

CITY OF MONTEBELLO
July 19, 2011

TO: Planning Commission
FROM: Planning Department
SUBJECT: Conditional Use Permit 6-10
LOCATION: 2134 Montebello Town Center Drive
APPLICANT: Dave Gayman (Family Festival Productions, Inc.)
CASE PLANNER: Lovell Williams, Assistant Planner

STAFF RECOMMENDATION: Acknowledge the Environmental Determination and specific findings to approve Conditional Use Permit 6-10 with the conditions in the Draft Resolution (Attachment 2).

**REQUESTED
ENTITLEMENT**

Conditional Use Permit – To allow the establishment of an outdoor farmer’s market within an existing parking lot of a regional commercial shopping center.

**ENVIRONMENTAL
DETERMINATION**

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 1 §15301 (Existing Facilities). This exemption applies to additions, expansions, or alterations involving negligible or no expansion of an existing use.

SITE CHARACTERISTICS

Site Location and Size

The regional commercial shopping center is located on the south side of Town Center Drive between Paramount Boulevard and Montebello Boulevard. The regional shopping center has a lot area of approximately 58 acres and is developed with 954,873 square feet of commercial buildings and 3,626 off-street parking spaces. The subject parking lot is located across Plaza Drive from the shopping center on the southeast corner of Montebello Boulevard and Plaza Drive. The subject parking lot contains approximately 544 off-street parking spaces.

Zoning

Subject Site	C-2-PD (General Commercial-Planned Development)
North:	Pomona Freeway (60)
South:	R-A-O (Residential Agricultural-Oil Production Overlay)
East:	City of Rosemead
West:	C-2-PD (General Commercial-Planned Development)

Land Use

Subject Site:	Retail Stores and Restaurants
North:	Pomona Freeway (60)
South:	Oil and Gas Production
East:	City of Rosemead
West:	Hospital

Previous Land Use Entitlements

Zone Change 2-84 - To change the existing zoning of R-A-O (Residential Agricultural-Oil Production Overlay) to C-2-PD (General Commercial-Planned Development. The entitlement was approved by the City Council with conditions on March 26, 1984.

Planned Development 2-84 - To allow the development of a regional shopping center and signage for the mall. The entitlement was approved by the City Council with conditions on March 26, 1984.

Tentative Parcel Map No. 16098 - To allow the subdivision of one existing parcel into four parcels. The entitlement was approved by the City Council with conditions on March 26, 1984.

Conditional Use Permit 9-06 - To allow the establishment of on/off-site alcohol sales (beer, wine and distilled spirits) for on/off-site consumption in conjunction with a proposed restaurant operation (BJ's Restaurant & Brewhouse). The entitlement was approved by the Planning Commission with conditions on December 5, 2006.

Planned Sign Program 2-09 - To establish comprehensive sign guidelines for exterior signage. The entitlement was approved by the Planning Commission with conditions on October 20, 2009.

Lot Line Adjustment 1-10 - To adjust the property lines for two parcels within an existing regional shopping center. The entitlement was approved by the Planning Commission with conditions on April 6, 2010.

Application Submitted: October 12, 2010
Application Deemed Complete: May 26, 2011

PROJECT DESCRIPTION

The applicant, Family Festival Productions, Inc, is requesting a Conditional Use Permit to establish of an outdoor farmer's market within an existing parking lot of a regional commercial shopping center located in the C-2-PD zoning district.

ANALYSIS

The applicant is proposing to establish an outdoor farmer's market within an existing 4.57 acre parking lot located on the southeast corner of Montebello Boulevard and Plaza Drive. The subject parking lot is an overflow parking lot for the Shops At Montebello and is located across Plaza Drive from the shopping center. The parking lot contains approximately 544 parking spaces. The proposal consist of 25 (10' x 10') certified farmer's booths that will sell a variety of fruits, vegetables and assorted baked goods; 40 (10' x 10') merchandise vendor's booths that will sell a variety of handmade clothing, jewelry, purses, leather goods, and other assorted boutique items; a food court area, live entertainment, four large inflatable kids' bouncers and trackless train; portable sinks, refrigeration, toilets, and other related accessory equipment for the festival. A Conditional Use Permit is required to establish an outdoor farmer's market in the C-2 (General Commercial) zone.

The food court area consists of approximately 3,300 square feet and will offer a variety of meals, deserts, and alcoholic beverages, 25 dining tables, 150 seats, and an entertainment area for live entertainment. Live entertainment will be provided north of the food court area. Entertainment will include family oriented musical performances with both amplified and acoustic performances. The sound levels from the entertainment will be checked and maintained throughout the event to prevent and potential negative impacts to the surrounding area.

Emergency fire lane access will be provided along the north side of the parking lot adjacent to Montebello Boulevard. The event entrance for the general public is located on the northeast entrance of the parking lot. The northwest entrance of the parking lot will only be accessible to event vendors and emergency vehicles. In addition, the northwest entrance will be closed during the event with a wood barricade and event vehicles. A minimum of two or more security guards are proposed during the event. However, the Montebello Police Department and Code Enforcement Division is requiring the applicant to provide a minimum of three security guards (mall security counts) on the premises to patrol the set-up, the event, and the breakdown of the use. Additionally, mall security will be patrolling the parking lot areas throughout the hours the event is operating. The outdoor farmer's market is proposed to operate on an annual basis on Saturdays from March to November. The applicant will begin setting up the event between 3:00 pm to 5:00pm. The market will be open to the public at 5:00 pm and close at 9:00 pm. The teardown and clean-up of the parking lot is from 9:00 pm to 11:30 pm. There will be no farmer's market activity on site during December through February.

Conditional Use Permit - Outdoor Farmer's Market. The purpose of a Conditional Use Permit is to allow the comprehensive review of sensitive uses and to ensure the proper integration of these uses into the community. These uses may only be suitable in specific locations, and only if such land uses are designed or constructed in a particular manner on a site that are consistent with the

required findings for a Conditional Use Permit outlined in Section 17.70.070 of the Montebello Municipal Code (MMC). Conditional Use Permit review allows the opportunity to address any specific issues related to the proposal and to prevent or mitigate any adverse impacts to the surrounding area.

The findings that must be made to approve a Conditional Use Permit request must substantiate that the site is adequate in size and shape for the use, that it has sufficient access to streets and highways, that the proposed use will not adversely affect the area, that the proposal is consistent with the City's General Plan, and consistent with the objectives of the community redevelopment project area in which the site is located. In relating the required findings to this proposal, it is staff's assessment that the use of a 4.56 acre parking lot for an outdoor farmer's market within a 58 acre regional commercial shopping center (Shops At Montebello) is adequate in size and shape to accommodate the proposed use in that the proposed commercial use is compatible with the existing uses on the site and the surrounding commercial area. The proposed outdoor farmer's market is proposed on an overflow parking lot and will not create any significant adverse impacts to the surrounding area since off-street parking is sufficient and provided on the shopping center site. In addition, the proposed use will not operate during the months of December, January and February when the parking demand for the shopping center is at its greatest and the overflow parking will be used for its intended holiday use. Furthermore, the hours of operation are within hours that will not cause any nuisance or disturbance to surrounding properties as there are no residential developments in the immediate vicinity.

Sufficient access is provided to the streets and highways in that the site is located within an existing commercial shopping center in a commercial area of the City that is accessible by the 60 freeway, Paramount Boulevard, and Montebello Boulevard, and is capable of accommodating the proposed use. Since there is no increase in building square footage, there will be no visual impact as a result of this project and it will not adversely affect the surrounding areas. The subject site is located in the Montebello Hills Redevelopment Project Area and the proposal encourages the establishment of a new business and will not hinder any redevelopment efforts for the project area. In addition, the proposal is consistent with the Land Use Element policy of the General Plan to allow a commercial development in the City that is sited in an appropriate location according to need.

Off-Street Parking Requirements. According to the Off-Street Parking requirements of the Zoning Code, there is no parking requirement for an outdoor farmer's market use. However, Code requires that the regional commercial shopping center provides 2,475 off-street parking spaces. The shopping center currently provides a total of 3,626 off-street parking spaces with 544 of the parking spaces located in the overflow parking lot. The applicant is proposing to dedicate 184 off-street parking spaces for the proposed use. It is staff's assessment that the number of off-street parking spaces provided by the applicant is adequate for the proposed use. Additionally, ample parking is still provided across Plaza drive in the shopping center parking lot. The applicant shall adhere to the operations plan as approved by the Planning Commission. Any proposed changes to the operation that would intensify the use shall be subject to review by the Planning Commission.

DEPARTMENTAL COMMENTS

The proposal was reviewed by several City departments. The Montebello Police Department and Code Enforcement Division reviewed the proposal to determine if the proposed use would generate an inordinate amount of calls for service thereby impacting police resources and reducing the quality of life in the area. It was determined the proposed operation of the outdoor farmer's market is not expected to be a detriment to the public health, safety, or the general welfare of the nearby commercial uses because the establishment will be required to operate according to the conditions of approval established by the City. The City is requiring the applicant to provide a minimum of three security guards on the premises to patrol the set-up, the event, and the breakdown of the use in accordance with the Conditions of Approval. The Conditions of Approval have been developed to ensure that any change of operation would be subject to a modification of the Conditional Use Permit with a public hearing before the Planning Commission.

The Building and Safety Division is requiring the applicant to provide ADA seating within the food court area.

As required by the MMC, all the adjacent property owners within a 300-foot radius were notified of this proposal. As of July 14, 2011, staff has not received written letters or phone calls of opposition to this proposal.

SUMMARY/CONCLUSION

The applicant has submitted a Conditional Use Permit application to establish an outdoor farmer's market within an existing 4.56 acre parking lot of a regional commercial shopping center. The proposal consist of 25 certified farmer's booths, 40 merchandise vendor's booths, a food court area, a kids play area, live entertainment, portable sinks, refrigeration, toilets and other related festival equipment.

The granting of the Conditional Use Permit would not cause an adverse effect upon the adjacent or abutting properties because the proposed use is compatible with the surrounding commercial area and adequate off-street parking is provided on the subject site. The proposal is within an overflow parking lot on an existing shopping center site, which can accommodate the proposed use. As such, the subject site is adequate in size and shape to accommodate the proposed use. Additionally, the site has sufficient access to streets and highways with its proximity to the 60 freeway, Montebello Boulevard, and Paramount Boulevard. The Montebello Police Department and Code Enforcement Division have reviewed the proposal and provided conditions of approval to address any issues related to public health, safety, and the general welfare of the nearby commercial uses. Therefore, the proposed farmer's market is not expected to be the cause of an increase in crime within this area. The proposed use will not adversely affect the surrounding area and it is consistent with the City's General Plan in that the commercial development is sited in an appropriate location according to need. The proposed use will not hinder redevelopment efforts and will promote the establishment of a new business and will avoid leaving an existing commercial space vacant. Therefore, the findings required for granting approval of Conditional Use Permit can be made for this proposal, and staff recommends that the Planning Commission approve Conditional Use Permit 6-10 subject to the conditions of approval contained in the Draft Resolution.

RECOMMENDATION

Pending public testimony and Planning Commission input:

1. Find that the project as proposed is exempt from the California Environmental Quality Act guidelines under Class 1(a), Section 15301, and approve the Notice of Exemption;
2. Approve the findings listed in the attached Draft Resolution; and
3. Approve Conditional Use Permit 6-10, subject to the Conditions of Approval as contained in the Draft Resolution.

ATTACHMENTS / EXHIBITS

1. Exhibit "A" – Development Plans (under separate cover)
2. Draft Resolution (PC 11-11)
3. Location Map
4. Environmental Document – Notice of Exemption

RESOLUTION NO. PC 11-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR THE ESTABLISHMENT OF AN OUTDOOR FARMER'S MARKET.

Case No: Conditional Use Permit 6-10
Applicant: Dave Gayman (Family Festival Productions, Inc.)
Location: 2134 Montebello Town Center Drive

THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the Planning Commission of the City of Montebello does find, determine, and declare as follows:

1. That the application was made by Family Festival Productions, Inc. requesting approval to allow the establishment of an outdoor farmer's market at 2134 North Montebello Town Center Drive (Subject Site);
2. That the Planning Commission conducted a duly noticed public hearing upon said application on July 19, 2011, and, based on evidence presented in the staff report, the Planning Commission's file, each of the members of the Planning Commission being familiar with the subject site, has determined that the findings required for the approval of Conditional Use Permit 6-10 are adequate, and the Conditional Use Permit can be granted subject to the conditions of approval hereinafter set forth.

SECTION 2. Based on the entire record before the Planning Commission and all written and oral evidence presented, the Planning Commission finds that the proposed project complies with the California Environmental Quality Act (CEQA) and hereby adopts the Notice of Exemption for the following reasons:

1. This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 1, Class 1 §15301 (Existing Facilities). This exemption applies to the additions, expansions, or alterations involving negligible or no expansion of an existing use.

SECTION 3. That the following findings are hereby adopted as the Findings of the Planning Commission:

1. *The site for the proposed outdoor farmer's market is adequate in size and shape in that the use proposed is within a 4.56 acre overflow parking lot for a 58 acre regional commercial shopping center. There are no changes to the site and the proposed use is consistent with the Zoning Code. The proposal will not create any significant adverse impacts to the surrounding area since off-street parking is sufficient and provided on the shopping center site. In addition, the proposed use will not operate during the months of December, January and February when the parking demand for the shopping center is at its greatest and the overflow parking will be used for its intended holiday use. As such, the subject site is adequate in size and shape to accommodate the proposed use within a commercial area with the required off-street parking provided on the subject site.*
2. *The site has sufficient access to streets and highways, and is adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use. Specifically, the site is located off the 60 freeway between Paramount Boulevard and Montebello Boulevard. The proposed use did not require the preparation of a Traffic Study and is not expected to generate a significant amount of traffic. The event is held from 5:00 pm to 9:00 pm on Saturdays from March to November. Montebello Boulevard, Paramount Boulevard and the 60 Freeway are adequate in width to accommodate the quantity and quality of traffic generated by the use without any significant impacts to the street system.*
3. *The proposed use will not have an adverse effect upon adjacent or abutting properties. The proposed use is located within an existing commercial shopping*

center along major corridors and is compatible with the surrounding commercial area. Additionally, the conditions of approval will limit the size and number of vendors at the subject site at any given time and the days and hours of operation, which will mitigate any adverse impacts to adjacent or abutting properties.

4. *The location of the conditional use and the conditions under which it would be operated or maintained will be consistent with the General Plan.* It is a policy of the Land Use Element of the General Plan to allow a commercial development in the City that is sited in an appropriate location according to need. In this case, the proposed use is located in a commercial center that is compatible with the surrounding commercial area. The applicant is proposing an outdoor farmer's market adjacent to other commercial uses, and the farmer's market will be able to provide quality services to all residents within the City of Montebello.
5. *That the proposed use is consistent with the objectives of the community redevelopment project area in which the site is located.* The approval of the proposed outdoor farmer's market will encourage the establishment of a new business and will not hinder redevelopment efforts within the Montebello Hills Redevelopment Project area.

SECTION 4. That the Planning Commission approves Conditional Use Permit 6-10 subject to the following conditions of approval:

1. The development and utilization of the subject site shall substantially conform to the site plan labeled Planning Commission Exhibit "A" dated July 19, 2011 including the uses as shown, except as provided for herein, and by subsequent revisions found by the Planning Manager to be in substantial compliance with these provisions.
2. Development of the site shall be consistent with all of the provisions of the Montebello Municipal Code (MMC) and the specifications of the Planning Division, including but not limited to:
 - a. The Planning Manager, at any time, can call for a review of the approved conditions at a duly noticed public hearing. These conditions may be modified or new conditions may be added.
 - b. Any substantial change, expansion, intensification, or modification to the proposed site plan, use, or mode of operations shall be subject to the review and approval of a Modification to the Conditional Use Permit 6-10 by the Planning Commission at a noticed public hearing.
 - c. The hours of operation for the outdoor farmer's market are on Saturdays only from 3:00 pm to 11:30 pm. Set-up time will be between 3:00 pm to 5:00pm. The market will be open to the public at 5:00 pm and close at 9:00 pm. The tear down and clean-up of the parking lot is from 9:00 pm to 11:30 pm. The outdoor farmer's market will operate on an annual basis from March to November and closed during December through February. Any change to the hours of operation shall be subject to a modification to the existing Conditional Use Permit.
 - d. Vendors for the Outdoor Farmer's Market shall not arrive to the event area prior to the set up time at 3:00 pm.
 - e. The event shall not begin before 5:00 pm and shall end at 9:00 pm every Saturday when in operation.
 - f. To ensure the safety of patrons at the event, tear down shall not begin before the close of the event. Further, event contractor shall use orange cones in areas that may be hazardous during the tear down.
 - g. The use shall comply with all applicable provisions of the noise regulations of the City's Municipal Code.
 - h. At any given time, the maximum number of vendors at the subject site shall not exceed 67 vendors. Increasing the maximum number of vendors shall be subject to a modification to the existing Conditional Use Permit.

- i. The premises shall be kept clean and the operator of the establishment shall insure that no trash or litter originating from the site is deposited outside the subject site, onto neighboring properties, or onto the public right-of-way.
- j. All temporary signage for the event shall be subject to administrative approval by the Planning Division.
- k. A copy of the approved Resolution shall be incorporated into all plans submitted for plan check.
- l. This approval shall not supersede the approval of any other responsible agencies. The applicant shall comply with all Federal, State, and local laws.
- m. The applicant / organizer and shopping center management are responsible for ensuring all businesses within the regional shopping center are notified of the event by going door-to-door and obtaining signatures from a store employee acknowledging receipt of notice. Merchants shall be notified of the duration, time, parking lot closures and posted "no parking" times a minimum of three days before the start of the event season.
- n. The applicant is responsible for providing the required closure barricades.
- o. The applicant shall ensure that the subject parking lot is free of trash and debris by 11:30 p.m. the night of the event.
- p. Comprehensive steam cleaning of the event area shall occur a minimum of once per month. Steam cleaning can occur in one-fourth segments each week.
- q. Parking lot cleaning will also include steam cleaning of the food court area in addition to the one-fourth segment. During the event, the applicant / organizer shall ensure the contractor is cleaning the food court area a minimum of twice per night and conducting spot cleaning, as necessary.
- r. The applicant / organizer and shopping center management shall ensure that the event area is free from any grease generated from the food uses at the event. If grease is left within the parking lot of the subject site, the applicant shall ensure the area is cleaned by 11:30 pm the night of the event.
- s. The applicant / organizer and shopping center management shall refer all potential vendors directly to the City's Business License Office to pay for and obtain a business license before participating in the event. No vendors shall set up or participate in the event without a City of Montebello Business License.
- t. The applicant / organizer shall ensure that all vendors visibly display a valid City of Montebello Business License in the booth.
- u. If a vendor does not possess a valid Business License Certificate before the start of the event, the vendor must show a receipt as proof that a license has been paid for and obtained.
- v. The applicant / organizer and shopping center management shall ensure that the operator provides the Business License Office with a list of vendors in attendance by Monday morning before the event.
- w. Vendors who are existing City of Montebello businesses must have a copy (photocopy is acceptable) of their current Business License visibly displayed at the event.
- x. The Planning Commission may review this event periodically and make appropriate changes to the permit as necessary.
- y. The applicant / organizer will be responsible for all expenses related to the event.

- z. The applicant shall submit a Certificate of Insurance and Endorsement Sheet naming the City of Montebello as additionally insured a minimum of three days before the start of the first Outdoor Farmer's Market.
- 3. The development and utilization of the site shall comply with all the provisions of the Montebello Municipal Code and the City adopted versions of the Uniform Building Code, including but not limited to the following:
 - a. The applicant shall provide ADA seating with the food court area.
 - b. Electrical cords and water hoses used throughout the event area shall be appropriately covered and secured.
- 4. The following on-site requirements shall comply with the security provisions of the Montebello Municipal Code and/or the specifications of the Police Department and Code Enforcement Division:
 - a. The applicant / organizer shall submit a security plan to the Montebello Police Department for review and approval by August 1, 2011. The PD will support the use of security from a private firm that is licensed and insured. Said plan shall at minimum include the number of security personnel, description of uniform and identification information, contact person(s) during the event and phone number and protocols for responding to potential incidents.
 - b. There shall be a minimum of three licensed, bonded uniformed security guards on the premises at all times during the operation of the event. This number can be from a private security company, licensed to do business in Montebello; mall security, or; any combination thereof.
 - c. All contracted officers shall wear uniforms which clearly identify them as security. Hired security shall work a minimum of 90 minutes past the close of the event due to the large crowds that may remain in the area.
 - d. The Police Department will monitor the event and make changes to the Security Plan as appropriate.
 - e. The Police Department will routinely monitor the calls for service, crowd size, and security presence to determine public safety needs. Such determination may require additional security or added police presence at the expense of the applicant and organizer.
 - f. Mall security shall monitor the crosswalk after dusk to help ensure pedestrian safety.
 - g. Clearly visible signs shall be placed around the curve area (as approved by the Police Department and/or Sheriff's Department) notifying drivers of the pedestrian crossing ahead.
 - h. All vendors, including, but not limited to: farmer's market; merchandise; prepared food; suppliers of equipment, and/or; services supplied at the market or to the market shall be licensed to do business in the City of Montebello.
 - i. Lists of all of the above shall be provided to Code Enforcement a minimum of one week prior to each event.
 - j. No alcohol shall be served or consumed at the event.
 - k. Each event will have the required Health Permits and any other permits required. Restaurant vendors must adhere to Health Department restrictions.
 - l. No adult material may be displayed or sold at the event. The Police Department and/or Code Enforcement Supervisor shall make the determination as to what constitutes adult material.

- m. All live entertainment shall be approved by the Police Department a minimum of two weeks before the event. The Police Department may require extra security measures, at the expense of the applicant, any time they feel that it would be in the best interest of public safety.
 - n. A permanent reflective metal (or other approved material) gate shall be installed at the north entrance to the lot prior to the March 2012. The gate shall be constructed to prevent vehicles from driving through. The gate shall be approved by the following prior to installation: Police Department, Planning Department, Building and Safety, and the Fire Department.
 - o. The event shall be open to inspection to all law enforcement personnel, including but not limited to: health inspectors; code enforcement; fire personnel and; police upon request.
 - p. Should an inspection determine that there are unpermitted and/or unlicensed vendors, the organizer will be cited by the City of Montebello, in addition to any citations issued directly to vendors, and be liable for all fines.
 - q. The on-duty Police Watch Commander, on-duty Battalion Chief, Fire Marshal, and/or Code Enforcement Supervisor shall have the power to close down the event if he/she finds the permittee has violated any condition of this permit; provision of this code or other applicable laws or; if he/she deems the event to be a risk to public safety, peace or morals.
5. The development and utilization of the site shall comply with all the provisions of the Montebello Municipal Code and/or the specifications of the Engineering Division, including but not limited to:
- a. The applicant / organizer shall utilize Best Management Practices to mitigate illicit discharges into the street and storm drains systems during cleaning of parking lot, sidewalks and streets in accordance with the Los Angeles County Municipal Storm Water National Pollutant Discharge Elimination System Permit requirements.
6. The development and utilization of the site shall comply with all the provisions of the Uniform Fire Code as well as additional requirements from the Fire Department.

SECTION 5. FINALLY RESOLVED, that the Secretary be instructed to forward a copy of this Resolution to the applicant for his attention, and that the Secretary shall advise the applicant that this decision, or any part of it, may be appealed to the City Council by the applicant, opponent, or the City Council on its own motion, in the manner specified in Section 17.78.070 of the Montebello Municipal Code.

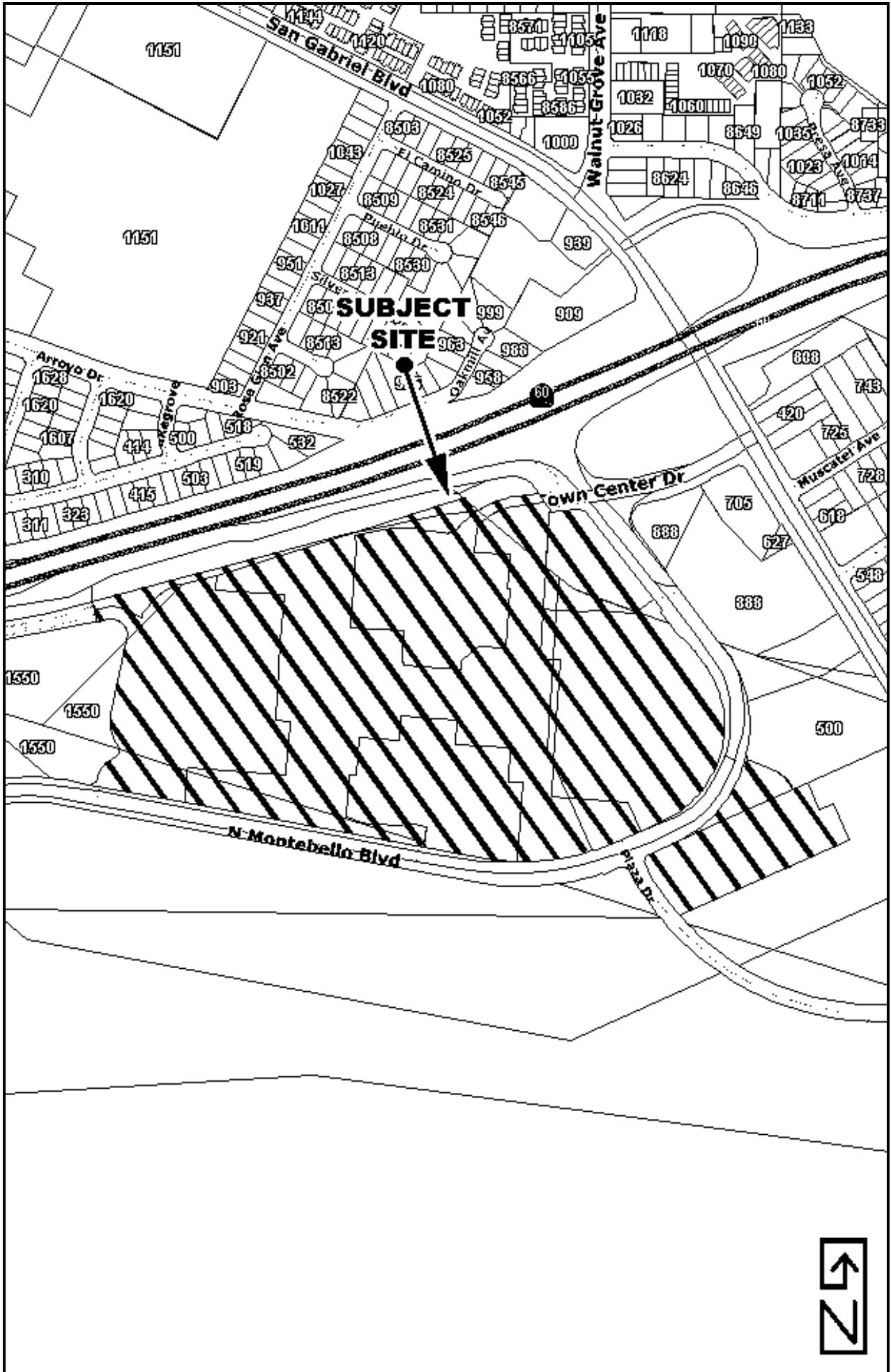
Murad Minassian, Chairman

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of Montebello at a regular meeting held on Tuesday, June 19, 2011, and carried by the following vote:

- AYES: Commissioners:
- NOES: Commissioners:
- ABSENT: Commissioner:
- ABSTAIN: Commissioners:

Ariel Socarras, Planning Manager and
Secretary to the Planning Commission

CITY OF MONTEBELLO
Conditional Use Permit 6-10
2134 Montebello Town Center Drive



Location Map

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION

TO: _____ Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

FROM: City of Montebello
1600 W. Beverly Blvd.
Montebello, CA 90640

X County Clerk
County of Los Angeles

Project Title

Conditional Use Permit 6-10

Project Location – Specific

2134 Montebello Town Center Drive

Project Location - City

Montebello

Project Location – County

Los Angeles

Description of nature, purpose and beneficiaries of project

The applicant, Dave Gaymen, has submitted a Conditional Use Permit application to allow the operation of an outdoor farmer's market within an existing parking lot of a regional commercial shopping center located in the C-2-PD (General Commercial-Planned Development) zoning district.

Name of public agency approving project:

City of Montebello

Name of person or agency carrying out project:

Dave Gayman (Family Festival Productions, Inc.)

Exempt Status (check one)

- Ministerial – Section 15268
 Declared Emergency – Section 15269(a)
 Emergency Project – Section 15269(b) and (c)
 Categorical Exemption – Class 1, Section 15301

Reasons why project is exempt:

California Code of Regulations (CCR) Section 15301, categorically exempts under Class 1, Existing Facilities. A Class 1 exemption specifically relates to the operation of an existing public or private structure involving negligible or no expansion of the existing use. In this case, the proposed outdoor farmer's market use would be located within an existing parking lot of a regional commercial shopping center.

Lovell Williams

Planner

(323) 887-1477

Contact Person

Title

Telephone Number

Determination of Exemption made on: June 9, 2011

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project?
Yes X No _____

Signature

Date Received for Filing: June 9, 2011