



Los Angeles County
Department of Regional Planning



September 13, 2016

Richard J. Bruckner
Director

Planning for the Challenges Ahead

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

ARMBRUSTER GOLDSMITH AND DELVAC
AARON CLARK
12100 WILSHIRE BOULEVARD SUITE 1600
LOS ANGELES CA 90025

**Regarding: PROJECT NUMBER R2014-01529-(4)
VESTING TENTATIVE PARCEL MAP NO. 072916
ZONE CHANGE NO. 201400008
CONDITIONAL USE PERMIT CASE NO. 201400062
PARKING PERMIT CASE NO. 201400006
ENVIRONMENTAL ASSESSMENT CASE NO. 201400121
18800 RAILROAD AVENUE, ROWLAND HEIGHTS**

Dear Applicant:

The Regional Planning Commission, by its action of September 7, 2016, is recommending **APPROVAL** of the above described legislative (zone change) to the Los Angeles County Board of Supervisors and approved the associated entitlements. The attached documents contain the Regional Planning Commission's findings and conditions relating to this action. Please carefully review each condition.

Please be advised that all permits associated with the zone change are automatically called up for review by the Board of Supervisors. Therefore, final action has not been taken on these matters and no appeal is available at this stage. The Executive Office of the Board of Supervisors will provide notice of a future public hearing on this matter.

For further information pertaining to these approvals and approval recommendation, please contact Steven Jones in the Land Divisions Section at (213) 974-6433 or e-mail at sdjones@planning.lacounty.gov.

Sincerely,

Richard J. Bruckner
Director



S. JONES

Kim Szalay, Supervising Regional Planner
Land Divisions Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)

C: BOS, DPW (Building and Safety), Zoning Enforcement, ABC, Walnut/Diamond Bar Sheriff Station,
Parallax Investment Corp (Stafford Lawson)

KKS:SDJ

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01529 - (4)
VESTING TENTATIVE PARCEL MAP NO. 072916**

1. **HEARING DATE.** The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on September 7, 2016, in the matter of Project No. R2014-01529, consisting of Vesting Tentative Parcel Map 072916, Zone Change No. 20400008, Conditional Use Permit No. 201400062 ("CUP"), and Parking Permit No. 201400006 ("Parking Permit"). (The CUP and Parking Permit are referred to collectively as the ("Project Permits"). The Project Permits were heard concurrently with Vesting Tentative Parcel Map No. 072916 ("Vesting Tentative Parcel Map") and Zone Change No. 201400008 ("Zone Change").
2. **ENTITLEMENT REQUESTED.** The permittee, Parallax Investment Corporation ("Permittee"), requests Vesting Tentative Parcel Map to create three (3) parcels and 155 commercial condominium units in conjunction with a proposed retail shopping center on 14.85 gross acres pursuant to Sections 21.48.010 and 21.48.090 of Title 21 of the Los Angeles County ("County") Subdivisions Ordinance and the Subdivision Map Act.
3. **LOCATION.** The Project is located at 18800 Railroad Avenue, unincorporated Rowland Heights ("Project Site").
4. **PROJECT DESCRIPTION.** The Project applicant proposes to subdivide 14.85 gross acres (13.3 net acres) to create three parcels developed with two hotels and 155 commercial retail condominium units within four detached structures located at 18800 Railroad Avenue within unincorporated Los Angeles County. The proposed industrial lot developed with commercial retail condominium units would occupy approximately 8.18 net acres of the Project Site. The proposed commercial lots developed with hotels would occupy approximately 5.15 net acres of the Project Site.

The Project would require approximately 184,904 cubic yards of cut material, which includes approximately 13,261 cubic yards of reductions and additions due to subsidence, shrinkage and additions, 41,109 cubic yards of export off site and 130,534 cubic yards of fill material on the site for a total of approximately 356,547 cubic yards of earth movement for site preparation and 322,619 cubic yards of cut, 274,318 cubic yards of fill and 48,301 cubic yards of earth material for off-site export, totaling 645,238 cubic yards of earth movement associated with further development and construction of the site. The Project proposes a grading total volume of approximately 1,001,785 cubic yards.

The proposed improved areas of the Project Site would include 129,926 square feet of retail, restaurant and office space, 1,203 vehicle parking spaces, 320,880 square feet and 472 rooms of hotel space within two separate buildings of six stories each and an access road.

The Project applicant also proposes to increase runoff and debris-producing areas, changes to the current drainage pattern of the Project Site, and to create additional impacts to the capacity of existing storm drain facilities within the City of Industry and the unincorporated County of Los Angeles. The Project Site would also be planted with indigenous native trees and shrubs and other drought tolerant landscaping.

5. The related CUP is a request to authorize:
 - a. Development Program associated with the proposed Zone Change for hotel uses on proposed parcels 2 and 3 pursuant to County Code Sections 22.40.030 and 22.40.040;
 - b. New commercial center within proposed parcel 1 as required by the Rowland Heights Community Plan pursuant to County Code Section 22.44.132;
 - c. Structures up to 80 feet in height for new hotels on proposed parcels 2 and 3 pursuant to County Code Sections 22.40.030 and 22.40.040;
 - d. On-site grading involving exceeding 100,000 cubic yards of cut and fill and off-site transport grading pursuant to County Code Section 22.32.140; and
 - e. Sale of two full lines of alcoholic beverages for on-site consumption in conjunction with normal operations of the two proposed hotels pursuant to County Code Section 22.28.210.
6. The Parking Permit is a related request to authorize 1,128 on-site vehicle parking spaces which are 381 fewer spaces than the required 1,509 on-site vehicle parking spaces for all proposed uses; to allow use of 75 additional off-site vehicle parking spaces located on a 0.79-acre parcel within City of Industry municipal boundary pursuant to Chapter 22.52, Part 11 of Title 22 of the County Code for a total of 1,203 combined on-site and off-site parking spaces; for reciprocal access and shared parking between uses as set forth in Section 22.56.990 of the Zoning Code.
7. The Zone Change is a related request to amend the Project Site's zoning from zone M-1.5-BE (Restricted Heavy Manufacturing, Billboard Exclusion) to zone C-3-DP (General Commercial-Development Program) for hotel uses on Parcels 2 and 3 of the vesting tentative parcel map. The -DP overlay zone will ensure that development occurring after rezoning will conform to the approved plans and be compatible with the surrounding area.
8. The approval of the Project Permits and Vesting Tentative Parcel Map will not become effective unless and until the Board has approved the Plan Amendment and Zone Change, and both have become effective.
9. **TOPOGRAPHY.** The Project Site is 14.85 gross acres (13.3 net acres) in size and consists of three legal lots. The Project Site is trapezoidal in shape with rolling gentle topography and is currently undeveloped.
10. **ZONING.** The Project Site is located in the Puente Zoned District and is currently zoned M-1.5-BE.

11. **LAND USE CLASSIFICATION.** The Project Site is located within the Industrial land use category of the Rowland Heights Community Plan Land Use Policy Map.
12. **SURROUNDING ZONING.** Surrounding Zoning within a 500-foot radius includes:
- North: City of Industry – I (Industrial)
 - South: M-1.5-BE, R-1 (Single-Family Residence Zone)
 - East: M-1.5-BE
 - West: City of Industry - C (Commercial), IC (Industrial – Commercial Overlay)
13. **SURROUNDING LAND USES.** Surrounding land uses within a 500-foot radius include:
- North: Union Pacific Railroad, industrial and vacant properties
 - South: Commercial retail uses, CA 60 – Pomona Freeway, single-family residences, Mobile Home Park
 - East: Commercial uses
 - West: Industrial and office uses within the City of Industry
14. **PREVIOUS CASES/ZONING HISTORY.** The site was rezoned in 1948 to A-1-10,000 (Light Agricultural – 10,000 Square Feet Minimum Required Lot Area). The adoption of Zone Change Case 85-201 amended section 387 of Ordinance No. 1494 on June 10, 1986 and changed the zoning on the site from A-1-10,000 to its current zoning of M-1.5-BE.
15. **SITE PLAN.** The site plan for the Project depicts the Project Site on three parcels with six buildings. Parcel 1 is developed with four (4) detached buildings situated throughout the easterly portion of the Project Site. A full-service hotel is proposed for parcel 2 and an extended-stay hotel is proposed to be developed on parcel 3 on the westerly portion of the Project Site, all accessed from private driveways and a fire lane from Gale Avenue. The site plan depicts parking and landscaping distributed throughout the site by means of a combination of subterranean/structured and surface parking, with the majority of the spaces used for vehicle spaces found between the four detached structures and other spaces sited around the two hotel structures. The 75 off-site spaces used for vehicle parking are proposed to be developed within the City of Industry on an adjacent parcel along proposed parcels 1 and 3. The site plan shows that the Project consists of a network of pedestrian paths that provide entrance to the buildings onsite, parking and landscaping, on-site common open space amenities for community identification and visual enhancement of the site. Walls at the rear of and located on the east and west property lines of the site are proposed to be up to 12 feet in height. The walls would not block views or impede lines of sight for safety.
16. **SITE ACCESS.** The Project Site is accessible via Gale Street to the south. Primary access to the Project Site will be via an entrance/exit on Gale Street. Secondary access to the Project Site will be via an additional entrance/exit on Gale Street shared with the Rowland Heights Plaza Shopping Center along the eastern site boundary.

17. **PARKING.** The Project will provide a total of 1,203 parking spaces, 75 of which will be off-site within the City of Industry and adjacent to proposed parcels 1 and 3. Parking and landscaping is depicted distributed throughout the site by means of a combination of subterranean/structured and surface parking, with the majority of the spaces used for vehicle parking found between the four detached structures and other spaces sited around the two hotel structures.
18. **INTERNAL CIRCULATION.** Internal circulation and access for the Project will be provided by a private driveway and fire lane system with a paved width of 28 feet. The internal circulation consists of one component for vehicular maneuvering and one for pedestrian paths that provide the following: entrances to the buildings onsite; access to parking; variation in landscaping; and access to onsite common open space amenities.
19. **PRE-RPC HEARING PROCEEDINGS.** On March 14, 2016, prior to the Commission's public hearing on the Project, the permittee performed public outreach and was responsive to the community by adding a common space that could be used for community use and events, reducing the retail area and adding parking spaces to the Project.
20. **COUNTY/AGENCY COMMENTS AND RECOMMENDATIONS.** The Los Angeles County Subdivision Committee consists of representatives of the departments of Regional Planning, Public Works, Fire, Parks and Recreation, and Public Health. Based on the reports for the map dated October 28, 2015, all departments have cleared the Project for public hearing.
21. **CEQA.** The Draft EIR was circulated to numerous other agencies from January 26, 2016 for comment through March 11, 2016. Distribution was done through the State Clearinghouse, as well as individual agency consultations. Public and agency comments were received during this period. The Final EIR primarily responds to all comments received during this period. The Final EIR, in accordance with section 15089 and 15132 of the State California Environmental Quality Act ("CEQA") Guidelines, includes the Draft EIR, public and agency comments, listing of commenting parties, lead agency responses to comments, Mitigation Monitoring and Reporting Program ("MMRP"), CEQA Findings of Fact, and Statement of Overriding Considerations ("SOC").
22. **ENVIRONMENTAL DETERMINATION.** The Los Angeles County Department of Regional Planning ("DRP") has determined by way of an Initial Study and identified in the Notice of Preparation sent to agencies, that an EIR was necessary for the Project. Areas of potential significant environmental impact addressed in the EIR include aesthetics air quality, biological resources, cultural resources, geology and soils greenhouse gas emissions, hydrology and water quality, land use and planning, noise, public services, transportation and parking and utilities and service systems including water supply.
23. Significant and unavoidable impacts identified in the final EIR after implementation of the required mitigation measures as enforced by the Project's MMRP related to air

quality and traffic impacts. Project operations emissions levels above Southern California Air Quality Management District ("SCAQMD") significant threshold could result. Project traffic impacts are considered significant and unavoidable at three intersections.

24. A Statement of Overriding Considerations is required to allow the approval of the Project in light of the above-identified remaining significant and unavoidable impacts.
25. The Commission finds, as set forth in the prepared CEQA Findings and SOC that the benefits and value of the Project outweigh the remaining significant impacts of the Project after all feasible mitigation has been implemented. The benefits of the Project include, but are not limited to, increased employment in the area and the expanded variety of commercial retail and hotel stay options to serve Rowland Heights community residents. Locating commercial development and hotels in close proximity to existing commercial and light industrial uses avoids displacing residents and using agricultural land and/or open space or introducing incompatible land uses to an area. Using the large buildable lot area to develop high quality, low-rise structures used for commercial enterprises with a diverse of tenant spaces for commercial retail, restaurant and offices with proximity to public transportation provides a range of goods and services to the community in keeping with the Community Plan and the Project objectives. Providing hotel rooms accommodates the growing need for additional local lodging options and meeting facilities for corporate, commercial and entertainment demands generated by businesses, leisure and tour groups and area visitors to the San Gabriel Valley and the larger Los Angeles area. Hotels along this transportation corridor will provide travelers and businesses with local options for hotel stays. These, and other Project design features beyond those that are required, more fully described in the CEQA Findings of Fact and Statement of Overriding Considerations, provide benefits supporting the determination that the benefits of the Project outweigh the Project's remaining and significant unavoidable impacts.
26. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** In accordance with Section 15050 of the State CEQA Guidelines, the County is the lead agency that had prepared both the Draft and Final EIR's for the Project. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified by mail, newspaper, property posting, library posting and on the DRP's website of the February 25, 2016 Hearing Examiner hearing that was conducted on the Draft EIR by a DRP Hearing Examiner. A newspaper notice was published in *The Los Angeles Times* and *La Opinión* on January 23, 2016. Notices were verified to have been posted on the subject property, available on DRP's website and mailed to property owners and tenants located within a 500-foot radius of the property boundaries, and to two local libraries were mailed on January 25, 2016. On January 25, 2016 a Notice of Completion and Notice of Availability ("NOC-NOA") of a Draft EIR was posted at the Los Angeles County Clerk's office. The NOC-NOA was sent by mail to required agencies, including the State Clearinghouse and other interested parties and posted on the DRP website. The formal public review period for the Draft EIR was from January 26, 2016 to March 11, 2016. Comments on the Draft EIR were received during the comment period, and those comments are responded to in the Final EIR. Parking and traffic issues were discussed. Public comments also included

residents voicing concerns with regard to ensuring the hotels do not propagate 'maternity tourism' where businesses house foreign nationals about to give birth to establish US citizenship for newborn babies. The latter comments did not pertain to issues explored in the EIR.

Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.

27. **PUBLIC COMMENTS.** Prior to the Commission's public hearing and since the distribution of the notice of public hearing and consideration of a Final EIR, the County has received one phone call and one e-mail dated August 8, 2016. The caller inquired about the date the Final EIR would be available. In the e-mail, the writers re-stated the position that the EIR was inadequate and put forward that the minimum required 10-day period in which to review the Final EIR was insufficient time.

The points raised in the e-mail relate to public review periods for Draft EIR's. It is the County's contention that proposed responses conform to the legal standards established for responses to comments on Draft EIR's contained in Sections 21083 and 21092.5 of the CEQA Guidelines adopted by the Governor's Office of Planning and Research ("OPR").

28. The Commission finds that the MMRP, prepared in conjunction with the Final EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project. The Board further finds that the MMRP's requirements are incorporated into the conditions of approval for this Project, and that approval of this Project is conditioned on the permittee's compliance with the attached conditions of approval and MMRP.
29. The Commission finds that the Final EIR for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. The Commission reviewed and considered the Final EIR, along with its associated MMRP, Findings of Fact and Statement of Overriding Considerations, and finds that they reflect the independent judgment of the Commission. The Findings of Fact and Statement of Overriding Considerations are incorporated herein by this reference, as set forth in full.
30. The Commission finds that the MMRP for the Project is consistent with the conclusions and recommendations of the Final EIR and that the MMRP's requirements are incorporated into the conditions of approval for the Project.
31. The Commission finds that the MMRP, prepared in conjunction with the Final EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project.
32. The Commission finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.

33. **VESTING MAP.** The subject parcel map has been submitted as a “vesting” tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
34. **HEARING PROCEEDINGS.** A duly noticed public hearing was held on September 7, 2016 before the Commission. Chair Shell, Vice Chair Smith, and Commissioners Pedersen, Louie and Modugno were present. During the public hearing, staff gave a presentation recommending approval of the Project. The applicant’s representatives gave testimony supporting the approval of the Project and had members of the community in support of the Project.

Commissioner Pedersen questioned the applicant about the pros and cons of commercial condominium units and what safeguards are in place to ensure the property is maintained. Applicant Stafford Lawson responded that pride of ownership, an owner’s association and CC&Rs would aid in a successful Project.

Commissioner Louie asked if there were other similar, successful Projects in the County. Commissioner Smith inquired as to at what stage of development would the programming of the common open space be accomplished. The applicant answered during the development of the CC&Rs.

Chair Shell asked what mechanism could address the Project site if an authorized parking permit proved to be a community nuisance. Staff replied that a permit could be called up for review based on Title 22 to be modified or revoked. County Counsel suggested a condition be included in the authorization to speak to permit violations and permit use complications.

Eight other speakers testified at the public hearing. Five offered support for the Project and three persons testified in opposition to the Project. Among the testifier’s concerns were: traffic, changing of the rural character of the area, lack of uniform, English-language signage, a private-property easement between at the eastern boundary of the property, inadequate parking and an out-of-date traffic study.

To these concerns, staff had previously indicated that the land use category was Industrial; the traffic study was done in accordance with County procedure; and that an amended exhibit map would be required for changes relating to the privately held setback easement.

The applicant and representatives rebutted that the Project presented a sign program and that new businesses would need to comply with both the CC&Rs and the County requirements; that parking shortfalls are addressed by the shared concept and County controls including modification and/or revocation of the permit; and that the Project would be a benefit for the entire community.

After a discussion of the Project, the Commission voted to close the public hearing, adopt the EIR and signified their intent to recommend approval of the Project to the Board of Supervisors.

35. **PLAN CONSISTENCY.** The Commission finds that the Project is consistent with the goals and policies of the 1980 Countywide General Plan ("General Plan") and the Rowland Heights Community Plan ("Community Plan"). The Project provides commercial retail, restaurants and office spaces within the commercial shopping center, plus the two hotels, in close proximity to other existing commercial uses, and the Project concentrates development for more efficient utilization of public services and facilities, reduced energy consumption and improved air and water quality.
36. The Commission finds that the Project offers development compatible with and sensitive to the natural and manmade environment and that the Project is sensitive to the natural ecological, scenic, cultural and open space resources as the site is already disturbed and surrounded by an urban environment.
37. The Commission finds that the Project is consistent with the goals and policies of the General Plan and provides a service that is incidental to neighborhood-serving commercial uses and is consistent with the types of uses that are located in the surrounding area because a variety of commercial uses including retail, restaurant, office uses and two hotels provide a range of goods and services to the community and its visitors.
38. The Commission finds that the Project is consistent with the goals and policies of the General Plan. The General Plan Land Use Element contains policies to ensure compatibility of development with the surrounding area. The General Plan seeks to "promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design, and location controls." (General Plan Land Use Element, pgs. III-12.) The Project is proposed to be located in proposed hotels and buildings used for commercial retail, restaurants and office spaces, which provides goods and services to the surrounding community. The site is located at a major intersection in the area, the intersection of Gale Avenue and Nogales Street, which is developed on all four corners with commercial uses and is easily accessible to the community.
39. The Commission finds that the Project meets State and County subdivision laws because the Subdivision Map Act and County Code are met.
40. The Commission finds that the Project is consistent with the Rowland Heights Community Plan because the Project does not include residential uses or a mobile home park in the industrial zone or land use category. A zone change request is part of the scope of the Project to authorize hotel use. The Project is comprised of commercial retail, restaurant, office and hotel uses.
41. The Commission finds that the Project is consistent with the goals and policies of the Rowland Heights Community Plan because impacts on community character, surrounding neighborhoods and natural features are minimized by matching the existing pattern of development, use of native vegetation and landscaping for screening and to soften the visual impact, undergrounding of utilities, and sharing of dedicated off-street parking anticipated to meet parking demand.

42. The Commission finds that the Project encourages the beautification of the commercial area by exceeding the minimum requirements for landscaping and ensuring the commercial area facades and signs are harmonious and compatible with the existing development.
43. **ZONING CODE CONSISTENCY.** The Commission finds that with the requested Zone Change of a portion of the Project Site from M-1.5-BE to C-3-DP, a CUP is required in order to establish and implement a development program for the Project.
44. The Commission finds that the Project is consistent with the applicable regulations of the Zoning Code because the Project is consistent with the development standards of the proposed C-3 and the requirements of the –DP zones, as set forth in section 22.28.220 and Chapter 22.40, Part 2, of the County Code.
45. The Commission finds that the Project has a total average floor area ratio (“FAR”) of 0.78 which complies by being lower than the maximum allowable 1.0 FAR for the subject properties.
46. The Commission finds that the Project is in compliance with outdoor display and storage requirements in the County Code. Section 22.28.220.C and D of the County Code require that all displays shall be located entirely within an enclosed building, with certain exceptions, unless otherwise authorized by a temporary use permit, and outside storage is permitted on the rear of a lot or parcel of land when such storage is strictly incidental to the permitted use. No outside display or storage is proposed or authorized as part of the Project.
47. The Commission finds that the Project is consistent with the existing and proposed zoning designation because parking is proposed to be developed in accordance with the shared use of parking facilities by two or more uses pursuant to Section 22.56.990 of the County Zoning Code.
48. The Commission finds that the Project complies with the sign requirements in the County Code. Pursuant to section 22.52.870, business signs are permitted in zones C-3 and M-1.5-BE, subject to the restrictions outlined in sections 22.52.880 – 22.52.920. All signs will match in style, size, color, font and materials.
49. The Commission finds that the Project is in compliance with the lot coverage and landscaping requirements set forth in the County Code. Section 22.28.220.A of the County Code requires that not more than 90 percent of the net area be occupied by buildings, and that a minimum of 10 percent of the net area be landscaped with a lawn, shrubbery, flowers, and/or trees, which shall be continuously maintained in good condition. The permittee's site plan depicts a Project total of approximately 33 percent of the net area of the property occupied by buildings with landscaping covering up to 63,497 square feet of landscaping of the 577,814 net square feet of land area, or 11 percent of the Project Site.

50. The Commission finds that the Project meets the standards contained in the Rowland Heights Community Standards District because at least 25 percent of each structure's façade that faces Gale Avenue is proposed to consist of materials or designs that are distinguishable from the rest of that façade with recessed windows, offset planes or similar architectural accents. No long, unbroken facades are proposed.
51. The Commission finds that the parcel of land has at 600 feet of continuous street frontage on a single street and a dedicated traffic impacts will be addressed by a dedicated deceleration lane to adjoin the private drive and fire lane entrance along Gale Avenue. The improvement is proposed to be designed and dedicated consistent with the requirements imposed by the County of Los Angeles Department of Public Works.
52. The Commission finds that the Project would require approximately 184,904 cubic yards of cut material, which includes approximately 13,261 cubic yards of reductions and additions due to subsidence, shrinkage and additions, 41,109 cubic yards of export off site and 130,534 cubic yards of fill material on the site for a total of approximately 356,547 cubic yards of earth movement for site preparation and 322,619 cubic yards of cut, 274,318 cubic yards of fill and 48,301 cubic yards of earth material for off-site export, totaling 645,238 cubic yards of earth movement associated with further development and construction of the site. The Project proposes a grading total volume of approximately 1,001,785 cubic yards.
53. The Commission finds that walls of up to 12 feet in height are authorized in the County portion of the site in that fence and wall heights are regulated in required yards and the parcel within the existing and proposed zones have no required yards.
54. The Commission finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare because security will be in place and Sheriff and Fire protection are available to the site. The Project is sufficiently buffered from neighboring uses by buildings, structures such as walls, and landscaping to ensure that such use will be compatible with nearby commercial and industrial uses.
55. The Project complies with all the development standards applicable to the underlying zoning. The Commission finds that the Project Site is adequate in size and shape to accommodate the areas, walls, fences, parking, landscaping, and other development features as is required in order to integrate the Project into the surrounding area. Parcel 1 of the Project is consistent with applicable development standards in zone M-1.5-BE and parcels 2 and 3 of the Project are consistent with applicable development standards applicable in zone C-3-DP, as set forth in the County Code.
56. The Commission finds that the Project is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate, and by other public or private facilities as are required because a private

driveway and fire lane are proposed to provide interior access to the site and the property fronts public street, Gale Avenue.

57. **LAND USE COMPATIBILITY.** The Regional Planning Commission finds that the Project is consistent with applicable policies of the Rowland Heights Community Plan in that its impact on community character, surrounding neighborhoods and natural features is minimized by Project design features including landscaping, blending structures with architectural features that match the existing patterns and presenting a general harmony of facades with a sign program that reflects the architectural style of the Project.

58. **PHYSICAL SITE SUITABILITY.** The Regional Planning Commission finds that the site is physically suitable for the type of development being proposed. The Project design provides landscaping and building and structures including walls as buffers along the Project boundaries, adjacent to existing developments and the Union Pacific Railroad. The site has gently rolling topography gradually transitioning between the adjacent street and the area of development.

Development is proposed to be located adjacent to existing infrastructure and utility systems along Gale Avenue, all of which have the ability to serve the site. In addition, the Project Site is in an existing urbanized area with nearby services and other employment opportunities. The proposed design, scale, and development pattern of the proposed commercial retail, restaurant, office and hotel uses are consistent with the existing pattern of development surrounding the site. It also minimizes impact by grading only that which is necessary for preparation of the site for the proposed development, including the provision of subterranean spaces used for vehicle parking. For these reasons, the proposed Project constitutes compatible design and complimentary visual quality.

59. **SEWER DISCHARGE.** The Regional Planning Commission finds that the discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the Water Code. Public Works has issued conditional approval of the subject land division, and sewer service is available for the site.

60. **DESIGN IMPACT – PUBLIC HEALTH.** The Regional Planning Commission finds that the design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, and geologic and soils factors are adequately addressed.

61. **WILDLIFE/HABITAT IMPACTS.** The Regional Planning Commission finds that there is no substantial evidence, based on the record as a whole, that the proposed Project will have potential for an adverse effect on wildlife resources or the habitat upon which, either individually or cumulatively, the wildlife depends.

62. **PASSIVE COOLING.** The Regional Planning Commission finds that the design of the subdivision provides to the extent feasible, for future passive or natural heating or

cooling opportunities therein. Future structures built on the subject property after subdivision recordation will be required to comply with State and County Green Building standards, which regulate the heating and cooling efficiency of structures for the benefit of the natural environment.

63. **RIGHTS-OF-WAY/EASEMENTS.** The Regional Planning Commission finds that the division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and shown on the tentative map, provide adequate protection for any such easements.
64. **WATERCOURSE IMPACT.** The Regional Planning Commission finds that Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
65. **HOUSING/EMPLOYMENT NEEDS.** The Regional Planning Commission finds that the housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the Project was determined to be consistent with the General Plan.
66. **PUBLIC NOTICE.** The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Rowland Heights community. On August 3, 2016, a total of 524 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 106 notices to those on the courtesy mailing list for the Puente Zoned District and to any additional interested parties.
67. **LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the 1980 General Plan and the Rowland Heights Community Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located

in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

- C. The proposed site is adequate in size and shape to accommodate the areas, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The subject parcel map has been submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
- F. The proposed subdivision is compatible with surrounding land use patterns. The proposal for detached commercial condominium units is consistent with surrounding land uses predominantly consisting of industrial, office and commercial uses.
- G. The site is physically suitable for the type of development being proposed, since the property is relatively flat/will be graded flat; has access to a County-maintained street; shall be served by sanitary sewers; is being provided with water supplies and distribution facilities with sufficient capacity to meet anticipated domestic and fire protection needs; and (if applicable) shall have flood and geologic hazards mitigated in accordance with the requirements of the Los Angeles County Department of Public Works.
- H. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the Water Code. Public Works has issued conditional approval of the subject land division, to include conditions for complying with regional water quality requirements.
- I. The design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geologic and soils factors are addressed in the recommended conditions of approval.
- J. There is no substantial evidence, based on the record as a whole, that the proposed Project will have potential for an adverse effect on wildlife resources or the habitat upon which, either individually or cumulatively, the wildlife depends. The proposed subdivision is located in an urbanized area.
- K. The design of the subdivision provides to the extent feasible, for future passive or natural heating or cooling opportunities therein. Future structures built on the subject property after subdivision recordation will be required to comply with State and

County Green Building standards, which regulate the heating and cooling efficiency of structures for the benefit of the natural environment.

- L. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and shown on the tentative map, provide adequate protection for any such easements.
- M. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the Project was determined to be consistent with the General Plan.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Final EIR for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; adopts the Findings of Fact and Statement of Overriding Considerations and the MMRP; finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during the Project implementation, and finds that the unavoidable significant effects of the Project after adoption of said mitigation measures are as described in those Findings of Facts and Statement of Overriding Considerations; and determines that the remaining, unavoidable environmental effects of the Project have been reduced to an acceptable level and are outweighed by specific economic and social benefits of the Project as stated in the Findings of Fact and Statement of Overriding Considerations.
2. Approves Vesting Tentative Parcel Map No. 072916, subject to the attached conditions.

ACTION DATE: September 7, 2016

KKS:SDJ
09/07/16

VOTE: 5:0:0:0

Concurring: Shell, Smith, Louie, Pedersen, Modugno

Dissenting: 0

Abstaining: 0

Absent: 0

c: Each Commissioner, Zoning Enforcement, Building and Safety

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01529 - (4)
CONDITIONAL USE PERMIT 201400062**

1. **HEARING DATE.** The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on September 7, 2016, in the matter of Project No. R2014-01529, consisting of Vesting Tentative Parcel Map 072916, Zone Change No. 20400008, Conditional Use Permit No. 201400062 ("CUP"), and Parking Permit No. 201400006 ("Parking Permit"). (The CUP and Parking Permit are referred to collectively as the ("Project Permits"). The Project Permits were heard concurrently with Vesting Tentative Parcel Map No. 072916 ("Vesting Tentative Parcel Map") and Zone Change No. 201400008 ("Zone Change").
2. **ENTITLEMENTS REQUESTED.** The permittee, Parallax Investment Corporation ("permittee"), requests the Project Permits to authorize the creation of three parcels developed with 155 commercial condominium units and two hotels ("Project") on 14.85 gross acres. The CUP is a request to authorize:
 - a. Development Program associated with the proposed Zone Change for hotel uses on proposed parcels 2 and 3 pursuant to County Code Sections 22.40.030 and 22.40.040;
 - b. New commercial center within proposed parcel 1 as required by the Rowland Heights Community Plan pursuant to County Code Section 22.44.132;
 - c. Structures up to 80 feet in height for new hotels on proposed parcels 2 and 3 pursuant to County Code Sections 22.40.030 and 22.40.040;
 - d. On-site grading involving exceeding 100,000 cubic yards of cut and fill and off-site transport grading pursuant to County Code Section 22.32.140; and
 - e. Sale of two full lines of alcoholic beverages for on-site consumption in conjunction with normal operations of the two proposed hotels pursuant to County Code Section 22.28.210.
3. **LOCATION.** The Project is located at 18800 Railroad Avenue, unincorporated Rowland Heights ("Project Site").
4. **PROJECT DESCRIPTION.** The Project applicant proposes to subdivide 14.85 gross acres (13.3 net acres) to create three parcels developed with two hotels and 155 commercial retail condominium units within four detached structures located at 18800 Railroad Avenue within unincorporated Los Angeles County. The proposed industrial lot developed with commercial retail condominium units would occupy approximately 8.18 net acres of the Project Site. The proposed commercial lots developed with hotels would occupy approximately 5.15 net acres of the Project Site.

The Project would require approximately 184,904 cubic yards of cut material, which includes approximately 13,261 cubic yards of reductions and additions due to subsidence, shrinkage and additions, 41,109 cubic yards of export off site and 130,534 cubic yards of fill material on the site for a total of approximately 356,547 cubic yards of earth movement for site preparation and 322,619 cubic yards of cut,

274,318 cubic yards of fill and 48,301 cubic yards of earth material for off-site export, totaling 645,238 cubic yards of earth movement associated with further development and construction of the site. The Project proposes a grading total volume of approximately 1,001,785 cubic yards.

The proposed improved areas of the Project Site would include 129,926 square feet of retail, restaurant and office space, 1,203 vehicle parking spaces, 320,880 square feet and 472 rooms of hotel space within two separate buildings of six stories each and an access road.

The Project applicant also proposes to increase runoff and debris-producing areas, changes to the current drainage pattern of the Project Site, and to create additional impacts to the capacity of existing storm drain facilities within the City of Industry and the unincorporated County of Los Angeles. The Project Site would also be planted with indigenous native trees and shrubs and other drought tolerant landscaping.

5. The Vesting Tentative Parcel Map is a related request to create three parcels and 155 commercial condominium units in conjunction with a proposed retail shopping center pursuant to Sections 21.48.010 and 21.48.090 of Title 21 of the County Subdivisions Ordinance and the Subdivision Map Act.
6. The Parking Permit is a related request to authorize 1,128 on-site vehicle parking spaces which are 381 fewer spaces than the required 1,509 on-site vehicle parking spaces for all proposed uses; to allow use of 75 additional off-site vehicle parking spaces located on a 0.79-acre parcel within City of Industry municipal boundary pursuant to Chapter 22.52, Part 11 of Title 22 of the County Code for a total of 1,203 combined on-site and off-site parking spaces; for reciprocal access and shared parking between uses as set forth in Section 22.56.990 of the Zoning Code.
7. The Zone Change is a related request to amend the Project Site's zoning from zone M-1.5-BE (Restricted Heavy Manufacturing, Billboard Exclusion) to zone C-3-DP (General Commercial-Development Program) for hotel uses on Parcels 2 and 3 of the vesting tentative parcel map. The -DP overlay zone will ensure that development occurring after rezoning will conform to the approved plans and be compatible with the surrounding area.
8. The approval of the Project Permits and Vesting Tentative Parcel Map will not become effective unless and until the Board has approved the Plan Amendment and Zone Change, and both have become effective.
9. **TOPOGRAPHY.** The Project Site is 14.85 gross acres (13.3 net acres) in size and consists of three legal lots. The Project Site is trapezoidal in shape with rolling gentle topography and is currently undeveloped.
10. **ZONING.** The Project Site is located in the Puente Zoned District and is currently zoned M-1.5-BE.

11. LAND USE CLASSIFICATION. The Project Site is located within the Industrial land use category of the Rowland Heights Community Plan Land Use Policy Map.

12. SURROUNDING ZONING. Surrounding Zoning within a 500-foot radius includes:

North: City of Industry – I (Industrial)
South: M-1.5-BE, R-1 (Single-Family Residence Zone)
East: M-1.5-BE
West: City of Industry - C (Commercial), IC (Industrial – Commercial Overlay)

13. SURROUNDING LAND USES. Surrounding land uses within a 500-foot radius include:

North: Union Pacific Railroad, industrial and vacant properties
South: Commercial retail uses, CA 60 – Pomona Freeway, single-family residences, Mobile Home Park
East: Commercial uses
West: Industrial and office uses within the City of Industry

14. PREVIOUS CASES/ZONING HISTORY. The site was rezoned in 1948 to A-1-10,000 (Light Agricultural – 10,000 Square Feet Minimum Required Lot Area). The adoption of Zone Change Case 85-201 amended section 387 of Ordinance No. 1494 on June 10, 1986 and changed the zoning on the site from A-1-10,000 to its current zoning of M-1.5-BE.

15. SITE PLAN. The site plan for the Project depicts the Project Site on three parcels with six buildings. Parcel 1 is developed with four (4) detached buildings situated throughout the easterly portion of the Project Site. A full-service hotel is proposed for parcel 2 and an extended-stay hotel is proposed to be developed on parcel 3 on the westerly portion of the Project Site, all accessed from private driveways and a fire lane from Gale Avenue. The site plan depicts parking and landscaping distributed throughout the site by means of a combination of subterranean/structured and surface parking, with the majority of the spaces used for vehicle spaces found between the four detached structures and other spaces sited around the two hotel structures. The 75 off-site spaces used for vehicle parking are proposed to be developed within the City of Industry on an adjacent parcel along proposed parcels 1 and 3. The site plan shows that the Project consists of a network of pedestrian paths that provide entrance to the buildings onsite, parking and landscaping, on-site common open space amenities for community identification and visual enhancement of the site. Walls at the rear of and located on the east and west property lines of the site are proposed to be up to 12 feet in height. The walls would not block views or impede lines of sight for safety.

16. PRE-RPC HEARING PROCEEDINGS. On March 14, 2016, prior to the Commission's public hearing on the Project, the permittee performed public outreach and was responsive to the community by adding a common space that could be used for community use and events, reducing the retail area and adding parking spaces to the Project.

17. **COUNTY/AGENCY COMMENTS AND RECOMMENDATIONS.** The Los Angeles County Subdivision Committee consists of representatives of the departments of Regional Planning, Public Works, Fire, Parks and Recreation, and Public Health. Based on the reports for the map dated October 28, 2015, all departments have cleared the Project for public hearing.
18. **CEQA.** The Draft EIR was circulated to numerous other agencies from January 26, 2016 for comment through March 11, 2016. Distribution was done through the State Clearinghouse, as well as individual agency consultations. Public and agency comments were received during this period. The Final EIR primarily responds to all comments received during this period. The Final EIR, in accordance with section 15089 and 15132 of the State California Environmental Quality Act ("CEQA") Guidelines, includes the Draft EIR, public and agency comments, listing of commenting parties, lead agency responses to comments, Mitigation Monitoring and Reporting Program ("MMRP"), CEQA Findings of Fact, and Statement of Overriding Considerations ("SOC").
19. **ENVIRONMENTAL DETERMINATION.** The Los Angeles County Department of Regional Planning ("DRP") has determined by way of an Initial Study and identified in the Notice of Preparation sent to agencies, that an EIR was necessary for the Project. Areas of potential significant environmental impact addressed in the EIR include aesthetics air quality, biological resources, cultural resources, geology and soils greenhouse gas emissions, hydrology and water quality, land use and planning, noise, public services, transportation and parking and utilities and service systems including water supply.
20. Significant and unavoidable impacts identified in the final EIR after implementation of the required mitigation measures as enforced by the Project's MMRP related to air quality and traffic impacts. Project operations emissions levels above Southern California Air Quality Management District ("SCAQMD") significant threshold could result. Project traffic impacts are considered significant and unavoidable at Fullerton at Colima Roads and Nogales Street at Colima and La Puente Roads.
21. A Statement of Overriding Considerations is required to allow the approval of the Project in light of the above-identified remaining significant and unavoidable impacts.
22. The Commission finds, as set forth in the prepared CEQA Findings and SOC that the benefits and value of the Project outweigh the remaining significant impacts of the Project after all feasible mitigation has been implemented. The benefits of the Project include, but are not limited to, increased employment in the area and the expanded variety of commercial retail and hotel stay options to serve Rowland Heights community residents. Locating commercial development and hotels in close proximity to existing commercial and light industrial uses avoids displacing residents and using agricultural land and/or open space or introducing incompatible land uses to an area. Using the large buildable lot area to develop high quality, low-rise structures used for commercial enterprises with a diverse of tenant spaces for commercial retail, restaurant and offices with proximity to public transportation provides a range of goods

and services to the community in keeping with the Community Plan and the Project objectives. Providing hotel rooms accommodates the growing need for additional local lodging options and meeting facilities for corporate, commercial and entertainment demands generated by businesses, leisure and tour groups and area visitors to the San Gabriel Valley and the larger Los Angeles area. Hotels along this transportation corridor will provide travelers and businesses with local options for hotel stays. These, and other Project design features beyond those that are required, more fully described in the CEQA Findings of Fact and Statement of Overriding Considerations, provide benefits supporting the determination that the benefits of the Project outweigh the Project's remaining and significant unavoidable impacts.

23. The Commission finds that the MMRP, prepared in conjunction with the Final EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project. The Board further finds that the MMRP's requirements are incorporated into the conditions of approval for this Project, and that approval of this Project is conditioned on the permittee's compliance with the attached conditions of approval and MMRP.
24. The Commission finds that the Final EIR for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. The Commission reviewed and considered the Final EIR, along with its associated MMRP, Findings of Fact and Statement of Overriding Considerations, and finds that they reflect the independent judgment of the Commission. The Findings of Fact and Statement of Overriding Considerations are incorporated herein by this reference, as set forth in full.
25. The Commission finds that the MMRP for the Project is consistent with the conclusions and recommendations of the Final EIR and that the MMRP's requirements are incorporated into the conditions of approval for the Project.
26. The Commission finds that the MMRP, prepared in conjunction with the Final EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project.
27. The Commission finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.
28. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** In accordance with Section 15050 of the State CEQA Guidelines, the County is the lead agency that had prepared both the Draft and Final EIR's for the Project. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified by mail, newspaper, property posting, library posting and on the DRP's website of the February 25, 2016 Hearing Examiner hearing that was conducted on the Draft EIR by a DRP Hearing Examiner. A newspaper notice was published in *The Los Angeles Times* and *La Opinión* on January 23, 2016. Notices were verified to have been posted on the subject property, available on DRP's website and mailed to property owners and tenants located within a 500-foot radius of the property

boundaries, and to two local libraries were mailed on January 25, 2016. On January 25, 2016 a Notice of Completion and Notice of Availability ("NOC-NOA") of a Draft EIR was posted at the Los Angeles County Clerk's office. The NOC-NOA was sent by mail to required agencies, including the State Clearinghouse and other interested parties and posted on the DRP website. The formal public review period for the Draft EIR was from January 26, 2016 to March 11, 2016. Comments on the Draft EIR were received during the comment period, and those comments are responded to in the Final EIR. Parking and traffic issues were discussed. Public comments also included residents voicing concerns with regard to ensuring the hotels do not propagate 'maternity tourism' where businesses house foreign nationals about to give birth to establish US citizenship for newborn babies. The latter comments did not pertain to issues explored in the EIR.

Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.

29. **PUBLIC COMMENTS.** Prior to the Commission's public hearing and since the distribution of the notice of public hearing and consideration of a Final EIR, the County has received one phone call and one e-mail dated August 8, 2016. The caller inquired about the date the Final EIR would be available. In the e-mail, the writers re-stated the position that the EIR was inadequate and put forward that the minimum required 10-day period in which to review the Final EIR was insufficient time.

The points raised in the e-mail relate to public review periods for Draft EIR's. It is the County's contention that proposed responses conform to the legal standards established for responses to comments on Draft EIR's contained in Sections 21083 and 21092.5 of the CEQA Guidelines adopted by the Governor's Office of Planning and Research ("OPR").

30. **HEARING PROCEEDINGS.** A duly noticed public hearing was held on September 7, 2016 before the Commission. Chair Shell, Vice Chair Smith, and Commissioners Pedersen, Louie and Modugno were present. During the public hearing, staff gave a presentation recommending approval of the Project. The applicant's representatives gave testimony supporting the approval of the Project and had members of the community in support of the Project.

Commissioner Pedersen questioned the applicant about the pros and cons of commercial condominium units and what safeguards are in place to ensure the property is maintained. Applicant Stafford Lawson responded that pride of ownership, an owner's association and CC&Rs would aid in a successful Project.

Commissioner Louie asked if there were other similar, successful Projects in the County. Commissioner Smith inquired as to at what stage of development would the programming of the common open space be accomplished. The applicant answered during the development of the CC&Rs.

34. The Commission finds that the Project is consistent with the goals and policies of the General Plan. The General Plan Land Use Element contains policies to ensure compatibility of development with the surrounding area. The General Plan seeks to "promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design, and location controls." (General Plan Land Use Element, pgs. III-12.) The Project is proposed to be located in proposed hotels and buildings used for commercial retail, restaurants and office spaces, which provides goods and services to the surrounding community. The site is located at a major intersection in the area, the intersection of Gale Avenue and Nogales Street, which is developed on all four corners with commercial uses and is easily accessible to the community.
35. The Commission finds that the Project meets State and County subdivision laws because the Subdivision Map Act and County Code are met.
36. The Commission finds that the Project is consistent with the Rowland Heights Community Plan because the Project does not include residential uses or a mobile home park in the industrial zone or land use category. A zone change request is part of the scope of the Project to authorize hotel use. The Project is comprised of commercial retail, restaurant, office and hotel uses.
37. The Commission finds that the Project is consistent with the goals and policies of the Rowland Heights Community Plan because impacts on community character, surrounding neighborhoods and natural features are minimized by matching the existing pattern of development, use of native vegetation and landscaping for screening and to soften the visual impact, undergrounding of utilities, and sharing of dedicated off-street parking anticipated to meet parking demand.
38. The Commission finds that the Project encourages the beautification of the commercial area by exceeding the minimum requirements for landscaping and ensuring the commercial area facades and signs are harmonious and compatible with the existing development.
39. **ZONING CODE CONSISTENCY.** The Commission finds that with the requested Zone Change of a portion of the Project Site from M-1.5-BE to C-3-DP, a CUP is required in order to establish and implement a development program for the Project.
40. The Commission finds that the Project is consistent with the applicable regulations of the Zoning Code because the Project is consistent with the development standards of the proposed C-3 and the requirements of the –DP zones, as set forth in section 22.28.220 and Chapter 22.40, Part 2, of the County Code.
41. The Commission finds that the Project has a total average floor area ratio ("FAR") of 0.78 which complies by being lower than the maximum allowable 1.0 FAR for the subject properties.
42. The Commission finds that the Project is in compliance with outdoor display and storage requirements in the County Code. Section 22.28.220.C and D of the County

Chair Shell asked what mechanism could address the Project site if an authorized parking permit proved to be a community nuisance. Staff replied that a permit could be called up for review based on Title 22 to be modified or revoked. County Counsel suggested a condition be included in the authorization to speak to permit violations and permit use complications.

Eight other speakers testified at the public hearing. Five offered support for the Project and three persons testified in opposition to the Project. Among the testifier's concerns were: traffic, changing of the rural character of the area, lack of uniform, English-language signage, a private-property easement between the eastern boundary of the property, inadequate parking and an out-of-date traffic study.

To these concerns, staff had previously indicated that the land use category was Industrial; the traffic study was done in accordance with County procedure; and that an amended exhibit map would be required for changes relating to the privately held setback easement.

The applicant and representatives rebutted that the Project presented a sign program and that new businesses would need to comply with both the CC&Rs and the County requirements; that parking shortfalls are addressed by the shared concept and County controls including modification and/or revocation of the permit; and that the Project would be a benefit for the entire community.

After further discussion of the Project, the Commission voted to close the public hearing, adopt the EIR and signified their intent to recommend approval of the Project to the Board of Supervisors.

31. **PLAN CONSISTENCY.** The Commission finds that the Project is consistent with the goals and policies of the 1980 Countywide General Plan ("General Plan") and the Rowland Heights Community Plan ("Community Plan"). The Project provides commercial retail, restaurants and office spaces within the commercial shopping center, plus the two hotels, in close proximity to other existing commercial uses, and the Project concentrates development for more efficient utilization of public services and facilities, reduced energy consumption and improved air and water quality.
32. The Commission finds that the Project offers development compatible with and sensitive to the natural and manmade environment and that the Project is sensitive to the natural ecological, scenic, cultural and open space resources as the site is already disturbed and surrounded by an urban environment.
33. The Commission finds that the Project is consistent with the goals and policies of the General Plan and provides a service that is incidental to neighborhood-serving commercial uses and is consistent with the types of uses that are located in the surrounding area because a variety of commercial uses including retail, restaurant, office uses and two hotels provide a range of goods and services to the community and its visitors.

Code require that all displays shall be located entirely within an enclosed building, with certain exceptions, unless otherwise authorized by a temporary use permit, and outside storage is permitted on the rear of a lot or parcel of land when such storage is strictly incidental to the permitted use. No outside display or storage is proposed or authorized as part of the Project.

43. The Commission finds that the Project is consistent with the existing and proposed zoning designation because parking is proposed to be developed in accordance with the shared use of parking facilities by two or more uses pursuant to Section 22.56.990 of the County Zoning Code.
44. The Commission finds that the Project complies with the sign requirements in the County Code. Pursuant to section 22.52.870, business signs are permitted in zones C-3 and M-1.5-BE, subject to the restrictions outlined in sections 22.52.880 – 22.52.920. All signs will match in style, size, color, font and materials.
45. The Commission finds that the Project is in compliance with the lot coverage and landscaping requirements set forth in the County Code. Section 22.28.220.A of the County Code requires that not more than 90 percent of the net area be occupied by buildings, and that a minimum of 10 percent of the net area be landscaped with a lawn, shrubbery, flowers, and/or trees, which shall be continuously maintained in good condition. The permittee's site plan depicts a Project total of approximately 33 percent of the net area of the property occupied by buildings with landscaping covering up to 63,497 square feet of landscaping of the 577,814 net square feet of land area, or 11 percent of the Project Site.
46. The Commission finds that the Project meets the standards contained in the Rowland Heights Community Standards District because at least 25 percent of each structure's façade that faces Gale Avenue is proposed to consist of materials or designs that are distinguishable from the rest of that façade with recessed windows, offset planes or similar architectural accents. No long, unbroken facades are proposed.
47. The Commission finds that the parcel of land has at 600 feet of continuous street frontage on a single street and a dedicated traffic impacts will be addressed by a dedicated deceleration lane to adjoin the private drive and fire lane entrance along Gale Avenue. The improvement is proposed to be designed and dedicated consistent with the requirements imposed by the County of Los Angeles Department of Public Works.
48. The Commission finds that the permittee has requested authorization to exceed the maximum height of 45 feet to a maximum height of 80 feet pursuant section 22.40.030 which allows a development program to address height with conditions and limitations of the development program.
49. The Commission finds that the hotels are proposed to be erected matching the existing pattern of development in the area.

50. The Commission finds that the Project would require approximately 184,904 cubic yards of cut material, which includes approximately 13,261 cubic yards of reductions and additions due to subsidence, shrinkage and additions, 41,109 cubic yards of export off site and 130,534 cubic yards of fill material on the site for a total of approximately 356,547 cubic yards of earth movement for site preparation and 322,619 cubic yards of cut, 274,318 cubic yards of fill and 48,301 cubic yards of earth material for off-site export, totaling 645,238 cubic yards of earth movement associated with further development and construction of the site. The Project proposes a grading total volume of approximately 1,001,785 cubic yards.
51. The Commission finds that the sale of two full lines of alcoholic beverages are proposed for on-site consumption at each of the proposed hotels is necessary to implement the Project objective of service and providing an amenity and will contribute to the success and vitality of the Project.
52. The Commission finds that the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius. The Project Site is located at a major intersection that is developed with commercial uses on all four corners of the intersection. The Commission finds that no places of worship, schools, parks, playgrounds, or other similar uses exist, located within a 600-foot radius.
53. The Commission finds that the five (5) licenses that currently exist within a 500-foot radius of the site are compatible and complimentary to the two proposed hotels and to the requested alcohol licenses.
54. The Commission finds that, although there are five (5) other establishments that sell alcohol for on-site consumption within 500 feet of the Project Site, the Project provides a public convenience as it allows for sale of full lines of alcohol in conjunction with the operation of hotels. The Project will provide the public with a convenient location for transient stays, dining and a full line of alcoholic beverages, in a safe and well-lit environment. The proposed hotels represent a major financial investment in the area. The hotels will actively contribute to the community by both the creation of employment and economic stimulation to the area. Allowing the sale of a full line of alcoholic beverages incidental to the on-going operations enhances the economic vitality of the existing business.
55. The Commission finds that the sales of alcoholic beverages are incidental to the proposed hotels and will not appreciably change the existing operations in a manner that will impact the surrounding community.
56. The Project Site is located in Census Tract No. 4082.11. The Commission finds that based on information from ABC, a total of five (5) licenses for the sale of alcoholic beverages for on-site consumption are permitted within this census tract, and five (5) such license exists. There is no undue concentration of licenses in the census tract, and the Project will not create an over-concentration of licenses within the census tract pursuant to the provisions of the California Department of Alcoholic Beverage Control ("ABC") because, based on the information provided, the Project Site is located within

a low-crime reporting district. ABC would require a finding of public convenience and necessity in order to issue the alcohol license. The Sheriff's Department was consulted and confirmed that the crime incidents reported to the Sheriff's Department were low, and therefore, did not object to the sale of a full line of alcoholic beverages at this location. The Commission finds that the Project will provide a public convenience and necessity by providing a convenient location for customers to purchase alcohol in connection with the operations of the hotels.

57. The Commission finds that the Walnut/Diamond Bar Station of the Los Angeles County Sheriff recommended the locations have security cameras installed inside and outside facing the parking lot and that a bar setting have a security guard. It was additionally recommended that alcohol for sale be kept away from front doors and measures be taken to prevent burglaries.
58. The Commission finds that the sale of a full line of alcohol will add to the hotels and will improve their economic vitality. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
59. The Commission finds that the exterior appearance of the proposed structure will not be inconsistent with the exterior appearance of the proposed commercial structures and hotels within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood because new construction will meet the development program standards.
60. The Commission finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare because security will be in place and Sheriff and Fire protection are available to the site. The Project is sufficiently buffered from neighboring uses by buildings, structures such as walls, and landscaping to ensure that such use will be compatible with nearby commercial and industrial uses.
61. The Project complies with all the development standards applicable to the underlying zoning. The Commission finds that the Project Site is adequate in size and shape to accommodate the areas, walls, fences, parking, landscaping, and other development features as is required in order to integrate the Project into the surrounding area. Parcel 1 of the Project is consistent with applicable development standards in zone M-1.5-BE and parcels 2 and 3 of the Project are consistent with applicable development standards applicable in zone C-3-DP, as set forth in the County Code.
62. Regional Planning staff visited the Project Site on March 25, 2015, and found that the existing facilities included a temporary detour road, construction staging and equipment and a temporary parking lot consistent with the previous approvals associated with the property.

63. The Commission finds that the Project is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate, and by other public or private facilities as are required because a private driveway and fire lane are proposed to provide interior access to the site and the property fronts public street, Gale Avenue.
64. The Commission finds that the permittee has submitted a development program that complies with the requirements of section 22.40.050 of the County Code since the development is proposed to be phased.
65. The Commission finds that the development program provides the necessary safeguards to ensure completion of the proposed development by the permittee and that the development program ensures that the Project will not be replaced by a lesser type of development contrary to public convenience, welfare, or development needs of the area.
66. The Commission finds that the Project is consistent with the surrounding area in the unincorporated community of Rowland Heights. The Project will provide a service that will be used by residents living, working, shopping and recreating in the surrounding area.
67. The Commission finds that compatibility with the surrounding land uses will be ensured through the Zone Change and the CUP.
68. **LAND USE COMPATIBILITY.** The Regional Planning Commission finds that the Project is consistent with applicable policies of the Rowland Heights Community Plan in that its impact on community character, surrounding neighborhoods and natural features is minimized by Project design features including landscaping, blending structures with architectural features that match the existing patterns and presenting a general harmony of facades with a sign program that reflects the architectural style of the Project.
69. **PHYSICAL SITE SUITABILITY.** The Regional Planning Commission finds that the site is physically suitable for the type of development being proposed. The Project design provides landscaping and building and structures including walls as buffers along the Project boundaries, adjacent to existing developments and the Union Pacific Railroad. The site has gently rolling topography gradually transitioning between the adjacent street and the area of development.

Development is proposed to be located adjacent to existing infrastructure and utility systems along Gale Avenue, all of which have the ability to serve the site. In addition, the Project Site is in an existing urbanized area with nearby services and other employment opportunities. The proposed design, scale, and development pattern of the proposed commercial retail, restaurant, office and hotel uses are consistent with the existing pattern of development surrounding the site. It also minimizes impact by grading only that which is necessary for preparation of the site for the proposed development, including the provision of subterranean spaces used for vehicle parking.

For these reasons, the proposed Project constitutes compatible design and complimentary visual quality.

70. PUBLIC NOTICE. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Rowland Heights community. On August 3, 2016, a total of 524 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 106 notices to those on the courtesy mailing list for the Puente Zoned District and to any additional interested parties.

71. LOCATION OF DOCUMENTS. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the 1980 General Plan and the Rowland Heights Community Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE REGIONAL PLANNING COMMISSION / HEARING OFFICER:

- 1. Certifies that the Final EIR for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; adopts the

Findings of Fact and Statement of Overriding Considerations and the MMRP; finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during the Project implementation, and finds that the unavoidable significant effects of the Project after adoption of said mitigation measures are as described in those Findings of Facts and Statements of Overriding Considerations; and determines that the remaining, unavoidable environmental effects of the Project have been reduced to an acceptable level and are outweighed by specific economic and social benefits of the Project as stated in the Findings of Fact and Statement of Overriding Considerations.

2. Approves Conditional Use Permit No. 201400062, subject to the attached conditions.

ACTION DATE: September 7, 2016

KKS:SDJ
09/07/16

VOTE: 5:0:0:0

Concurring: Shell, Smith, Louie, Pedersen, Modugno

Dissenting: 0

Abstaining: 0

Absent: 0

c: Each Commissioner, Zoning Enforcement, Building and Safety

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01529 - (4)
PARKING PERMIT 201400006**

1. **HEARING DATE.** The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on September 7, 2016, in the matter of Project No. R2014-01529, consisting of Vesting Tentative Parcel Map 072916, Zone Change No. 20400008, Conditional Use Permit No. 201400062 ("CUP"), and Parking Permit No. 201400006 ("Parking Permit"). (The CUP and Parking Permit are referred to collectively as the ("Project Permits"). The Project Permits were heard concurrently with Vesting Tentative Parcel Map No. 072916 ("Vesting Tentative Parcel Map") and Zone Change No. 201400008 ("Zone Change").
2. **ENTITLEMENTS REQUESTED.** The permittee, Parallax Investment Corporation ("permittee"), requests the Parking Permit to authorize 1,128 on-site vehicle parking spaces which are 381 fewer spaces than the required 1,509 on-site vehicle parking spaces for all proposed uses; to allow use of 75 additional off-site vehicle parking spaces located on a 0.79-acre parcel within City of Industry municipal boundary pursuant to Chapter 22.52, Part 11 of Title 22 of the County Code for a total of 1,203 combined on-site and off-site parking spaces; for reciprocal access and for shared parking between uses as set forth in Section 22.56.990 of the Zoning Code.
3. **LOCATION.** The Project is located at 18800 Railroad Avenue, unincorporated Rowland Heights ("Project Site").
4. **PROJECT DESCRIPTION.** The Project applicant proposes to subdivide 14.85 gross acres (13.3 net acres) to create three parcels developed with two hotels and 155 commercial retail condominium units within four detached structures located at 18800 Railroad Avenue within unincorporated Los Angeles County. The proposed industrial lot developed with commercial retail condominium units would occupy approximately 8.18 net acres of the Project Site. The proposed commercial lots developed with hotels would occupy approximately 5.15 net acres of the Project Site.

The Project would require approximately 184,904 cubic yards of cut material, which includes approximately 13,261 cubic yards of reductions and additions due to subsidence, shrinkage and additions, 41,109 cubic yards of export off site and 130,534 cubic yards of fill material on the site for a total of approximately 356,547 cubic yards of earth movement for site preparation and 322,619 cubic yards of cut, 274,318 cubic yards of fill and 48,301 cubic yards of earth material for off-site export, totaling 645,238 cubic yards of earth movement associated with further development and construction of the site. The Project proposes a grading total volume of approximately 1,001,785 cubic yards.

The proposed improved areas of the Project Site would include 129,926 square feet of retail, restaurant and office space, 1,203 vehicle parking spaces, 320,880 square

feet and 472 rooms of hotel space within two separate buildings of six stories each and an access road.

The Project applicant also proposes to increase runoff and debris-producing areas, changes to the current drainage pattern of the Project Site, and to create additional impacts to the capacity of existing storm drain facilities within the City of Industry and the unincorporated County of Los Angeles. The Project Site would also be planted with indigenous native trees and shrubs and other drought tolerant landscaping.

5. The Vesting Tentative Parcel Map is a related request to create three parcels and 155 commercial condominium units in conjunction with a proposed retail shopping center pursuant to Sections 21.48.010 and 21.48.090 of Title 21 of the County Subdivisions Ordinance and the Subdivision Map Act.
6. The CUP is a related request to authorize:
 - a. Development Program associated with the proposed Zone Change for hotel uses on proposed parcels 2 and 3 pursuant to County Code Sections 22.40.030 and 22.40.040;
 - b. New commercial center within proposed parcel 1 as required by the Rowland Heights Community Plan pursuant to County Code Section 22.44.132;
 - c. Structures up to 80 feet in height for new hotels on proposed parcels 2 and 3 pursuant to County Code Sections 22.40.030 and 22.40.040;
 - d. On-site grading exceeding 100,000 cubic yards of cut and fill off-site transport grading pursuant to County Code Section 22.32.140; and
 - e. Sale of two full lines of alcoholic beverages for on-site consumption in conjunction with normal operations of the two proposed hotels pursuant to County Code Section 22.28.210.
7. The Zone Change is a related request to amend the Project Site's zoning from zone M-1.5-BE (Restricted Heavy Manufacturing, Billboard Exclusion) to zone C-3-DP (General Commercial-Development Program) for hotel uses on Parcels 2 and 3 of the vesting tentative parcel map. The -DP overlay zone will ensure that development occurring after rezoning will conform to the approved plans and be compatible with the surrounding area.
8. The approval of the Project Permits and Vesting Tentative Parcel Map will not become effective unless and until the Board has approved the Plan Amendment and Zone Change, and both have become effective.
9. **TOPOGRAPHY.** The Project Site is 14.85 gross acres (13.3 net acres) in size and consists of two legal lots. The Project Site is trapezoidal in shape with rolling gentle topography and is developed with a temporary detour road, construction staging and equipment for the ACE Nogales Street/Union Pacific Railroad grade separation.
10. **ZONING.** The Project Site is located in the Puente Zoned District and is currently zoned M-1.5-BE.

11. **LAND USE CLASSIFICATION.** The Project Site is located within the Industrial land use category of the Rowland Heights Community Plan Land Use Policy Map.

12. **SURROUNDING ZONING.** Surrounding Zoning within a 500-foot radius includes:

North: City of Industry – I (Industrial)
South: M-1.5-BE, R-1 (Single-Family Residence Zone)
East: M-1.5-BE
West: City of Industry - C (Commercial), IC (Industrial – Commercial Overlay)

13. **SURROUNDING LAND USES.** Surrounding land uses within a 500-foot radius include:

North: Union Pacific Railroad, industrial and vacant properties
South: Commercial retail uses, CA 60 – Pomona Freeway, single-family residences, Mobile Home Park
East: Commercial uses
West: Industrial and office uses within the City of Industry

14. **PREVIOUS CASES/ZONING HISTORY.** The site was rezoned in 1948 to A-1-10,000 (Light Agricultural – 10,000 Square Feet Minimum Required Lot Area). The adoption of Zone Change Case 85-201 amended section 387 of Ordinance No. 1494 on June 10, 1986 and changed the zoning on the site from A-1-10,000 to its current zoning of M-1.5-BE.

15. **SITE PLAN.** The site plan for the Project depicts the Project Site on three parcels with six buildings. Parcel 1 is developed with four (4) detached buildings situated throughout the easterly portion of the Project Site. A full-service hotel is proposed for parcel 2 and an extended-stay hotel is proposed to be developed on parcel 3 on the westerly portion of the Project Site, all accessed from private driveways and a fire lane from Gale Avenue. The site plan depicts parking and landscaping distributed throughout the site by means of a combination of subterranean/structured and surface parking, with the majority of the spaces used for vehicle spaces found between the four detached structures and other spaces sited around the two hotel structures. The 75 off-site spaces used for vehicle parking are proposed to be developed within the City of Industry on an adjacent parcel along proposed parcels 1 and 3. The site plan shows that the Project consists of a network of pedestrian paths that provide entrance to the buildings onsite, parking and landscaping, on-site common open space amenities for community identification and visual enhancement of the site. Walls at the rear of and located on the east and west property lines of the site are proposed to be up to 12 feet in height, respectively. The walls would not block views or impede lines of sight for safety.

16. **SITE ACCESS.** The Project Site is accessible via Gale Street to the south. Primary access to the Project Site will be via an entrance/exit on Gale Street. Secondary access to the Project Site will be via an additional entrance/exit on Gale Street shared with the Rowland Heights Plaza Shopping Center along the eastern site boundary.

17. **PARKING.** The Project will provide a total of 1,203 parking spaces, 75 of which will be off-site and adjacent to proposed parcels 1 and 3. Parking and landscaping is depicted distributed throughout the site by means of a combination of subterranean/structured and surface parking, with the majority of the spaces used for vehicle spaces found between the four detached structures and other spaces sited around the two hotel structures. The 75 off-site spaces used for vehicle parking are proposed to be developed within the City of Industry proposed parcels 1 and 3.
18. **INTERNAL CIRCULATION.** Internal circulation and access for the Project will be provided by a private driveway and fire lane system with a paved width of 28 feet. The internal circulation consists of one component for vehicular maneuvering and one of pedestrian paths that provide entrance to the buildings onsite, parking, landscaping and onsite common open space amenities.
19. **PRE-RPC HEARING PROCEEDINGS.** On March 14, 2016, prior to the Commission's public hearing on the Project, the permittee performed public outreach and was responsive to the community by adding a common space that could be used for community use and events, reducing the retail area and adding parking spaces to the Project.
20. **COUNTY/AGENCY COMMENTS AND RECOMMENDATIONS.** The Los Angeles County Subdivision Committee consists of representatives of the departments of Regional Planning, Public Works, Fire, Parks and Recreation, and Public Health. Based on the reports for the map dated October 28, 2015, all departments have cleared the Project for public hearing and approval.
21. **CEQA.** The Draft EIR was circulated to numerous other agencies from January 26, 2016 for comment through March 11, 2016. Distribution was done through the State Clearinghouse, as well as individual agency consultations. Public and agency comments were received during this period. The Final EIR primarily responds to all comments received during this period. The Final EIR, in accordance with section 15089 and 15132 of the State California Environmental Quality Act ("CEQA") Guidelines, includes the Draft EIR, public and agency comments, listing of commenting parties, lead agency responses to comments, Mitigation Monitoring and Reporting Program ("MMRP"), CEQA Findings of Fact, and Statement of Overriding Considerations ("SOC").
22. **ENVIRONMENTAL DETERMINATION.** The Los Angeles County Department of Regional Planning ("DRP") has determined by way of an Initial Study and identified in the Notice of Preparation sent to agencies, that an EIR was necessary for the Project. Areas of potential significant environmental impact addressed in the EIR include aesthetics air quality, biological resources, cultural resources, geology and soils greenhouse gas emissions, hydrology and water quality, land use and planning, noise, public services, transportation and parking and utilities and service systems including water supply.
23. Significant and unavoidable impacts identified in the final EIR after implementation of the required mitigation measures as enforced by the Project's MMRP related to air

quality and traffic impacts. Project operations emissions levels above Southern California Air Quality Management District ("SCAQMD") significant threshold could result. Project traffic impacts are considered significant and unavoidable at three intersections.

24. A Statement of Overriding Considerations is required to allow the approval of the Project in light of the above-identified remaining significant and unavoidable impacts.
25. The Commission finds, as set forth in the prepared CEQA Findings and SOC that the benefits and value of the Project outweigh the remaining significant impacts of the Project after all feasible mitigation has been implemented. The benefits of the Project include, but are not limited to, increased employment in the area and the expanded variety of commercial retail and hotel stay options to serve Rowland Heights community residents. Locating commercial development and hotels in close proximity to existing commercial and light industrial uses avoids displacing residents and using agricultural land and/or open space or introducing incompatible land uses to an area. Using the large buildable lot area to develop high quality, low-rise structures used for commercial enterprises with a diverse of tenant spaces for commercial retail, restaurant and offices with proximity to public transportation provides a range of goods and services to the community in keeping with the Community Plan and the Project objectives. Providing hotel rooms accommodates the growing need for additional local lodging options and meeting facilities for corporate, commercial and entertainment demands generated by businesses, leisure and tour groups and area visitors to the San Gabriel Valley and the larger Los Angeles area. Hotels along this transportation corridor will provide travelers and businesses with local options for hotel stays. These, and other Project design features beyond those that are required, more fully described in the CEQA Findings of Fact and Statement of Overriding Considerations, provide benefits supporting the determination that the benefits of the Project outweigh the Project's remaining and significant unavoidable impacts.
26. The Commission finds that the MMRP, prepared in conjunction with the Final EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project. The Board further finds that the MMRP's requirements are incorporated into the conditions of approval for this Project, and that approval of this Project is conditioned on the permittee's compliance with the attached conditions of approval and MMRP.
27. The Commission finds that the Final EIR for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines. The Commission reviewed and considered the Final EIR, along with its associated MMRP, Findings of Fact and Statement of Overriding Considerations, and finds that they reflect the independent judgment of the Commission. The Findings of Fact and Statement of Overriding Considerations are incorporated herein by this reference, as set forth in full.
28. The Commission finds that the MMRP for the Project is consistent with the conclusions and recommendations of the Final EIR and that the MMRP's requirements are incorporated into the conditions of approval for the Project.

29. The Commission finds that the MMRP, prepared in conjunction with the Final EIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project.
30. The Commission finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.
31. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** In accordance with Section 15050 of the State CEQA Guidelines, the County is the lead agency that had prepared both the Draft and Final EIR's for the Project. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified by mail, newspaper, property posting, library posting and on the DRP's website of the February 25, 2016 Hearing Examiner hearing that was conducted on the Draft EIR by a DRP Hearing Examiner. A newspaper notice was published in *The Los Angeles Times* and *La Opinión* on January 23, 2016. Notices were verified to have been posted on the subject property, available on DRP's website and mailed to property owners and tenants located within a 500-foot radius of the property boundaries, and to two local libraries were mailed on January 25, 2016. On January 25, 2016 a Notice of Completion and Notice of Availability ("NOC-NOA") of a Draft EIR was posted at the Los Angeles County Clerk's office. The NOC-NOA was sent by mail to required agencies, including the State Clearinghouse and other interested parties and posted on the DRP website. The formal public review period for the Draft EIR was from January 26, 2016 to March 11, 2016. Comments on the Draft EIR were received during the comment period, and those comments are responded to in the Final EIR. Parking and traffic issues were discussed. Public comments also included residents voicing concerns with regard to ensuring the hotels do not propagate 'maternity tourism' where businesses house foreign nationals about to give birth to establish US citizenship for newborn babies. The latter comments did not pertain to issues explored in the EIR.

Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.

32. **PUBLIC COMMENTS.** Prior to the Commission's public hearing and since the distribution of the notice of public hearing and consideration of a Final EIR, the County has received one phone call and one e-mail dated August 8, 2016. The caller inquired about the date the Final EIR would be available. In the e-mail, the writers re-stated the position that the EIR was inadequate and put forward that the minimum required 10-day period in which to review the Final EIR was an insufficient interval of time.

The points raised in the e-mail relate to public review periods for Draft EIR's. It is the County's contention that proposed responses conform to the legal standards established for responses to comments on Draft EIR's contained in Sections 21083 and 21092.5 of the CEQA Guidelines adopted by OPR.

33. HEARING PROCEEDINGS. A duly noticed public hearing was held on September 7, 2016 before the Commission. Chair Shell, Vice Chair Smith, and Commissioners Pedersen, Louie and Modugno were present. During the public hearing, staff gave a presentation recommending approval of the Project. The applicant's representatives gave testimony supporting the approval of the Project and had members of the community in support of the Project.

Commissioner Pedersen questioned the applicant about the pros and cons of commercial condominium units and what safeguards are in place to ensure the property is maintained. Applicant Stafford Lawson responded that pride of ownership, an owner's association and CC&Rs would aid in a successful Project.

Commissioner Louie asked if there were other similar, successful Projects in the County. Commissioner Smith inquired as to at what stage of development would the programming of the common open space be accomplished. The applicant answered during the development of the CC&Rs.

Chair Shell asked what mechanism could address the Project site if an authorized parking permit proved to be a community nuisance. Staff replied that a permit could be called up for review based on Title 22 to be modified or revoked. County Counsel suggested a condition be included in the authorization to speak to permit violations and permit use complications.

Eight other speakers testified at the public hearing. Five offered support for the Project and three persons testified in opposition to the Project. Among the testifier's concerns were: traffic, changing of the rural character of the area, lack of uniform, English-language signage, a private-property easement between the eastern boundary of the property, inadequate parking and an out-of-date traffic study.

To these concerns, staff had previously indicated that the land use category was Industrial; the traffic study was done in accordance with County procedure; and that an amended exhibit map would be required for changes relating to the privately held setback easement.

The applicant and representatives rebutted that the Project presented a sign program and that new businesses would need to comply with both the CC&Rs and the County requirements; that parking shortfalls are addressed by the shared concept and County controls including modification and/or revocation of the permit; and that the Project would be a benefit for the entire community.

After further discussion of the Project, the Commission voted to close the public hearing, adopt the EIR and signified their intent to recommend approval of the Project to the Board of Supervisors.

34. PLAN CONSISTENCY. The Commission finds that the Project is consistent with the goals and policies of the 1980 Countywide General Plan ("General Plan") and the Rowland Heights Community Plan ("Community Plan"). The Project provides commercial retail, restaurants and office spaces within the commercial shopping

center, plus the two hotels, in close proximity to other existing commercial uses, and the Project concentrates development for more efficient utilization of public services and facilities, reduced energy consumption and improved air and water quality.

35. The Commission finds that the Project offers development compatible with and sensitive to the natural and manmade environment and that the Project is sensitive to the natural ecological, scenic, cultural and open space resources as the site is already disturbed and surrounded by an urban environment.
36. The Commission finds that the Project is consistent with the goals and policies of the General Plan and provides a service that is incidental to neighborhood-serving commercial uses and is consistent with the types of uses that are located in the surrounding area because a variety of commercial uses including retail, restaurant, office uses and two hotels provide a range of goods and services to the community and its visitors.
37. The Commission finds that the Project is consistent with the goals and policies of the General Plan. The General Plan Land Use Element contains policies to ensure compatibility of development with the surrounding area. The General Plan seeks to "promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design, and location controls." (General Plan Land Use Element, pgs. III-12.) The Project is proposed to be located in proposed hotels and buildings used for commercial retail, restaurants and office spaces, which provides goods and services to the surrounding community. The site is located at a major intersection in the area, the intersection of Gale Avenue and Nogales Street, which is developed on all four corners with commercial uses and is easily accessible to the community.
38. The Commission finds that the Project meets State and County subdivision laws because the Subdivision Map Act and County Code are met.
39. The Commission finds that the Project is consistent with the Rowland Heights Community Plan because the Project does not include residential uses or a mobile home park in the industrial zone or land use category. A zone change request is part of the scope of the Project to authorize hotel use. The Project is comprised of commercial retail, restaurant, office and hotel uses.
40. The Commission finds that the Project is consistent with the goals and policies of the Rowland Heights Community Plan because impacts on community character, surrounding neighborhoods and natural features are minimized by matching the existing pattern of development, use of native vegetation and landscaping for screening and to soften the visual impact, undergrounding of utilities, and sharing of dedicated off-street parking anticipated to meet parking demand.
41. The Commission finds that the Project encourages the beautification of the commercial area by exceeding the minimum requirements for landscaping and ensuring the commercial area facades and signs are harmonious and compatible with the existing development.

42. **ZONING CODE CONSISTENCY.** The Commission finds that the Project is consistent with the applicable regulations of the Zoning Code because the Project is consistent with the development standards of the proposed C-3 and the requirements of the – DP zones, as set forth in section 22.28.220 and Chapter 22.40, Part 2, of the County Code.
43. The Commission finds that the Project has a total average floor area ratio (“FAR”) of 0.78 which complies by being lower than the maximum allowable 1.0 FAR for the subject properties.
44. The Commission finds that the Project is in compliance with outdoor display and storage requirements in the County Code. Section 22.28.220.C and D of the County Code require that all displays shall be located entirely within an enclosed building, with certain exceptions, unless otherwise authorized by a temporary use permit, and outside storage is permitted on the rear of a lot or parcel of land when such storage is strictly incidental to the permitted use. No outside display or storage is proposed or authorized as part of the Project.
45. The Commission finds that the Project is consistent with the existing and proposed zoning designation because parking is proposed to be developed in accordance with the shared use of parking facilities by two or more uses pursuant to Section 22.56.990 of the County Zoning Code.
46. The Commission finds that the Project complies with the sign requirements in the County Code. Pursuant to section 22.52.870, business signs are permitted in zones C-3 and M-1.5-BE, subject to the restrictions outlined in sections 22.52.880 – 22.52.920. All signs will match in style, size, color, font and materials.
47. The Commission finds that the Project is in compliance with the lot coverage and landscaping requirements set forth in the County Code. Section 22.28.220.A of the County Code requires that not more than 90 percent of the net area be occupied by buildings, and that a minimum of 10 percent of the net area be landscaped with a lawn, shrubbery, flowers, and/or trees, which shall be continuously maintained in good condition. The permittee's site plan depicts a Project total of approximately 33 percent of the net area of the property occupied by buildings with landscaping covering up to 63,497 square feet of landscaping of the 577,814 net square feet of land area, or 11 percent of the Project Site.
48. The Commission finds that the Project meets the standards contained in the Rowland Heights Community Standards District because at least 25 percent of each structure's façade that faces Gale Avenue is proposed to consist of materials or designs that are distinguishable from the rest of that façade with recessed windows, offset planes or similar architectural accents. No long, unbroken facades are proposed.
49. The Commission finds that the parcel of land has at 600 feet of continuous street frontage on a single street and a dedicated traffic impacts will be addressed by a dedicated deceleration lane to adjoin the private drive and fire lane entrance along

Gale Avenue. The improvement is proposed to be designed and dedicated consistent to the requirements imposed by the County of Los Angeles Department of Public Works.

50. The Commission finds that a Parking Permit provides flexibility in parking requirements for uses that have particular characteristics pursuant to Section 22.56.990 of the Zoning Code, allowing for shared use parking facilities by two or more uses.
51. The Commission finds with shared parking, unnecessary travel is discouraged, parking demand variations occur throughout the day and that shared parking minimizes the need to duplicate parking supply at commercial Projects if a single space can satisfy the parking needs of multiple Project components.
52. The Commission finds that 75 spaces used for vehicle parking are located with the incorporated City of Industry and a recorded covenant to the subject property is required to fulfill parking requirements outside of the County jurisdiction.
53. The Commission finds that, based on the principles of shared parking as determined by the use of a shared parking analysis pursuant to methodology and parking statistics of the Urban Land Institute, 1,203 spaces used for vehicle parking would be sufficient to meet demand since the peak parking requirement would be 1,130 parking spaces.
54. The Commission finds that the Project will be developed in phases to ensure an adequate supply of parking is provided.
55. The Commission finds that the applicant is providing 1,128 spaces used for vehicle parking on-site, or a reduction of less than 30 percent in the number of vehicle parking spaces required by the County Code, and that applications for the Project Permits, zone change and a subdivision were concurrently filed.
56. The Commission finds that the total maximum occupant load for entertainment, assembly and dining uses shall not exceed 1,561 occupants.
57. The Commission finds that the applicants are owners of all properties involved in the request.
58. The Commission finds that off-site facilities located adjacent to the Project Site and within the City of Industry can accommodate the required parking for shared uses. Where the parking permit is approved for off-site parking, the agreement shall be recorded on all parcels on land containing the uses as well as the parcel of land developed for off-site parking.
59. The Commission finds that the Project will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare

because security will be in place and Sheriff and Fire protection are available to the site. The Project is sufficiently buffered from neighboring uses by buildings, structures such as walls, and landscaping to ensure that such use will be compatible with nearby commercial and industrial uses.

60. The Project complies with all the development standards applicable to the underlying zoning. The Commission finds that the Project Site is adequate in size and shape to accommodate the areas, walls, fences, parking, landscaping, and other development features as is required in order to integrate the Project into the surrounding area. Parcel 1 of the Project is consistent with applicable development standards in zone M-1.5-BE and parcels 2 and 3 of the Project are consistent with applicable development standards applicable in zone C-3-DP, as set forth in the County Code.
61. Regional Planning staff visited the Project Site on March 25, 2015, and found that the existing facilities included a temporary detour road, construction staging and equipment and a temporary parking lot consistent with the previous approvals associated with the property.
62. The Commission finds that the Project is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate, and by other public or private facilities as are required because a private driveway and fire lane are proposed to provide interior access to the site and the property fronts public street, Gale Avenue.
63. The Commission finds that the permittee has submitted a development program that complies with the requirements of section 22.40.050 of the County Code since the development is proposed to be phased.
64. The Commission finds that the development program provides the necessary safeguards to ensure completion of the proposed development by the permittee and that the development program ensures that the Project will not be replaced by a lesser type of development contrary to public convenience, welfare, or development needs of the area.
65. The Commission finds that the Project is consistent with the surrounding area in the unincorporated community of Rowland Heights. The Project will provide a service that will be used by residents living, working, shopping and recreating in the surrounding area.
66. **LAND USE COMPATIBILITY.** The Regional Planning Commission finds that the Project would be consistent with applicable policies of the Rowland Heights Community Plan in that it would minimize its impact on community character, surrounding neighborhoods and natural features by Project design features including landscaping, blending structures with architectural features that match the existing patterns and presenting a general harmony of facades with a sign program that reflects the architectural style of the Project.

67. PHYSICAL SITE SUITABILITY. The Regional Planning Commission finds that the site is physically suitable for the type of development being proposed. The Project design provides landscaping and building and structures including walls as buffers along the Project boundaries, adjacent to existing developments and the Union Pacific Railroad. The site has gently rolling topography gradually transitioning between the adjacent street and the area of development.

Development is proposed to be located adjacent to existing infrastructure and utility systems along Gale Avenue, all of which have the ability to serve the site. In addition, the Project Site is in an existing urbanized area with nearby services and employment opportunities. The proposed design, scale, and development pattern of the proposed commercial retail, restaurant, office and hotel uses are consistent with the existing pattern of development surrounding the site. It also minimizes impact by grading only that which is necessary for preparation of the site for the proposed development, including the provision of subterranean spaces used for vehicle parking. For these reasons, the proposed Project constitutes compatible design and complimentary visual quality.

68. PUBLIC NOTICE. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Rowland Heights community. On August 3, 2016, a total of 524 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 106 notices to those on the courtesy mailing list for the Puente Zoned District and to any additional interested parties.

69. LOCATION OF DOCUMENTS. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

- A. There will be no need for the number of vehicle parking spaces required by Part 11 of Chapter 22.52 because the Project proposes compatible uses that create captive markets where a single space satisfies the need of multiple occupants.
- B. There will be no conflicts arising from special parking arrangements allowing shared vehicle parking facilities, tandem spaces, or compact spaces because the uses will be developed in phases and uses sharing vehicle parking facilities operate at different times of the day.

- C. An off-site facility will provide required parking for uses because such off-site facility is controlled through ownership, and are conveniently accessible to the main use and such transitional lot is designed to minimize adverse effects on surrounding properties.
- D. The requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property since street parking is prohibited along Gale Avenue and adequate parking is on adjacent sites.
- E. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features prescribed in this Title 22.

THEREFORE, THE REGIONAL PLANNING COMMISSION / HEARING OFFICER:

1. Certifies that the Final EIR for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the information contained in the Final EIR, and that the Final EIR reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; adopts the Findings of Fact and Statement of Overriding Considerations and the MMRP; finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during the Project implementation, and finds that the unavoidable significant effects of the Project after adoption of said mitigation measures are as described in those Findings of Facts and Statement of Overriding Considerations; and determines that the remaining, unavoidable environmental effects of the Project have been reduced to an acceptable level and are outweighed by specific economic and social benefits of the Project as stated in the Findings of Fact and Statement of Overriding Considerations.
2. Approves Parking Permit No. 201400006, subject to the attached conditions.

ACTION DATE: September 7, 2016

KKS:SDJ
8/24/16

VOTE: 5:0:0:0

Concurring: Shell, Smith, Louie, Pedersen, Modugno

Dissenting: 0

Abstaining: 0

Absent: 0

c: Each Commissioner, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01529(4)
VESTING TENTATIVE PARCEL MAP NO. 072916**

PROJECT DESCRIPTION

The project is a request to create three parcels, including one industrial parcel developed with commercial retail, restaurant and office uses, and two commercial parcels developed with hotels on 14.85 acres subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
3. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

5. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
6. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
7. In the event that Vesting Tentative Parcel Map No. 072916 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
8. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved tentative map on file. Inspections shall be unannounced.

If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

9. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP"), which are incorporated by this reference as if set forth fully herein.
10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.

13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
14. The project site shall be developed and maintained in substantial compliance with the approved Exhibit "A"/Exhibit Map dated October 28, 2015, or a Revised Exhibit "A" / Amended Exhibit Map approved by the Director. If changes to any of the plans marked Exhibit "A"/Exhibit Map are required as a result of instruction given at the public hearing, **five (5) copies** of a modified Exhibit "A"/Exhibit Map shall be submitted to Regional Planning by **November 8, 2016**. If changes to any of the plans marked Exhibit "A"/Exhibit Map are required for reasons other than instruction given at the public hearing, the applicant shall file an Amended Exhibit Map or the appropriate entitlement for review.
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

TENTATIVE PARCEL MAP SPECIFIC CONDITIONS

17. Unless otherwise apparent from the context, the term "subdivider" shall include the applicant or any successor in interest, and any other person, corporation, or other entity making use of this grant.
18. Except as expressly modified herein, this approval is subject to all recommended conditions listed in the attached portion of the Subdivision Committee Report dated November 25, 2015, consisting of letters and reports from the Fire Departments and the Departments of Parks and Recreation and Public Health.
19. The subdivider shall comply with all conditions set forth in the attached County Department of Public Works letter for the tentative map dated February 3, 2016.

20. The project site shall be developed and maintained in substantial compliance with the approved vesting tentative map dated October 28, 2015.
21. The subdivider shall conform to the requirements of Title 21 of the Los Angeles County Code.
22. The subdivider shall place a note or notes on the final map, to the satisfaction of Regional Planning, that this subdivision is approved as a condominium project for a total of 155 commercial units whereby the owners of the units of air space will hold an undivided interest in the common areas, which common areas will in turn provide the necessary access and utility easements for all of the units.
23. The subdivider shall provide at least 50 feet of street frontage for parcels 1 and 2 as indicated on the approved tentative map.
24. A waiver of street frontage for parcel 3 is authorized.
25. The shared driveways shall be labeled as Private Driveway and Fire Lane on the final map.
26. A final map is required for this subdivision. A parcel map waiver is not allowed.
27. Grading shall not occur prior to final map recordation, unless otherwise approved by the Director of the Department of Regional Planning.

PRIOR TO RECORDATION OF A FINAL MAP

28. As required by section 21.32.160 of the County Code, the subdivider shall plant trees along the frontage of all lots shown on the parcel map. The number, species, and location of such trees shall be as specified by the Director of Public Works. The location and the species of said trees shall be incorporated into the site plan or landscape plan. Prior to recordation of the applicable final unit map, the site/landscaping plan must be approved by the Director, and the subdivider shall post a bond with Public Works, or submit other verification to the satisfaction of Regional Planning, to ensure planting of the required trees.
29. Prior to final map approval and recordation, the permittee shall submit to the Director for review and approval three (3) copies of a landscape plan. The landscape plan shall show size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary. To the maximum extent feasible, drip irrigation systems shall be employed.

In addition to the review and approval by the Director, the landscaping plans will be reviewed by the staff biologist of the Department of Regional Planning. Review will include an evaluation of the balance of structural diversity (e.g. trees, shrubs, and

groundcover) that may be expected 18 months after planting in compliance with fire safety requirements. The landscape shall be maintained in compliance with the approved landscaping plans.

The landscaping plan shall indicate that at least 50% of the area covered by landscaping shall be locally indigenous species. However, if the applicant can prove to the satisfaction of the Director that a 50% or more locally indigenous species is not possible due to County fire safety requirements a lower percentage of such planting may be required. In those areas where the Director approves a reduction to less than 50% locally indigenous vegetation, the amount of such planting required shall be at least 30%. The landscaping shall include trees, shrubs and/or ground cover at a mixture and density determined by staff and the fire department. Fire retardant plants shall be given first consideration.

30. Prior to final map approval and recordation, the subdivider shall submit a draft copy of the project's Covenants, Conditions and Restrictions ("CC&Rs") and any other covenants or maintenance agreements entered into with respect to the project, to the Director for review and approval. Said CC&Rs shall establish a retail condominium owners' association and shall contain lighting requirements, in which all outdoor lighting and glare shall be deflected, shaded and focused away from all adjoining properties. Said CC&Rs shall also indicate the means of maintenance for the landscaping, lighting, parking areas and private drive and fire lane. All applicable project conditions of approval shall be included as conditions in the CC&Rs and the CC&Rs shall prohibit any such condition from being amended in any way, or eliminated, with regard to language in the CC&Rs, without prior approval from the Director.
31. Prior to final map approval and recordation, the subdivider shall provide in the CC&Rs a method for the continuous maintenance of common areas and facilities to the satisfaction of the Director. Said CC&Rs shall indicate programming for on-site common open space amenities including community use and identification and visual enhancement of the site to the satisfaction of the Director.
32. Prior to final map approval and recordation, the subdivider shall submit to Regional Planning a draft copy of the reciprocal ingress and egress easement for the private driveway connecting the internal access ways to Gale Avenue to be used as primary access to the subject property. Said easement shall be recorded concurrently with the final map.
33. Prior to final map approval and recordation, the subdivider shall submit to Regional Planning for review and approval a draft copy of a maintenance agreement for the shared Private Driveways and Fire Lanes. Said agreement shall be recorded concurrently with the final map.

Attachments:

Subdivision Committee Report (pages 18-25)

Department of Public Works letter dated February 3, 2016

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01529(4)
CONDITIONAL USE PERMIT NO. 201400062**

PROJECT DESCRIPTION

The project is a request to create three parcels, including one industrial parcel developed with commercial retail, restaurant and office uses, and two commercial parcels developed with hotels on 14.85 acres.

Conditional Use Permit No. 201400062 is authorization for a development program associated with a zone change, Rowland Heights Community Standards District compliance, grading exceeding 100,000 cubic yards, off-site transport grading and sale of full lines alcoholic beverages for on-site consumption subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition Nos. 10, 11, and 14. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 9, and 11 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. If the permittee proposes any modifications to the use, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years after the recordation of a final map for Vesting Tentative Parcel Map No. 072916. In the event that Vesting Tentative Parcel Map No. 072916 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these

property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8)** inspections every other year for 15 years. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Within five (5) working days from the day after your appeal period ends the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently **\$2,285.25** (\$2,210.25 for a Negative Declaration or Mitigated Negative Declaration plus \$75.00 processing fee), or **\$3,145.00** (\$3,070.00 for an Environmental Impact Report plus \$75.00 processing fee.) No land use project subject to this requirement is final, vested or operative until the fee is paid.
12. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP"), which are incorporated by this reference as if set forth fully herein.
13. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement, which attaches the MMRP and agrees to comply with the mitigation measures imposed by the Environmental Impact Report for this project, in the office of the Recorder. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to Regional Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
14. The permittee shall deposit an initial sum of \$6,000.00 with Regional Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the

MMRP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.

15. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
16. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
17. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
18. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
19. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

20. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
21. The project site shall be developed and maintained in substantial compliance with the approved Exhibit "A"/Exhibit Map dated October 28, 2015, or a Revised Exhibit "A" / Amended Exhibit Map approved by the Director. If changes to any of the plans marked Exhibit "A"/Exhibit Map are required as a result of instruction given at the public hearing, **five (5) copies of** a modified Exhibit "A"/Exhibit Map shall be submitted to Regional Planning by **November 8, 2016**. If changes to any of the plans marked Exhibit "A"/Exhibit Map are required for reasons other than instruction

given at the public hearing, the applicant shall file an Amended Exhibit Map or the appropriate entitlement for review.

22. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
23. Except as expressly modified herein, this approval is subject to all recommended conditions listed in the attached portion of the Subdivision Committee Report dated November 25, 2015, consisting of letters and reports from the Fire Departments and the Departments of Parks and Recreation and Public Health.
24. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter for tentative map dated February 3, 2016.
25. The project site shall be developed and maintained in substantial compliance with the approved Exhibit "A"/map dated October 28, 2015.
26. The permittee shall conform to the requirements of Title 22 of the Los Angeles County Code.
27. Prior to final map approval and recordation, the subdivider shall submit a draft copy of the project's Covenants, Conditions and Restrictions ("CC&Rs") and any other covenants or maintenance agreements entered into with respect to the project, to the Director for review and approval. Said CC&Rs shall establish a retail condominium owners' association and shall contain lighting requirements, in which all outdoor lighting and glare shall be deflected, shaded and focused away from all adjoining properties. Said CC&Rs shall also indicate the means of maintenance for the landscaping, lighting, parking areas and private drive and fire lane. All applicable project conditions of approval shall be included as conditions in the CC&Rs and the CC&Rs shall prohibit any such condition from being amended in any way, or eliminated, with regard to language in the CC&Rs, without prior approval from the Director.
28. Prior to final map approval and recordation, the subdivider shall provide in the CC&Rs a method for the continuous maintenance of common areas and facilities to the satisfaction of the Director. Said CC&Rs shall indicate programming for on-site common open space amenities including community use and identification and visual enhancement of the site to the satisfaction of the Director.
29. Prior to final approval, the permittee shall submit to the Director for review and approval three (3) copies of a landscape plan. The landscape plan shall show size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning,

weeding, removal of litter, fertilizing and replacement of plants when necessary. To the maximum extent feasible, drip irrigation systems shall be employed.

In addition to the review and approval by the Director, the landscaping plans will be reviewed by the staff biologist of the Department of Regional Planning. Review will include an evaluation of the balance of structural diversity (e.g. trees, shrubs, and groundcover) that may be expected 18 months after planting in compliance with fire safety requirements. The landscape shall be maintained in compliance with the approved landscaping plans.

The landscaping plan shall indicate that at least 50% of the area covered by landscaping shall be locally indigenous species. However, if the applicant can prove to the satisfaction of the Director that a 50% or more locally indigenous species is not possible due to County fire safety requirements a lower percentage of such planting may be required. In those areas where the Director approves a reduction to less than 50% locally indigenous vegetation, the amount of such planting required shall be at least 30%. The landscaping shall include trees, shrubs and/or ground cover at a mixture and density determined by staff and the fire department. Fire retardant plants shall be given first consideration.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (DEVELOPMENT PROGRAM, AUTHORIZATION TO EXCEED STRUCTURE HEIGHT)

30. No building or structure of any kind except a temporary structure used only in the developing of the property according to the program shall be built, erected, or moved onto any part of the property.
31. No existing building or structure which under the program is to be demolished shall be used.
32. No existing building or structure which, under the program, is to be altered shall be used until such building or structure has been so altered.
33. All improvements shall be completed prior to the occupancy of any structure.
34. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.
35. This permit authorizes development to be completed in phases. Each such separately designated phase shall be considered a separate development program.
36. This permit authorizes hotel structures to exceed the structure height. Hotel structure heights shall not exceed a maximum of 80 feet.

37. Complete landscaping of the public rights-of-way fronting the project is required subject to the satisfaction of the Department of Public Works.
38. Provide a minimum of ten feet of landscaping along the street frontage of the commercial and hotel uses. This shall include plants, landscaped berms, capable of providing screening up to a height of 42 inches.
39. Limit signs to one for each street frontage of a shopping center listing all businesses. The sign shall reflect the architectural style of the center.
40. This approval authorizes a sign program to coordinate business signage within the commercial center where new businesses will comply with the location, style, size color, font and materials as shown in the architectural renderings and noted on the Exhibit "A"/map so that all new business signs are compatible with each other.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (GRADING)

41. Grading involving 184,904 cubic yards of cut material, which includes approximately 13,261 cubic yards of reductions and additions due to subsidence, shrinkage and additions, 41,109 cubic yards of export off site and 130,534 cubic yards of fill material on the site for a total of approximately 356,547 cubic yards of earth movement for site preparation and 322,619 cubic yards of cut, 274,318 cubic yards of fill and 48,301 cubic yards of earth material for off-site export, totaling 645,238 cubic yards of earth movement associated with further development and construction of the site. A total volume of approximately 1,001,785 cubic yards is authorized.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

42. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
43. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
44. The permittee, and all managers and designated employees of the establishments, who will directly serve or will be in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of

the facilities' training program by employees, the licensee and all managers shall be available upon request.

45. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures.
46. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
47. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.
48. This grant authorizes the sale of alcoholic beverages at the two hotel restaurants from 7:00 a.m. to 2:00 a.m. maximum daily.
49. There shall be no consumption of alcoholic beverages outside the designated areas of the subject facility. The permittee shall instruct all designated employees, who directly serve or are in the practice of selling alcoholic beverages, regarding this restriction. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary.
50. The permittee shall develop and implement a Designated Driver program (i.e. free soft drinks or coffee to a designated driver of a group). The permittee shall submit the program to the Director of Planning for approval prior to the approval of the Exhibit "A". A printed two-sided card explaining this program shall be placed on all tables in the restaurant or an explanation regarding the program shall be printed on the menu.
51. All servers of alcoholic beverages must be at least 18 years of age.
52. There shall be no music or other noise audible beyond the restaurant premises.
 - a. Hotel Restaurants
 - i. The operation of the facilities' two hotel restaurants are further subject to the following:
 1. No live entertainment, dancing, or dance floor is authorized in or outside the premises.
 - b. Hotel Bar
 - i. The operation of the facility hotel bar is further subject to the following:
 1. Employees on duty after 10:00 pm shall be at least 21 years of age.
53. Alcoholic beverages shall be sold to customers only when food is ordered and consumed within the two subject restaurants only;

54. The sale and serving of alcoholic beverages for consumption outside the two restaurants and bar is prohibited;
55. The business shall employ not less than one full-time cook that is engaged in the preparation of meals for patrons during the permissible hours of operation;
56. Not less than fifty-one percent of the income from the business enterprise shall be derived from the sale of food and non-alcoholic beverages. The business owner shall at all times maintain records which reflect separately the gross sale of food and the gross sale of alcoholic beverages. Said records shall be made available to the Los Angeles County Department of Regional Planning, the Department of Alcoholic Beverage Control, or the Los Angeles County Sheriff's Department on demand.
57. The permittee may hold "happy hour" drink specials, specials or similar promotions from weekdays Monday through Thursday from 3:00p.m. until 8:00p.m., only in conjunction with food.
58. Food service shall be continuously provided during operating hours.
59. Payphones shall be prohibited on the premises.
60. A security guard shall be provided from 5:00 p.m. to 2:00 a.m. nightly for each hotel restaurant serving alcoholic beverages.
61. All parking lot and other exterior lighting shall be hooded and directed away from neighboring residences to prevent direct illumination and glare, and shall be turned off within thirty minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot.
62. Security cameras shall be installed inside and outside the hotels facing the parking lot.

PROJECT SITE SPECIFIC CONDITIONS

63. Where reduced occupancy is a primary consideration in the approval of a parking permit, the maximum occupant load based on Building and Safety occupancy loads for such use shall be established; this grant authorizes a maximum of 40,113 square feet for areas used for entertainment, assembly and dining within the commercial shopping center located on parcel 1 of the Project Site.

PRIOR TO ISSUANCE OF A BUILDING PERMIT

64. The Project Site shall be developed, graded, and maintained in substantial compliance with the approved Exhibit "A"/Map dated October 28, 2015 or an approved Revised Exhibit "A."
65. All development shall comply with the requirements of the Zoning Ordinance and of the specific zoning of the subject property, except as specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a Revised Exhibit "A" approved by the Director of the Department of Regional Planning.

Attachments:

Mitigation Monitoring and Reporting Program
Subdivision Committee Report (pages 18-25)
Public Works' Department Report dated February 3, 2016

KKS:SDJ
09/08/16

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01529(4)
PARKING PERMIT NO. 201400006**

PROJECT DESCRIPTION

The project is a request to create three parcels, including one industrial parcel developed with commercial retail, restaurant and office uses, and two commercial parcels developed with hotels on 14.85 acres.

Parking Permit No. 201400006 is authorization for reciprocal access and shared parking by two or more uses subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7 and until all required monies have been paid pursuant to applicable conditions. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or

expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. If the permittee proposes any modifications to the use, the permittee shall file a new Parking Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years after the recordation of a final map for Vesting Tentative Parcel Map No. 072916. In the event that Vesting Tentative Parcel Map No. 072916 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
10. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP"), which are incorporated by this reference as if set forth fully herein.
12. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant and require a CUP modification, if applicable, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
13. In the event the Director determines parking is insufficient for the uses on the Project site, the permittee must immediately apply for a new Parking Permit to correct the insufficiency. If the permittee fails to apply for a new parking permit, the insufficiency shall be addressed through the initiation of revocation and/or modification proceeding pursuant to Chapter 22.56, Part 13 of the County Code.
14. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
15. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
16. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
17. The project site shall be developed and maintained in substantial compliance with the approved Exhibit "A"/Exhibit Map dated October 28, 2015, or a Revised Exhibit "A" / Amended Exhibit Map approved by the Director. If changes to any of the plans marked Exhibit "A"/Exhibit Map are required as a result of instruction given at the public hearing, **five (5) copies of** a modified Exhibit "A"/Exhibit Map shall be submitted to Regional Planning by **November 8, 2016**. If changes to any of the plans marked Exhibit "A"/Exhibit Map are required for reasons other than instruction given at the public hearing, the applicant shall file an Amended Exhibit Map or the appropriate entitlement for review.
18. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
19. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the

business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

20. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - PARKING PERMIT

21. Where reduced occupancy is a primary consideration in the approval of a parking permit, the maximum occupant load based on Building and Safety occupancy load determinations for such use shall be established; this grant authorizes a maximum of 40,113 square feet for entertainment, assembly and dining use areas within the commercial shopping center located on parcel 1 of the Project Site.
22. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of one vehicle parking space for every three occupants. The entertainment, assembly and dining use has a square footage of 40,113 / an occupant load of 1,561 persons which would require not less than 520 spaces be provided based on the applicable ratio. If the permittee changes the operation of the restaurant uses so as to require less parking than the minimum requirement, the permittee shall submit an application for a CUP modification, and Parking Permit within 90 days of such occurrence.

If the entertainment, assembly and dining uses substantially change their mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require parking beyond the minimum requirement, the permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.

23. Adjacent land located within the boundary of the City of Industry (.79 acres) is required to be reserved to insure that sufficient area is available to meet the 75-space off-site parking allotment, and deed restrictions for such parking use through a recorded covenant, shall be imposed on such land prior to issuance of building permits.
24. Hours of operation for each use sharing parking facilities shall be made available from the permittee upon request by the Director, and parking associated with such

hours shall cumulatively be in substantial compliance with the shared parking requirements including the associated parking exhibit and analysis approved with this parking permit.

25. Off-site automobile parking facilities must be within 400 feet from any entrance of the use to which they are accessory. Parking for employees shall be located within 1,320 feet from the entrance to such use. Directions to such facilities shall be clearly posted at the principal use.
26. In the event that any permittee and/or property owner is unable to comply with the provisions of the parking permit, the use for which permit has been granted shall be terminated, reduced, or removed unless some other alternative method to provide the required parking is approved by the director.
27. The permittee shall provide bicycle parking as required by the County Code, calculated at a parking ratio of one space per each 5,000 square feet of gross floor area for short-term bicycle parking, and one space for each 12,000 square feet for long-term bicycle parking. The commercial uses have a square footage of 129, 926 square feet which would require not less than 25 short-term spaces and 10 long-term spaces be provided based on the applicable ratio.

If the permittee alters the property with an addition of more than 15,000 square feet of floor area so as to require bicycle parking beyond the minimum requirement, the permittee shall submit an application for a parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.

28. Where tandem parking is proposed for nonresidential uses, there shall be valets or other persons employed to assist in the parking of automobiles. The ratio of valets to parking spaces shall be established with a Revised Exhibit "A" to the satisfaction of the Director. The parking of automobiles by valets on public streets shall be prohibited. Each tandem space shall be eight feet wide; the length of the space shall be 18 feet for each automobile parked in tandem. Parking bays shall contain only two parking spaces where access is available from only one end. Bays of four parking spaces may be permitted where access is available from both ends.
29. Licensed and bonded valet parking service, as defined in Title 7 of the County Code, is authorized to be performed as an incident to business, occupation or activity legally established on the Project site.
30. If valet parking service fees are charged, at each location at which a bailor surrenders a vehicle for parking, the valet parking service licensee shall erect and maintain a sign stating rates, including the maximum charge, and the time at which the licensee goes off duty.
31. The valet parking service licensee, the agents and employees, shall notify the sheriff whenever a vehicle has been left for a period in excess of 48 hours without a prior

contractual agreement for such period of time, in order to determine whether the vehicle is stolen or abandoned.

KKS:SDJ
09/08/16

Affidavit of Acceptance Instructions

STEP 1: **NOTARIZE AFFIDAVIT:** In the presence of a Notary Public, sign the Affidavit of Acceptance form. Complete and sign both applicant and owner sections, even if the applicant is the same as the owner.

STEP 2: **COUNTY REGISTRAR-RECORDER:** Visit the Registrar-Recorder's office at 12400 East Imperial Highway, Norwalk, CA 90650 (the following branch offices can also assist you: LAX Courthouse, Lancaster District Office, Van Nuys District Office. For more information call (562) 462-2125 or visit http://www.lavote.net/Recorder/Document_Recording.cfm) to complete the following tasks:

a) **Record Affidavit of Acceptance Form and Conditions of Approval:** Submit the original Affidavit of Acceptance form (wet signature) and Conditions of Approval to the County Registrar-Recorder for recording. If your project has an associated Mitigation Monitoring Reporting Program (MMRP), this document should be recorded as well. Request one certified copy of the recorded Affidavit, Conditions of Approval, and MMRP (if applicable) to submit to the Department of Regional Planning.

b) **Pay CEQA Fees and Post Notice of Determination (NOD):** Environmental filing fees and posting of an NOD are required pursuant to the California Environmental Quality Act (CEQA). This should be completed within five (5) working days from the day after your appeal period ends. Bring two copies of the enclosed NOD along with one check for fees, payable to the "County of Los Angeles", as applicable below:

\$75.00 for Notice of Determination (NOD), with original "No Effect" form from the California Department of Fish & Wildlife (for posting only)

\$2,285.25 for Notice of Determination (NOD) for the issued Negative Declaration or Mitigated Negative Declaration (Includes \$75.00 Registrar-Recorder processing fee).

\$3,145.00 for the Environmental Impact Report (Includes \$75.00 Registrar-Recorder processing fee).

c) **Post Notice of Exemption (NOE):** The filing of an NOE is **OPTIONAL**. Pursuant to CEQA, the filing of an NOE will limit the time period for legal challenges to an agency's exemption determination to 35 days. If a NOE is not filed, a 180 day statute of limitation applies. If you wish to file an NOE, please request for a completed NOE form from your case planner and post the document at the Registrar-Recorder's office listed above, along with your Final Letter of Approval.

STEP 3: **REGIONAL PLANNING:** Schedule an appointment with the case planner to submit the following items in person:

a) One certified copy of the recorded Affidavit of Acceptance, Conditions of Approval, and MMRP if applicable. The certified copy will have an official document number and a purple recordation stamp from the Registrar-Recorder. Also bring a NOD or NOE posting receipt, and CEQA filing fee receipt if applicable. NOD posting receipt, and F & W fee receipt.

b) If changes are required as a result of instruction at the public hearings, three full-sized copies of the final site plans, or as otherwise requested by the planner. Plans must be folded to fit into an 8 ½" x 14" folder. At your final appointment, you will receive a copy of the approved site plan, and approved plans will be routed to the Department of Public Works, Building and Safety, as applicable.

c) One check payable to "County of Los Angeles" for zoning inspection fees*, and MMRP fees if applicable (see Conditions of Approval). Write project number on checks.

STEP 4: **OBTAIN BUILDING PERMITS:** Bring your copy of the approved site plan to the Department of Public Works, Building and Safety office.*

For questions or for additional information, please contact the planner assigned to your case. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

* Does not apply to subdivision cases.



Please complete and return to:
Department of Regional Planning
320 West Temple Street, 13th Floor
Los Angeles, California 90012

AFFIDAVIT OF ACCEPTANCE

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

}ss

**REGARDING: PROJECT NUMBER R2014-012529-(4)
VESTING TENTATIVE PARCEL MAP NO. 072916
ZONE CHANGE NO. 201400008
CONDITIONAL USE PERMIT CASE NO. 201400062
PARKING PERMIT CASE NO. 201400006
ENVIRONMENTAL ASSESSMENT CASE NO. 201400121
18800 RAILROAD AVENUE, ROWLAND HEIGHTS**

I/We the undersigned state:

I am/We are the permittee of the above-mentioned permits and/or owner of the real property described above. I am/We are aware of, and accept, all the stated Conditions of Approval for the above-mentioned permit(s).

I/We have enclosed a check in the amount of \$1,600.00 payable to the County of Los Angeles as required by the Conditions of Approval for regular inspections for compliance, and \$6,000.00 for compliance with the Mitigation Monitoring Reporting Program fee. I/We also acknowledge that I/We and my/our successors in interest may be required to reimburse the Department of Regional Planning for any additional enforcement efforts necessary to bring the subject property into compliance.

Executed this _____ day of _____, 20 _____

I/We declare under the penalty of perjury that the foregoing is true and correct.

Complete both Applicant and Owner sections, even if the same.

Signatures must be acknowledged by a Notary Public. Affix seal or appropriate acknowledgements.

Applicant's Name: _____

Address: _____

City, State, Zip: _____

Signature: _____

Owner's Name: _____

Address: _____

City, State, Zip: _____

Signature: _____

Notice of Determination

To:

Office of Planning and Research
U.S. Mail: _____ Street Address: _____
P.O. Box 3044 1400 Tenth Street
Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
County of: Los Angeles, Environmental Filings
Address: 12400 E. Imperial Hwy., #1201
Norwalk, CA 90650

From:

Public Agency: LA County Regional Planning
Address: 320 W. Temple St., 13th Floor
Los Angeles, CA 90012

Contact: Steven Jones
Phone: 213-974-6433

Lead Agency (if different from above): _____

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2015061003

Project Title: ROWLAND HEIGHTS PLAZA AND HOTEL PROJECT

Project Applicant: PARALLAX INVESTMENTS

Project Location (include county): 18800 GALE AVENUE, ROWLAND HEIGHTS, LOS ANGELES COUNTY

Project Description:

TO CREATE THREE PARCELS, INCLUDING ONE INDUSTRIAL PARCEL DEVELOPED WITH COMMERCIAL RETAIL, RESTAURANT AND OFFICE USES, AND TWO COMMERCIAL PARCELS DEVELOPED WITH HOTELS ON 14.85 ACRES.

This is to advise that the COUNTY OF LOS ANGELES has approved the above
(Lead Agency or Responsible Agency)
described project on SEPTEMBER 7, 2016 and has made the following determinations regarding the above
(date)
described project:

1. The Project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation monitoring and reporting program [was was not] adopted for this project.
5. A Statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

<http://planning.lacounty.gov/case/view/r2014-01529/> or 320 W TEMPLE STREET, ROOM 1382, LA, CA

Signature (Public Agency):  Title: PRINCIPAL REGIONAL PLANNING ASSISTANT

Date: SEPTEMBER 8, 2016 Date Received for filing at OPR: _____

Notice of Determination

To:

Office of Planning and Research
U.S. Mail: _____ Street Address: _____
P.O. Box 3044 1400 Tenth Street
Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
County of: Los Angeles, Environmental Filings
Address: 12400 E. Imperial Hwy., #1201
Norwalk, CA 90650

From:

Public Agency: LA County Regional Planning
Address: 320 W. Temple St., 13th Floor
Los Angeles, CA 90012

Contact: Steven Jones
Phone: 213-974-6433

Lead Agency (if different from above): _____

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2015061003

Project Title: ROWLAND HEIGHTS PLAZA AND HOTEL PROJECT

Project Applicant: PARALLAX INVESTMENTS

Project Location (include county): 18800 GALE AVENUE, ROWLAND HEIGHTS, LOS ANGELES COUNTY

Project Description:

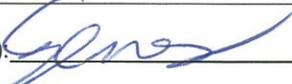
TO CREATE THREE PARCELS, INCLUDING ONE INDUSTRIAL PARCEL DEVELOPED WITH COMMERCIAL RETAIL, RESTAURANT AND OFFICE USES, AND TWO COMMERCIAL PARCELS DEVELOPED WITH HOTELS ON 14.85 ACRES.

This is to advise that the COUNTY OF LOS ANGELES has approved the above
(Lead Agency or Responsible Agency)
described project on SEPTEMBER 7, 2016 and has made the following determinations regarding the above
(date)
described project:

1. The Project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation monitoring and reporting program [was was not] adopted for this project.
5. A Statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

http://planning.lacounty.gov/case/view/r2014-01529/ or 320 W TEMPLE STREET, ROOM 1382, LA, CA

Signature (Public Agency):  Title: PRINCIPAL REGIONAL PLANNING ASSISTANT

Date: SEPTEMBER 8, 2016 Date Received for filing at OPR: _____



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: PM 72916

MAP DATE: October 28, 2015

**THE FIRE DEPARTMENT RECOMMENDS APPROVAL OF THIS PROJECT AS
PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.**

**FINAL MAP
CONDITIONS OF APPROVAL**

1. Access as noted on the Tentative and the Exhibit Maps shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires an all-weather access surface to be clear to sky.
2. A copy of the Final Map shall be submitted to the Fire Department for review and approval prior to recordation.
3. The driveways required for fire apparatus access shall be indicated on the Final Map as "Private Driveway and Fire lane" with the widths clearly depicted.
4. A reciprocal access agreement is required for all driveways being shared within this development. Submit documentation to the Fire Department for review prior to Final Map clearance.
5. A construct bond is required for all required fire lanes within this development. Provide written verification of the posted construction bond to the Fire Department prior to Final Map clearance.
6. Provide written verification stating the required fire hydrants have been installed or bonded for in lieu of installation prior to Final Map clearance.



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: PM 72916

MAP DATE: October 28, 2015

**PROJECT
CONDITIONS OF APPROVAL**

1. All proposed buildings shall be places such that a fire lane is provided to within 150 feet of all exterior walls of the first story. This measurement shall be by an approved route around the exterior of the building or facility. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
2. The on-site fire lanes shall provide a minimum paved unobstructed width of 26 feet, clear to the sky. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
3. The on-site fire lanes around the propose hotel buildings shall provide a minimum paved unobstructed width of 28 feet, clear to the sky, due to the heights of the buildings. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
4. The proposed buildings within this development being served by a 26 feet wide fire lane will have a height restriction due to the fire lane width indicated on the Exhibit Map. Such buildings shall not exceed 30 feet above the lowest level of the Fire Department vehicular access road or the building is more than three stories. Buildings exceeding this height shall provide a minimum paved fire lane width of 28 feet. The required fire lane shall be parallel to the longest side of the building between 15 feet and 30 feet from the edge of the fire lane to the building wall. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: PM 72916

MAP DATE: October 28, 2015

-
5. The gradient of the fire lanes shall not exceed 15 percent. Any changes in grade shall not exceed 10 percent within a 10 feet distance or 5.7 degrees. Cross slopes and required Fire Department turnarounds shall not exceed 2 percent grades. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
 6. Any change of direction within the fire lanes shall provide a 32 feet centerline turning radius. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
 7. The surface of the fire lanes shall be designed and maintained to support the live load of a fire apparatus weighing 75,000 pounds. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
 8. Per the fire flow test performed by Rowland Water District dated 02-05-14, the existing fire hydrants and water system meets the current Fire Department requirements. An updated fire flow test will be required by the Fire Department prior to building permit issuance.
 9. Install 2 PUBLIC fire hydrant(s) as noted on the Exhibit Map.
Location: AS PER MAP FILED IN OUR OFFICE.
 10. Install 12 PRIVATE fire hydrant(s) as noted on the Exhibit Map.
Location: AS PER MAP FILED IN OUR OFFICE.
 11. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal.
 12. All required fire hydrants shall provide a fire flow of 4000 gallons per minute at 20 psi for a duration of 4 hours, over and above maximum daily domestic demand. This fire flow may be reduced by the Fire Prevention Engineering Section as approved during the building permit review process.



COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: PM 72916

MAP DATE: October 28, 2015

-
13. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.
 14. An approved automatic fire sprinkler system is required for proposed building within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.
 15. Parking shall be restricted 30 feet adjacent to any required public or private fire hydrant, 15 feet on each side measured from the center of the fire hydrant. Adequate signage and/or stripping shall be required prior to occupancy.
 16. The driveways required for fire apparatus access shall be posted with signs stating "No Parking-Fire Lane" and/or stripped accordingly in compliance with the County of Los Angeles Fire Code prior to occupancy.
 17. All driveways within this development shall provide approved street names and signs. All proposed buildings shall provide approved address numbers. Compliance required prior to occupancy to the satisfaction of the Department of Public Works and the County of Los Angeles Fire Code.

For any questions regarding the report, please contact Juan Padilla at (323) 890-4243 or Juan.Padilla@fire.lacounty.gov.



LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION



PARK OBLIGATION REPORT

Tentative Map #	72916	DRP Map Date:	10/28/2015	SCM Date:	12/10/2015	Report Date:	11/24/2015
Park Planning Area #	10	ROWLAND HEIGHTS		Map Type: REV. (REV RECD)			

Total Units = Proposed Units + Exempt Units

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

- 1) the dedication of land for public or private park purpose or,
- 2) the payment of in-lieu fees or,
- 3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	0.00
IN-LIEU FEES:	\$0

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of \$0 in-lieu fees.

This project is exempt from park obligation requirements because:

Non-residential subdivision.

Trails:

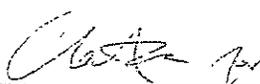
No trails.

Comments:

Project exempt from Quimby fees because it is a commercial/hotel project.

Please contact Clement Lau at (213) 351-5120 or Sheela Mathai at (213) 351-5121, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, CA 90020 for further information or to schedule an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements, please contact the Trails Coordinator at (213) 351-5134.

By: 
Kathline J. King, Chief of Planning



**LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION**



PARK OBLIGATION WORKSHEET

Tentative Map # 72916	DRP Map Date: 10/28/2015	SMC Date: 12/10/2015	Report Date: 11/24/2015
Park Planning Area # 10	ROWLAND HEIGHTS		Map Type REV. (REV RECD)

The formula for calculating the acreage obligation and/or In-lieu fee is as follows:

$$(P) \text{ People} \times (0.003) \text{ Ratio} \times (U) \text{ Units} = (X) \text{ acres obligation}$$

$$(X) \text{ acres obligation} \times \text{RLV/Acre} = \text{In-Lieu Base Fee}$$

- Where:
- P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.
 - Ratio = The subdivision ordinance provides a ratio of 3.0 acres of park land for each 1,000 people generated by the development. This ratio is calculated as "0.0030" in the formula.
 - U = Total approved number of Dwelling Units.
 - X = local park space obligation expressed in terms of acres.
 - RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units = Proposed Units + Exempt Units

	People*	Ratio 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	3.51	0.0030	0	0.00
M.F. < 5 Units	3.08	0.0030	0	0.00
M.F. >= 5 Units	3.07	0.0030	0	0.00
Mobile Units	3.28	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				0.00

Park Planning Area = 10 ROWLAND HEIGHTS

Ratio	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@ (0.0030)	0.00	\$241,328	\$0

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
Total Provided Acre Credit:				0.00	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
0.00	0.00	0.00	0.00	\$241,328	\$0



CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

ANGELO J. BELLOMO, REHS, QEP
Deputy Director for Health Protection

TERRI S. WILLIAMS, REHS
Acting Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5100 • FAX (626) 813-3000

www.publichealth.lacounty.gov

BOARD OF SUPERVISORS

Hilda Solis
First District
Mark Ridley-Thomas
Second District
Shella Kuehl
Third District
Don Knabe
Fourth District
Michael D. Antonovich
Fifth District

November 25, 2015

Tentative Parcel Map No. 072916

Vicinity: Rowland Heights

Tentative Tract Map Date: October 28, 2015

The Los Angeles County Department of Public Health – Environmental Health Division recommends approval of **Tentative Parcel Map 072916** based on the use of public water (Rowland Water District) and public sewer as proposed. A copy of current signed "Will Serve" letter from the water purveyor shall be provided to this Department prior to recommendation of approval of the tentative parcel map.

Prepared by:
VICENTE BAÑADA, REHS 
Environmental Health Specialist IV
Land Use Program
5050 Commerce Drive
Baldwin Park, California 91706
vbanada@ph.lacounty.gov
TEL (626) 430-5381 • FAX (626) 813-3016

The following reports consisting of 14 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.
2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.
3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.
4. In lieu of establishing the final specific locations of structures on each lot at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.
5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.
7. If applicable, quitclaim or relocate easements running through proposed structures.
8. Place standard condominium notes on the final map to the satisfaction of Public Works.
9. Prior to final approval of the parcel map submit a notarized affidavit to the Director of Public Works, signed by all owners of record at the time of filing of the map with the Registrar-Recorder/County Clerk's Office, stating that any proposed condominium building has not been constructed or that all buildings have not been occupied or rented and that said building will not be occupied or rented until after the filing of the map with the Registrar-Recorder/County Clerk's Office.
10. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works and Fire Department.
11. Reserve reciprocal easements for drainage, ingress/egress, sewer, water, utilities, right to grade, and maintenance purposes, in documents over the common private driveways to the satisfaction of Public Works.
12. A Mapping & Property Management Division house numbering clearance is required prior to approval of the final map.
13. A final parcel map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.
14. Prior to submitting the parcel map to the Director of Public Works for examination pursuant to Section 66450 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.
15. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

16. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of \$5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Parcel Maps, Vesting Tentative Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.

HW k
Prepared by Aissa Carrillo
pm72916L-rev4-rev'd02-03-2016.doc
http://planning.lacounty.gov/case/view_r2014-01522

Phone (626) 458-3126 Date Rev. 02-03-2016



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
WWW.DPW.LACOUNTY.GOV

PARCEL MAP NO.: 072916

TENTATIVE MAP DATE: 10/28/15

EXHIBIT MAP DATE: 10/28/15

HYDROLOGY UNIT CONDITIONS OF APPROVAL, PHONE: (626) 458-4921

Prior to Improvement Plans Approval:

1. Comply with hydrology study, which was approved on 01/13/16 to the satisfaction of the Department of Public Works.

Note: This clearance is only for the tentative map. If a Conditional Use Permit is required by the Department of Regional Planning, a drainage concept may be required prior to clearing the Conditional Use Permit.

(11)

Name  Date 01/13/16 Phone (626) 458-4921

VILONG TRUONG

PCA GMTR/A885
Telephone: (626) 458-4925

County of Los Angeles Department of Public Works
Geotechnical and Materials Engineering Division
GEOLOGIC AND SOILS ENGINEERING REVIEW SHEET
900 S. Fremont Avenue, Alhambra, CA 91803

Sheet 1 of 1

Tentative Parcel Map 72916 Tentative Map Dated 10/28/15 (Rev.) Parent Tract _____
Grading By Subdivider? [Y] Yes 184,094 yd³ Location Rowland Heights APN _____
Geologist Southern California Geotechnical Subdivider Rowland Ranch Properties, LLC
Soils Engineer Southern California Geotechnical Engineer/Arch. Thienes Engineering

Review of:

Geologic Report(s) Dated: _____

Soils Engineering Report(s) Dated: _____

Geotechnical Report(s) Dated: 9/10/14, 2/3/14

References: _____

TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL FROM A GEOTECHNICAL STANDPOINT

THE FOLLOWING CONDITIONS MUST BE FULFILLED:

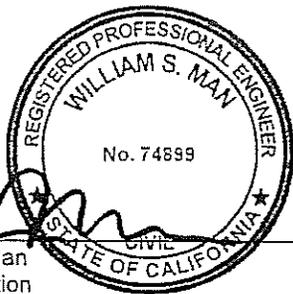
1. At the grading plan stage, submit grading plans to the GMED for verification of compliance with County Codes and policies.
2. Geotechnical reports(s) may be required prior to approval of grading and/or building plans. Report(s) must comply with the provisions of the County of Los Angeles Department of Public Works *Manual for Preparation of Geotechnical Reports*. The Manual is available at: <http://dpw.lacounty.gov/gmed/permits/docs/manual.pdf>.
3. The Final Map does *not* need to be reviewed by the Geotechnical and Materials Engineering Division.

NOTE(S) TO THE PLAN CHECKER/BUILDING AND SAFETY DISTRICT ENGINEER:

ON-SITE SOILS HAVE A HIGH EXPANSION POTENTIAL AND ARE CORROSIVE TO FERROUS METALS.

Prepared by


William S. Man
Soils Section




Charles Nestle
Geology Section

Date 11/25/15

Please complete a Customer Service Survey at <http://dpw.lacounty.gov/go/gmedsurvey>

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.

1. Approval of this map pertaining to grading is recommended.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

REQUIREMENTS PRIOR TO GRADING PLAN APPROVAL:

2. Provide approval of:
 - a. The latest hydrology study by the Storm Drain and Hydrology Section of Land Development Division.
 - b. The grading plan by the Geotechnical & Materials Engineering Division (GMED).
 - c. Permits and/or letters of non-jurisdiction from all State and Federal Agencies, as applicable. These agencies may include, but may not be limited to the State of California Regional Water Quality Control Board, State of California Department of Fish and Wildlife, State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR), and the Army Corps of Engineers.

REQUIREMENTS PRIOR TO FINAL MAP RECORDATION:

3. Submit a grading plan for approval. The grading plan must show and call out the following items, including but not limited to: construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, LID devices, and any required landscaping and irrigation not within a common area or maintenance easement. Acknowledgement and/or approval from all easement holders may be required.
4. A maintenance agreement or CC&Rs may be required for all privately maintained drainage devices, slopes, and other facilities.

DR

Name Diego Rivera Date 02/03/16 Phone (626) 458-4921

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Remove existing detour road and intersection improvements within the project site on Gale Avenue to the satisfaction of Public Works.
2. Provide offsite easement documents for the proposed easterly fire lane (existing Access Road) on Gale Avenue from the easterly property to the satisfaction of Public Works.
3. Dedicate variable right-of-way on Gale Avenue along the project frontage to the satisfaction of Public Works.
4. Dedicate adequate right-of-way for road purposes and easements for traffic signal purposes at the middle driveway to the site on Gale Avenue to the satisfaction of Public Works.
5. Provide adequate right-of-way for corner cut-off based on a 35 feet curb return radius at the northwest corner of the existing easterly fire lane and Gale Avenue.
6. Provide property line return radii and corner cut-off based on 25 feet radius at the middle driveway on Gale Avenue to the satisfaction of Public Works.
7. Driveways will not be permitted within 25 feet upstream of any catch basins when street grades exceed 6 percent.
8. The typical sections are not necessarily approved as shown.
9. Construct curb, gutter, base, pavement, and sidewalk on Gale Avenue within the project frontage and appropriate offsite transition to the satisfaction of Public Works.
10. Repair any displaced, broken, or damaged curb, gutter, sidewalk, along the property frontage on Gale Avenue to the satisfaction of Public Works.
11. Construct driveway approaches at the site to the satisfaction of Public Works.
12. Plant street trees along the property frontage on Gale Avenue. Existing trees in dedicated right of way shall be removed and replaced if not acceptable as street trees.
13. Comply with Traffic and Lighting mitigations and conditions based on the approved Traffic Study as stipulated in their letter dated November 23, 2015.
14. Install traffic signal at the project middle driveway as a site access requirement.
15. Provide full scale (1"=20') traffic signal plan for all proposed new and modified signalized intersections consistent with the approved site plan.

16. Provide full scale (1"=40') signing and striping plans to our Traffic and Lighting Division for review and approval. Please contact Andrew Ngumba at 626 300-4851 for their requirements.
17. Provide street light on concrete poles with underground wiring along the property frontage on Gale Avenue to the satisfaction of Public Works or as modified by the Public Works. Submit street lighting plans along with existing and/or proposed underground utilities plans to Traffic and Lighting Division, Street Lighting Section, for processing and approval.
18. Install postal delivery receptacles in groups to serve two or more residential units.
19. Provide adequate sight distance for a 55 mph design speed on Gale Avenue from all the access points. Line of sight shall be within right of way or dedicate on-site airspace easements to the satisfaction of Public Works. With respect to the position of the vehicle at the minor road, the driver of the vehicle is presumed to be located 4 feet right of centerline and 10 feet back the ultimate TC or F/L prolongation. When looking left, we consider the target to be located at the center of the lane nearest to the parkway curb. We use 6-feet from ultimate TC as a conservative rule. When looking right, the target is the center of the lane nearest to the centerline. Measure 6-feet from centerline or from the median curb (when present). Additional on-site grading may be required.
20. No monuments or pylon sign shall obstruct the line of sight.
21. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works, or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.



Prepared by Sam Richards
pm72916r-rev4.doc

Phone (626) 458-4921

Date 11-25-2015



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

990 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone (626) 458-5190
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

November 23, 2015

IN REPLY PLEASE
REFER TO FILE T-4

Mr. William Kunzman, P.E.
Kunzman Associates, Inc.
1111 Town & County Road, Suite 34
Orange, CA 92868

Dear Mr. Kunzman:

ROWLAND HEIGHTS PLAZA TRAFFIC IMPACT ANALYSIS (OCTOBER 12, 2015) UNINCORPORATED ROWLAND HEIGHTS AREA

As requested, we reviewed the Traffic Impact Analysis (TIA) for the proposed Rowland Heights Plaza project to be located on the north side of Gale Avenue between Coiner Court and Nogales Street in the unincorporated Rowland Heights area.

Project-Specific Impacts

According to the TIA, the traffic generated by the project alone will have a significant transportation impact at the intersections listed below based on the County's TIA guidelines. We generally agree with the findings in your TIA, including the mitigation measures identified in the TIA.

Fullerton Road at Colima Road

The TIA identifies the construction of one northbound exclusive right-turn lane as one of the mitigation measures. However, Public Works is currently administering a funded highway improvement project along Fullerton Road, which already includes this improvement. Consequently, this project is not required to construct the northbound exclusive right-turn lane at this intersection.

The TIA also identifies the construction of one westbound exclusive right-turn lane as one of the mitigation measures. Since this mitigation measure is not feasible within the available right of way, the project's applicant shall appropriately describe this unavoidable and significant transportation impact in the project's Environmental Impact Report (EIR).

Nogales Street at La Puente Road

The TIA identifies the construction of one westbound exclusive right-turn lane as the mitigation measure. Since this mitigation measure is not feasible within the available right of way, the project's applicant shall appropriately describe this unavoidable and significant transportation impact in the project's EIR.

Nogales Street at Colima Road

The TIA identifies the construction of one westbound exclusive right-turn lane with a right-turn overlap phase as the mitigation measure. Since this mitigation measure is not feasible within the available right of way, the project's applicant shall appropriately describe this unavoidable and significant transportation impact in the project's EIR.

Cumulative Transportation Impacts

According to the TIA, the cumulative traffic generated by the project and other related projects will also have significant transportation impacts at the intersections listed above. We generally agree with the findings in your TIA. The mitigation measures identified in the TIA for these significant cumulative transportation impacts are the same as the measures identified to address the significant transportation impacts generated by the project alone. Consequently, the Project's applicant shall appropriately describe these unavoidable and significant cumulative transportation impacts in the project's EIR.

Nogales Street at San Jose Avenue and at Gale Avenue/Walnut Drive

The lane configurations at the following intersections are being modified as part of the Nogales Street Grade Separation project, which is currently underway:

- Nogales Street at San Jose Avenue
- Nogales Street at Gale Avenue/Walnut Drive

Based on the lane configurations proposed as part of the Nogales Street Grade Separation project, this project is not expected to have a significant transportation impact and is not required to construct any improvements at the above intersections.

Ingress and Egress Access

The project shall provide ingress and egress access to the site in accordance with a site access plan approved by Public Works' Land Development Division. The draft site access plan is currently under review by Land Development Division.

Mr. William Kunzman
November 23, 2015
Page 3

Impacts to Other Jurisdictions

The TIA determined the traffic generated by the project alone will have a significant transportation impact based on the County's TIA guidelines at the intersection of Fullerton Road at Gale Avenue, which is within the City of Industry. Accordingly, the project's applicant should consult with the City of Industry to verify any potential California Environmental Quality Act impacts within their jurisdiction.

Additionally, we recommend the project's applicant consult with the Cities of Walnut and West Covina to obtain their concurrences with any potential California Environmental Quality Act impacts within their jurisdictions.

California Department of Transportation

In the event the EIR identifies significant impacts to Caltrans' mainline facilities, the project's applicant shall consult with Caltrans to determine the improvements necessary to mitigate the significant impacts to State highway mainline facilities that would result from the addition of project traffic. Once the improvements are determined, the project's applicant shall either construct the necessary improvements or pay an equitable share consistent with applicable law towards construction of the improvements. In furtherance of this requirement, if the EIR identifies significant impacts to Caltrans mainline facilities, the project's applicant shall enter into a traffic mitigation agreement with Caltrans before or within 6 months of certification of the Rowland Heights Plaza project's EIR.

If you have any questions regarding the review of this document, please contact Mr. Suen Fei Lau of Traffic and Lighting Division, Traffic Studies Section, at (626) 300-4820.

Very truly yours,

GAIL FARBER
Director of Public Works



for

DEAN R. LEHMAN
Assistant Deputy Director
Traffic and Lighting Division

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. The subdivider shall install and dedicate main line sewers and serve each building/parcel with a separate house lateral or have approved and bonded sewer plans on file with Public Works.
2. A sewer area study for the proposed subdivision (PC12243AS, dated 12-21-2015) was reviewed and approved. No additional mitigation measures are required if the sewer point of connection is at MH 281, E-2305 B1. The sewer area study shall be invalidated should there be an increase in the total number of dwelling units, an increase in the density, dwelling units occur on previously identified building restricted lots, a change in the proposed sewer alignment, an increase in the tributary sewershed, a change in the sewer connection points, or the adoption of a land use plan or a revision to the current plan. A revision to the approved sewer area study may be allowed at the discretion of the Director of Public Works. The approved sewer area study shall remain valid for two years from the date of sewer area study approval. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.
3. The subdivider shall send a print of the land division map to the County Sanitation District with a request for annexation. The request for annexation must be approved prior to final map approval.
4. Provide a minimum 10-foot sewer easement on the private driveway and fire lane to the satisfaction of Public Works.
5. Outlet approval from the City of Industry is required.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings in the land division, must be provided. The system shall include fire hydrants of the type and location as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
2. The applicant shall comply with the requirements of Rowland Water District per attached will serve letter dated 10-07-2015 to the satisfaction of Public Works.
3. Separate water meter is required for each detached building. Water meters should be located outside of the sidewalk.
4. Submit landscape and irrigation plans with landscape area greater than 500 square feet in accordance with the Water Efficient Landscape Ordinance.
5. Depict all line of sight easements on the landscaping and grading plans.
6. If recycle water is available, install a separate water irrigation systems for recycled water use per landscape plans.
7. If recycle water is available, the recycled water irrigation systems shall be designed and operated in accordance with all local and State Codes as required per AB 1881.



Prepared by Tony Khalkhali
pm72916w-rev4.doc

Phone (626) 458-4921 Update Date 11-19-2015

4.0 MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program (MMP), which is provided in **Table 4-1, *Mitigation Monitoring***, has been prepared pursuant to Public Resources Code Section 21081.6, which requires adoption of a MMP for projects in which the Lead Agency has required changes or adopted mitigation to avoid significant environmental effects. The County of Los Angeles is the Lead Agency for the proposed Rowland Heights Plaza and Hotel Project (the “Project”) and therefore is responsible for administering and implementing the MMP. The decision-makers must define specific monitoring requirements to be enforced during Project implementation prior to final approval of the proposed Project. The primary purpose of the MMP is to ensure that the mitigation measures identified in the Initial Study (designated as IS), and Draft and Final EIR (designated by the respective environmental issue within Chapter 4.0 of the EIR) are implemented, thereby minimizing identified environmental effects. The MMP also includes the proposed Project Design Features (PDFs) identified throughout Chapter 4.0 the Draft EIR. The PDFs are specific design elements proposed by the Applicant that have been incorporated into the Project to prevent the occurrence of or to minimize the significance of potential environmental effects. Because PDFs have been incorporated into the Project, they do not constitute mitigation measures, as defined by Section 15126.4 of the State CEQA Guidelines (Title 14 of the California Code of Regulations). However, PDFs are included in this MMP to ensure their implementation as a part of the Project.

The MMP for the proposed Project will be in place through all phases of the Project, including design (preconstruction), construction, and operation (both prior to and post-occupancy).

Each mitigation measure and/or PDF is categorized by impact area, with an accompanying identification of:

- The phase of the project during which the measure/PDF should be monitored;
 - Pre-construction
 - Construction
 - Prior to occupancy
 - Post-occupancy
- The enforcement agency; and
- The monitoring agency.

Table 4-1

Mitigation Monitoring Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
4.B AIR QUALITY					
<p>PDF-AQ-1: The Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and achieve the equivalent of USGBC LEED® Silver Certification. These measures would also include consistency with the Los Angeles County Green Building Standards and Low Impact Development requirements. The Project would incorporate measures and performance standards which include but are not limited to the following:</p> <ul style="list-style-type: none"> ▪ The Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of nonhazardous construction debris or minimize the generation of construction waste to 2.5 pounds per square foot of building floor area. ▪ The Project would be designed to optimize energy performance and reduce building energy cost by 10 percent for new construction compared to ASHRAE 90.1-2010, Appendix G, and the Title 24 Building Standards Code. ▪ The Project would reduce indoor water use by a minimum of 35 percent by 	Prior to issuance of building permits	Department of Public Works	Department of Public Works		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
installing water fixtures that exceed applicable standards.					
4.C BIOLOGICAL RESOURCES					
<p>MM-BIO-1: Prior to the issuance of any grading permit for permanent impacts in the areas designated as jurisdictional features, the Project Applicant shall obtain a CWA Section 404 permit from the USACE, a CWA Section 401 permit from the RWQCB, and Streambed Alteration Agreement permit under Section 1602 of the California Fish and Game Code from the CDFW. The Project would impact: 1) 0.035 acres of federal wetland, 0.120 acres of USACE drainage, and an additional 0.089 acres of USACE concrete/grouted riprap for a total of 0.209 acres of USACE jurisdictional resources; and 2) 0.316 acres of CDFW drainage, and an additional 0.089 acres of CDFW concrete/grouted riprap for a total of 0.405 acres of CDFW jurisdictional resources. The following would be incorporated into the permitting, subject to approval by the regulatory agencies:</p> <ul style="list-style-type: none"> ▪ On- or off-site restoration or enhancement of USACE/RWQCB jurisdictional "waters of the U.S.," "waters of the State" and wetlands at a ratio no less than 1:1 for permanent impacts, and for temporary impacts, restore impact area to pre-Project 	Pre-construction Construction	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date Comments
<p>conditions (i.e., revegetate with native species, where appropriate). Off-site restoration or enhancement at a ratio no less than 1:1 may include the purchase of mitigation credits at an agency-approved off-site mitigation bank or in-lieu fee program within Los Angeles County.</p> <ul style="list-style-type: none"> On- or off-site restoration or enhancement of CDFW jurisdictional streambed and associated riparian habitat at a ratio no less than 1:1 for permanent impacts, and for temporary impacts, restore impact area to pre-project conditions (i.e., revegetate with native species, where appropriate). <p>Off-site restoration or enhancement at a ratio no less than 1:1 may include the purchase of mitigation credits at an agency-approved off-site mitigation bank or in-lieu fee program within Los Angeles County.</p>					
<p>MM-BIO-2: Prior to the issuance of any grading permit that would require removal of potential habitat for raptor or other bird nests, the Project Applicant shall demonstrate to the satisfaction of the County of Los Angeles that either of the following have been or will be accomplished:</p> <ul style="list-style-type: none"> Project activities (including, but not limited to, staging and disturbances to 	Pre-construction Construction	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<p>native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season which generally runs from February 1-August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86), and includes take of eggs or young resulting from disturbances which cause abandonment of active nests. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates is warranted.</p> <ul style="list-style-type: none"> ▪ If avoidance of the avian breeding season is not feasible, a qualified biologist with experience in conducting breeding bird surveys shall conduct weekly bird surveys beginning 30 days prior to the initiation of Project activities, to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 500 feet of the disturbance area. The surveys should continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of Project activities. If a protected native 					

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<p>bird is found, the Project Applicant shall delay all Project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, Project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate the inside boundary of the buffer of 300 feet (or 500 feet) between the Project activities and the nest. Project personnel, including all contractors working on Site, shall be instructed on the sensitivity of the area. The Project Applicant shall provide the Department of Regional Planning the results of the recommended protective measures described above to document compliance with applicable State and federal laws pertaining to the protection of native birds.</p> <ul style="list-style-type: none"> ▪ If the biological monitor determines that a narrower buffer between the Project activities and observed active 					

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<p>nests is warranted, he/she shall submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds' habituation to them; and the terrain, vegetation, and birds' lines of sight between the Project activities and the nest and foraging areas) to the Department of Regional Planning and, upon request, the CDFW. Based on the submitted information, the Department of Regional Planning (and the CDFW, if the CDFW requests) will determine whether to allow a narrower buffer.</p> <ul style="list-style-type: none"> The biological monitor shall be present on Site during all grubbing and clearing of vegetation to ensure that these activities remain within the Project footprint (i.e., outside the demarcated buffer) and that the flagging/stakes/fencing is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to Project activities. The biological monitor shall send weekly monitoring reports to the Department of Regional Planning during the grubbing and clearing of vegetation, and shall notify the Department of Regional Planning immediately if Project activities damage active avian nests. 					

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
4.D.1 ARCHAEOLOGICAL RESOURCES					
MM-ARCHAEO-1: The Applicant shall retain a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards to oversee an archaeological monitor who shall be present during construction excavations such as clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The frequency of monitoring shall be determined by the archaeological monitor based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (native versus fill or young versus old soils), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Excavations into the Puente/Monterey Formation are not required to be monitored by the archaeologist since these sediments are too old to contain archaeological resources. Full-time field observation can be reduced to part-time inspections or ceased entirely if determined adequate by the qualified archaeologist.	Prior to issuance of a grading permit	Department of Regional Planning	Department of Regional Planning		
MM-ARCHAEO-2: In the event that archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity	Construction	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<p>of the find so that the find can be evaluated. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by a qualified archaeologist. The developer shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources if they are determined to be potentially eligible for the California Register or potentially qualify as unique archaeological resources pursuant to CEQA. The treatment plan may include preservation in place (if feasible) and/or the implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. The developer, in consultation with the archaeologist and the County, shall designate repositories that meet State standards to curate the archaeological material recovered. Project material shall be curated in accordance with the State Historical Resources Commission's <i>Guidelines for Curation of Archaeological Collections</i>.</p>					

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<p>MM-ARCHAEO-3: The archaeological monitor shall prepare a final report at the conclusion of archaeological monitoring. The report shall be submitted by the Applicant or developer to the County, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures. The report shall include a description of resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register.</p>	Construction	Department of Regional Planning	Department of Regional Planning		
<p>MM-ARCHAEO-4: If human remains are encountered unexpectedly during implementation of the Project, State Health and Safety Code Section 7050.5 requires that no further disturbance occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). The MLD may, with the permission of the developer, inspect the site of the discovery of the Native American remains and may recommend means for treating or disposing with</p>	Construction	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<p>appropriate dignity, the human remains and any associated grave goods. The MLD shall complete inspection and make a recommendation within 48 hours of being granted access by the developer to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.</p> <p>Upon the discovery of the Native American remains, the developer shall ensure that the immediate vicinity where the Native American human remains are located, according to generally accepted cultural or archaeological standards or practices, are not damaged or disturbed by further development activity until the developer has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The developer shall discuss all reasonable options with the descendants regarding the descendants' preferences for treatment.</p> <p>Whenever the NAHC is unable to identify an MLD, or the MLD identified fails to make a recommendation, or the developer or the authorized representative rejects the recommendation of the descendants and the mediation provided for in</p>					

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
Subdivision (k) of PRC Section 5097.94, if invoked, fails to provide measures acceptable to the Applicant, the developer or the authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.					
4.D.2 PALEONTOLOGICAL RESOURCES					
MM-PALEO-1: A qualified paleontologist shall be retained to develop and implement a paleontological monitoring program for construction excavations that would encounter the Puente/Monterey Formation. The paleontologist shall attend a pre-grading/excavation meeting to discuss a paleontological monitoring program. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. The qualified paleontologist shall supervise a paleontological monitor who shall be present during construction excavations into Puente/Monterey Formation. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall	Prior to issuance of a grading permit	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
				Initial	Date	Comments
<p>be determined by the paleontologist and shall be based on the rate of excavation and grading activities, proximity to known paleontological resources or fossiliferous geologic formations, the materials being excavated (native sediments versus artificial fill), and the depth of excavation, and if found, the abundance and type of fossils encountered. Full-time field observation can be reduced to part-time inspections or ceased entirely if determined adequate by the qualified paleontologist.</p>						
<p>MM-PALEO-2: If a potential fossil is found, the paleontological monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage. A buffer area of at least 25 feet shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the paleontologist's discretion, and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing and/or removal. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are curated. Any fossils collected shall be curated at a</p>	Construction	Department of Regional Planning	Department of Regional Planning			

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<p>public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a private research institute or a local school in the area for educational purposes. Accompanying notes, maps, and photographs shall also be filed at the repository.</p>					
<p>MM-PALEO-3: The paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, as the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Project Applicant to the Lead Agency and the Natural History Museum of Los Angeles County, and other appropriate or concerned agencies to signify the satisfactory completion of the Project and required Mitigation Measures.</p>	Construction	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification		
				Initial	Date	Comments
4.F GREENHOUSE GAS EMISSIONS						
MM-GHG-1: To encourage carpooling and the use of electric vehicles by Project residents and visitors, the Applicant shall pre-wire, or install conduit and panel capacity for, electric vehicle charging stations in 20 percent of on-site parking spaces (a total of 54 of the proposed 271 spaces).	Prior to issuance of building permits	Department of Public Works	Department of Public Works			
4.I NOISE						
PDF-NOISE-1: The Project contractor(s) would equip all construction equipment, fixed and mobile, with properly operating and maintained noise mufflers, consistent with manufacturers' standards	Prior to issuance of a grading permit	Department of Regional Planning	Department of Regional Planning			
PDF-NOISE-2: As required by LACC, an acoustical analysis of the mechanical plans of the proposed buildings will be prepared by a qualified acoustical engineer, prior to issuance of building permits, to ensure that all mechanical equipment would be designed to meet noise limits in Table 4.1-7.	Pre-construction	Department of Regional Planning	Department of Regional Planning			
PDF-NOISE-3: As warranted based on ambient CNEL levels at the Project Site, an acoustical analysis of the architectural plans of the proposed hotel buildings will be prepared by a qualified acoustical engineer prior to issuance of building permits to ensure that the building	Pre-construction	Department of Regional Planning	Department of Regional Planning			

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<p>construction and design (i.e., exterior wall, window, and door) would include the required noise insulation features to demonstrate land use compatibility.</p> <p>MM-NOISE-1: A temporary noise barrier shall be used to block the line-of-sight between construction equipment and the Best Western Plus Executive Inn hotel to the south across Gale Avenue (Location R1) during Project construction. The noise barrier shall be at least 12 feet tall with noise blankets capable of achieving sound level reductions of at least 9 dBA and placed along the southern boundary of active Project construction sites to reduce construction noise at the hotel, and may be combined with security fencing.</p>	Prior to grading	Department of Regional Planning	Department of Regional Planning		
4.K TRANSPORTATION AND PARKING					
<p>PDF-TRAF-1: Prior to the issuance of grading permits, the Project Applicant, in coordination with LACDPW, will prepare a Construction Staging and Traffic Management Plan to be implemented during construction of the Project. The Construction Staging and Traffic Management Plan will identify all traffic control measures, signs, and delineators to be implemented by the construction contractor through the duration of construction activities associated with the Project. The Construction Staging and Traffic Management Plan will also</p>	Pre-construction Construction	Los Angeles Department of Transportation	Los Angeles Department of Transportation		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
consider construction traffic and associated construction traffic noise from nearby simultaneous construction activities and pedestrian safety related to school routes. The Construction Staging and Traffic Management Plan will be subject to final approval by LACDPW.					
PDF-TRAF-2: The Project Applicant will install a three-way traffic signal at the primary Project Site entrance and Gale Avenue (Intersection No. 7), to provide traffic control for westbound/eastbound Gale Avenue and the southbound ingress/egress Project driveway.	Prior to issuance of certificate of occupancy	Department of Public Works	Department of Public Works		
PDF-TRAF-3: The Commercial Center's maximum permitted occupancy load for all restaurant uses will never exceed 1,561 occupants (including both customer and staff), and total restaurant floor area will not be less than 40,113 square feet nor more than 47,000 square feet. Restaurant occupancy loads will be determined by the County Division of Building and Safety in accordance with the California Building Code in effect at the time when restaurant floor plans are submitted for Director's Review, as required by the Department of Regional Planning. Restaurant occupancy restrictions will be controlled through the Commercial Center Association's CC&R. The Commercial Center Association (as maintained by the property manager) will:	Post-occupancy	Department of Regional Planning	Department of Regional Planning		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<ul style="list-style-type: none"> - Keep records of each restaurant unit's maximum occupancy load; - Track the Commercial Center's total occupancy load; and - Have the authority to enforce each restaurant unit's maximum permitted occupancy load. - Prior to applying for Director's Review, each restaurant unit owner will obtain written authorization from the Commercial Center Association that confirms the occupancy load sought for permit complies with that unit's maximum permitted occupancy in accordance with the CC&R. Restaurant owners will be prohibited from applying for a permit that seeks an occupancy load in excess of what is allowed or building out a unit in excess of that unit's permitted maximum occupancy. - Once the Commercial Center Association has approved restaurant uses within the Commercial Center with a total of 1,561 occupants, no further restaurant uses may be approved by the Commercial Center Association. Occupant loads may be reallocated among restaurant unit owners with the prior approval of the Commercial Center Association (and such approvals from the County and Director's Review as are required by 					

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<p>the County), but under no circumstances will the total occupant load for all restaurant uses in the Commercial Center exceed 1,561 occupants.</p> <p>MM-TRAF-1: The Project Applicant shall pay a fair-share contribution LACDPW or the City of Industry, as appropriate, to implement the following physical improvements at two intersections that would be potentially significantly impacted by the Project under Future (2020) With Project Plus Cumulative Traffic conditions:</p> <ul style="list-style-type: none"> ▪ Intersection No. 1 (Fullerton Road/Gale Avenue): The Project Applicant shall coordinate with the City of Industry to arrange a fair-share contribution towards the construction of an additional westbound left-turn lane at this intersection. The fair-share contribution shall be made in accordance with Table 8, Project Fair Share Contributions, of the approved Rowland Heights Plaza Traffic Impact Analysis, which requires the Project Applicant to contribute 97.9 percent of the estimated City of Industry cost to implement this improvement. ▪ Intersection No. 3 (Fullerton Road & SR-60 Freeway Eastbound Ramps): The Project Applicant shall coordinate with LACDPW to arrange a fair-share 	<p>Prior to certificate of occupancy</p>	<p>Department of Public Works/City of Industry</p>	<p>Department of Public Works/City of Industry</p>		

Table 4-1 (Continued)
Mitigation Monitoring and Reporting Program

Mitigation Measure (MM) or Project Design Feature	Implementation Phase	Enforcement Agency	Monitoring Agency	Compliance Verification	
				Initial	Date
<p>contribution towards the construction of a northbound through travel lane at this intersection. The fair-share contribution shall be made in accordance with Table 8, <i>Project Fair Share Contributions</i>, of the approved Traffic Impact Analysis, which requires the Project Applicant to contribute 81.1 percent of the estimated LACDPW cost to implement this improvement.</p>					
4.L.2 WATER SUPPLY					
<p>PDF-WATER-1: The Project will use drought-tolerant and water efficient landscaping in accordance with the County's Green Building Standards and the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) Program, and will use low-flow fixtures (e.g. toilets, urinals, faucets, showerheads, etc.) and smart irrigation controls in accordance with the LEED® Program and Titles 20 and 24 of the CCR.</p>	Prior to issuance of building permits	Department of Regional Planning	Department of Regional Planning		
<p>PDF-WATER-2: Because existing recycled water pipelines are located in the Project vicinity, the Project Applicant will consult with the Rowland Water District regarding potential use of recycled water for Project Site landscape and irrigation as required by RWD's Mandatory Recycled Water Connection Policy (Ordinance No. 0-0-7-2005 as updated by Ordinance No. 0-9-2010).</p>	Operations	Rowland Water District	Rowland Water District		