montebello, CA 90640

Project Title: CUP 22-19
Project Address: 1701 Aeros Way, Suite B, Montebello, CA 90640
Project Location – City: Montebello
Project Location – County: Los Angeles County

Description of Nature, Purpose, and Beneficiaries of Project: Conditional Use Permit to allow cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery on the second floor approximately 7,402 square feet of a proposed 14,804 square-foot building at 1701 Aeros Way in the M-2 (Heavy Manufacturing) zone.

Name of the Public Agency Approving the Project: City of Montebello.
Name of Person or Agency Carrying Out the Project: The Jasmine Rose, LLC., 9315 La Reina, Downey, CA 90240

Exempt Status (check one)
☐ Ministerial (Sec. 21080(b)(1); 15268); N/A
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a)); N/A
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c)); N/A
☒ Categorical Exemption. State type and section number: Class 32 Infill Development Project (CEQA Guidelines Sec. 15332)
☐ Statutory Exemptions. State code number: N/A

Reasons Project is Exempt: See attached.

Lead Agency Contact Person: Louis Morales
Area Code/TelephoneNumber/Extension: 323-480-8145

If filed by applicant:
1. Attach certified document of exemption finding. [Refer to Attachment A]
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature: __________________________ Date: __________ Title: Project Planner

☒ Signed by Lead Agency ☐ Signed by Applicant
ATTACHMENT A FOR THE NOTICE OF CEQA EXEMPTION
CUP 22-19

1. INTRODUCTION

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, a Notice of Exemption (NOE) may be filed if the City of Montebello, in its capacity as the Lead Agency, determines that a proposed action or project is exempt from CEQA. According to the CEQA Guidelines, a NOE must contain the following information:

- A brief description of the action or project;
- A finding that the proposed action or project is exempt, including a citation of the State CEQA Guidelines section or statute under which the project is found to be exempt; and
- A brief statement is support of the finding.

This NOE provides a description of the proposed CUP 22-19, indicates the applicable sections of CEQA that support the findings for the CEQA exemption, and discusses the Lead Agency’s findings that are applicable to the proposed project. The project is described herein (Section 2, Project Description).

2. PROJECT DESCRIPTION

Project Applicant: The Jasmine Rose, LLC, 9315 La Reina, Downey, CA 90240

Project Location: The project site encompasses approximately 1.04 acres and is located at 1701 Aeros Way, Montebello, CA (Assessor’s Parcel Numbers (APN): 6354-028-021), Los Angeles County. The site is located at the southwest corner of Aeros Way and Union Street.

Surrounding Land Uses: The project site is located within an existing and well-established industrial area. Industrial uses are located to the north, east, west, and south. The proposed project will be located building in a proposed two-story 14,804 square feet and will occupy the second floor of the building approximately 7,402 square feet.

Physical Characteristics of the Project: The CUP under CUP 22-19 will allow the cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery on the second floor (7,402 SF) of a proposed two-story 14,804 square-foot building on a 1.04 acre site. Parking will meet the code standards and will be provided on-site.

Construction would take approximately 12-16 months.

3. APPLICABLE CEQA EXEMPTIONS

The City of Montebello has reviewed the proposed project and has determined that it is categorically exempt and qualifies for a Class 32 Infill Development Project (CEQA Guidelines Sec 15332). Class 32 exemption consists of projects characterized as infill development that meets the following conditions.

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- The project site has no value as habitat for endangered, rare or threatened species.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

4. FINDINGS SUPPORTING THE APPLICABLE CEQA EXEMPTIONS

---

1 CEQA Guidelines California Code of Regulations, Title 14, Division 6, Chapter 3, Article 19. Categorical Exemptions (Section 15300)

City of Montebello
Notice of CEQA Exemption
The Jasmine Rose, LLC
9315 La Reina
Downey, CA 90240

The City of Montebello, following a preliminary evaluation of the proposed project, determined that it would not result in any significant effects on the environment. This determination is based on the following:

- The proposed project is consistent with both the General Plan and Zoning designations that are applicable to the site and the City of Montebello Zoning Ordinance Map. NO General Plan Amendment or Zone Change will be required to accommodate the proposed project.
- The proposed project is within the City limits and is less than 5 acres. The project site is 1.04 acres and is surrounded by urban uses. The project site is located within an industrial area and is surrounded on all four sides by heavy industrial uses.
- No native or natural habitats are found within the project site or on adjacent parcels. Due to the urban, built-out nature of the urbanized projects in the City and surrounding area, there are no known natural biological resources in the vicinity of the project site. No known rare or endangered plant or animal species are located within the project site boundaries. The site's highly disturbed nature, small size, and its isolation from other open space areas limit its utility as a habitat or an animal migration corridor.
- The approval of the proposed project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The City oversaw the completion of an Environmental Checklist that considered the project's impacts pursuant to the CEQA Guidelines Appendix G Environmental Checklist Form.

As indicated in the studies completed for this project, and based on application of the existing Federal, State, and local laws and regulations, in can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. As a result, the following findings may be made by the City of Montebello:

- No significant dislocation of onsite or offsite uses will be required to accommodate the proposed project.
- The proposed project site does not contain any sensitive resources. The project site and surrounding areas have been disturbed as part of previous development.
- The proposed project site is located within an urbanized area of the City of Montebello. No scenic resources or scenic corridor will be affected by the proposed project.
- The proposed project site is not located within an area, nor does it include a site the Department of Toxic Substances Control and the Secretary for Environmental Protection has identified as being affected by hazardous wastes.
- The proposed project will not result in any adverse impacts on historic resources.
- The proposed project will not involve the review of by a State trustee or responsible agency.

5. DISCUSSION OF THE LEAD AGENCIES FINDINGS

The City of Montebello may make the following findings with regard to the proposed project’s exemption from the environmental review requirements outlines in CEQA:

- The proposed project will be confined to the project site and no dislocation of offsite uses will occur.
- The proposed project does not have a possibility of creating a significant environmental effect. The bases for this determination was discussed in the preceding section.
- The proposed project will not result in any impacts to sensitive resources.
- The proposed project will not result in impacts on sensitive resources; result in a cumulative impacts; have the potential for damaging scenic resources; involve the placement of a project over a site the Department of Toxic Substances Control and the Secretary for Environmental Protection has identified as being affected by hazardous wastes; or result in any impacts to historic resources.
- The Lead Agency, based on the rule of common sense, “has determined that there is no possibility” that the proposed project will result in significant environmental effects.2

---

2 CEQA Guidelines Sec. 15061(b)3
City of Montebello
NOTICE OF PUBLIC HEARING
CITY OF MONTEBELLO PLANNING COMMISSION

Conditional Use Permit No. CUP 22-19
1701 Aeros Way Suite B

Project Description: A Conditional Use Permit application to allow indoor cannabis Cultivation, Manufacturing, Distribution, and Non-Store Front Retail delivery, within a proposed commercial building on the property located at 1701 Aeros Way, APN 6354-028-021.

Zone: M-2 (Heavy Manufacturing)

General Plan Designation: Industrial

Environmental: The proposal is considered a "Project" and is categorically exempt under the California Environmental Act (CEQA) Sections § 15332 (In-Fill Develop Projects).

NOTICE IS HEREBY GIVEN that the City of Montebello Planning Commission will hold a public hearing on the Conditional Use Permit application. The meeting is scheduled on:

Date: Tuesday, August 6, 2019
Time: 6:30 p.m.
Place: City Hall Council Chambers
1600 West Beverly Boulevard
Montebello, CA 90640

Any party interested in speaking may appear at the public hearing and comment on the project. Written comments may also be mailed or delivered to the City of Montebello Planning Commission at the Planning Division office address identified below. If you challenge the matter in court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City of Montebello at, or prior to, the public hearing.

For more information about the project and the related environmental documentation please contact:

Contact Person: Louis Morales
Phone: 323.887.1200, ext. 482 Fax: 323.887.1488
Email: lmorales@cityofmontebello.com
Address: City of Montebello, City Hall, Planning Division, 1600 W. Beverly Blvd, Montebello, CA 90640
City Website: www.cityofmontebello.com
COPY OF NOTICE

Notice Type: HRG NOTICE OF HEARING
Ad Description: Conditional Use Permit No. CUP 22-19 1701 Aeros Way Suite B

To the right is a copy of the notice you sent to us for publication in the WHITTIER DAILY NEWS. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

07/25/2019

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an

Daily Journal Corporation
Serving your legal advertising needs throughout California. Call your local

BUSINESS JOURNAL, RIVERSIDE (951) 784-0111
DAILY COMMERCE, LOS ANGELES (213) 229-5300
LOS ANGELES DAILY JOURNAL, LOS ANGELES (213) 229-5300
ORANGE COUNTY REPORTER, SANTA ANA (714) 543-2027
SAN FRANCISCO DAILY JOURNAL, SAN FRANCISCO (800) 640-4829
SAN JOSE POST-RECORD, SAN JOSE (408) 287-4866
THE DAILY RECORDER, SACRAMENTO (916) 444-2355
THE DAILY TRANSCRIPT, SAN DIEGO (619) 232-3486
THE INTER-CITY EXPRESS, OAKLAND (510) 272-4747

CNS 3276159

NOTICE OF PUBLIC HEARING
CITY OF MONTEBELLO Planning Commission

Conditional Use Permit
No. CUP 22-19
1701 Aeros Way Suite B

Project Description: A Conditional Use Permit application to allow indoor cannabis cultivation, manufacturing, distribution, and non-store front retail delivery, within a proposed commercial building on the property located at 1701 Aeros Way, APN 034-028-021.

Zone: M-2 (Heavy Manufacturing)

General Plan Designation: Industrial

Environmental: The proposal is considered a "Project" and is categorically exempt under the California Environmental Act (CEQA) Sections 15332 (In-Fill Development Projects).

NOTICE IS HEREBY GIVEN that the City of Montebello Planning Commission will hold a public hearing on the Conditional Use Permit application. The meeting is scheduled on:

Date: Tuesday, August 6, 2019
Time: 6:30 p.m.
Place: City Hall Council Chambers
1600 West Beverly Boulevard
Montebello, CA 90640

Any party interested in speaking may appear at the public hearing and comment on the project. Written comments may also be mailed or delivered to the City of Montebello Planning Commission at the Planning Division office address identified below. If you challenge the matter in court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City of Montebello at, or prior to, the public hearing.

For more information about the project and the related environmental documentation please contact:
Contact Person: Louis Morales
Phone: 323.867.1260, ext. 482
Fax: 323.867.1486
Email: lmorales@cityofmontebello.com

Address: City of Montebello, City Hall, Planning Division, 1600 W. Beverly Blvd, Montebello, CA 90640
City Website: www.cityofmontebello.com