



Placentia Planning Commission Agenda

Regular Meeting
November 12, 2013
6:30 p.m.

Michael Ebenhoch
Chairman

Christine Schaefer
Vice Chairman

Dana Hill
Commissioner

Frank Perez
Commissioner

Thomas Solomonson
Commissioner

James Schenck
Commissioner

Vic Tomazic
Commissioner

City of Placentia
401 E Chapman Avenue
Placentia, CA 92870

Phone: (714) 993-8124
Fax: (714) 961-0283
Website: www.placentia.org

Procedures for Addressing the Commission

Any person who wishes to speak regarding an item on the agenda or on a subject within the Planning Commission's jurisdiction during the "Oral Communications" portion of the agenda should fill out a "Speaker Request Form" and give it to the Commission Secretary BEFORE that portion of the agenda is called. Testimony for Public Hearings will only be taken at the time of the hearing. Any person who wishes to speak on a Public Hearing item should fill out a "Speaker Request Form" and give it to the Commission Secretary BEFORE the item is called.

The Commission encourages free expression of all points of view. To allow all persons the opportunity to speak, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of an entire group. To encourage all views, the Commission discourages clapping, booing or shouts of approval or disagreement from the audience.

**PLEASE SILENCE CELL PHONES AND OTHER ELECTRONIC
EQUIPMENT WHILE THE COMMISSION IS IN SESSION.**

Special Accommodations

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 993-8231. Notification 48 hours prior to the meeting will generally enable City staff to make reasonable arrangements to ensure accessibility.
(28 CFR 35.102.35.104 ADA Title II)

Copies of all agenda materials are available for public review in the Office of the City Clerk, City Planning Division Counter, Placentia Library Reference Desk and the internet at www.placentia.org under the Planning Commission page. Persons who have questions concerning any agenda item may call the City Planning Division at (714) 993-8124 to make inquiry concerning the nature of the item described on the agenda.

In compliance California Government Code Section 54957.5, any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda that are not exempt from disclosure under the Public Records Act will be made available for public inspection at the City Clerk's Office at City Hall, 401 East Chapman Avenue, Placentia, during normal business hours.

Study Sessions are open to the public and held in the City Council Chambers or City Hall Community Room.

City of Placentia
City Council Chambers
401 E. Chapman Avenue
November 12, 2013

REGULAR MEETING

6:30 p.m. – City Council Chambers

MEETING CALLED TO ORDER

ROLL CALL: Chairman Ebenhoch
Vice Chairman Schaefer
Commissioner Hill
Commissioner Perez
Commissioner Solomonson
Commissioner Tomazic
Commissioner Schenck

PLEDGE OF ALLEGIANCE:

ORAL COMMUNICATIONS:

At this time, the public is invited to address the Planning Commission concerning any items on the agenda, which are not public hearings, or other items under the jurisdiction of the Placentia Planning Commission.

CONSENT CALENDAR:

1. Minutes

Recommended Actions: It is recommended that the Planning Commission:

- a. Approve the Minutes of the September 24, 2013 Planning Commission Meeting
- b. Approve the Minutes of the October 8, 2013 Planning Commission Meeting

PUBLIC HEARING:

2. Applicant: City of Placentia

Zoning Code Amendment 2013-03:

To consider a recommendation to the City Council of an Ordinance amending Title 23 (Zoning Ordinance) of the Placentia Municipal Code adding § 23.90.197 to Chapter 23.90 of Title 23 of the Placentia Municipal Code allowing digital and static advertising displays on City-owned property.

Recommended Action:

Adopt Resolution PC-2013-18 making the required findings; and recommend approval of Zoning Code Amendment 2013-03 to the City Council, and direct staff to prepare and transmit a report of the findings and recommendations of the Planning Commission to the City Council.

NEW BUSINESS

3. Applicant: 5150 Armory & Ammo Surplus, LLC

Use Conformity Determination 2013-01: To determine if a +/- 600 square foot retail store that specializes in the sale of firearms, ammunition and accessories is a use permitted by right or with a Use Permit, located at 118 N. Bradford Avenue in the Neighborhood Commercial (C-1) District.

Recommended Action:

Direct staff to prepare findings for consideration by the Planning Commission that 5150 Armory and Ammo Surplus, LLC is not in conformance with the C-1 zoning district.

DEVELOPMENT REPORT

PLANNING COMMISSION REQUESTS

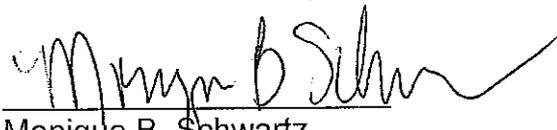
Commission members may make requests or ask questions of staff. If a Commission member would like to have formal action taken on a requested matter, it will be placed on a future Commission Agenda.

ADJOURNMENT

The Planning Commissioners ADJOURNED to a regular meeting on Tuesday, December 10, 2013 at 6:30 p.m. in the City Council Chambers at 401 East Chapman Avenue, Placentia.

CERTIFICATION OF POSTING

I, Monique B. Schwartz, Secretary to the Planning Commission of the City of Placentia, hereby certify that the Agenda for the November 12, 2013 regular meeting of the Planning Commission of the City of Placentia was posted on November 7, 2013.



Monique B. Schwartz

Planning Commission

**PLACENTIA PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING**

September 24, 2013

The regular meeting of the Placentia Planning Commission of September 24, 2013 was called to order at 6:30 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, by Vice Chair Schaefer.

ROLL CALL: Present: Christine Schaefer, Vice Chair
Vic Tomazic, Commissioner
Frank Perez, Commissioner
Tom Solomonson, Commissioner
James Schenck, Commissioner

Absent: Michael Ebenhoch, Chairman
Dana Hill, Commissioner

PLEDGE OF ALLEGIANCE: Led by Commissioner Schenck

Others Present: Ken Domer, Assistant City Administrator
Monique Schwartz, Associate Planner
Cathy Carranza, Clerical Aide

ORAL COMMUNICATIONS: The Vice Chair invited the public to make oral comments on matters not on the agenda and none were offered.

- 1. Motion by Vice Chair Schaefer, seconded by Commissioner Hill, subject to amending page 4, paragraph 5 to read: Commissioner Hill also expressed concern with putting up 5 signs as depicted in the Lamar Proposal, to APPROVE THE MINUTES of July 09, 2013. Passed by a 3-0-2-2 vote. Chairman Ebenhoch and Commissioner Schenck abstained.**

Public Hearings:

- 2. Applicant: City of Placentia**

GENERAL PLAN AMENDMENT 2013-01:

An amendment to the Placentia General Plan, which updates the Housing Element for the 2013-2021 time period as required by State law.

Mr. Domer introduced John Douglas, Housing Element consultant. Mr. Douglas presented a slide show and presentation to the Commission.

Commissioner Tomazic asked if the City re-zones an area, does this mean that high density units have to be built there. Mr. Douglas stated yes. Mr. Douglas also stated that the units do not have to be affordable or low income.

Commissioner Perez asked during 2013-2021, can a developer choose not to build affordable housing. Mr. Douglas stated that there is no mandate for developing affordable housing on a re-zoned high density area.

Commissioner Schenck asked for clarification on the time period that is being voted on. Mr. Douglas stated the period is 2013-2021. Mr. Schenck asked what the benefits are of having a certified Housing Element. Mr. Douglas stated there is no firm penalty for not being certified. Mr. Douglas also stated that there are grant programs available for being in compliance. Mr. Douglas stated that it needs to be adopted by early February 2014.

Vice Chair Schaefer asked if there are penalties in the new Housing Element for a City who ignores the previous law. Mr. Douglas stated no, none that he is aware of.

Mr. Domer stated by not having a certified Housing Element we cut ourselves out of a future funding stream from the State.

Vice Chair Schaefer asked if our RHNA numbers are would be adjusted if the proposed Metrolink station does not take place. Mr. Douglas stated the RHNA numbers are renewed every 8 years. Mr. Douglas also stated the next growth forecast that leads to the RHNA numbers would be in 2018-2019.

Commissioner Schenck asked what Placentia lost when the redevelopment agency was lost. Mr. Douglas deferred the question to Mr. Domer Assistant City Administrator. Mr. Domer stated that the tax increment was lost. Commissioner Schenck asked if there are other non dedicated sources for us to use. Mr. Domer stated the tax increment is completely gone. Mr. Domer stated there are additional fees available from housing units being built now and that a new development will bring additional fees to the City. Mr. Douglas stated that the Federal Department of Housing and Urban Development HUD will have a new source of funds available to the City. Commissioner Schenck asked if the City has a certified housing element. Mr. Douglas stated yes. Commissioner Schenck asked if we were able to benefit from the past housing element. Mr. Domer stated at that time we were not certified and the general plan was not updated.

Vice Chair Schaefer asked if we will be able to achieve the 38 carryover by 2014. Mr. Domer stated yes. Vice Chair Schaefer asked if RHNA numbers are cast in stone. Mr. Douglas replied yes. Vice Chair Schaefer asked if the Planning Commission is being asked to adopt a resolution that recommends that the draft Housing Element meets the requirements of State Law. Mr. Douglas stated yes.

Vice Chair Schaefer opened the public hearing.

Jacqui Kerze of the Regional Center of Orange County introduced herself to the Commission. Ms. Kerze represents kids with special needs. Ms. Kerze asked that the number of people that they serve in Placentia be corrected from 125 to 302. Ms. Kerze stated that without Affordable Housing, it would be difficult for these individuals to find

housing. Ms. Kerze asked that the City always consider projects where Affordable Housing can be built.

Vice Chair Schaefer asked if there are group homes in Placentia. Ms. Kerze stated that they do have group homes and that a majority of individuals who live with their families. Vice Chair Schaefer asked if having a special needs group home in any neighborhood is protected by State Law. Ms. Kerze said she is not sure. Mr. Douglas stated that a State licensed group home of 6 or less is protected and regulated by State Law. Vice Chair Schaefer asked if a community can deny a group home in their neighborhood. Mr. Douglas said yes.

Dianne Adams of 602 Sherwood introduced herself to the Commission. Ms. Adams asked for the source of information on the number of disabled persons living in Placentia. Mr. Douglas stated that the information came from the Regional Center and may have been updated since his report. Vice Chair Schaefer asked if the RHNA numbers would be affected by the numbers presented tonight. Mr. Douglas stated that City Policy or the RHNA numbers would not be affected.

Commissioner Schenck asked if the document is amendable. Mr. Douglas stated yes.

Vice Chair Schaefer closed the public hearing.

Motion by Commissioner Tomazic, seconded by Commissioner Perez TO ADOPT RESOLUTION NO. PC 2013-16 finding that the Draft 2013-2021 Housing Element and corresponding Addendum to Mitigated Negative Declaration 2010-01 comply with State law, SUBJECT TO THE SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SET FORTH THEREIN and recommending their adoption to the City Council. Passed by a 4-0-2-1 vote. Commissioner Schenck abstained.

NEW BUSINESS

DEVELOPMENT REPORT

Ms. Schwartz stated on the October 08, 2013 meeting there will be a use permit application for beer and wine for the Circle K convenience store, located at 600 N. Rose. Ms. Schwartz also stated that Planning Commission elections will be held on October 08.

PLANNING COMMISSION REQUESTS:

Vice Chair Schaefer adjourned the Planning Commission meeting at 8:20 p.m. to the next regularly scheduled meeting on Tuesday, October 08, 2013 in the City Council Chambers at 401 East Chapman Avenue, Placentia.

Submitted by,

Kenneth A. Domer
Assistant City Administrator

**PLACENTIA PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING**

October 08, 2013

The regular meeting of the Placentia Planning Commission of October 08, 2013 was called to order at 6:30 p.m. in the City Council Chambers, 401 East Chapman Avenue, Placentia, by Chairman Ebenhoch.

ROLL CALL: Present: Michael Ebenhoch, Chairman
Christine Schaefer, Vice Chair
Dana Hill, Commissioner
Frank Perez, Commissioner
Tom Solomonson, Commissioner
Vic Tomazic, Commissioner
James Schenck, Commissioner

PLEDGE OF ALLEGIANCE: Led by Commissioner Perez

Others Present: Monique Schwartz, Associate Planner
Cathy Carranza, Clerical Aide

ORAL COMMUNICATIONS: The Chair invited the public to make oral comments on matters not on the agenda and none were offered.

ELECTION OF CHAIRMAN: Commissioner Tomazic re-nominated Chairman Ebenhoch to continue his position as Chairman. Commissioner Schenck seconded the nomination. Commissioner Ebenhoch accepted and having no other nominations, the vote was taken. **Passed by a 6-0-0-1 vote. Ebenhoch abstained**

ELECTION OF VICE CHAIR: Commissioner Solomonson re-nominated Vice Chair Schaefer to continue her position as Vice Chair. Commissioner Hill seconded the nomination. Having no other nominations, the vote was taken. **Passed 7-0-0-0 vote.**

CONSENT CALENDAR:

1. **Motion by Vice Chair Schaefer, seconded by Commissioner Tomazic, to APPROVE THE MINUTES of September 10, 2013. Passed by a 5-0-0-2 vote. Commissioner Solomonson and Commissioner Perez abstained.**

Public Hearings:

2. **Applicant:** Chino Hills Oil Inc.: David Delrahim

Use Permit (UP) 2013-07:

To permit the sale of alcoholic beverages (Type 20 Off-Sale Beer and Wine) for off-site consumption, in conjunction with the operation of a +/- 1,365 square foot convenience store (Circle K Store), gas station and car wash located at 600 N. Rose Drive in the Specific Plan 7 (SP-7) District.

Ms. Schwartz presented the staff report.

Vice Chair Schaefer asked if there were any responses to the notices that were mailed. Ms. Schwartz said no.

Commissioner Hill asked if there are any other 24hr stores within the shopping center. Ms. Schwartz said no.

Chairman Ebenhoch asked, if approved when would sales start. Ms. Schwartz stated that ABC approval would be needed first.

Vice Chair Schaefer asked if the surrounding homes were in place in 1995 when this request was originally denied. Ms. Schwartz said no they were not. Vice Chair Schaefer asked for confirmation that there was a 7 Eleven removed from a location down Rose Drive. Ms. Schwartz stated yes.

Chairman Ebenhoch opened the public hearing.

Sherrie Olson of 934 W. Yale Street, Ontario CA introduced herself to the Commission. Ms. Olson stated that the store has been recently remodeled inside. Ms. Olson stated that all employees go through extensive training before they go out to the sales floor.

Chairman Ebenhoch closed the public hearing.

Motion by Chairman Ebenhoch, seconded by Commissioner Tomazic TO ADOPT RESOLUTION NO. PC 2013-17 approving Use Permit (UP) 2013-07, SUBJECT TO THE SPECIAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SET FORTH THEREIN. Passed by a 7-0-0-0 vote.

NEW BUSINESS

DEVELOPMENT REPORT

Troy Butzlaff, City Administrator addressed the Commission. Mr. Butzlaff announced the departure of Mr. Domer to the City of Huntington Beach. Mr. Butzlaff stated that he is bringing in Interim Robyn Uptegraff. Mr. Butzlaff stated that Ms. Uptegraff has many years of experience in Planning and Development Services. Mr. Butzlaff presented the Commission with an update on the Outdoor Advertising Project. Mr. Butzlaff also stated that a joint study session between the City Council and the Planning Commission will be scheduled for early next year to discuss oil production facilities. Chairman Ebenhoch asked if Ms. Uptegraff would

be assisting with recruiting a new Assistant City Administrator. Mr. Butzlaff stated no, he will be doing an organizational assessment of the Executive team. Chairman Ebenhoch asked what the major concerns from the residents are regarding the Outdoor Advertising Project. Mr. Butzlaff stated location was the major concern. Vice Chair Schaefer asked if the residents had concerns with the new plans. Mr. Butzlaff stated that there are no new concerns from residents. Chairman Ebenhoch asked if the Outdoor Advertising can be canceled in the future. Mr. Butzlaff stated there is a twenty five year agreement. Vice Chair Schaefer asked if Ms. Uptegraff had to resign from another position to take on the interim position with the City of Placentia. Mr. Butzlaff stated no.

PLANNING COMMISSION REQUESTS

ADJOURNMENT

Commissioner Solomonson, seconded by Commissioner Tomazic adjourned the Planning Commission meeting at 7:00 p.m. to the next regularly scheduled meeting on Tuesday, November 12, 2013 in the City Council Chambers at 401 East Chapman Avenue, Placentia.

Submitted by,

Monique B. Schwartz
Secretary to the Planning Commission



Placentia Planning Commission Agenda Staff Report

AGENDA ITEM NO.: 2	DATE: November 12, 2013	PUBLIC HEARING: Yes
APPLICATION: Zoning Code Amendment 2013-03		
DESCRIPTION: To consider a recommendation to the City Council of an Ordinance amending Title 23 (Zoning Ordinance) of the Placentia Municipal Code adding §§ 23.90.197 to Chapter 23.90 of Title 23 of the Placentia Municipal Code allowing digital and static advertising displays on City-owned property.		
RELATED APPLICATIONS: None		
APPLICANT: City of Placentia		
PROPERTY OWNER: N/A		
LOCATION: City-wide		
CEQA DETERMINATION: Mitigated Negative Declaration (MND) 2013-01		
ZONING: City-wide	APN(S): N/A	
GENERAL PLAN: All land uses	CITY COUNCIL ACTION REQUIRED: Yes	
PREPARED BY: Monique B. Schwartz, Interim Senior Planner		
REVIEWED BY: Troy L. Butzlaff, ICMA-CM, City Administrator		

REQUEST:

To consider a recommendation to the City Council of an Ordinance amending Title 23 (Zoning Ordinance) of the Placentia Municipal Code adding § 23.90.197 to Chapter 23.90 of Title 23 of the Placentia Municipal Code allowing digital and static advertising displays on City-owned property.

INTRODUCTION:

The City Council desires to establish effective mechanisms for the potential placement of digital and static outdoor advertising signs on City-owned property. In order to ensure that such signs are appropriately placed within the City, it was determined by Staff that such signs should only be placed in proximity to freeways (State Routes 57 and 91) as well as primary arterial highways. The specific placement of any sign should be carefully considered and the development thereof, including placement, height and other limitations thereon, should be determined by means of a development agreement pursuant to the procedures described in California Government Code § 65867.

This item is a Zoning Code Amendment to include provisions within the Placentia Municipal Code, specifically the City's Zoning Code (Title 23), to allow such outdoor advertising signs only on City-owned property and only within designated areas along State Routes 57 and 91 Freeways as well as primary arterial highways.

DISCUSSION:

All signs, to include advertising signs, are regulated through Chapter 23.90 of the Placentia Municipal Code ("PMC"). Chapter 23.90 ("Sign Code"), sets forth restrictions and standards for all types of signs to include billboards and off-premise freeway signs. For purposes of this Staff Report and proposed ordinance, the following terminology all refer to billboards: outdoor advertising display; digital advertising display; static advertising display; and digital billboard. In general, the City prohibits billboards, which are defined in the Sign Code as "any sign usually designed for use with changing advertising copy, and which is normally used for the advertisement of goods produced or services rendered at location other than the premises on which the sign is located." Under § 23.90.100 (10) all off-site advertising, including billboards are prohibited except "as otherwise provided for in this chapter." The proposed ordinance will amend the Sign Code by adding a new § 23.90.197 which, under strict guidelines, may permit billboards to be erected and maintained on City-owned property that are placed in proximity to the freeway as well as primary arterial highways. City-owned property includes public right-of-way, City parks, and other property owned by the City and not within the public right-of-way.

Prior to considering any placement of an outdoor advertising structure, the City needs to amend the Sign Code to allow for billboards. It is proposed, through this amendment, to add specific regulations regarding billboards in order to strictly control and regulate the structures. Accordingly, the proposed amendment defines "digital billboard sign" as well as "City-owned property" and refers to State law (Business & Professions Code and Government Code) as a means to reflect the most current State law affecting such structures.

The proposed Ordinance adds § 23.90.197 to read:

"Section 23.90.197. Digital Billboard Signs on City-owned Property.

"For purposes of this section, (1) a 'digital billboard sign' means and refers to an advertising structure (as that term is defined in the California Outdoor Advertising Act – California Business & Professions Code, § 5200, *et seq.*) that uses digital-display technology; and (2) 'City-owned property' means and refers to any property in which the City is the owner of the majority of the fee title interest, as well as property in which the City has a leasehold, easement, license or other possessory interest."

"A. Notwithstanding any provision of the Placentia Municipal Code to the contrary, the City, pursuant to the provisions of California Government Code § 65850, *et seq.*, may: Authorize the construction, repair, replacement and maintain digital billboard signs within or upon City-owned property and visible from State Routes 57 or 91 or primary arterial highways, subject to subsections A.1. through A.5, below. Such terms may include utilizing a relocation agreement, which would allow the removal of a display and construction of a new display to substitute for the display that is removed. A digital

billboard sign may be electronic, programmable, static and/or illuminated and provide for 'off-premises' advertising (as that term is defined in § 23.90.010).

"1. The City-owned property must be located in a commercial or industrial zone or immediately adjacent to City controlled right of way.

"2. All digital-display faces must be oriented primarily for viewing from the freeway or highway to which it is adjacent.

"3. Notwithstanding any provision to the contrary in the Placentia Municipal Code, the maximum height of a digital billboard sign, measured from finished grade to the top of the digital-display face, is 75 feet; and the overall maximum height, measured from finished grade to the top of the billboard structure, is 85 feet.

"4. Notwithstanding any provision to the contrary in the Placentia Municipal Code, a digital billboard sign may have either one (1) or two (2) display faces. Any digital billboard sign shall have a maximum area of a display face of twelve hundred (1,200) square feet with the maximum height of the display face twenty-five (25) feet and the maximum length of the display face sixty (60) feet.

"5. A digital billboard sign may display only a still image in each of its display messages. This means that the still image being displayed may not move or present the appearance of motion and may not use flashing, blinking, or traveling lights or any other means not providing constant illumination (except that part necessary to give public service information such as time, date, temperature, weather, or similar information). The digital billboard sign must expose each message display for not less than four (4) seconds, unless a greater amount of time is set forth as a recommendation in the most recent guidance document issued by the Federal Highway Administration on the subject of changeable electronic variable message signs; in such case, the minimum FHWA standard shall apply. The transition or blank screen time between one display message and the next may not exceed one (1) second, nor shall this transition time be construed as a failure to comply with the constant illumination requirement set forth above.

"B. Notwithstanding any provision of the Placentia Municipal Code to the contrary, an existing sign that is removed and/or relocated in the implementation or exercise of subsection A., above, may include either a legal conforming sign or a legal nonconforming sign; such status shall be determined by the City Administrator. Any sign approved for relocation must be removed prior to construction or installation of the digital billboard sign that will replace it.

"C. In addition to complying with the other requirements of this section, a digital billboard sign must also comply with the requirements of the California Outdoor Advertising Act, Chapter 2 in Division 3 of the California Business and Professions Code, commencing at § 5200 ('Act'), including but not limited to, the restrictions on size, height, intermittent flashing lights, proximity to interstate and primary highways and landscaped freeways, and other regulations set forth in Articles 7 and 8 of the Act. To the extent a

conflict arises between this section and the Act, the Act will prevail, except for the FHWA recommendation referenced in subsection A.5., above.

"D. Findings for Approval of a Digital Billboard Sign or Relocation Agreement. In addition to the findings required pursuant to California Government Code § 65850, *et seq.*, a digital billboard sign or relocation agreement may be approved if the City Council makes the following findings:

"1. The digital billboard sign or relocation agreement substantially complies with the purpose and requirements of this section; and

"2. The digital billboard sign or relocation agreement will not interfere with onsite access or circulation or significantly interfere with visibility."

Requirement for Development Agreement

While the proposed Ordinance allows billboards, it requires that specific development standards be set through a Development Agreement as approved by the City Council. California Government Code, §§ 65864 – 65869.5, Article 2-5 Development Agreements, authorizes any City to enter into a development agreement with any person having a legal or equitable interest in real property for the development of the property. The process of a third party leasing ground space from the City creates the required legal interest. Therefore, the process proposed requires a multi-step review by the City Council as both a lease and a Development Agreement are required. A development agreement specifies the duration of the agreement, the permitted uses of the property, maximum height and size of proposed structures, and provisions for reservation or dedication of land. A development agreement is a legislative act and must be approved by ordinance (that is, go through a First Reading followed no less than five (5) days later by a Second Reading and Adoption), after a public hearing and must be consistent with the general plan.

The Development Agreement process ensures that the City Council is fully informed and involved in the discretionary review of any proposed outdoor advertising.

Pursuant to Placentia Municipal Code § 23.96.040, the Planning Commission, after examination of a proposed Zoning Code Amendment, must make recommendations of its findings to the City Council. The Planning Commission may recommend approval of Zoning Code Amendment 2013-03 to the City Council, only if it makes the following findings:

Findings

- (1) The proposed amendment will not be: (A) detrimental to the health, safety, or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or (B) injurious to property or improvements within the neighborhood or within the city; and,

Facts:

Based on the Initial Study/Mitigated Negative Declaration, the proposed Zoning Code Amendment will not be: (A) detrimental to the health, safety or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or (B) injurious to property or improvements within the neighborhood or within the City. The basis for these facts is the that the amendment sets forth a process for which such signage can be proposed and properly placed in a manner that is the least impactful to adjacent properties. Further, the requirement for a Development Agreement ensures that the City Council has ample opportunity to obtain dedications, exactions, or revisions from the developer to ensure that any item considered to be potentially detrimental may be remedied through the discretionary action.

Findings

- (2) The proposed Zoning Code Amendment will be consistent with the latest adopted general plan.

Fact:

The proposed Zoning Code Amendment is consistent with the latest adopted general plan. The amendment is also consistent with the General Plan update currently being processed by the City.

Accordingly, it is Staff's recommendation that the Planning Commission can make the requisite findings and should recommend to the City Council the adoption of Zoning Code Amendment 2013-03.

CEQA:

The amendments set forth in the proposed ordinance were prepared pursuant to an Initial Study and Mitigated Negative Declaration prepared in accordance with the requirements of the California Environmental Quality Act ("CEQA"), California Public Resources Code §§ 21000, *et seq.*, the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, §§ 15000, *et seq.*, and the Environmental Impact Report Guidelines of the City of Placentia. The Planning Commission has exercised its independent judgment when considering said Initial Study and Mitigated Negative Declaration and public comments received in connection with the advertised Public Hearing before the Planning Commission. It is understood that the review period for the Initial Study and Mitigated Negative Declaration will continue until prior to the First Reading of the Ordinance by the City Council, and that the City Council will exercise its ultimate authority to approve or deny the Initial Study and Mitigated Negative Declaration. Furthermore, said Initial Study and Mitigated Negative Declaration and all related environmental documents forming the basis for the Mitigated Negative

Declaration and the proposed Ordinance are located in, and in the custody of, the Office of the City Clerk, City of Placentia. This Planning Commission hereby recommends the City Council approve the Mitigated Negative Declaration and Ordinance. If adopted, a Notice of Exemption will be filed with the Orange County Clerk/Recorder, as required by law.

RECOMMENDATION:

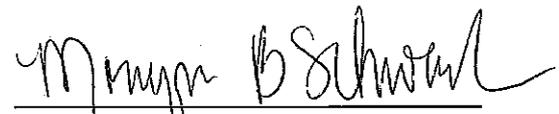
1. Adopt Resolution PC-2013-18 making the required findings; and
2. Recommend approval of Zoning Code Amendment 2013-03 to the City Council, and direct staff to prepare and transmit a report of the findings and recommendations of the Planning Commission to the City Council.

Reviewed and approved by:



Troy L. Butzlaff, CMAA-CM
City Administrator

Prepared by:



Monique B. Schwartz
Associate Planner

Attachments:

- Attachment A: Zoning Code Amendment 2013-03
- Attachment B: Resolution PC-2013-18
- Attachment C: Initial Study/Mitigated Negative Declaration 2013-01

Attachment "A"

ORDINANCE NO. O-2013-XX

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF PLACENTIA ADDING SECTION
23.90.197 TO CHAPTER 23.90 OF TITLE 23
OF THE PLACENTIA MUNICIPAL CODE ALLOWING
DIGITAL AND STATIC ADVERTISING DISPLAYS ON
CITY-OWNED PROPERTY
[Zoning Code Amendment 2013-03]

City Attorney's Summary

This Ordinance adds a new Section 23.90.197 to Title 23 of the Placentia Municipal Code allowing for the installation and operation of digital billboard signs visible from State Routes 57 and 91 as well as primary arterials on City owned property in accordance with the requirements of state and federal law.

A. Recitals.

(i). The City Council of the City of Placentia desires to establish effective mechanisms for the potential placement of Digital Billboard Signs on City-owned property.

(ii). In order to ensure that Digital Billboard Signs are appropriately placed within the City, it is determined that the such Digital Billboard Signs should only be placed in proximity to State Routes 57 and 91 Freeways as well as primary arterial highways.

(iii). The specific placement of Digital Billboard Signs should be carefully considered and the development thereof, including placement, height and other limitations thereon, should be determined by means of a development agreement pursuant to the procedures described in California Government Code § 65864, et seq.

(iv). All legal prerequisites to the adoption of this Ordinance have occurred.

B. Ordinance.

NOW, THEREFORE, the City Council of the City of Placentia does hereby find, determine and ordain as follows:

SECTION 1. In all respects, as set forth in the Recitals, Part A, of this Ordinance.

SECTION 2. (a). The City Council hereby finds and certifies that the Zoning Code amendment set forth below has been prepared pursuant to an Initial Study and Mitigated Negative Declaration prepared in accordance with the requirements of the California Environmental Quality Act ("CEQA"), California Public Resources Code §§ 21000, et seq., the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, §§ 15000, et seq., and the Environmental Impact Report Guidelines of the City of Placentia, when considering said Initial Study and Mitigated Negative Declaration and all public comments received in connection therewith. Furthermore, said Initial Study and Mitigated Negative Declaration and all related environmental documents forming the basis for the Mitigated Negative Declaration and this Ordinance are located in, and in the custody of, the Office of the City Clerk, City of Placentia. This City Council does hereby approve the Mitigated Negative Declaration. The City Council hereby specifically finds and determines that, based upon the findings set forth below, changes and alterations will be incorporated into and conditioned upon any proposed development agreement in order to ensure no significant adverse environmental effects will occur.

(b). The City Council finds that facts supporting the above-specified findings are contained in the Negative Declaration, the staff report and exhibits, and the information provided to this City Council during the public hearing conducted with respect to the adoption of this Ordinance and the Negative Declaration. Mitigation measures will be made a condition of approval of any proposed development agreement and are intended to mitigate and/or avoid environmental effects identified in the Negative Declaration.

SECTION 3. A new Section 23.90.197 hereby is added to Chapter 23.90 of Title 23 of the Placentia Municipal Code, to read, in words and figures, as follows:

"Section 23.90.197. Digital Billboard Signs on City-owned Property.

"For purposes of this section, (1) a 'digital billboard sign' means and refers to an advertising structure (as that term

is defined in the California Outdoor Advertising Act - California Business & Professions Code, § 5200, et seq.) that uses digital-display technology; and (2) 'City-owned property' means and refers to any property in which the City is the owner of the majority of the fee title interest, as well as property in which the City has a leasehold, easement, license or other possessory interest.

"A. Notwithstanding any provision of the Placentia Municipal Code to the contrary, the City, pursuant to the provisions of California Government Code § 65850, et seq., may: Authorize the construction, repair, replacement and maintain digital billboard signs within or upon City-owned property and visible from State Routes 57 or 91 or primary arterial highways, subject to subsections A.1. through A.5, below. Such terms may include utilizing a relocation agreement, which would allow the removal of a display and construction of a new display to substitute for the display that is removed. A digital billboard sign may be electronic, programmable, static and/or illuminated and provide for 'off-premises' advertising (as that term is defined in § 23.90.010).

"1. The City-owned property must be located in a commercial or industrial zone or immediately adjacent to City controlled right of way.

"2. All digital-display faces must be oriented primarily for viewing from the freeway or highway to which it is adjacent.

"3. Notwithstanding any provision to the contrary in the Placentia Municipal Code, the maximum height of a digital billboard sign, measured from finished grade to the top of the digital-display face, is 75 feet; and the overall maximum height, measured from finished grade to the top of the billboard structure, is 85 feet.

"4. Notwithstanding any provision to the contrary in the Placentia Municipal Code, a digital billboard sign may have either one (1) or two (2) display faces. Any digital billboard sign shall have a maximum area of a display face of twelve hundred (1,200) square feet with the maximum height of the display face twenty-five (25) feet and the maximum length of the display face sixty (60) feet.

"5. A digital billboard sign may display only a still image in each of its display messages. This means that the still image being displayed may not move or present the appearance of motion

and may not use flashing, blinking, or traveling lights or any other means not providing constant illumination (except that part necessary to give public service information such as time, date, temperature, weather, or similar information). The digital billboard sign must expose each message display for not less than four (4) seconds, unless a greater amount of time is set forth as a recommendation in the most recent guidance document issued by the Federal Highway Administration on the subject of changeable electronic variable message signs; in such case, the minimum FHWA standard shall apply. The transition or blank screen time between one display message and the next may not exceed one (1) second, nor shall this transition time be construed as a failure to comply with the constant illumination requirement set forth above.

"B. Notwithstanding any provision of the Placentia Municipal Code to the contrary, an existing sign that is removed and/or relocated in the implementation or exercise of subsection A., above, may include either a legal conforming sign or a legal nonconforming sign; such status shall be determined by the City Administrator. Any sign approved for relocation must be removed prior to construction or installation of the digital billboard sign that will replace it.

"C. In addition to complying with the other requirements of this section, a digital billboard sign must also comply with the requirements of the California Outdoor Advertising Act, Chapter 2 in Division 3 of the California Business and Professions Code, commencing at § 5200 ('Act'), including but not limited to, the restrictions on size, height, intermittent flashing lights, proximity to interstate and primary highways and landscaped freeways, and other regulations set forth in Articles 7 and 8 of the Act. To the extent a conflict arises between this section and the Act, the Act will prevail, except for the FHWA recommendation referenced in subsection A.5., above.

"D. Findings for Approval of a Digital Billboard Sign or Relocation Agreement. In addition to the findings required pursuant to California Government Code § 65850, *et seq.*, a digital billboard sign or relocation agreement may be approved if the City Council makes the following findings:

"1. The digital billboard sign or relocation agreement substantially complies with the purpose and requirements of this section; and

"2. The digital billboard sign or relocation agreement will not interfere with onsite access or circulation or significantly interfere with visibility."

SECTION 4. Penalty for Violation.

It shall be unlawful for any person, firm, partnership or corporation to violate any provision or to fail to comply with any of the requirements of this Ordinance hereby adopted. Any person, firm, partnership or corporation violating any provision of this Ordinance or failing to comply with any of its requirements shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment. Each and every person, firm, partnership, or corporation shall be deemed guilty of a separate offense for each and every day or any portion thereof during which any violation of any of the provisions of this Ordinance is committed, continued or permitted by such person, firm, partnership or corporation, and shall be deemed punishable therefore as provided in this Ordinance.

SECTION 5. Civil Remedies Available.

The violation of any of the provisions of this Ordinance hereby adopted shall constitute a nuisance and may be abated by the City through civil process by means of restraining order, preliminary or permanent injunction or in any other manner provided by law for the abatement of such nuisances.

SECTION 6. Severability.

The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

SECTION 7. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED and ADOPTED this ___ day of _____, 2013.

SCOTT W. NELSON, MAYOR

ATTEST:

PATRICK J. MELIA, CITY CLERK

I, PATRICK J. MELIA, City Clerk of the City of Placentia, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council held on the _____ day of _____, 2013 and was finally adopted at a regular meeting held on the _____ day of _____, 2013, by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

PATRICK J. MELIA, CITY CLERK

APPROVED AS TO FORM

ANDREW V. ARCZYNSKI,
CITY ATTORNEY

Attachment "B"

RESOLUTION NO. PC-2013-18
AMENDMENT NO. 2013-03

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF PLACENTIA RECOMMENDING THE CITY
COUNCIL ADOPT AN ORDINANCE ADDING SECTION
23.90.197 TO CHAPTER 23.90 OF TITLE 23 OF THE
PLACENTIA MUNICIPAL CODE ALLOWING DIGITAL AND
STATIC ADVERTISING DISPLAYS ON CITY-OWNED
PROPERTY.

A. Recitals.

(i). On, November 12, 2013, this Planning Commission conducted a duly noticed public hearing, as required by law, to consider Amendment No. 2013-03 with said public hearing having been concluded prior to adoption of this Resolution.

(ii). This Planning Commission has reviewed and considered all elements of proposed Amendment No. 2013-03, including written staff reports and verbal testimony presented during the above-referenced public hearing.

(iii). All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, the Planning Commission of the City of Placentia does hereby find, determine, and resolve as follows:

1. This Commission hereby specifically finds that all the facts as set forth in the Recitals, Part A., of this Resolution are true and correct.

2. This Commission finds, and recommends the City Council find, that Amendment No. 2013-03 is in conformance with the Placentia General Plan.

3. This Commission finds, and recommends the City Council find, that Amendment No. 2013-03 specified within the proposed Ordinance attached hereto as "Exhibit A" and made a part hereof, will promote the orderly development of the City and the public health, safety and welfare.

4. This Commission finds, and recommends the City Council find, that Amendment No. 2013-03 will not have a detrimental effect upon land available for housing within the City.

5. Amendment No. 2013-03 provides a process in which to allow for outdoor advertising to include Digital Billboard Signs, as defined, and that Digital Billboard Signs are appropriately placed within the City, specifically in proximity to State Routes 57 and 91 Freeways as well as primary arterial highways.

6. Amendment No. 2013-03 will not be (a) detrimental to the health, safety or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or (b) injurious to property or improvements within the neighborhood of the proposed amendment or within the City. Amendment No. 2013-03 sets forth a process for which such signage can be proposed and properly placed in a manner that is the least impactful to adjacent properties. Further, the requirement for a Development Agreement ensures that the City Council has ample opportunity to obtain dedications, exactions, or revisions from the developer to ensure that any item found to potentially create injury can be remedied through the discretionary action.

7. The Planning Commission hereby makes, and recommends the City Council make, the following finding: The amendments set forth in the proposed ordinance were prepared pursuant to an Initial Study and Mitigated Negative Declaration prepared in accordance with the requirements of the California Environmental Quality Act ("CEQA"), California Public Resources Code §§ 21000, *et seq.*, the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, §§ 15000, *et seq.*, and the Environmental Impact Report Guidelines of the City of Placentia.

8. The Planning Commission hereby recommends that, upon adoption of Amendment No. 2013-03, a Notice of Exemption be filed with the Orange County Clerk/Recorder, as required by law.

9. This Commission finds, and recommends the City Council find, that the facts supporting the above specified findings are contained in the staff report and exhibits, and information provided to this Planning Commission and the City Council during the public hearings conducted with respect to Amendment No. 2013-03.

10. This Commission hereby recommends that the City Council of the City of Placentia approve Amendment No. 2013-03 as set forth in "Exhibit A" attached hereto.

11. The Secretary of this Commission shall:

a. Certify to the adoption of this Resolution; and

b. Forthwith transmit a certified copy of this Resolution to the City Council of the City of Placentia together with all documents prepared with respect to these considerations and transcripts of any and all hearings conducted with respect to the Ordinance recommended for approval herein.

PASSED AND ADOPTED this 12th day of November, 2013, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAINED:	COMMISSION MEMBERS:

Chairman

ATTEST:

Secretary

APPROVED AS TO FORM

ANDREW V. ARCZYNSKI,
CITY ATTORNEY

Attachment "C"
Initial Study/Mitigated Negative Declaration 2013-01



PLANNING COMMISSION

City of Placentia
401 East Chapman Avenue
Placentia, CA 92870
(714) 993-8124

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the City of Placentia has completed an Initial Study in accordance with the City's Guidelines implementing the California Environmental Quality Act. This Initial Study was undertaken for the purpose of deciding whether the project may have a significant effect on the environment.

BASED ON THE INITIAL STUDY, the City's staff has concluded that the project listed below will not have a significant effect on the environment and has therefore prepared a Draft Mitigated Negative Declaration.

PROJECT DESCRIPTION:

Applicant: City of Placentia

Zoning Code Amendment 2013-03:

Amendment to the Zoning Code to establish Citywide regulations for digital billboard displays.

THE PLANNING COMMISSION will consider the Draft Mitigated Negative Declaration at its meeting on November 12, 2013 at 6:30 P.M. in the City Council Chambers.

ALL INTERESTED PERSONS are invited to attend this meeting and express their opinions regarding the Draft Mitigated Negative Declaration.

ANY WRITTEN MATERIALS to be submitted to the Planning Commission must be submitted to the Planning Division at least twenty-four (24) hours prior to the hearing. Ten (10) copies are required.

IF YOU CHALLENGE this environmental document in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or written correspondence delivered to the Planning Commission.

A COPY OF THE INITIAL STUDY and related materials may be reviewed at the Development Services Department, Planning Division, 401 E. Chapman Ave., Placentia CA.

Public comments on the Mitigated Negative Declaration will be accepted from November 1, 2013 through December 2, 2013.

Monique Schwartz, Associate Planner

SECRETARY TO THE PLACENTIA PLANNING COMMISSION

POSTED

OCT 31 2013

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

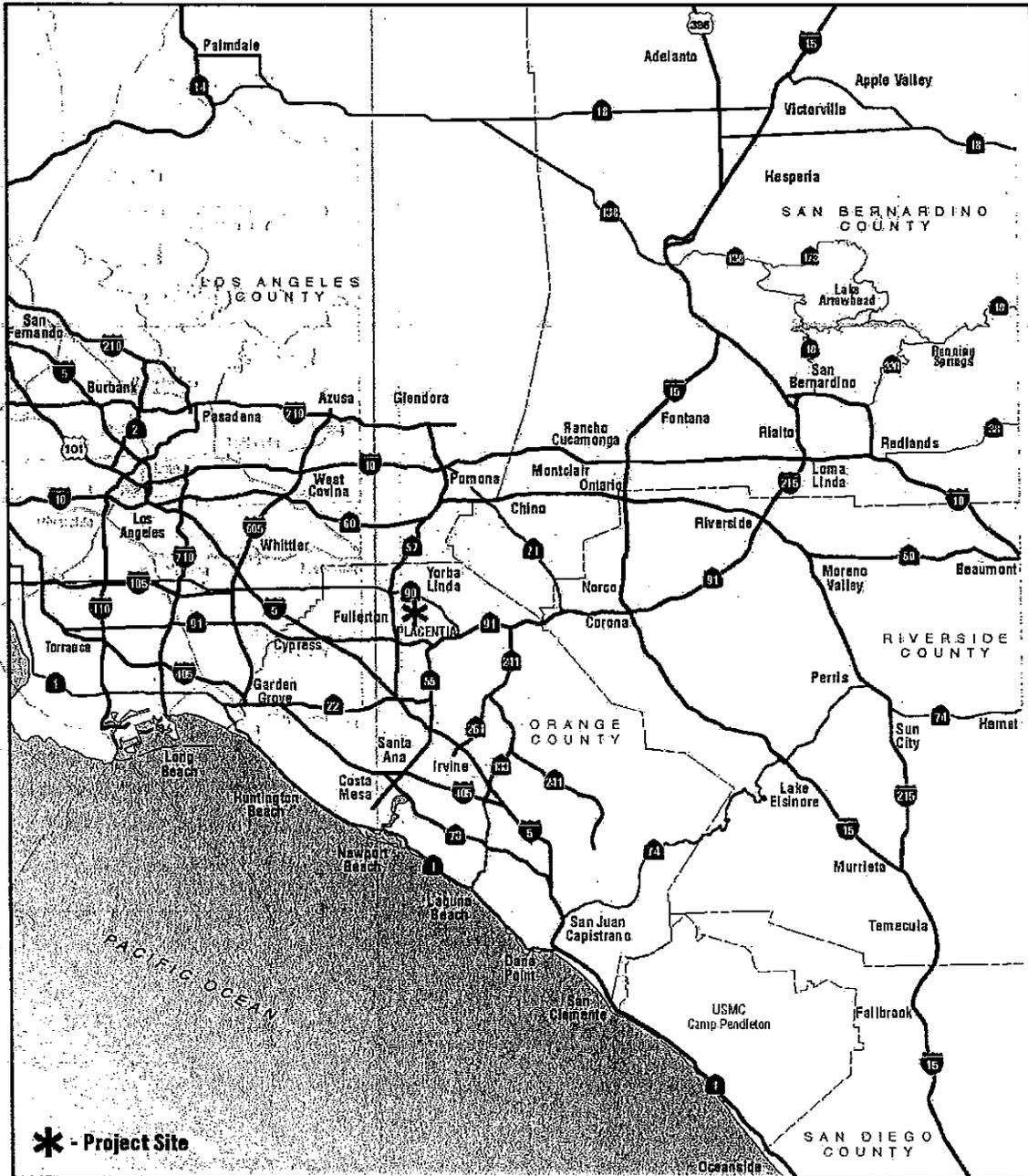
BY:  DEPUTY

ENVIRONMENTAL CHECKLIST FORM AND ENVIRONMENTAL DETERMINATION

Project Title:	Digital and Static Advertising Displays on City-owned Property Zoning Code Amendment No. 2013-03		
Lead Agency Name & Address:	City of Placentia Development Services Department 401 E. Chapman Ave., Placentia, CA 92870		
Contact Person & Phone No.:	Monique Schwartz, Associate Planner (714) 993-8124		
Project Location/Address:	The proposed amendment to the Zoning Code would apply citywide.		
Project Sponsor's Name & Address:	City of Placentia Development Services Department 401 E. Chapman Ave., Placentia, CA 92870		
General Plan Designation:	See Project Description	Zoning:	See Project Description
Overlay Zone/Special District:	N/A		
Project Description and Requested Action: <i>(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)</i>			
<p>This Initial Study evaluates the potential environmental impacts that would be expected to result from the proposed amendment to the City's Zoning Code provisions regarding digital/static billboard signs on City-owned sites adjacent to State Routes 57 and 91, as well as primary arterial highways. This proposed action is described further below.</p> <p>Zoning Code Amendment No. 2013-03. The proposed Code amendment would add §23.90.197 to Chapter 23.90 of Title 23 of the Municipal Code, and would regulate digital/static billboard signs on City-owned property subject to a development agreement pursuant to California Government Code § 65864 et seq. The proposed ordinance contains the following requirements and restrictions:</p> <ul style="list-style-type: none"> • Digital billboards may only be located on property owned or controlled by the City, which is located in a commercial or industrial zone, or adjacent to City-controlled right-of-way, and which is visible from State Routes 57 or 91 or primary arterial highways. • Digital billboard signs may be electronic, programmable, static and/or illuminated and provide for off-premises advertising. • All digital-display faces must be oriented primarily for viewing from the freeway or highway to which it is adjacent. • The overall maximum height of a digital billboard sign, measured from finished grade to the top of the billboard structure, shall not exceed 85 feet, and the maximum height from finished grade to the top of the display face shall be 75 feet. • Digital billboards may have one or two faces, with a maximum face area of 1,200 square feet, a maximum face height of 25 feet, and a maximum face width of 60 feet. • Digital billboards may only display still images, which must display each message for a minimum of four seconds or the minimum Federal Highway Administration (FHWA) standard, if longer. • Digital billboard signs must also comply with the requirements of the California Outdoor Advertising 			

<p>Act, Chapter 2 in Division 3 of the California Business and Professions Code, commencing at § 5200. These requirements include limits on lighting intensity and spacing between digital billboard signs, including a minimum of 500 feet from another billboard on the same side of the freeway and a minimum of 1,000 feet from another digital billboard.</p>
<p>Existing Conditions of the Project Site:</p> <p>The proposed Ordinance would apply citywide. The City of Placentia is located in the northern portion of Orange County (Exhibit 1-Vicinity Map). To the north is the City of Brea; to the east are the cities of Yorba Linda and Anaheim; to the south is the City of Anaheim; and to the west is the City of Fullerton.</p>
<p>Surrounding Land Uses and Setting: <i>(Briefly describe the project's surrounding)</i></p> <p>N.A. (citywide)</p>
<p>Other public agencies whose approval is required: <i>(e.g., permits, financing approval, or participation agreement)</i></p> <p>Recommendation for approval to the City Council by the Placentia Planning Commission and approval by the City Council is required for the proposed Zoning Code amendment. Approval of a Development Agreement by the Placentia City Council and issuance of building permits by the City's Development Services Department will be required prior to installation of any signs pursuant to the proposed Ordinance. An applicant must also obtain a sign permit from Caltrans.</p>

Exhibit 1: Vicinity Map



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | |
|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Utilities / Service Systems |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Mandatory Findings of Significance |

ENVIRONMENTAL DETERMINATION:

On the basis of this initial evaluation:

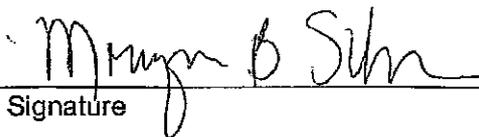
- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a 'potentially significant impact' or 'potentially significant unless mitigated' impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Monique Schwartz

Associate Planner

Name

Title



10/31/2013

Signature

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Responses:</u>				
a) Have a substantial adverse effect on a scenic vista?				
<p>There are no scenic vistas within the within the project area, therefore the construction of digital billboards would not have a significant effect on a scenic vista. No mitigation measures are required.</p>				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				
<p>There are no designated scenic highways within the City (Circulation Element, p. VI-1) and there are no scenic resources within the in areas that would be affected by the proposed Ordinance. No significant impacts would occur and no mitigation measures are required.</p>				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				
<p>The project area is fully urbanized and therefore the effect of construction of digital billboards as envisioned by the proposed Ordinance would not substantially degrade visual quality. The proposed Ordinance would require all signs to be oriented to the freeway or highway, thereby reducing their visibility from adjacent areas and mitigating aesthetic effects of the signs on any nearby residential areas from which they may be visible. No mitigation measures are required.</p>				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				
<p>Freeway and primary arterial highway corridors in the City of Placentia are fully urbanized with a significant amount of existing light and glare. The effect of new digital billboards as permitted by the proposed Ordinance would incrementally add to the existing level of light and glare in the area. As required by the Ordinance, signs must be oriented to the freeway or highway, thereby reducing their visibility and the impact of the signs on nearby residential areas. In addition, California Vehicle Code § 21466.5 requires the lighting intensity level of billboard copy to be adjusted based on ambient light levels, as follows:</p>				
<p><i>21466.5. No person shall place or maintain or display, upon or in view of any highway, any light of any color of such brilliance as to impair the vision of drivers upon the highway. A light source shall be considered vision impairing when its brilliance exceeds the values listed below. The brightness reading of an objectionable light source shall be measured with a 1-1/2-degree photoelectric brightness meter placed at the driver's point of view. The maximum measured brightness of the light source within 10 degrees from the driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except that when the minimum measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver's line of sight and the light source.</i></p>				

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>In addition to this state Vehicle Code requirement, the following mitigation measure would reduce potential impacts to light and glare to a level that is less than significant.</p> <p><u>Mitigation Measures</u></p> <p>AES-1 Prior to approval of a Development Agreement for any future digital billboard, a lighting analysis demonstrating compliance with all applicable regulations shall be submitted for review and approval by the City Engineer.</p>				
II. AGRICULTURE RESOURCES AND FOREST RESOURCES:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? <u>Responses:</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>(a-e) There are no farmland or forest resources in the area affected by the proposed Ordinance, and no impacts would occur. No mitigation measures are necessary.</p>				
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><u>Responses:</u></p> <p>a) Conflict with or obstruct implementation of the applicable air quality plan? b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p> <p>Potential impacts to air quality would occur during the construction phase and during on-going operation of signs.</p> <p><u>Construction Emissions</u></p> <p>During construction, emissions would be generated by gasoline- or diesel-powered construction equipment. Fugitive dust emissions could also occur during grading, excavation and site preparation. The anticipated duration of construction is expected to be approximately 120 days at any sign location. Required compliance with the following mitigation measure during construction would reduce such emissions to a level that is less than significant.</p> <p><u>Mitigation Measures</u></p> <p>AQ-1 <u>Fugitive Dust Control.</u> During construction, the following requirements shall be enforced to reduce fugitive dust emissions:</p> <p><i>Scheduling - Minimize repeated disturbance of any area and reduce the time period between disturbance and subsequent construction or stabilize any already disturbed areas.</i></p> <p><i>High Winds - Cease disturbance operations if dust control is not effective</i></p> <p><i>Disturbance Area - Keep disturbance operations if dust control is not effective</i></p> <p><i>Dust Control - Utilize dust suppression techniques, including:</i></p> <ol style="list-style-type: none"> a. Water exposed surfaces as needed to avoid visible dust leaving the construction site (typically 3 times/day). b. Cover all stock piles with tarps at the end of each day or as needed. c. Provide water spray during loading and unloading of earthen materials. d. Minimize in-out traffic from construction zone e. Require all trucks to maintain at least two feet of freeboard and cover all trucks hauling dirt or sand f. Sweep streets daily if visible soil material is carried out from the construction site <p><i>On-Site Roads - Pave as soon as possible and restrict ravel speed to 15 mph prior to paving.</i></p> <p><i>Revegetation - Revegetate graded areas as soon as possible</i></p> <p><i>Fencing - Install perimeter fencing with wind screens</i></p> <p><u>Exhaust Emissions Control.</u> During construction, the following requirements shall be enforced to reduce equipment exhaust emissions:</p>				

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Responses:</u></p> <p>(a-f) The project vicinity is fully urbanized and there are no known sensitive biological resource present within the area. No impacts would occur and no mitigation measures are necessary.</p>				

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Responses:

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

Various historical or potentially historical resources are present throughout the City. According to the Placentia Historical Resource Survey (2002 Update), there are 357 documented buildings and sites that were over 40 years of age. Of these, there are 39 buildings/properties that are potential nominees for the National Register of Historic Places. Future development could cause an adverse change in the significance of historical resources. Mitigation Measure CUL-1 would require that prior to development of any future site proposed for installation of a digital billboard, the site shall be reviewed to determine whether any potential impacts to historic resources could occur, as defined by CEQA Guidelines §15064.5. If any historical resources are found to be present, additional mitigation may be required to reduce potential impacts to a less than significant level.

Mitigation Measures

CUL-1 Prior to approval of a Development Agreement for any future digital billboard, a site survey shall be conducted in a manner meeting the approval of the City Engineer to determine whether the site contains any historic resources pursuant to CEQA Guidelines §15064.5. If any historic resources would be

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>impacted, appropriate mitigation measures shall be required in a manner meeting the approval of the City Engineer.</i></p>				
<p>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?</p>				
<p>There are no known significant archaeological resources within the area affected by the proposed Ordinance. However, Mitigation Measure CUL-2 would require appropriate steps should such resources be discovered during construction, and would reduce potential impacts to a less than significant level.</p>				
<p>CUL-2 <i>If evidence of subsurface archaeological or paleontological resources or artifacts is uncovered during excavation, work shall be halted immediately and the City Building Official shall be notified. A cultural resources investigation shall be conducted by a qualified investigator and if the find is determined to be significant, a mitigation plan shall be implemented pursuant to CEQA Guidelines §15064.5 in a manner meeting the approval of the Building Official. The Building Official shall ensure that a note describing this requirement is placed on all grading and building plans.</i></p>				
<p>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>				
<p>There are no known significant paleontological resources or geologic features within the area affected by the proposed Ordinance. However, Mitigation Measure CUL-2 above would require appropriate steps should such resources be discovered during construction, and would reduce potential impacts to a less than significant level.</p>				
<p>d) Disturb any human remains, including those interred outside of formal cemeteries?</p>				
<p>It is considered unlikely that human remains in a previously unknown burial site could be encountered during construction activities within the area affected by the proposed Ordinance. However, should any human remains be uncovered during construction, Mitigation Measure CUL-3 would reduce impacts in this regard to a less than significant level.</p>				
<p><u>Mitigation Measure</u></p>				
<p>CUL-3 <i>Should any human bone be encountered during excavation, all activity shall cease immediately and the contractor shall notify the City Building Official. The Building Official shall contact the Coroner pursuant to §§5097.98 and 5097.99 of the Public Resources Code relative to Native American remains. Should the Coroner determine the human remains to be Native American, the Native American Heritage Commission shall be contacted pursuant to Public Resources Code §5097.98, and a mitigation plan shall be developed and implemented pursuant to state law.</i></p>				

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Responses:</u>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?				
iii) Seismic-related ground failure, including liquefaction?				
iv) Landslides?				
<p>The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The law requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults and to issue appropriate maps. ["Earthquake Fault Zones" were called "Special Studies Zones" prior to January 1, 1994.] According to California Department of Conservation maps, the City of Placentia is not affected by a State-established Earthquake Fault Zone. According to the General Plan, the Whittier Fault forms the northerly extension of the Elsinore Fault (a major active zone). The Whittier Fault is considered potentially active requiring appropriate construction setbacks from its surface trace. Whittier Fault is, however, at least 1,000 feet north of the City. Therefore, it is not expected to have any direct impact on land use or construction within the City. No impacts would occur related to Alquist-Priolo zones.</p>				
<p>The City is located within a seismically active region of Southern California. The region's major active faults include the San Andreas Fault, Norwalk Fault, Whittier/Elsinore Fault, Newport/Inglewood Fault, and the Sierra Madre/San Fernando, among others, are potential sources of ground shaking within the City. Due to Placentia's location with respect to the known active and potentially active faults present in Southern California, the potential for ground shaking in the City is considered generally moderate. The intensity of ground shaking would depend upon the magnitude of the earthquake, distance to the epicenter, and the geology of the area between the epicenter and the site. The General Plan concluded "the potential hazard of strong ground motion, due to seismic events along the adjacent potentially active fault zones, may be considered in the acceptable category given the mitigating construction techniques available and the numerous advantages offered by the area as a unique living environment." (Placentia General Plan, Seismic Safety Element)</p>				
<p>Any billboard signs that would be permitted under the proposed Ordinance would not be occupied, and therefore the only risk due to seismic activity would occur if the structure were to fall onto an occupied building, a person outside a building, or onto a roadway creating a traffic hazard.</p>				
<p>The City regulates all development under the requirements of the California Building Code (see PMC Chapter 20.04,</p>				

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>California Building Code</i>). The effects of ground shaking, landslides and soil conditions (such as liquefaction) would be sufficiently mitigated through design and construction in conformance with current building codes and engineering standards. Therefore, the sign structures anticipated by the proposed Ordinance would not expose people or structures to potential substantial adverse effects involving strong seismic ground shaking. No mitigation measures are required.</p> <p>b) Result in substantial soil erosion or the loss of topsoil?</p> <p>Clearing, grading and excavation for construction associated with future digital billboards could expose soils to minimal short-term erosion by wind and water, and loss of topsoil. Grading and building plans for proposed structures would be required to include drainage and erosion control measures to minimize the impacts from erosion and sedimentation during excavation. Additionally, any project site encompassing an area of one acre or more would require compliance with a National Pollutant Discharge Elimination System (NPDES) permit and consequently the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Required compliance with PMC Chapter 16.20, <i>Stormwater Runoff and Urban Pollutant Control</i>, as well as NPDES requirements for erosion control, grading, and soil remediation, would reduce potential impacts to a level that is less than significant. No mitigation measures are necessary.</p> <p>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p> <p>The standard requirements listed under items a) and b) above would reduce potential impacts to a less than significant level. No mitigation measures are required.</p> <p>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</p> <p>The standard requirements listed under items a) and b) above would reduce potential impacts to a less than significant level. No mitigation measures are required.</p> <p>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</p> <p>No septic tanks or wastewater systems would be installed in connection with billboard structures. No mitigation measures are necessary and no impacts would occur.</p>				

VII. GREENHOUSE GAS EMISSIONS --Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Responses:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The CEQA Guidelines require a lead agency to make a good-faith effort based, to the extent possible, on scientific and factual data in order to describe, calculate, or estimate the amount of GHG emissions resulting from a project. They give discretion to the lead agency in whether to:

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>1) Use a model or methodology to quantify GHG emissions resulting from a project, and which model or methodology to use; and/or</p> <p>2) Rely on a qualitative analysis or performance-based standards.</p> <p>In addition, a lead agency should consider the following factors, among others, when assessing the significance of impacts from GHG emissions on the environment:</p> <ul style="list-style-type: none"> • The extent to which the project may increase or reduce GHG emissions as compared to the existing environmental setting; • Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and • The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. <p>Currently, neither the City of Placentia, the South Coast Air Quality Management District nor the State of California has adopted significance thresholds for GHG emissions.</p> <p><u>Construction Emissions</u></p> <p>During construction, emissions would be generated by gasoline- or diesel-powered construction equipment. The anticipated duration of construction is expected to be approximately 120 days at any sign location. Required compliance with Mitigation Measure AQ-1 during construction would reduce such emissions to a level that is less than significant.</p> <p><u>Operational Emissions</u></p> <p>New digital billboards would be hard-wired to the electrical system and no on-site generators would be used, therefore signs would not directly generate greenhouse gas emissions on site. Off-site generation of emissions could increase incrementally due to an increased demand for electricity from oil-, coal- or gas-powered electrical generation facilities. However, this impact would be substantially reduced by the use of energy-efficient LED lighting in new billboards, which use less energy than older lighted billboards. Greenhouse gas emissions from electrical generation facilities are also expected to decline over time as older plants are upgraded with new pollution control technology or are replaced with new plants. Installation of new digital billboards could result in a net reduction in electrical demand if existing signs were replaced with new digital billboards, as allowed by the proposed ordinance. Mitigation Measure AQ-2 would reduce emissions impacts related to electricity use to a level that is less than significant.</p> <p>During operation, occasional maintenance would involve light-duty truck traffic to each site. Maintenance vehicles are required to be licensed and must comply with state emissions regulations, therefore no significant impacts to greenhouse gas would be anticipated. No mitigation measures are required.</p> <p><i>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i></p> <p>As discussed in a) above, impacts from the proposed ordinance would be mitigated to a level that is less than significant and would not conflict with any applicable plan, policy or regulation related to greenhouse gas emissions. No additional mitigation measures are necessary.</p>				
VIII. HAZARDS AND HAZARDOUS MATERIALS --Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school??	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Responses:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
During construction, flammable fuel would be used or stored on site. Existing City regulations requiring proper safety precautions would reduce this potential impact to a level that is less than significant. No hazardous materials would be expected to be used or stored on-site after completion of construction. Therefore, impacts regarding transport, use or disposal of hazardous materials would be less than significant. No mitigation measures are required.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
As noted in a) above, flammable or hazardous materials would be used during construction, however standard safety protocols required under City regulations would reduce this potential impact to a level that is less than significant and no mitigation measures are required.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				
As noted in a) above, the types of materials typically used during construction do not pose a substantial risk, and therefore, potential impacts would be less than significant and no additional mitigation measures are required.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?				

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>There are no sites in Placentia on the Cortese list of hazardous material sites. No impacts would occur and no mitigation measures are necessary.</p> <p>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</p> <p>There are no airports located within the City or in its vicinity. The nearest airport (Fullerton Municipal Airport) is located approximately 5 miles west of the City. The area affected by the proposed Ordinance is outside the Height Restriction Zone area for Fullerton Airport. Therefore, the proposed Ordinance would not result in a safety hazard related to aircraft operations. No mitigation measures are required.</p> <p>f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</p> <p>As noted above, the nearest airport is located approximately 5 miles west of the City. The proposed Ordinance would not result in a safety hazard related to aircraft operations. No mitigation measures are required.</p> <p>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p> <p>The Placentia Emergency Operations Plan (EOP) provides guidance during emergency situations associated with natural disasters, technological incidents and nuclear defense operations. Additionally, the EOP establishes the emergency organization, assigns tasks, specifies policies and general procedures, and provides for coordination of planning efforts of the various emergency staff and service elements utilizing the Standardized Emergency Management System (SEMS). The construction of digital billboards would not physically interfere with the EOP and no mitigation measures are required.</p> <p>h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</p> <p>There are no wildland fire hazard areas in the area subject to the proposed Ordinance. No impacts would occur and no mitigation measures are required.</p>				
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
<p>a) Violate any water quality standards or waste discharge requirements?</p> <p>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p> <p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p>

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) Violate any water quality standards or waste discharge requirements?

Short-term water quality impacts could occur during the construction of digital billboards. Grading and excavation could expose loose soil to wind and water erosion. If not controlled, the transport of these materials to local waterways would temporarily increase suspended sediment concentrations and release pollutants attached to sediment particles into local waterways. Required compliance with standard grading and building permit erosion control and water quality requirements (e.g., berms, sediment basins and traps, silt fences, straw dikes) would reduce these potential impacts to a level that is less than significant. No mitigation measures are necessary.

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

Construction of digital billboards anticipated under the proposed Ordinance would not use water, or interfere with groundwater recharge. No mitigation measures are necessary.

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

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

e) Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

f) Otherwise substantially degrade water quality?

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Digital billboards foundations would be approximately 5 feet in diameter (approximately 20 sq. ft.) and would not have a significant effect on drainage patterns or surface runoff. As noted in Section a) above, standard requirements would reduce impacts to water quality to a level that is less than significant. The proposed actions would not have any other adverse effects on water quality and no mitigation measures are necessary.</p> <p>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</p> <p>No new housing is proposed in connection with the ordinance. No impacts would occur.</p> <p>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</p> <p>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</p> <p>The City of Placentia is within the 500-year flood zone. Therefore, large scale flooding within the City is highly unlikely. The City does periodically experience flooding during winter weather events. The last recorded flood damage in the City occurred in 1995, when a pedestrian bridge was destroyed at Parque de los Vaqueros. Flood abatement measures to reduce the likelihood of flooding have been implemented by the Orange County Flood Control District. According to the Flood Insurance Rate Map for Orange County, the projected 100-year flood for Placentia is contained within the Carbon Creek, Carbon Creek Channel, Attwood Channel and Tri City Lake. The channels are located in the southern and southeast portion of Placentia, and no new signs would be located within these areas. Potential impacts would be less than significant and no mitigation measures are necessary.</p> <p>j) Inundation by seiche, tsunami, or mudflow?</p> <p>The proposed digital billboard sites are not located in an area that could be affected by seiche, tsunami or mudflow. No impacts would occur and no mitigation measures are necessary.</p>				

X. LAND USE AND PLANNING - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Responses:

a) Physically divide an established community?

The proposed digital billboards would be located on non-residential City-controlled property. No impacts would occur and no mitigation measures are necessary.

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

The proposed digital billboard sites would be located on non-residential City-controlled property in conformance with the General Plan and zoning regulations. The ordinance would be consistent with Circulation Element Policy 7 to "minimize the use of signs and billboards along arterial highways" because all future signs would be subject to review

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>and approval of Development Agreements by the City Council. As the City's policy-making body, the City Council has the authority to determine whether proposed signs are in conformance with this General Plan policy. Potential impacts would be less than significant and no mitigation measures are necessary.</p>				
<p>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</p>				
<p>The area affected by the proposed Ordinance is fully urbanized and contains no habitat conservation plan or NCCP areas. No impacts would occur and no mitigation measures are necessary.</p>				
<p>XI. MINERAL RESOURCES -- Would the project:</p>				
<p>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Responses:</u></p> <p>There are no mineral resources or recovery areas designated within the area affected by the proposed Ordinance. No impacts would occur and no mitigation measures are necessary.</p>				
<p>XII. NOISE --Would the project result in:</p>				
<p>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Responses:</u></p> <p>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>				

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Potential noise impacts include impacts caused during construction and long-term impacts during operation.</p>				
<p><i>Short-Term Construction Impacts</i></p>				
<p>Pursuant to Placentia Zoning Code § 23.81.170, grading and construction is only permitted between the hours of 7 a.m. and 7 p.m. Monday through Friday, and between the hours of 9 a.m. and 6 p.m. on Saturday, and is prohibited at any time on Sunday and on all federal holidays, unless other hours are approved by the chief building official or city engineer upon receipt of evidence that an emergency exists which would constitute a hazard to persons or property. Although construction noise can be disturbing to persons in close proximity, it is a temporary impact that would be anticipated to occur for not more than 120 days at each sign location. No pile driving would be permitted in connection with sign construction. Compliance with the following mitigation measure would reduce this impact to a level that is less than significant.</p>				
<p><u>Mitigation Measure</u></p>				
<p><i>N-1 All construction shall comply with the requirements of Placentia Zoning Code § 23.81.170. No blasting or pile driving shall be permitted in connection with sign construction.</i></p>				
<p><i>Long-Term Operational Impacts</i></p>				
<p>Digital billboards do not generate any noise. No long-term impacts would occur and no mitigation measures are required.</p>				
<p><i>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</i></p>				
<p>Excessive groundborne vibration is typically caused by activities such as blasting in mining operations or pile driving during construction. As required by Mitigation Measure N-1, no blasting or pile driving would occur during construction of digital signs that would be allowed under the proposed Ordinance, therefore potential impacts would be less than significant.</p>				
<p><i>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</i></p>				
<p>As noted under item a) above, new digital billboards would not result in a permanent increase in noise levels. No impacts would occur and no mitigation measures are necessary.</p>				
<p><i>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</i></p>				
<p>Temporary noise impacts would be expected to occur during construction of digital billboards allowed under the proposed Ordinance. Required compliance with the City regulations described in Mitigation Measure N-1 regarding allowable hours of construction would reduce impacts to a level that is less than significant.</p>				
<p><i>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</i></p>				
<p>As noted in the previous discussion in <i>Section VIII. Hazards and Hazardous Materials</i>, the area affected by the proposed Ordinance is not located near an airport, and therefore no impacts would occur. No mitigation measures are necessary.</p>				
<p><i>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</i></p>				
<p>As noted in the previous discussion in <i>Section VIII. Hazards and Hazardous Materials</i>, the area affected by the proposed Ordinance is not located near an airport, and therefore no impacts would occur. No mitigation measures</p>				

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
are necessary.				
XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Responses:</u>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				
The construction of digital signs that would be permitted under the proposed Ordinance would have no effect on population growth. No impacts would occur and no mitigation measures are necessary.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				
The proposed Ordinance would not result in the displacement of housing or people since new signs would only be permitted on City property where no housing exists. No impacts would occur and no mitigation measures are necessary.				
XIV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Responses:</u>				
Fire protection?				
Police protection?				
Schools?				
Other public facilities?				
New digital signs that would be permitted under the proposed Ordinance would not generate additional demand for fire protection, police protection, schools or other public facilities. No impacts would occur and no mitigation				

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>measures are required.</p> <p>Parks?</p> <p>Sign support posts occupy only about 20 square feet of ground area. If a sign location is proposed within a park, the following mitigation measure would reduce potential impacts to a level that is less than significant.</p> <p>Mitigation Measures:</p> <p><i>PS-1 If any digital sign is proposed within a park, it shall be located so as to minimize adverse impacts on recreational uses to the greatest extent feasible, as determined by the City Council through the approval of a Development Agreement.</i></p>				
XV. RECREATION				
<p>a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Response:</u></p> <p>a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</p> <p>New digital signs would not increase the use of parks and recreational facilities, and no mitigation measures are necessary.</p> <p>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</p> <p>The proposed Ordinance does not include recreational facilities and would not require expansion of any recreational facilities. No mitigation measures are necessary.</p>				
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				
<p>a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Responses:</u>				
<p>a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulating system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</p> <p>New digital signs that would be permitted under the proposed Ordinance would not generate any traffic, other than short-term traffic during construction, or result in any changes to streets, highways or other transportation facilities, and therefore would have no impact on the performance of the circulation system. No mitigation measures are necessary.</p>				
<p>b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?</p> <p>New digital signs that would be permitted under the proposed Ordinance would not generate any traffic, other than short-term traffic during construction, and would have no impact on circulation system level of service or other standards for roads or highways. No mitigation measures are necessary.</p>				
<p>c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</p> <p>New digital signs that would be permitted under the proposed Ordinance would have no effect on demand for air travel or air traffic patterns. No mitigation measures are necessary.</p>				
<p>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p> <p>Digital signs visible from roadways have the potential to distract drivers and result in safety hazards; however, existing state and federal regulations and guidelines for digital billboards would ensure that the proposed signs would not cause a substantial safety hazard.</p> <p>The Federal Highway Administration (FHWA) has issued recommendations regarding outdoor advertising signs adjacent to highways (FHWA, 2007) and the California Department of Transportation (CalTrans) implements the permit requirements of the state Outdoor Advertising Act (<i>Business and Professions Code</i>, §§2240, et seq.) affecting the operation of digital billboards. In addition to approvals and permits from the City, a permit from Caltrans is required to place an outdoor advertising sign adjacent to a state highway. State standards relating to highway safety in the area affected by the proposed Ordinance include the following:</p> <ul style="list-style-type: none"> • Must be outside the right of way of any highway. • Display must be 500 feet from any other permitted display on same side of any highway that is a freeway. 				

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<ul style="list-style-type: none"> An electronic changeable message center display must meet the above spacing requirements and be 1,000 feet from another electronic message center display. Maximum height for the advertising display area is 25 feet in height and 60 feet in length, not to exceed an overall maximum of 1,200 square feet. The lighting intensity of digital displays is regulated by California Vehicle Code Sec. 21466.5 <p>In addition to these state standards, the FHWA has issued recommendations regarding digital billboards, including the following:</p> <ul style="list-style-type: none"> Duration of message display of between 4 and 10 seconds, with 8 seconds recommended Transition between messages between 1 and 4 seconds, with 1-2 seconds recommended Brightness should be adjusted in response to changes in light levels so that the signs are not unreasonably bright for the safety of the motoring public. <p>The proposed Ordinance would require that all digital signs comply with CalTrans standards and FHWA recommendations. These requirements would reduce potential impacts to traffic safety to a level that is less than significant. No mitigation measures are necessary.</p> <p>e) Result in inadequate emergency access?</p> <p>During construction temporary lane closures may be necessary, which could interfere with emergency access. Mitigation Measure T-1 would reduce this impact to a level that is less than significant.</p> <p><u>Mitigation Measure:</u></p> <p>T-1 <i>Prior to issuance of a building permit, the contractor shall identify any necessary temporary lane closures and appropriate methods that will be taken to ensure public safety and emergency access during construction, in a manner meeting the approval of the Building Official.</i></p> <p>f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</p> <p>New digital signs that would be permitted under the proposed Ordinance would have no effect on the use or safety of public transit, bicycles or pedestrian facilities. During construction, Mitigation Measure T-1 would reduce potential impacts to the safety of pedestrians, bicyclists and busses to a level that is less than significant.</p>				
XVII. UTILITIES AND SERVICE SYSTEMS --Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Responses:</u>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				
New digital signs that would be permitted under the proposed ordinance would have no effect on the use of water or on wastewater facilities. No mitigation measures are necessary.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				
New digital signs that would be permitted under the proposed ordinance would have no effect on stormwater drainage facilities. No mitigation measures are necessary.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				
New digital signs that would be permitted under the proposed ordinance would not require the use of water. No mitigation measures are necessary.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				
New digital signs that would be permitted under the proposed ordinance would not generate wastewater. No mitigation measures are necessary.				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				
g) Comply with federal, state, and local statutes and regulations related to solid waste?				
New digital signs that would be permitted under the proposed ordinance would not generate any solid waste. No mitigation measures are necessary.				
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>				
<p>The proposed ordinance would allow the construction of digital billboard signs along the SR-57 and SR-91 freeway corridors and along primary arterials. There are no significant biological resources within this area, and mitigation measures are included to ensure that no significant impacts to historical resources would occur.</p>				
<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? ('Cumulatively considerable' means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The proposed ordinance would permit the construction of digital billboard signs along the SR-57 and SR-91 freeway corridors and along primary arterials. The existing standards established by state and federal regulations and policies, the standards contained in the proposed ordinance, and the mitigation measures described in this Initial Study would ensure that cumulative impacts would be less than significant.</p>				
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The existing standards for digital billboards established by state and federal regulations and policies, the standards contained in the proposed ordinance, and the mitigation measures described in this Initial Study, would ensure that potential impacts on human beings would be less than significant.</p>				

REFERENCES (all reference documents are available for public review at the City of Placentia)

California Department of Toxic Substances Control, *Cortese List* Obtained March 2013 at:
(http://www.envirostor.dtsc.ca.gov/public/search.asp?cmd=search&reporttype=CORTESE&site_type=CSITES,OPEN,FUDS,CLOSE&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST)

City of Placentia *General Plan*

City Placentia *Municipal Code*.

California Department of Transportation, *Outdoor Advertising Act and Regulations*

Federal Highway Administration (FHWA), *Guidance on Off-Premise Changeable Message Signs*, September 25, 2007

2009. *The Effects of Commercial Electronic Variable Message Signs (CEVMS) on Driver Attention and Distraction: An Update*. Publication No. FHWA-HRT-09-018. U. S Department of Transportation, Federal Highway Administration, Research, Development and Technology, Turner-Fairbank Highway Research Center, McLean, VA. February. Obtained March 2013 at: www.fhwa.dot.gov/realestate/cevms.pdf

2007. *Information: Guidance on Off-Premise Changeable Message Signs*. Memorandum from Gloria M. Shepherd, Associate Administrator for Planning, Environment, and Realty, to Division Administrators, ATTN: Division Realty Professionals. U.S. Department of Transportation, Federal Highway Administration, Real Estate Division, Washington, D.C. September 25. Obtained March 2013 at: <http://www.fhwa.dot.gov/realestate/offprmsgnguid.htm>

NCHRP. 2009. *Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs*. Prepared by Jerry Wachtel, CPE, The Veridian Group, Inc., for the American Association of State Highway and Transportation Officials (AASHTO) as part of National Cooperative Highway Research Program Project 20-07, Task 256, January. NCHRP, Transportation Research Board, Washington, D.C. Obtained March 2013 at: <http://apps.trb.org/cmsfeed/trbnetprojectdisplay.asp?projectid=2334>

Orange County Airport Land Use Commission, *AELUP Height Restriction Zone for Fullerton Municipal Airport*, 2004

LIST OF PREPARERS:

<u>City of Placentia</u>	Monique Schwartz	Associate Planner
<u>Environmental Consultant:</u>		
J.H. Douglas & Associates	John Douglas, AICP	Principal
URS, Inc.	Brian R. Smith, AICP	Senior Associate



Placentia Planning Commission Agenda Staff Report

AGENDA ITEM NO.: 3	DATE: November 12, 2013	PUBLIC HEARING: No
APPLICATION: Use Conformity Determination (UCD) 2013-01		
DESCRIPTION: Use Conformity Determination for an unlisted use within the C-1 (Neighborhood Commercial) zoning district. The proposed use is the sale of firearms, ammunition and high-end tactical gear at 118 N. Bradford Avenue.		
RELATED APPLICATIONS: None		
APPLICANT: 5150 Armory and Ammo Surplus, LLC		
PROPERTY OWNER: Ideal Properties		
LOCATION: 118 N. Bradford Avenue		
CEQA DETERMINATION: Section 1506(b)(3)		
ZONING: Neighborhood Commercial (C-1)	APN(S): 339-271-11	
GENERAL PLAN: Commercial	CITY COUNCIL ACTION REQUIRED: No	
PREPARED BY: Robyn Uptegraff, Assistant City Administrator		
REVIEWED BY: Monique B. Schwartz, Associate Planner		

REQUEST:

The applicant is requesting a Use Conformity Determination for an unlisted use within the C-1 zoning district. The proposed use is the sale of firearms, ammunition, high-end tactical gear and gunsmithing (i.e. repair, modification and customization of firearms) at 118 N. Bradford Avenue.

INTRODUCTION:

The Use Conformity Determination process was adopted to address businesses desiring to locate in a commercial or manufacturing zone where the proposed use is not specifically called out as either permitted or allowed with a use permit. Per the City's Municipal Code, in instances where this situation occurs, the Planning Commission has the authority to determine if the use is in accord with the purpose of the zoning district and having characteristics similar to those uses listed in the zoning district. Based upon this review, the Planning Commission may find that the use is allowed by right, that the use may be allowed subject to the approval of a use permit, or that the use is not allowed within the zoning district.

RECOMMENDATION

Staff is recommending that 5150 Armory is determined to be not in conformance with the C-1 zoning district.

DESCRIPTION OF THE C-1 ZONING DISTRICT:

Pursuant to § 23.33.010 of the City Municipal Code, the C-1 Neighborhood Commercial District is "intended to provide for general retail and office uses which offer the sale of goods and service to the general public and which, through characteristics of their operation, cater primarily to residents of neighborhood market areas." The uses permitted within the zone as well as the uses permitted subject to obtaining a use permit are provided as Attachment "A."

DESCRIPTION OF THE PROPOSED USE:

The applicant is 5150 Armory and Ammo Surplus LLC, owned by Carlos Magana and Jonathan Duran. The following description of the proposed use was provided by the applicant:

Fire Arms Sales

Our primary focus of inventory will be aligned with law enforcement fire arms as well as the military. To gain a wider market share we will be carrying special hunting rifles and shotguns to sell to our customers that hunt various wild game. All sales and handling of firearms will meet ATF laws/guidelines as well as state laws.

Gear Sales / Parts

The store will carry a variety selection of items such as: tactical gear, shirt sales, hunting scopes, and hunting books. Apart of selling firearms we will carry other special brands of inventory that are highly demanded by our law enforcement such as replacing items of their duty gear. We will also carry other sporting goods gear and items such as, skeet clay pigeons, targets, outdoor backpacks and carry a catalog for specialized sporting goods items that customers can order through us.

Ammunition

The sale of brand new manufactured ammunition to our customers. The ammunition that we will be selling will range from standard ammunition to competitive ammunition in order to meet all of our potential customers needs. Ammunition will be stored in the back and empty boxes will be on display.

Services

Upon receiving our Federal Firearms License (FFL) we will be authorized to sell and hold firearms overnight. We will be able to hire a fulltime gunsmith that can work on firearms such as customization, troubleshooting, fixing, and cleaning firearms. Those services can only be accomplished upon receiving an FFL.

The business will have the "two man rule" when opening and closing the storefront. Sales representatives will carry loaded firearms in holsters at all times with the proper training and certifications. The two owners intend to be present on the premises at all times and will carry loaded firearms in visually displayed holsters.

The business is proposed to be open seven days a week. Hours of operation Monday through Friday will be from 10:00 AM to 7 PM; hours on Saturday and Sunday will be from 9:00 AM to 6:00 PM. The owners intend to schedule customers by appointment but will also accommodate walk in appointments if there is staff and space available.

DESCRIPTION OF THE PROPOSED LOCATION:

The proposed location is 118 N. Bradford Road, within the Bradford Center. Uses surrounding the proposed location are single family residential to the east, commercial and residential to the north, commercial and Kraemer Memorial Park across N. Bradford Avenue to the west and commercial uses to the south across E. Chapman Avenue. The proposed location is within 1,000 feet of the Kraemer Middle School and Valencia High School campuses, located to the north and northeast.

The proposed location is in one of the City's highest crime areas. Kraemer Park is a hot spot for gang activity.

STAFF ANALYSIS OF USE CONFORMITY:

The applicants initially submitted their Building and Zoning Compliance Application on August 14, 2013 for the sale of firearms, gear, parts and ammunition. The application was then reviewed by both Planning and the Police Department. Based upon the information provided in the application, the Assistant City Administrator determined that the use met the intent of the permitted use of "sporting goods stores" within the C-1 zone. The Police Department focused on the issue of store security and developed a list of conditions which they recommended to be imposed should the use move forward. During the course of the review, meetings were held between the applicant, the Assistant City Administrator and the Police Department to ensure that the City had a thorough understanding of the use and its operation. In the course of these discussions, it was the Police Department's understanding that the applicant also proposed to do firearm manufacturing at this location, which was not indicated on their application. In light of this, the proposed use was discussed further with the City Attorney and City staff where concerns were raised over the initial determination that the use conformed with the C-1 zone as a sporting goods store. A meeting was then held with the applicants to inform them that the proposed use would require a Use Conformity Determination by the Planning Commission. The applicants submitted an application for the Use Conformity Determination on November 5th with a revised use description clarifying that services will include a fulltime gunsmith to do customization, troubleshooting, repair and cleaning. No manufacture of guns is proposed.

To find that the use conforms with the C-1 zoning district, the Planning Commission must find that: a) the use is in accord with the purpose of the C-1 district; and b) the use has characteristics similar to the other uses permitted by right or with a conditional use permit within the C-1 district.

- The stated purpose of the C-1 district is to provide for general retail and offices uses which serve the general public and which, through characteristics of their operation, cater primarily to residents of the neighborhood market area. The proposed use identifies the target market as law enforcement, military personnel and game hunters. The target market therefore, is not the neighborhood market area.
- The uses permitted by right within the C-1 zone are general retail and service uses. The proposed use is a specialized, highly regulated use which is not consistent with the general nature of the listed permitted uses. If the Planning Commission desires to allow the use to proceed at this location, it is recommended that a use permit should be required so that Police conditions can be attached to the operation.

ENVIRONMENTAL ANALYSIS:

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines require the Planning Commission to consider the potential environmental impacts of the proposed application. Section 1506(b)(3), the general rule exemption, states that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment that the activity is not subject to CEQA. The approval or denial of the Use Conformity Determination for the proposed use will not have an impact on the environment.

ACTION:

Direct staff to prepare findings for consideration by the Planning Commission that 5150 Armory and Ammo Surplus, LLC is not in conformance with the C-1 zoning district.

Prepared and submitted by:

Reviewed by:

Monique B. Schwartz (for Robyn Uptegraff)
 Robyn Uptegraff
 Assistant City Administrator

Monique B. Schwartz
 Monique B. Schwartz
 Associate Planner

Attachments:

- Attachment A: Chapter 23.33 – "C-1" Neighborhood Commercial District
- Attachment B: Site Plan
- Attachment C: Floor Plan
- Attachment D: Statement of Use

ATTACHMENT A

Chapter 23.33 "C-1"—NEIGHBORHOOD COMMERCIAL DISTRICT

23.33.030 Permitted uses.

Permitted uses in the "C-1" zone shall consist of businesses with a floor area of less than twenty thousand (20,000) square feet which are operated in compliance with the purpose of this chapter and are conducted entirely within an enclosed building, except if permitted by Sections 23.33.046 and 23.81.165. Such uses shall include:

- (1) Apparel stores;
- (2) Appliance stores;
- (3) Bicycle shops;
- (4) Drugstores;
- (5) Fast food establishments excluding drive-in/ drive-through establishments;
- (6) Food stores, including bakeries, health food establishments, candy stores, vitamin shops;
- (7) General merchandise stores;
- (8) Hardware stores;
- (9) Hobby supply stores;
- (10) Jewelry stores;
- (11) Media shops, including bookstores, newsstands, video tape outlets, etc.;
- (12) Music stores, including sales of instruments, records, tapes, etc.;
- (13) Offices including financial institutions, real estate and insurance firms, medical and dental clinics and travel agencies: offices in integrated developments shall remain incidental and subordinate to the intended retail use;
- (14) Personal service establishments, including barbershops, beauty shops, dry cleaning and tailors (for acupuncture clinics, tattoo parlors and other similar uses, refer to Section 23.33.040);
- (15) Recycling facilities per Chapter 23.41;

- (16) Restaurants and eating places;
- (17) Service establishments;
- (18) Small outdoor seating areas per Section 23.81.165;
- (19) Sporting goods stores;
- (20) Stationery and office supply stores;
- (21) Studios, photography;
- (22) Toy shops;
- (23) Variety stores;
- (24) Vehicle parts sales, excluding repair and service;

(25) Other uses that the planning commission finds to be in accord with the purpose of this chapter and having characteristics similar to those uses listed in this section. (Ord. O-2011-07 § 5, 2011; Ord. 97-O-113 § 1, 1997; Ord. 94-O-102 § 5, 1994; Ord. 92-O-123 § 8, 1992; Ord. 91-O-119 § 1, 1990; Ord. 90-O-117 § 8, 1990; Ord. 87-O-135 § 3, 1987; Ord. 87-O-120, 1987; Ord. 84-O-123 § 1, 1984; Ord. 83-O-117 § 1, 1983; Ord. 82-O-106 § 2, 1982; Ord. 72-O-109 § 22, 1972; Ord. 454 § 14, 1967; Ord. 451 § 1, 1967; prior code § 25-86)

23.33.040 Uses permitted subject to obtaining a use permit.

The city recognizes that certain uses, although consistent with the purpose of the "C-1" zone, have special characteristics which have the potential to adversely affect adjoining businesses and/or property owners. These uses shall therefore be reviewed individually pursuant to the provisions of Chapter 23.87; those uses include the following:

- (1) Businesses permitted pursuant to Section 23.33.030, but occupying a floor area greater than twenty thousand (20,000) square feet;
- (2) Churches; provided, however, that:
 - (A) In approving the use permit the planning commission shall consider a church as a temporary use approved for a time period of not more than three (3) years. The use permit shall be reconsidered at the end of this time period,
 - (B) All activity (other than church office staff) shall be prohibited on Monday through Friday prior to 6:00 p.m.;
- (3) Establishments offering drive-in/drive-through service;

- (4) Establishments that sell alcoholic beverages including on-sale and off-sale;
- (5) Game arcades; includes any establishment having four (4) or more freestanding mechanical or electronic games of chance, skill or entertainment, whether as the primary use or in conjunction with another business, but excluding vending machines dispensing a product for sale;
- (6) Health clubs; includes, but not limited to, racquetball clubs, swim clubs, tennis clubs and gymnasiums;
- (7) Hospitals, including related and/or necessary supporting facilities, such as: pharmacies, medical laboratories and out-patient clinics, when constructed or included as part of the original development;
- (8) Large outdoor seating areas per Section 23.81.165;
- (9) Pet shops (completely enclosed);
- (10) Poolrooms;
- (11) Recycling facilities per Chapter 23.41;
- (12) Service stations;
- (13) Veterinary clinics (completely enclosed);
- (14) Personal service establishments including acupuncture clinics, tattoo parlors (pursuant to the requirements of Chapter 23.86) and other similar uses;
- (15) Studios, including dance and music;
- (16) Other uses that the planning commission finds to be in accord with the purpose of this chapter and having characteristics similar to those uses listed in this section. (Ord. O-2011-07 § 6, 2011; Ord. O-2002-12, 2002; Ord. 97-O-103 § 2, 1997; Ord. 96-O-106 § 1, 1996; Ord. 94-O-135 § 1, 1994; Ord. 94-O-127 § 1, 1994; Ord. 94-04-102 § 6, 1994; Ord. 93-O-123 § 1, 1993; Ord. 91-O-119 §§ 2, 3, 1990; Ord. 90-O-117 § 9, 1990; Ord. 87-O-135 § 3, 1987; Ord. 87-O-103, 1987; Ord. 87-O-101, 1987; Ord. 84-O-123 § 1, 1984; Ord. 83-O-117 § 1, 1983; prior code § 25-87)

5150 ARMORY & AMMO SURPLUS, LLC FIREARMS DEALERS

Mission Statement

To serve, educate and train our community by providing a safe, professional and knowledgeable environment in the sale of firearms. We pride ourselves in providing a well rounded; educated staff and commit ourselves to providing the highest standards quality of service.

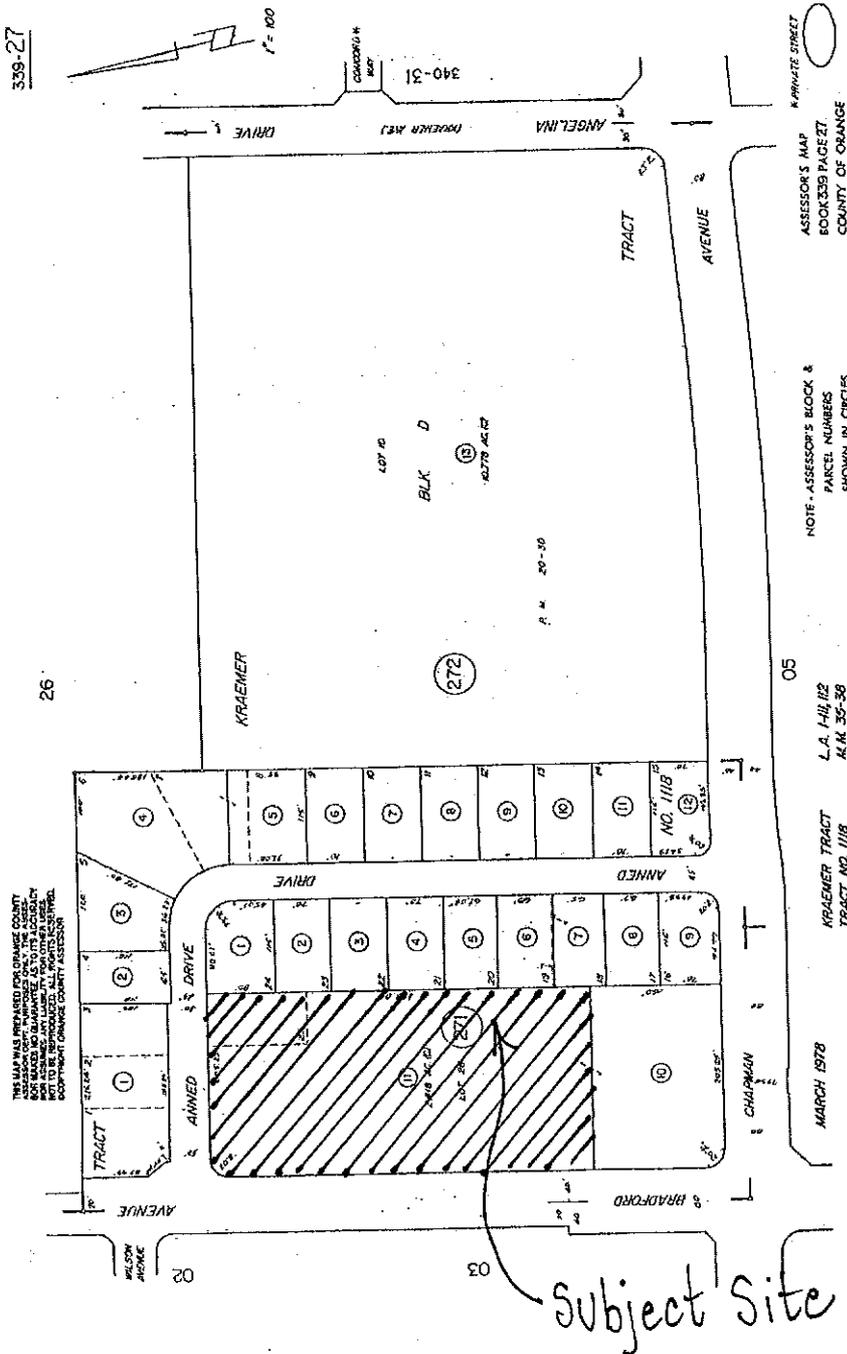
Owners

Carlos Magana
Jonathan Duran

PROPERTY PROFILE

Plat Map

Subject Property: 140 N Bradford Ave, Placentia, CA 92870



PLANNING DIVISION REPORT

APPLICATION: UCD 2013-01

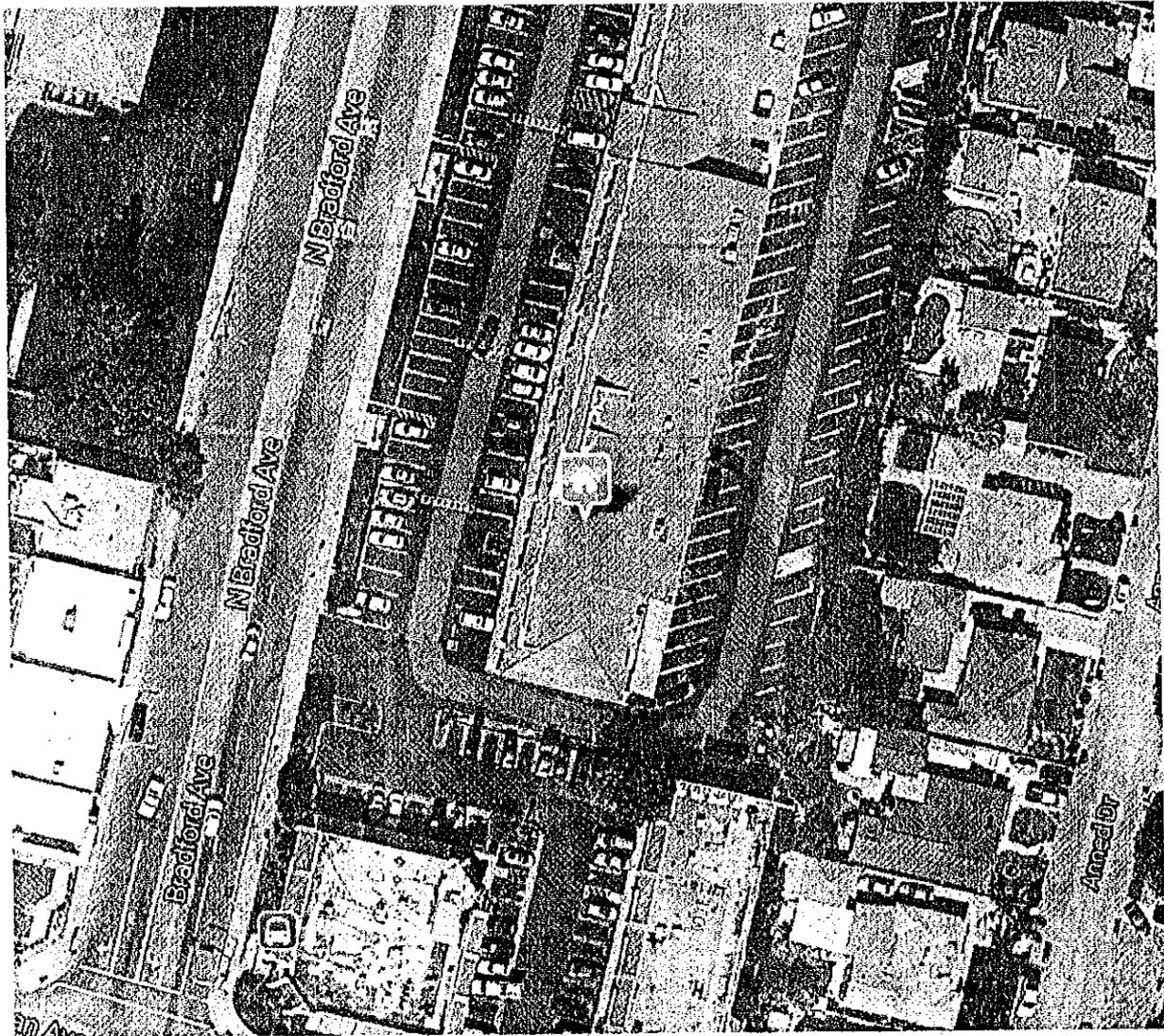
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PAGE: 1 OF 2

DATE: 11-12-13

PROPERTY PROFILE

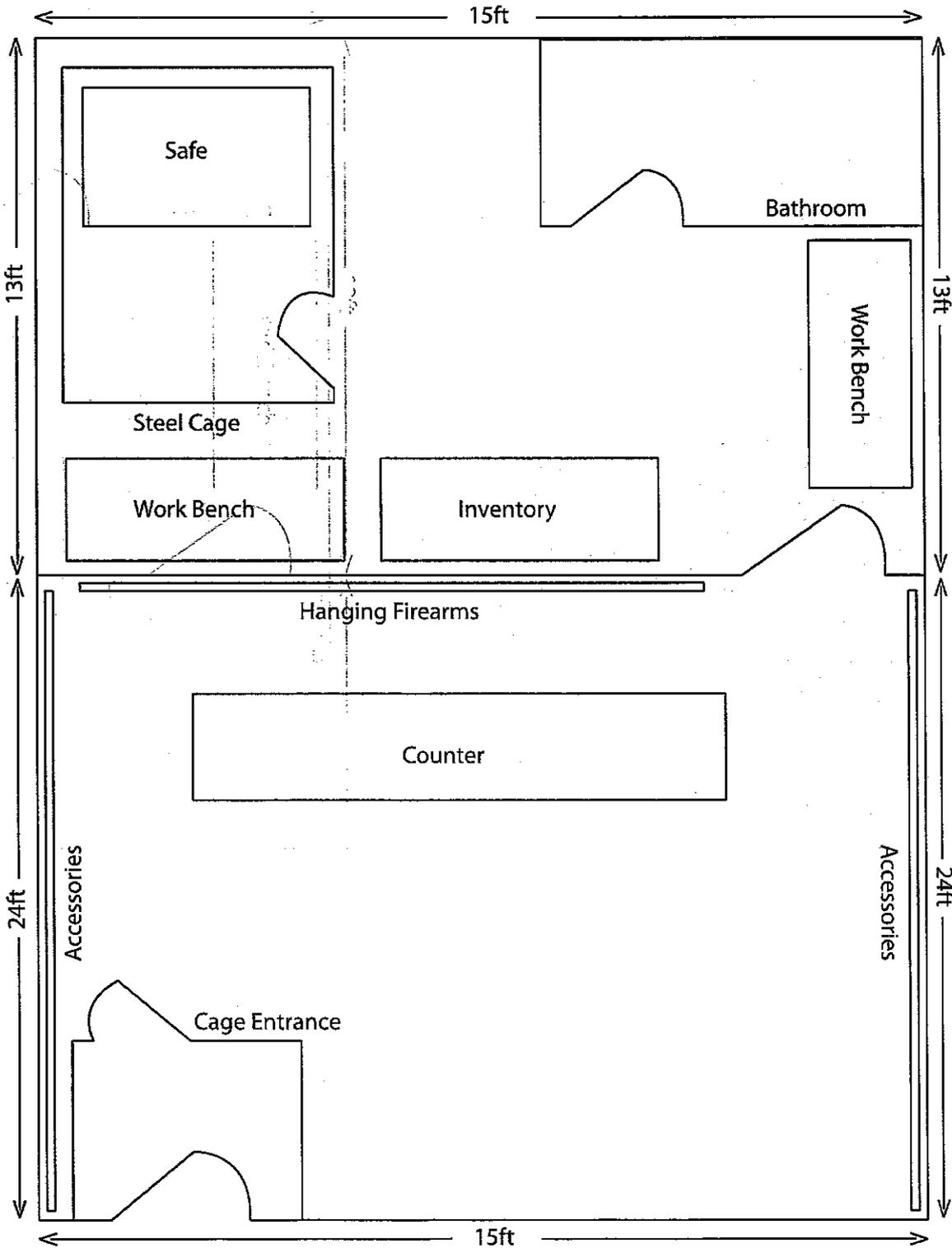
Property Map



PLANNING DIVISION REPORT
APPLICATION: VCD 2013-01
EXHIBIT: B
PAGE 2 OF 2
DATE: 11-12-13

5150
A R M O R Y

Floor Plan:
118 N. Bradford St.
Placentia, Ca 92870



○ ○
Concrete Filled Steel Pylons

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Executive Summary

Carlos Magana, and Jonathan Duran are the founders/owners of 5150 Armory and Ammo Surplus, LLC. We have been operating as a small partnership for over three years. Due to our growing market share and value we incorporated in October of 2012. Our business will consist of the sale of firearms, ammunition and high-end tactical gear to our customers. Our target market is law enforcement and military professionals. We will be based out of 118 N. Bradford Ave. Placentia, CA 92870. 5150 Armory has established excellent credit standing, Wells Fargo Bank serves as testimony. What our communities and general public lack is knowledge and 5150 Armory is more than competent to educate those who enter the doors of our facility. The combination of over 30 years firearm knowledge, experience in safe weapon handling and tactical expertise have equipped us with the confidence to distribute this knowledge to our customers. In conjunction with knowledge in weapon instruction and the experience of firearms experts and military veteran on our team puts 5150 Armory at an advantage and separates us from the rest of our competition. Our goal is to provide each customer with supreme customer satisfaction and to have each customer exit our doors with a confident array of knowledge, professionalism and safety than when they initially entered the door. By allowing us to do business in the city of Placentia we aspire to create additional jobs and revenue into the city which, in turn creates a positive outcome for all.

Products and Services

Customer Service

Our focus on customer service will be the key indicator of who we are and how we distinguish ourselves from the competition. Based on our personal experiences and primary research we have determined that customer service in this industry is highly neglected. Customers are constantly looked down upon by sales staff and owners as well.

We will educate our customers in firearms safety. Provide our customers with a sense of equality, confidence in our knowledge, friendliness and professionalism in order to promote growth in our customers. In support of this united goal we will offer a free introductory training to our customers. This positive experience will not only educate the customer but promote safety and also provide repeat business.

Firearms Sales

Our primary focus of inventory will be aligned with law enforcement fire arms as well as the military. To gain a wider market share we will be carrying special hunting rifles and shotguns to sell to our customers that hunt various wild game. All sales and handling of firearms will meet ATF laws/guidelines as well as state laws.

Gear Sales/Parts

The store will carry a variety selection of items such as: tactical gear, shirt sales, hunting scopes, and hunting books. Apart of selling firearms we will carry other special brands of inventory that are highly demanded by our law enforcement such as replacing items of their duty gear. We will also carry other sporting goods gear and items such as, skeet clay pigeons, targets, outdoor backpacks and carry a catalog for specialized sporting goods items that customers can order through us.

Ammunition

The sale of brand new manufactured ammunition to our customers. The ammunition that we will be selling will range from standard ammunition to competitive ammunition in order to meet all of our potential customers needs. Ammunition will be stored in the back and empty boxes will be on display.

Services

Upon receiving our Federal Firearms License (FFL) we will be authorized to sell and hold firearms overnight. We will be able to hire a fulltime gunsmith that can work on firearms such as customization, troubleshooting, fixing, and cleaning firearms. Those services can only be accomplished upon receiving an FFL.

Business Operations

This location will be used for the retail sale of firearms. We will not use this location for manufacturing for example, we will not have a CNC machine on premises for manufacturing. The hours of operation will be as follows: Monday-Friday, open 10am and close at 7pm on Saturday and Sundays, open 9am and close at 6pm. We will have the "two man rule" when closing and opening the storefront. Sales representatives will carry loaded firearms in holsters at all times with the proper training and certifications. The owners will also carry loaded firearms in visually display holsters. Due to the fact that we are a small growing business we will schedule our customers by appointment only. We will diligently try to accommodate walk in appointments but it will be determined by our availability and occupancy.

There will be two owners on the premises at all times. We will hire one full time office administrator who will tend to, but not limited to, the daily office operations of the business. The administrator will keep accurate records of purchases and file all documents to stay in compliance with state and federal laws. The two owners will be working the sales floor and primarily tend to the customer's questions. Management will be on site at all times to address all complex customer needs or concerns.

Floor Overlay

Before a customer enters the storefront we will have a sign that restricts who may enter for example, "Must be over 18 to enter". We will display different signs to remind our customers of California Firearms Laws. As a customer enters our doors there will be a holding cage that will require them to be buzzed in. This method will give us the ability to verify who is entering the premises and to control the flow of traffic. High definition (HD) Cameras will be placed in the entrance to cover the front parking lot and back. A HD camera will be strategically placed to get a full view of customer's facial features as they walk in. There will be two HD cameras in the front sales floor covering the floor plan. There will be one camera in the back room facing the gun safe. After closing the doors we will activate our motion sensor alarms that will alarm if any movement occurs. We will also provide the PD with our static IP address to give a live feed in case of burglary. All firearms and ammo will be behind the counter and sales personnel will deal with one on one customer basis. Under no circumstance a sales representative will have more than one firearm per customer. Customers will also need to be buzzed out in order for them to leave our store. In case of an emergency we will unlock the buzzard so customers can exit out.

All daily operations will be monitored through a CCTV 8 camera system with cloud service backed up to a server/Jadtec security system/Motion Sensors throughout the building and panic button. At the close of each business day all firearms will be secured by two commercial grade safes. The store's security will be reinforced with rod iron security bars over the windows and doors. Our other store security measures will be align with what was discussed on our last meeting with Sgt. Kelly and Sgt. Perry and the city planner Monique Shwartz. See attachment for full list of security measures.

SECURITY MEASURES

- LIVE AMMUNITION MUST BE KEPT IN A NON PUBLIC ACCESSIBLE AREA
- MOTION SENSORS.
- 8 CCTV HIGH DEFINITION CAMERA SYSTEM W/ STATIC IP ADDRESSS
ACCESS TO PLACENTIA PD
- ALARM SYSTEM
- A CAGE LIKE STRUCTURE AROUND THE COMMERCIAL SAFES
- SOLID DOOR KEYPAD ENTRY
- Front Entrance will be reinforced with "Square Tubing Rod Iron Bars"
and "Expanded Metal Mesh" with doorway entry.
- COMMERCIAL GRADE SAFE FOR STORAGE OF ALL FIREARMS.
- Building "Cage Like Structure" AROUND COMMERCIAL SAFE USING
SQUARE TUBING WITH ROD IRON BARS AND EXPANDED METAL MESH.
- SCISSOR GATE SHALL BE IN FRONT OF BUILDING.
- STEEL CONCRETE FILLED PYLONS ONE FOOT IN GROUND 3 FEET ABOVE
- DUAL VESTIBULE DOORWAY/WAITING AREA FOR SECOND DOOR
- STEEL MESH SHALL BE APPLIED TO ENTIRE CEILING OF BUILDING
- VENT SHALL BE COVERED WITH STEEL MESH
- STATIC I.P. ADDRESS GIVEN TO PLACENTIA PD
- HEIGHT MAKERS ON INTERIOR SIDE OF DOOR JAMB AND ON ALL
DOORS USED BY PUBLIC ACCESS. HORIZONTAL MARKS, ONE-INCH WIDE BY
THREE INCHES LONG, IN DIFFERENT COLORS, AND IN A CONTRASTING
COLOR TO THE BACKGROUND, SHALL BE PLACED EVERY SIX INCHES
BEGINNING AT 5' AND ENDING AT 6'6".
- ALL FIREARMS WILL BE LOCKED UP AT THE END OF EACH BUSINESS DAY.

Development Projects November 6, 2013

Project Address	Project Description	Applicant	Received Plans	Returned Plans to Applicant	Project Status
2101 Valencia Avenue (Koch Park)	New Wireless Communication Facility for AT&T	Jonathan Restivo			Lease Agreement signed 10-2-13 Building Plans submitted on 9-19-13. Corrections returned to applicant.
Tuffree Park 2101 Tuffree Road	New Verizon Wireless Communication Co-location on existing American Tower Monopine	Peter Blied	10-10-13		Pending Lease Agreement Approval. Draft lease sent to applicant for markup
Samp Park 600 Loyola Drive	Use Permit for Wireless Communication Facility Use permit expiration date: 11-8-12	Alexander Lew (Core Communications) (714) 401-2241			Use Permit 2011-14 expired Nov. 8, 2012
Schaner Property	Residential/Commercial project	HQT Don Huennekens (714) 508-3990			Development Submittal Applications expected on 11-7-13
1049 Golden Avenue	Residential Condo Development -- 33 units	The Olson Company			Final Map pending County approval Grading permit issued on 10-22-13
918 & 926 W. La Jolla	10 unit apartment complex	Qui & Tod That Dang			Scheduled for 12-10-13 Planning Commission meeting
738 W. La Jolla Street	12 unit apartment complex	Dwaine Dirks			pending
1022 N. Bradford Avenue	Pre-application Review Hindu Church	Ron Phadnis (714) 734-8810			Applicant submitted revised plans to increase multi-purpose building approx. 730 sq. ft. Terra West determined that changes will not affect environmental determination. Determination if Planning Commission hearing is required.
164 Yorba Linda Boulevard	McDonald's w/drive through				2 nd check landscape/irrigation plans approved. Grading plans approved. Pending demolition permit and AQMD approval Project moving forward.
933 Gonzales	1 st check NSFR		7-10-13	8-8-13	Comments returned to applicant
1828 N. Placentia	1 st check sign		6-24-13	7-1-13	Not approved
1941 Miraloma #A	1 st check sign		6-25-13	7-1-13	Not approved

Development Projects
November 6, 2013

Project Address	Project Description	Applicant	Received Plans	Returned Plans to Applicant	Project Status
1389 Arrowhead	1 st check solar		9-3-13	9-5-13	Not approved
128 Madison	1 st check wood fence		10-2-13	10-9-13	Not approved
507 Swanson	1 st check block wall -- line of sight		10-9-13		Pending Ruth Smith's review
1160 Underhill	1 st check room addition		10-8-13	10-10-13	Not approved
1204-1290 E. Yorba Linda	Zoning Verification Letter		10-8-13		Pending correct payment
1024 Thomann	1 st check solar		10-15-13		
1050 E. Imperial Hwy	Zoning Verification Letter		10-8-13	10-22-13	Completed
1204-1290 E. Yorba Linda	Zoning Verification Letter		10-8-13	10-22-13	Completed
190 W. Crowther	Zoning Verification Letter		10-15-13	10-23-13	Completed
330 Lassen	1 st check solar		10-21-13		
213 E. Borromeo	2 nd check solar		10-21-13		
846 Chicago	1 st check solar		10-21-13		
336 Lassen	1 st check solar		10-23-13		
420 Swanson	1 st check solar		10-23-13		
1268 Bering	1 st check solar		10-23-13		
2113 Shelley	1 st check solar		10-23-13		
1049 Golden	1 st check solar for 33 units		10-23-13		
420 Pinehurst	1 st check solar		10-31-13		
318 Fleming	1 st check solar		10-31-13		
1049 Imperial	1 st check wall sign		10-29-13		
2038 Loreto	1 st check solar		10-31-13		
937 Kingswood	1 st check solar		10-29-13		
531 Shoshoni	1 st check solar		10-28-13		
904 Fimmel	1 st check solar		10-30-13		
1022 N. Bradford	1 st check revised plans		10-22-13		
1200 Vina Del Mar	1 st check solar		10-31-13		
608 Candlewood	1 st check solar		10-31-13		
600 Placentia	1 st check sign		11-5-13		
2375 McKinley	1 st check solar		11-5-13		
1575 Placentia	1 st check sign		11-5-13		