Regular Planning Commission Meeting City Council Chambers 18747 Clarkdale Avenue Artesia, CA 90701 (562) 865-6262

## Tuesday, February 18, 2025 7:00 p.m.

## 1. CALL TO ORDER

## 2. PLEDGE OF ALLEGIANCE

## 3. ROLL CALL

## 4. PUBLIC COMMENTS

This is the portion of the meeting set aside to invite public comments regarding any matter within the subject matter jurisdiction of the Planning commission. Public comments may also be submitted by email at publiccomments@cityofartesia.us before 12:00 p.m. on the date of the meeting. Public comments are limited to no more than three minutes each. If comments relate to a specific agenda item, those comments will be taken following the staff report for that item and prior to the Planning Commission vote. Under the provisions of the Brown Act, the Planning Commission is prohibited from taking action on items that are not listed on the agenda, but may refer the matter to staff or to a subsequent meeting. Those wishing to speak are asked to add your information at the digital public kiosk located at the entrance of the Council Chamber.

#### 5. CONSENT CALENDAR

## 5A. Planning Commission Meeting Minutes

 Recommended Action: Approve Minutes as Presented for January 21, 2025 - Regular Meeting.

#### 6. NEW BUSINESS - NON-PUBLIC HEARING

6A. Case No. 2024-38: Amending the Artesia Municipal Code Relating to Vacant Properties Code Amendment

— Recommended Action: Adopt PC Resolution No. 2025-02P, Recommending That the City Council Adopt an Ordinance Amending Chapter 24 (Vacant Buildings and Foreclosed Properties) of Title 5 (Public Welfare) of the Artesia Municipal Code Relating to the Maintenance of Vacant Properties; and

— Find That the Adoption of the Proposed Ordinance Is Not Subject to the California Environmental Quality Act ("CEQA") Pursuant to State CEQA Guidelines Section 15061(B)(3) as It Can Be Seen with Certainty That There Is No Possibility That the Activity in Question May Have a Significant Effect on the Environment.

#### 7. NEW BUSINESS - PUBLIC HEARING

7A. Case No. 2024-32: Design Review for Exterior Building and Site Improvements at 18725 Pioneer Boulevard (Joyalukkas Jewelers)

— Recommended Action: Adopt Resolution 2025-03P: A Resolution of the Planning Commission of the City of Artesia, Approving a Design Review to Modify the Exterior of an Existing One Story Commercial Building and Make Other Changes to Parking and Landscaping Located at 18725 Pioneer Boulevard within the Commercial General Zoning District (Case No. 2024-32); and

— Find That the Proposed Project Is Exempt from the Requirements of the California Environmental Quality Act ("CEQA"), Pursuant to Class 3, Categorical Exemption from CEQA Pursuant to Section 15303 of the CEQA Guidelines.

## 8. DISCUSSION / REPORT ITEMS FROM STAFF - NONE

## 9. COMMUNITY DEVELOPMENT DIRECTOR UPDATES

#### **10. COMMISSIONER COMMENTS**

#### 11. ADJOURNMENT

The City of Artesia complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the City Clerk's office at 562-865-6262 at least 72 hours prior to the meeting. Copies of Staff Reports are on file in the Office of the City Clerk and are available for inspection.

Date Posted: February 13, 2025

# **CITY COUNCIL AGENDA REPORT**



MEETING DATE: February 18, 2025

ITEM NO: 5A.

TO: Honorable Chairperson and Members of the Planning Commission

SUBJECT: Planning Commission Meeting Minutes

FROM: Art Bashmakian, Acting Planning Manager

## **REVIEWED AND APPROVED BY:**

Sal Lopez, Interim Community Development Director Abel Avalos, City Manager

#### **RECOMMENDATION:**

It is recommended that the Planning Commission approve minutes as presented for the following meeting(s): January 21, 2025 - Regular Meeting

## BACKGROUND:

The attached action minutes serve as the official record of the City Council meetings, recording the legislative body's decisions, recorded in its motions, actions, and votes, as mandated by Government Code 36814 and 40801.

#### FISCAL IMPACT:

There is no fiscal impact associated with approval of this item.

#### **Attachments**

PC MINUTES 1-21-25.pdf

## Artesia Planning Commission Special Meeting Council Chambers, 18747 Clarkdale Avenue, Artesia, California Tuesday, January 21, 2025, 7:00 p.m.

## 1. CALL TO ORDER

Vice Chair Diaz called the meeting to order at 7:03 PM.

## 2. PLEDGE OF ALLEGIANCE

Commissioner Barcelos led the pledge of allegiance.

## 3. ROLL CALL

Present: Vice Chair Michelle Diaz, Commissioner Paul Barcelos, Commissioner Chirag Patel

Absent: Chair Victor Manalo; the Commission has a vacant seat.

Staff Present: City Manager Avalos, Acting Planning Manager Bashmakian, City Clerk Alderete, Assistant Planner Estrada

## 4. PUBLIC COMMENTS:

Public Comments Public comments could be provided, in person or submitted by email to publiccomments@cityofartesia.us on the date of the meeting. No public comments were provided.

## 5. COMMUNITY DEVELOPMENT DIRECTOR UPDATES

City Manager Avalos to provide updates.

## 6. CONSENT CALENDAR - NONE

## 7. NEW BUSINESS - NON-PUBLIC HEARING - NONE

## 8. NEW BUSINESS – PUBLIC HEARING

8A. Case No. 2024-34: Amending the Artesia Municipal Code Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units

Recommended Action: Adopt Planning Resolution No. 2025-01P, recommending that the City Council Adopt an Ordinance Amending Title 9, Chapter 2, Article 45 of the Artesia Municipal Code Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units to Comply with Recent Changes in State Law, and Finding the Action to Be Statutorily Exempt from CEQA under Public Resources Code § 21080.17.

Acting Planning Manager Bashmakian provided the staff report. Vice Chair Diaz opened public comments. Councilmember Zeel Ahir provided comments regarding ADU parking concerns in streets. Commissioner Barcelos moved, seconded by Vice Chair Diaz, to close the public hearing. The Commission asked questions and/or provided comments on the following topics:

• ADUs and high-density housing

• Opportunities to utilize parking lots on commercial properties for residential uses during times when businesses are closed

Commissioner Barcelos moved, seconded by Vice Chair Diaz, to approve agenda item 8A, as recommended.

Motion Carried, 3-0-1-0 with Chair Manalo absent.

8B. Case No. 2024-38: Amending the Artesia Municipal Code Relating to Vacant Properties Code Amendment

Recommended Action: Adopt PC Resolution 2025-02P, Recommending that the City Council Adopt an Ordinance Amending Chapter 24 (Vacant Buildings and Foreclosed Properties) of Title 5 (Public Welfare) of the Artesia Municipal Code Relating to the Maintenance of Vacant Properties; and find that the adoption of the proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Acting Planning Manager Bashmakian provided the staff report. Vice Chair Diaz opened public comments. Councilmember Zeel Ahir provided comments recommending potential uses such for the vacant lots. Commissioner Barcelos moved, seconded by Vice Chair Diaz, to close the public hearing. The Commission expressed support for the proposed amendment, asked questions on the following topics, and requested staff bring the item back to the commission:

- The administration and enforcement method regarding the Mitigation Plan
- Graffiti removal on fences surrounding vacant properties
- Opportunities for temporary uses, such as community gardens, on vacant properties that remain vacant five years or more
- The timing of when property owners of vacant lots, that were never developed and when they submit landscape and irrigation plans
- Clarify the time period provided to property owners to remedy violations

Commissioner Barcelos moved, seconded by Vice Chair Diaz, to continue item 8B, to a date uncertain.

Motion Carried, 3-0-1-0 with Chair Manalo absent.

## 9. DISCUSSION / REPORT ITEMS FROM STAFF - NONE

## **10. COMMISSIONER COMMENTS**

Commissioner Barcelos requested the status of various development projects; staff provided updates.

## 11. ADJOURNMENT:

Vice Chair Diaz adjourned the meeting at 8:10 pm.

## PLANNING COMMISSION AGENDA REPORT



MEETING DATE: February 18, 2025

ITEM NO: 6A.

- TO: Honorable Chairperson and Members of the Planning Commission
- **SUBJECT:** Case No. 2024-38: Amending the Artesia Municipal Code Relating to Vacant Properties Code Amendment

FROM: Bill Rodrigues, Acting Planning Manager

#### **REVIEWED AND APPROVED BY:**

Sal Lopez, Interim Community Development Director Nick Papajohn, Deputy City Attorney Abel Avalos, City Manager

#### **RECOMMENDATION:**

- Adopt PC Resolution 2025-02P, Recommending that the City Council Adopt an Ordinance Amending Chapter 24 (Vacant Buildings and Foreclosed Properties) of Title 5 (Public Welfare) of the Artesia Municipal Code Relating to the Maintenance of Vacant Properties; and
- 2. Find that the adoption of the proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

#### **BACKGROUND:**

The City Council has declared that vacant properties are a significant source of blight in both residential and nonresidential neighborhoods. When left vacant and neglected, these properties not only detract from the appearance of surrounding areas but also pose serious safety risks, such as fire hazards and attracting criminal activity, particularly illegal drug-related offenses.

Properties that remain unoccupied, whether they are vacant lots or decaying buildings, contribute to the further deterioration of the neighborhood. These properties can depress property values, hinder economic development, and slow appreciation of nearby properties, which ultimately impacts tax revenues. In addition, the neglect of such properties requires increased municipal services, which strains local resources. The unsafe and unhealthy conditions they create significantly affect the well-being of nearby residents and businesses, interfering with their use and enjoyment of their properties and constituting a public nuisance.

On August 28, 2024, the Commission instructed staff to amend Chapter 24 (Vacant Buildings and Foreclosed Properties) of Title 5 (Public Welfare) of the Artesia Municipal Code concerning the maintenance of vacant properties. The amendments are intended to make the provisions more comprehensive, expand coverage to include vacant lots, and align the City's Municipal Code more closely with the standards set by the cities of Bellflower, Norwalk, and Downey.

On January 21, 2025, this item appeared before the Planning Commission for approval. The item was continued to provide staff the opportunity to respond to Commissioner questions, responses of which can be found below in the analysis.

## ANALYSIS:

Staff has followed the guidance and recommendations provided by the Commission and conducted a review of the Municipal Codes of Bellflower, Norwalk, and Downey regarding vacant or improved vacant lots and properties. Based on this review, staff recommend several changes to enhance the regulations, ensuring that vacant properties within the City are effectively managed and potential challenges are mitigated.

The proposed amendments to the ordinance introduce several significant updates aimed at strengthening the maintenance, security, and overall management of vacant properties. These revisions are designed to address issues related to public safety, property upkeep, and the prevention of blight, ensuring that vacant properties do not negatively impact the surrounding community.

Key changes include:

- Security Measures: The ordinance now includes provisions to secure properties, such as repairing fences, locking gates, and securing openings like doors and windows to prevent unauthorized access.
- Landscape and Irrigation Requirements: Property owners must submit a landscape and irrigation plan for vacant lots that includes drought-tolerant vegetation and an automatic irrigation system. These plans must be approved by the Community Development Director, and the landscaping must be maintained in good condition at all times. Additionally, vacant properties must have landscaping around all perimeters adjacent to public rights-of-way(s).
- **Maintenance of Water Features**: Stricter regulations are introduced for pools, spas, and other water features to ensure they remain free of pollutants, debris, and standing water that could attract pests. These features must be securely covered and maintained to prevent water accumulation.
- **Mitigation Plans for Long-Term Vacancies**: For properties vacant for more than 45 days, owners must submit a Vacant Property Mitigation Plan. This plan will outline how the property will be regularly inspected, secured, and maintained, including requirements for removing interior furniture and personal items and ensuring clear visibility of the property's interior.
- Additional Maintenance and Security Measures: The Director is authorized to impose additional security measures, including security lighting, increased inspection frequency, or the employment of security guards, to ensure the property's safety and compliance with the ordinance.
- Recordation Requirements for Property Transfers: When a loan or deed of trust secured by real property is transferred, the new beneficiary and trustee must record the assignment with the Los Angeles County Recorder's Office within 10 days. Any changes in the trustees must also be recorded with updated contact details.

These amendments aim to promote a more proactive approach to vacant property management, ensuring effective upkeep and security while safeguarding the community's health, safety, and aesthetic standards. By establishing clear guidelines and expanding enforcement mechanisms, the city will be better equipped to preserve the integrity of its neighborhoods and mitigate the negative effects of vacant and neglected properties. Registration will also help address items like graffiti abatement quickly, as staff will have up to date information on who the proper contacts are for each property to ensure issues like graffiti are removed withing 72 hours.

The Planning Commission previously discussed concerns surrounding enforcement of the updated code. Staff is currently working with a vendor which hosts web-based vacant property registration portals, where property owners will be able to follow a link through the City's website to register their properties, and renew their registration annually. Staff is also developing a fee study to incorporate the cost of providing this service, along with the staff time for Code Enforcement Officers to routinely monitor the properties to ensure compliance. The fee study, along with the suggest fee resolution will be presented to the City Council before the proposed Ordinance is adopted. Should the proposed Ordinance be adopted, staff will continue with our current practice of providing courtesy notices to property owners regarding the new rules well before enforcement takes place. This will allow property owners time to make necessary changes, and where needed, receive Planning approval for landscaping plans. Finally, while the City cannot force property owners to develop vacant properties, the proposed Ordinance will provide the City a tool to ensure that properties are kept up nicely and add, not detract, from the quality of our neighborhoods and commercial centers.

## FISCAL IMPACT:

There is no fiscal impact associated with adoption of this Resolution or the subsequent adoption of the Ordinance by City Council.

## ENVIRONMENTAL:

In accordance with the California Environmental Quality Act (CEQA) Guidelines, this project is exempt from environmental review as it does not meet the definition of a "project" under CEQA Guidelines Section 1578(b)(5). The adoption of this Ordinance is an administrative action that will not cause any direct or physical changes to the environment, and no further analysis is required.

## PUBLIC NOTICE:

Notice of the public hearing was published in the Los Cerritos Community News on January 10, 2025. Notice of the public hearing was also posted at three locations within City's bulletin board.

#### **RECOMMENDATION:**

- 1. Adopt PC Resolution 2025-02P, Recommending That the City Council Adopt an Ordinance Amending Chapter 24 (Vacant Buildings and Foreclosed Properties) of Title 5 (Public Welfare) of the Artesia Municipal Code Relating to the Maintenance of Vacant Properties; and
- 2. Find that the adoption of the proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

#### **Attachments**

02.18.2025 Artesia - PC Resolution No. 2025-02P, Vacant Properties.pdf Resolution No. 0225-02P - Exhibit A.pdf

## CITY OF ARTESIA PLANNING COMMISSION

## **RESOLUTION NO. 2025-02P**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARTESIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING CHAPTER 24 (VACANT BUILDINGS AND FORECLOSED PROPERTIES) OF TITLE 5 (PUBLIC WELFARE) OF THE ARTESIA MUNICIPAL CODE RELATING TO THE MAINTENANCE OF VACANT PROPERTIES

## THE PLANNING COMMISSION OF THE CITY OF ARTESIA DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

**SECTION 1**: The City of Artesia ("City") is authorized under the California Constitution with the police power to safeguard public health, welfare, and safety.

**SECTION 2:** The City of Artesia recognizes that vacant properties are a major cause and source of blight in both residential and non-residential neighborhoods.

**SECTION 3**: Vacant properties, including lots and buildings, whether or not those buildings are boarded, substandard, structurally deficient, or any part of the property is poorly maintained, neglected for a long term, or exhibiting any combination of these negative qualities, contribute to the growth of blight within the City, depress market values of surrounding properties, discourage economic development, retard appreciation of property values thereby reducing tax revenues, necessitate additional governmental services, significantly interfere with the use and enjoyment of neighboring properties, create an unhealthy and unsafe condition affecting the public and constitutes an unreasonable use of property and a public nuisance.

**SECTION 4:** The purpose of this Ordinance is to amend Chapter 24 of Title 5 (Public Welfare) of the Artesia Municipal Code ("AMC") entitled, "Vacant Buildings and Foreclosed Properties," to ensure that owners of vacant properties are known to the City and other interested parties (and can be reached if necessary), ensure that owners of vacant properties are aware of the obligations of ownership under relevant codes and regulations, and ensure that owners meet minimum standards of maintenance of vacant properties.

**SECTION 5**: The Planning Commission finds that the adoption and implementation of the procedures and standards set forth in the attached draft Ordinance (Exhibit A) for the identification and abatement of public nuisances

within the City is within the power and authority of the City to protect the public health, safety, and welfare of the City's citizens.

**SECTION 6:** The Planning Commission of the City of Artesia conducted a duly noticed public hearing on January 21, 2025, to consider the attached Ordinance and continued the item to a date certain of February 18, 2025.

**SECTION 7:** On February 18, 2025, the Planning Commission of the City of Artesia considered the attached Ordinance and made a recommendation to the City Council.

**SECTION 8:** The Planning Commission finds that the adoption of the proposed Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**SECTION 9:** The Planning Commission hereby finds that the adoption of the Ordinance is consistent with the General Plan as a matter of law.

**SECTION 10:** Given the foregoing, and based on the entire record before the Planning Commission, the Planning Commission hereby recommends that the City Council adopt the ordinance attached hereto as Exhibit "A."

**SECTION 11:** This Resolution shall become effective upon its adoption. The Planning Clerk shall certify to the adoption of this Resolution and cause the same to be maintained in the permanent records of the City.

PASSED, APPROVED AND ADOPTED THIS 18th DAY of FEBRUARY 2025.

## ATTEST:

Victor Manalo, Chairperson

Sal Lopez, Planning Clerk

ROLL CALL VOTE:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

## EXHIBIT A PROPOSED ORDINANCE

## ORDINANCE NO. 25-966

## AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARTESIA, CALIFORNIA, AMENDING CHAPTER 24 (VACANT PROPERTIES) OF TITLE 5 (PUBLIC WELFARE) OF THE ARTESIA MUNICIPAL CODE RELATING TO THE MAINTENANCE OF VACANT PROPERTIES

WHEREAS, the City of Artesia ("City") is authorized under the California Constitution with the police power to safeguard public health, welfare, and safety;

WHEREAS, the City Council declares that vacant properties are a major cause and source of blight in both residential and non-residential neighborhoods;

WHEREAS, properties that remain vacant and unoccupied for any appreciable period of time become a life-safety hazard, fire hazard, and attract crime (frequently involving illegal drug-related activity);

WHEREAS, vacant properties, including lots and buildings, whether or not those buildings are boarded, substandard, structurally deficient, or any part of the property is poorly maintained, neglected for a long term, or exhibiting any combination of these negative qualities, contribute to the growth of blight within the City, depress market values of surrounding properties, discourage economic development, retard appreciation of property values thereby reducing tax revenues, necessitate additional governmental services, significantly interfere with the use and enjoyment of neighboring properties, create an unhealthy and unsafe condition affecting the public and constitutes an unreasonable use of property and a public nuisance;

WHEREAS, the purpose of this Ordinance is to amend Chapter 24 of Title 5 (Public Welfare) of the Artesia Municipal Code ("AMC") entitled, "Vacant Properties," to ensure that owners of vacant properties are known to the City and other interested parties (and can be reached if necessary), ensure that owners of vacant properties are aware of the obligations of ownership under relevant codes and regulations, and ensure that owners meet minimum standards of maintenance of vacant properties;

WHEREAS, the City Council finds that the adoption and implementation of the procedures and standards set forth below for the identification and abatement of public nuisances within the City is within the power and authority of the City to protect the public health, safety, and welfare of the City's citizens;

WHEREAS, at a regularly scheduled meeting, the City Council held a hearing concerning the municipal code amendments contained herein as required by law and received testimony from City staff and all interested parties regarding the proposed amendments; and

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ARTESIA DOES ORDAIN AS FOLLOWS:

<u>SECTION 1.</u>Incorporation of Recitals. The recitals above are each incorporated by reference and adopted as findings by the City Council.

<u>SECTION 2.</u>Amending Chapter 24 (Vacant Buildings and Foreclosed Properties) of Title 5 (Public Welfare) of the Artesia Municipal Code is hereby amended in its entirety to read as follows with additions shown as <u>underline</u> and deletions in <del>strikethrough</del>:

## **"CHAPTER 24**

## VACANT BUILDINGS AND FORECLOSED PROPERTIES

Sections:

- 5-24.010 Purpose
- 5-24.020 Definitions
- 5-24.030 Authority to Administer and Enforce Chapter; Monitoring Program
- 5-24.040 Scope
- 5-24.050 Service Requirements
- 5-24.060 Registration and Exemptions
- 5-24.070 Registration Procedure
- 5-24.080 Notice
- 5-24.090 Maintenance Requirements for Vacant Buildings Properties; Quarterly Inspections
- 5-24.100 Recordation of Transfer to Loan/Deed of Trust
- 5-24.110 Fees
- 5-24.120 Enforcement

## 5-24.010 Purpose.

The purpose of this chapter is to ensure all vacant <del>buildings and foreclosed</del> properties comply with minimum property maintenance requirements, to encourage proactive and preventive maintenance of properties, to ensure maintenance issues are quickly and efficiently remedied, and to promote the health, safety, and welfare of the people of the City of Artesia.

## 5-24.020 Definitions.

For the purposes of carrying out the intent of this chapter, unless the content clearly indicates to the contrary, the following words, phrases, and terms shall have the following meanings:

(a) Building means any structure, including, but not limited to, any residential, commercial, industrial, or assembly structure, approved for occupancy on either a lot of record or within a single project approved by the City pursuant to the City's Zoning Code.

(b) *Director* means the Director of the Artesia Community Development Department, or his or her designee.

(c) Owner means and includes any person having legal title to, or who leases, rents, occupies or has charge, control, or possession of, any real property in the City, including all persons shown as owners on the last equalized assessment roll of the County Assessor's Office. Owners include persons with powers of attorney, executors of estates, trustees, or who are court-appointed administrators, conservators, guardians, receivers, and any beneficiary and trustee who holds a deed of trust on a property in the City.

(d) Person means any natural person or legal entity.

(e) Vacant building property means any building that is parcel of land, including lots, which can be undeveloped, and may include any building on the parcel, that is (1) unoccupied and unsecured, (2) unoccupied and secured by fence or boarding or other similar means, (3) unoccupied and has multiple code violations, (4) has been unoccupied for more than 30 days, (5) unoccupied and subject to a current notice of default, notice of trustee's sale, or pending tax assessors lien sale; or (6) unoccupied and conveyed by a foreclosure sale resulting in the acquisition of title by an interested beneficiary of a deed of trust or conveyed via a deed in lieu of foreclosure.

(f) Unoccupied means not legally occupied. Factors that may be used, typically in combination, to determine whether a building is unoccupied include, but are not limited to: overgrown or dead vegetation; accumulation of newspapers, circulars, flyers, or mail; past due utility notices; the existence of real property tax delinquencies for the land upon which the building is located; disconnected utilities; accumulation of trash, junk, or other debris; the presence of non-functional or broken doors or windows; the absence of doors or windows; the absence of window coverings such as curtains, blinds, or shutters; the absence of furnishings or personal items consistent with residential or commercial furnishings consistent with the permitted uses within the zone of the real property; statements by neighbors, passersby, delivery agents, government employees that the property is unoccupied.

<u>Securing means and includes such measures as may be directed by the Director</u> that assist in rendering real property inaccessible to unauthorized persons including, without limitation, the repair of fences, walls, and other barriers, chaining or pad locking of gates, or the repair or boarding of doors, windows, or other openings.

## 5-24.030 Authority to Administer and Enforce Chapter; Monitoring Program

(a) **Administration.** The Director is authorized to administer and enforce this chapter. The Director may adopt supplemental regulations or policies to implement and interpret this chapter. These regulations or policies must conform with the purpose of this chapter.

(b) **Monitoring Program for Vacant Properties.** A program monitoring vacant buildings properties is hereby established. The Director has the duty to do the following pursuant to the monitoring program:

(1) Inspect properties in the City to identify buildings properties that are vacant.

(2) Order vacant <del>buildings</del> <u>properties</u> to comply with this chapter and any other applicable codes.

(3) Order vacant buildings properties that are open and accessible to be secured against unlawful entry in accordance with this chapter.

(4) Initiate proceedings against the owner of any vacant <del>buildings</del> <u>property</u> found to be in violation of this chapter or any other applicable code.

(5) Maintain surveillance over vacant <u>buildings properties</u> so that timely code enforcement proceedings are commenced in the event the property becomes substandard or a nuisance.

(6) Any condition caused or permitted to exist in violation of any provision of this Code is deemed to be a public nuisance and may be summarily abated as such by the City, and each day that condition continues will constitute a new and separate offense pursuant to Chapter 1-2 of this Code.

(7) A commercial building is further defined as described in this Code.

## 5-24.040 Scope.

(a) **Applicability.** The provisions of this chapter apply to all improved real property throughout the City of Artesia where any of the conditions specified in this chapter are found to exist.

(b) **Regulations Cumulative.** The regulations provided by this chapter are cumulative to each other and to any other regulations under City, State, or federal law.

## 5-24.050 Service Requirements.

Any notice required to be served under this chapter must be completed by either personal delivery or first-class first-class mail. Service by mail is deemed complete at the time of deposit in the mail. Any notice issued to a registrant may be sent to the mailing address listed on the application submitted to the City. Failure of any registrant to receive a properly addressed notice by mail does not invalidate any action, decision, determination, or proceeding under this chapter.

## 5-24.060 Registration and Exemptions.

(a) **Registration Required.** An owner of a vacant <u>buildings property</u> must register their property with the Director within 30 days of the <u>buildings property</u> becoming vacant, in accordance with the requirements of this chapter. Each beneficiary/trustee who holds a deed of trust on a property located within the City shall perform an inspection of the property in question prior to recording a notice of default or similar instrument with the Los Angeles County Recorder's Office. If the <u>buildings property</u> is found to be vacant or shows evidence of vacancy, it is, by this chapter, deemed vacant.

(b) **Exemptions.** The provisions of this chapter do not apply to the following vacant buildings properties:

(1) **Active Construction.** Vacant <u>buildings</u> <u>properties</u> where all of the following conditions are satisfied:

i. There is a valid building permit for repair, rehabilitation, or construction of the <u>a</u> vacant building <u>on the vacant property; and</u>

ii. The owner is progressing diligently to complete such repair or rehabilitation within one year of the issuance of the building permit; and

iii. The owner regularly removes exterior trash, debris, and graffiti.

(2) **Active Marketing.** The <u>buildings property</u> complies with all codes, is ready for occupancy, and is actively being offered for sale, lease, or rent.

## 5-24.070 Registration Procedure.

(a) **Application Required.** Any person seeking to register a vacant buildings property must submit a complete, written application to the City using a form adopted by the City for that purpose.

(b) **Application Contents.** The City will not deem an application complete until all information, documents, and fees required under this chapter has been provided to the City. At minimum, any applicant requesting registration of a vacant buildings property pursuant to this chapter must submit the following information and documentation:

(1) The name and address of each owner and any property management company (as applicable) responsible for the security, maintenance, and marketing of the property in question.

(2) A maintenance plan describing and documenting how the maintenance requirements of this chapter will be complied with.

(3) The methods by which the owner has secured the property against unauthorized entry,

(4) A statement regarding any future plans for the property.

- (5) Proof of fire and liability insurance coverage.
- (6) Such other identification and information as the Director may require.

(c) **Registration Fee.** Each applicant must pay the nonrefundable registration fee, as established by resolution of the City Council, at the time of registration and annually thereafter.

(d) **Annual Registration.** The registration pursuant to this section must be renewed annually. A registration is valid upon issuance and continues in effect for one year from the date of issue <u>until expiration</u>. It expires automatically <u>on December 31<sup>st</sup> of</u>

<u>each calendar year</u> one year following the date of its issuance, unless suspended, revoked, or renewed in accordance with this chapter.

(e) Notice City of Changes to Registration. Any person, partnership, association, corporation, fiduciary, or other legal entity that has registered a property under this chapter must notify the Director in writing of any change of information contained in the registration within 10 days of the change.

## 5-24.080 Notice

Whenever the Director has cause to believe, based upon an inspection, complaint, or report from another agency or person, that a <u>building property</u> is vacant and it has not been registered as required by this chapter, then the Director may serve the owner with a written notice requiring the owner to register the <u>building property</u> with the Department as vacant and pay the registration fee within the period of time specified in the notice, which may be no greater than 30 days.

## 5-24.090 Maintenance Requirements for Vacant Buildings Properties;

## Inspections.

(a) **Maintenance Required; Director Modification.** Each vacant building property that is subject to registration must be maintained in compliance with applicable federal, State, and local law and the maintenance and security requirements provided in subsections (b) through (gj) below. The Director may modify the requirements, below, at his or her discretion in the case of a partially vacant building property. The Director may also modify or waive some or all of these requirements in the case of a building property that has been damaged by fire, a natural disaster, or other calamity.

(b) **(b) Unimproved Vacant Lot Types.** Persons owning or maintaining vacant lots that were never developed or became vacant after pre-existing buildings, structures or impervious surfaces were removed, must provide a landscape and irrigation plan to the Director for approval within 30 days of the real property becoming vacant.

(c) Exterior Maintenance. Upon approval of a landscape and irrigation plan, a vacant property The owner must actively maintain and monitor the exterior of any the building(s) and the grounds, including all lots, so that they remain in continuing compliance with all applicable codes and regulations, and do not contribute to and are not likely to contribute to blight. Active maintenance and monitoring shall include, but not be limited to:

(1) A landscaped area must be provided and maintained on all perimeters of a vacant property located adjacent to all streets, alleys, or other public right-a-way.

(2) <u>Landscaped areas must be planted with natural, drought-tolerant</u> vegetation consisting of a combination of trees, shrubs, and groundcover, subject to approval of the Director. For detailed coverage requirements, please refer to Section 9-2.1503 of this Code.

(3) Maintenance of landscaping and plant materials <u>must be</u> in good condition <u>at all times</u>.

(4) <u>Property must be equipped with an operable automatic irrigation</u> system for the ground cover, which must be installed and maintained in good condition at all times. Approved ground cover types for the property include grass, artificial turf, decomposed granite, mulch, woodchips, and gravel or rocks. Detailed coverage requirements for these ground covers can be found in Section 9-2.1503(b) of this Code.

(5) Regular removal of all exterior trash, debris, and graffiti <u>from the</u> <u>property building and its associated lots</u>.

(6) Maintenance of the exterior of the building of <u>any structure on the</u> <u>vacant property</u>, and all associated lots, in a good condition that is structurally safe and preserves the physical integrity of the structure, including but not limited to paint and finishes, foundation, roof, chimneys, flues, gutters, downspouts, scuppers, flashing, skylights, windows, exterior stairs and decks. <u>All painted area to cover graffiti shall be</u> <u>painted to match the color of the building.</u>

(7) Prevention of criminal activity on the premises and trespass by unauthorized persons.

(8) Turning off all utilities that are not necessary for the upkeep and maintenance of the <u>property</u> <del>building</del>.

(9) <u>Swimming pools, spas, fountains, or other bodies of water that are not</u> maintained to be free and clear of pollutants or debris, or that are likely to harbor mosquitoes, insects, or vectors are prohibited. This includes, but is not limited to, water that is clouded or green, water containing bacterial growth, algae, insect larvae, insect remains, or animal remains. Additionally, swimming pools must be covered, secured, and maintained in such a way that water cannot collect or accumulate either in the pool or on top of the cover thereon.

(d) Landscape and Irrigation Plan. Before the City issues a demolition permit on any vacant property in which the construction of a new building, structure, parking lot, or impervious surface is not scheduled to commence within 30 days after demolition, the responsible party must submit a landscape and irrigation plan for review and approval by the Director (with the appropriate plan check fees). The Director may impose any reasonable conditions of approval on the landscape and irrigation plan to ensure that the property will be adequately maintained during the time that it is vacant. Upon approval of the plan, the landscape and irrigation improvements to the vacant property, as specified on the plan, must be completed to the satisfaction of the Director within 30 days after approval of the plans.

(e) Interior Maintenance. The owner must preserve the interior of <u>any</u> the building <u>on the property</u> from damage by the elements or plumbing leaks and keep it free from accumulation of garbage and other debris, and from infestation by rodents, insects, or other pests.

(f) **Security.** Each vacant <u>building</u> <u>property</u> must be secured against unauthorized entry. The methods of security shall be as approved by the Director, who shall take into consideration whether the property has been cited for nuisance activities or criminal conduct by another department of the City or another government agency. <u>To</u> enhance safety and prevent unauthorized access, the following specific security measures are required:

(1) <u>A wrought iron, heavy-duty vinyl, combination blocks & wrought-iron,</u> or other suitable fencing material approved by the Director must be located behind all required perimeter landscaping. The fencing height must comply with Section 9-2.1401 of this Code. All fences and barriers must be provided with a gate to allow access to the vacant property for emergency access.

(2) <u>All perimeter fences and barriers must be maintained in good condition</u> at all times by the responsible party. Any on-site graffiti must be removed by the responsible party within 24 hours of discovery or notification by the City. The responsible party must inspect the property at reasonable intervals for any on-site graffiti and take other steps to reasonably ensure that there is no on-site graffiti.

(g) **Insurance.** The owner must maintain fire and liability insurance coverage as determined necessary by the Director. Any insurance policy must require advanced, written notice to the Director in the event of cancellation of insurance or a reduction in coverage.

(h) **Sign Posting.** The owner of the vacant building property is required to post a sign at the front of the building on the property, in a conspicuous location protected from the weather, that provides the current name, address, and phone number of the owner of record or property manager. If a notice of default or foreclosure has been recorded for the property, the lender's name, address, and telephone number must also be provided. The sign may be no smaller than 8-1/2 inches by 11 inches.

(i) Additional Requirements for Commercial Buildings. In addition to the above requirements, any vacant commercial building property, including all lots, be must be maintained in accordance with the following requirements:

(1) If the property has a Bbuilding(s) with fire sprinkler systems, those systems must be maintained in working order.

(2) If the property has a building(s) Buildings with a centralized and registered fire and burglar alarm system, those systems must be maintained in working order.

(3) Buildings without fire sprinkler systems or fire alarm or burglar alarm systems shall be provided with continuous physical monitoring by means of an onsite patrol. "Continuous physical monitoring" shall mean the use of a licensed security agency operating in the City of Artesia and providing regular surveillance of the vacant building property, as part of the agency's security route.

(j) **Quarterly Inspections**. The City shall inspect each registered vacant building property on a quarterly basis to ensure ongoing compliance with the requirements of this Section. Any failure of an owner to comply shall be subject to the City's enforcement of the provisions of this chapter.

(k) Mitigation Plan. Properties, buildings, or structures that are vacant for more than forty-five consecutive calendar days, in addition to the requirements of subsections (b) through (h), responsible parties of any real property, building, or portion thereof, that

has been vacant for at least 45 consecutive calendar days shall also adhere to the following:

(1) Submit a Vacant Property Mitigation Plan to the Planning Division, which demonstrates how the property will be regularly inspected, secured, and maintained in a manner that protects the health, safety, general welfare, and aesthetic standards of the community, as well as which demonstrates goals and plans for demolishing any vacant structure or for the re-occupancy of the vacant property.

(2) Conduct or cause to be conducted sufficient and adequate inspections of any vacant property, building or structure, or portion thereof, to monitor and immediately abate any condition that does not adhere to the provisions of this chapter and Code. Such inspections shall be conducted at a minimum, once each calendar week, and the results of the inspections shall be documented and be submitted in writing to the Director within 48 hours of each inspection.

(3) Remove all furniture and personal property from the interior of any real property, building, or structure, or portion thereof, that is vacant.

(4) Remove all curtains, blinds, and window coverings from all windows located on the ground level of any vacant building or structure to allow a clear view to the interior of the vacant building or structure, or portion thereof.

(I) Additional Requirements. In addition to the specific maintenance and security requirements provided in this chapter, the Director shall have the authority to require responsible parties for vacant properties subject to the registration pursuant to this chapter to implement additional maintenance and security measures in order to effectuate the purpose of this chapter. This may include, but is not limited to, the installation of security lighting, increasing the frequency of on-site inspections, employment of an on-site security guard, and/or posting additional signage at the property.

## 5-24.100 Recordation of Transfer to Loan/Deed of Trust.

Within 10 calendar days following the purchase or transfer of a loan or deed of trust secured by real property, the new beneficiary and trustee shall record with the Los Angeles County Recorder's Office an assignment of rents or similar document. This document must list the name of the person purchasing or acquiring the loan or deed of trust, along with the mailing address and contact number of the new beneficiary and trustee responsible for receiving payments associated with the loan or deed of trust. This requirement shall not apply to the sale or transfer of a property when such sale or transfer does not include the sale or transfer of any loan or deed of trust associated with such property.

Within 10 calendar days following the change of a trustee in a deed of trust secured by real property, the beneficiary shall record with the Los Angeles County Recorder's office a Substitution of Trustee or similar document that lists the name of all new trustees, as well as the mailing address and contact telephone number of all new trustees.

## 5-24.10<u>1</u>0 Fees.

The City Council may establish by resolution, and from time to time may amend, a registration fee to defray the administration of this chapter, including but not limited to, the registration process, monitoring vacant buildings properties, and enforcing this chapter. The fee required under this chapter is in addition to any other license, permit, or fee required by any other section or chapter of this code. The amount of any fee, cost or charge imposed pursuant to this Chapter is a debt to the City of Artesia that may be recovered by any means authorized by law.

## 5-24.1<u>2</u>10 Enforcement.

(a) **Violations Unlawful.** It is unlawful and declared a public nuisance for any person to operate, conduct, or maintain a vacant building contrary to the provisions of this chapter.

(b) **Criminal Penalties.** Any person who violates any provision of this chapter is guilty of a misdemeanor punishable by a fine of up to \$1,000 per each violation per day, or by imprisonment in the County jail not exceeding six months, or by both; except the City Attorney, in his or her discretion, may prosecute a violation of this chapter as an infraction subject to the penalties in Section 1-2.01 of this code.

(c) **Administrative Citations.** Administrative citations may be issued for violations of the provisions of this chapter, as set forth in Chapter 7 of Title 1 of this code.

(d) **Civil or Equitable Enforcement.** The City Attorney may bring a civil or equitable action to seek the abatement of any violation of this chapter.

(e) Aiding, Abetting, and Omissions. Whenever in this chapter any act or omission is made unlawful, it shall include causing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission.

(f) **Ongoing Violations.** Each and every day a violation is maintained, caused, aided, abetted, concealed, suffered, or permitted is a separate offense.

(g) **Remedies Cumulative.** The remedies, procedures, and penalties provided by this Chapter are cumulative to each other and to any other remedies, procedures, and penalties available under City, State, or federal Federal law Law."

<u>SECTION 3.</u>**CEQA.** The City Council determines that the adoption of this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

<u>SECTION 4.</u> Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application thereof to any person or place, is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof,

irrespective of the fact than any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

<u>SECTION 5.</u> <u>Certification and Publication</u>. The City Clerk shall certify the passage and adoption of this Ordinance and shall cause the same to be published pursuant to state law within fifteen (15) days after its passage, and this Ordinance shall become effective thirty (30) days after its passage.

PASSED, APPROVED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

ALI TAJ, MAYOR

ATTEST:

JENNIFER ALDERETE, CITY CLERK

APPROVED AS TO FORM:

HONGDAO NGUYEN, CITY ATTORNEY

# PLANNING COMMISSION AGENDA REPORT



MEETING DATE: February 18, 2025

ITEM NO: 7A.

TO: Honorable Chairperson and Members of the Planning Commission

 SUBJECT:
 Case No. 2024-32: Design Review for Exterior Building and Site Improvements at 18725

 Pioneer Boulevard (Joyalukkas Jewelers)

FROM: Bill Rodrigues, Acting Planning Manager

## **REVIEWED AND APPROVED BY:**

Sal Lopez, Interim Community Development Director

## **RECOMMENDATION:**

- 1. Adopt Resolution 2025-03P: A Resolution of the Planning Commission of the City of Artesia, approving a design review to modify the exterior of an existing one story commercial building and make other changes to parking and landscaping located at 18725 Pioneer Boulevard within the commercial general zoning district (Case No. 2024-32); and
- 2. Find that the proposed project is exempt from the requirements of the California Environmental Quality Act ("CEQA"), pursuant to Class 3, Categorical Exemption from CEQA pursuant to Section 15303 of the CEQA Guidelines.

#### **DEVELOPMENT SUMMARY:**

Address: 18725 Pioneer Boulevard

Zoning: Commercial General

General Plan: City Center Mixed Use

Adjacent Development: North: Multi-tenant restaurant and retail

South: Multi-tenant restaurant and retail

East: Multi-tenant restaurant and retail

West: Commercial uses

Existing Use: Vacant Commercial Building

Lot Size: The subject site is approximately 9,700 square feet (0.22 acres) in size

Assessor No.: 7039-012-010

#### BACKGROUND:

The subject site is currently developed with an existing one-story, two-suite retail building that is currently vacant. The applicant proposes to remodel the building for occupancy by a jewelry store, which is classified as a retail use. The existing building is a 5,793 square foot commercial building, which will not change. However, a small area of approximately 43 square feet will be removed to accommodate the new storefront entry and added along the building's south and east elevations to create greater visual interest.

Other site modifications include removing block walls, landscaping, and parking that extend into the neighboring property; and reconfiguring the layout of the surface parking lot to accommodate eight parking spaces, a bicycle rack, and new landscaping.

To accommodate the proposed changes, the applicant is requesting Planning Commission approval of this Design Review application pursuant to Artesia Municipal Code Section 9-2.2002(a)(1).

## ANALYSIS:

The Commercial General zone allows for a variety of land uses including specialized service establishments such as the proposed jewelry store. To accommodate the new business, the remodel's scope includes:

- Combining the existing building's two suites into one
- Moving the building's primary entrance so it is directly accessed from the Pioneer Boulevard sidewalk
- Modifying the surface parking lot to accommodate 8 parking spaces
- Adding landscaping between the surface parking lot and building, and
- Updating all exterior building facade elevations by replacing finish materials and colors, modifying the roof line, adding several architectural façade pop-outs, adding horizontal and vertical reveals, and adding back lit recessed display boxes.

The three architectural façade pop-outs will be finished with a smooth grey colored aluminum composite material and accented by three red-painted steel marquees at the eyebrow level and a darker grey parapet cap. The remainder of the building will be clad with a grey colored textured stucco finish.

The proposed façade and site enhancements will upgrade the existing building to reflect the higher-end jewelry store tenant and give the building a more contemporary aesthetic. The new look and height of the building is comparable to architectural styles found nearby, which include other two-story structures, buildings that have squared-off or stepped rooflines, and even taller one-story architectural focal elements. As proposed, the highest point of the modified façade will be 21 feet and 9 inches, which is comparable to the height of other nearby buildings.

Though it will be subject to a separate application/permit review and approval, the plans indicate that signage would be located above the new primary entrance from Pioneer Boulevard.

## **Other Development Standards**

To ensure compliance with all applicable design guidelines, the following conditions have been included in the attached resolution:

- All HVAC and mechanical equipment, whether on the roof or on the ground, will be screened from public view and not visible from the public right of way with a material similar in appearance to the adjacent structure.
- A trash enclosure facility will be constructed to meet the requirements outlined in the design/development standards. The applicant will provide drawings to the Planning Division for review and approval.
- The applicant shall provide a detailed landscape and irrigation plan to the Planning Division for approval within 30 days of the date of approval. Landscape and streetscapes will be required to be consistent with the Design Standards and Guidelines. Landscaping must be completed in accordance with the approved landscape and irrigation plan prior to the issuance of the Certificate of Occupancy.

## **Design Review Findings**

Based on the evidence in the record and all other applicable information presented, Planning Staff recommends that the Planning Commission approve the application for the following reasons:

## Findings Required

Section 9-2.2005 of the Artesia Municipal Code provides that no application for design review approval shall be approved by the Planning Commission unless the application, in its final submitted form, or with the imposition of conditions, meets the following four criteria:

1. The design and layout of the proposed development or structures is consistent with the City's General Plan, any applicable specific plan, any applicable design guidelines, and the development standards set forth Chapter 2 of Title 9 of the Artesia Municipal Code.

The proposed design is consistent with the City's General Plan in that the building will positively contribute to a sense of place along Pioneer Boulevard making it a desirable destination. The form, mass and bulk of the building along with its color and materials are also compatible with other materials and design choices found nearby. The proposal will update the aesthetics of an existing building. Although the project will relocate 43 square feet along the building frontage, there will be no overall change in the structure's size. The improved surface parking lot and new landscaping added to the site is consistent with Artesia Municipal Code.

2. The design of the structures, including the layout, size, shape, mass, height, architectural elements and other design factors are appropriate to the size and shape of the lot and are compatible and harmonious with the uses and structures on adjacent properties.

The proposed modifications include articulating the façade at three locations with focal elements intended to draw the observer's eye and to convert the roofline from a sloping gable design to a series of stepped parapets. The new roof will have a height of 21 feet and 9 inches, which is generally taller than the existing structure but comparable in height to nearby buildings. The mass and bulk of the new façade is appropriate for the site and is compatible and harmonious with the heights, mass and bulk, and color and material treatments found on other buildings along Pioneer Boulevard in the City Center area of Artesia.

3. The design of the project will provide a desirable environment for its occupants, the visiting public and its neighbors through good aesthetic use of high-quality building materials, design elements, colors, textures, and landscape features.

The project's design contributes an upgraded building aesthetic to Pioneer Boulevard at a scale that is compatible with its surroundings. As such, it will positively contribute towards Pioneer Boulevard being a destination for the visiting public and neighboring sites through the presence of high-quality building materials, good design that relates to the street and public sidewalk, and varied use of color, texture, materials, and attractive landscape that complements the contemporary building aesthetic.

# 4. The building materials and design features are of a quality and type that will remain aesthetically appealing over time without necessitating frequent and unrealistic maintenance or replacement.

The proposed building materials are durable and are of a quality and type that will remain aesthetically appealing over time without necessitating frequent and unrealistic maintenance or replacement. The proposed project will be subject to the condition of approval that requires the applicant and property owner to maintain the exterior of the subject building along with the new landscaping and irrigation.

## Environmental

Pursuant to the California Environmental Quality Act (CEQA), Planning Division staff has determined that the project is categorically exempt from the requirements of CEQA and the City's CEQA Guidelines, pursuant to Article 19, Section 15303, *New Construction or Conversion of Small Structures*. The project qualifies as a Class 3 because it is new construction of a minor nature associated with an existing structure in a fully developed area with no sensitive species or habitat affected by the project.

## **Public Notice**

Notice of the public hearing was published in the Los Cerritos Community News on February 7, 2025. Post card notices were also mailed to property owners within a 300-foot radius on February 6, 2025.

## FISCAL IMPACT:

The proposed retail use will generate sales tax revenue to City for the life of the use.

## **RECOMMENDED ACTION:**

- 1. Adopt Resolution 2025-03P: A Resolution of the Planning Commission of the City of Artesia, approving a design review to modify the exterior of an existing one story commercial building and make other changes to parking and landscaping located at 18725 Pioneer Boulevard within the commercial general zoning district (Case No. 2024-32); and
- 2. Find that the proposed project is exempt from the requirements of the California Environmental Quality Act ("CEQA"), pursuant to Class 3, Categorical Exemption from CEQA pursuant to Section 15303 of the CEQA Guidelines.

## **Attachments**

DRAFT PC Resolution No. 2025-03P.pdf Plans.pdf

## CITY OF ARTESIA PLANNING COMMISSION

## **RESOLUTION NO. 2025-03P**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARTESIA APPROVING A DESIGN REVIEW TO MODIFY THE EXTERIOR OF AN EXISTING ONE-STORY COMMERCIAL BUILDING AND MAKE OTHER MINOR CHANGES TO PARKING AND LANDSCAPING LOCATED AT 18725 PIONEER BOULEVARD WITHIN THE COMMERCIAL GENERAL ZONING DISTRICT AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO STATE CEQA GUIDELINES SECTION 15303, CLASS 3 (CASE NO. 2024-32)

## THE PLANNING COMMISSION OF THE CITY OF ARTESIA DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

**SECTION 1:** The applicant, Matson Architects on behalf of Joyalukkas Jewelers, filed an application with the City of Artesia requesting Design Review approval to modify the exterior of an existing one-story commercial building and make other minor changes to parking and landscaping at 18725 Pioneer Boulevard with the Commercial General Zoning District.

**SECTION 2:** AMC Section 9-2.2002(a)(1) provides that the modification of the exterior design of an existing structure or element thereof, including architectural accents, that are located on a site in any zone other than the Agricultural-Single-Family Residential (A-1), Single-Family Residential (R-1), or Medium Density Residential (M-D-R) Zones, or the Multiple-Residential (M-R) Zone only if the building or structure is a one family dwelling unit shall be subject to the design review approval process specified in Article 20 of Chapter 2 of Title 9 of the Artesia Municipal Code.

**SECTION 3:** The Planning Commission of the City of Artesia conducted a duly noticed public hearing on Tuesday, February 18, 2025, to consider this application (Case No. 2024-32), and following the receipt of public testimony, closed the public hearing.

**SECTION 4:** The Planning Department has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines pursuant to Section 15303, Class 3, New Construction or Conversion of Small Structures, because the project involves new construction of a minor nature associated with an existing structure in a fully developed area with no sensitive species or habitat affected by

the project's scope. The Planning Commission has reviewed the Planning Department's determination of exemption, and based on its own independent judgment, concurs in the staff's determination of exemption.

**SECTION 5:** Based on all the evidence in the record, the Planning Commission finds that the evidence presented does justify the granting of this design review to modify the exterior of an existing one-story commercial building and make other minor changes to parking and landscaping (Case No. 2024-32) for the following reasons:

1. The design and layout of the proposed development or structures is consistent with the City's general plan, any applicable specific plan, any applicable design guidelines, and the development standards set forth in Chapter 2 of Title 9 of the Artesia Municipal Code

The proposed design is consistent with the City's General Plan in that the building will positively contribute to a sense of place along Pioneer Boulevard making it a desirable destination. The form, mass and bulk of the building along with its color and materials are also compatible with other materials and design choices found nearby. The proposal will update the aesthetics of an existing building. Although the project will relocate 43 square feet along the building frontage, there will be no overall change in the structure's size. The surface parking lot will be improved and new landscaping added to the site consistent with Artesia Municipal Code.

2. The design of the structures, including the layout, size, shape, mass, height, architectural elements and other design factors are appropriate to the size and shape of the lot and are compatible and harmonious with the uses and structures on adjacent properties

The proposed modifications include articulating the façade at three locations with focal elements intended to draw the observer's eye and to convert the roofline from a sloping gable design to a series of stepped parapets. The new roof will have a height of 21 feet and 9 inches, which is generally taller than the existing structure but comparable to nearby buildings. The mass and bulk of the new façade is appropriate for the site and is compatible and harmonious with the heights, mass and bulk, and color and material treatments found on other buildings along Pioneer Boulevard in the City Center area of Artesia.

3. The design of the project will provide a desirable environment for its occupants, the visiting public and its neighbors through good aesthetic use of high-quality building materials, design elements, colors, textures, and landscape features

The project's design contributes an upgraded building aesthetic to Pioneer Boulevard at a scale that is compatible with its surroundings. As such, it will positively contribute towards Pioneer Boulevard being a destination for the visiting public and neighboring sites through the presence of highquality building materials, good design that relates to the street and public sidewalk, and varied use of color, texture, materials, and attractive landscape that complements the contemporary building aesthetic.

## 4. The building materials and design features are of a quality and type that will remain aesthetically appealing over time without necessitating frequent and unrealistic maintenance or replacement

The proposed building materials are durable and are of a quality and type that will remain aesthetically appealing over time without necessitating frequent and unrealistic maintenance or replacement. The proposed project will be subject to the condition of approval that requires the applicant and property owner to maintain the exterior of the subject building.

**SECTION 6:** Based on the findings set forth above and on all the evidence in the record, the Planning Commission hereby approves the design review through Case No. 2024-32, subject to the following conditions:

- 1. The Applicant and property owner shall construct the project and associated site improvements in substantial compliance with the submitted site, floor plans, and elevations except as modified herein.
- 2. Any request to modify the conditions contained herein shall require submittal of an application to modify Planning Commission Resolution No. 2025-02P and Case No. 2024-32 and approval by the City of Artesia Planning Commission.
- 3. All temporary/permanent signage on the subject site and tenant suite shall be subject to the standards and approvals required under Article 12 of Chapter 2 of Title 9 of the Artesia Municipal Code prior to the applicant's and property owner's installation of such signs. Neither the applicant nor the property owner shall place unauthorized signs on the subject site or tenant unit. Any unauthorized signs on the subject site or tenant unit shall be subject to removal by the City of Artesia Code Enforcement Department.
- 4. Prior to submittal of plan check, or within fifteen days of the date of Planning Commission approval, the Applicant and property owner shall sign a letter prepared by the City entitled "Affidavit of Acceptance" that acknowledges all of the conditions imposed under this Resolution and the Applicant's and owner's acceptance of this approval subject to these conditions.

- 5. Prior to conducting business on the subject site, the operators of the restaurant shall obtain current City of Artesia business license and shall maintain such license throughout the life of the business.
- 6. The construction and improvement of the project authorized by this approval shall commence on the subject site within one (1) year of this approval, unless otherwise specified. If construction and improvements are not commenced within that period of time, this approval shall be null and void. However, the Planning Commission may extend such expiration date for a period not to exceed one (1) year if the Applicant submits a written request for an extension at least thirty (30) calendar days prior to the expiration date.
- 7. If any condition of this approval is violated, this approval shall be suspended and the privileges granted hereunder shall lapse, provided that the Applicant and property owner have been given written notice to cease such violation, and following notice and hearing, have failed to correct the violation for a period of thirty (30) calendar days.
- 8. All requirements of the Artesia Municipal Code that apply to the project shall be met, unless otherwise set forth in these conditions.
- 9. This approval may be modified or revoked by the Planning Commission, after applicable notice and public hearing procedures have been satisfied, should it determine that the commercial retail building or site, or the conditions under which it is being operated or maintained, are detrimental to the public health, safety or welfare, or materially injurious to property or improvements in the vicinity or if the subject site is operated or maintained so as to constitute a public nuisance.
- 10. The project and the subject site shall comply with all requirements placed on the buildings and site by the Los Angeles County Building and Safety Department, Los Angeles County Fire Department, and all other regulatory agencies prior to the issuance of building permits.
- 11. The Applicant and property owner shall inform all subcontractors, consultants, engineers or other business entities providing services related to the construction of the commercial building of their responsibilities to comply with all pertinent requirements in the Artesia Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City.
- 12. The Applicant and property owner shall comply with all requirements of the City of Artesia Municipal Code, City ordinances and resolutions, and all standards and policies that are in effect at the time of this conditional approval. Furthermore, the City may impose conditions on subsequently required approvals and permits as authorized by the Artesia Municipal

Code, and other applicable ordinances, resolutions, engineering standards, and policies.

- 13. The Applicant and property owner shall remove or paint over any graffiti painted or marked on the subject commercial retail building, site, or any adjacent area under the control of the Applicant or property owner within forty-eight (48) hours after the Applicant or property owner first notices the graffiti or forty-eight (48) hours after the City provides the Applicant or property owner with notice of the graffiti.
- 14. The Applicant and property owner are to keep the structures and associated site improvements in good repair including cleaning and repainting of the structures when necessary to retain a high-quality aesthetic.
- 15. The Applicant and property owner shall submit a final landscaping/irrigation plan that meets the requirements set forth by the City of Artesia Street Tree Program and Policy and the Article 15 of Chapter 2 of Title 9 of the Artesia Municipal Code. All tree(s) shall be planted with root barriers per minimum City standards.
- 16. The Applicant and property owner shall landscape the subject site in accordance with Articles 15 and 15.5 of Chapter 2 of Title 9 of the Artesia Municipal Code, and the site plans to be submitted to the Planning Department for review and approval and maintain the landscaping at all times. All landscaped areas shall have proper irrigation with automatic sprinklers and automatic timers, including the landscaped areas within the public right-of-way.
- 17. The Applicant and property owner shall install, place and locate all air conditioner units, including window, wall and rooftop units, in compliance with the standards set forth in Section 9-2.3205(j) of the Artesia Municipal Code.
- 18. The Applicant or property owner shall install, operate and maintain a police quality video surveillance system on the subject site, which system may be accessible to the Sheriff's Department voluntarily by the Applicant or property owner, or must be accessible to the Sheriff's Department pursuant to a warrant, subpoena or order from a court of competent jurisdiction.
- 19. The applicant shall indemnify, protect, defend, and hold the City, and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures

(including, but not limited to arbitrations, mediations, and other such procedures), judgments, orders, and decisions (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents. departments. agencies, authorized volunteers. and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Community Redevelopment Law, Code of Civil Procedure Sections 1085 or 1094.5, or any other federal, state, or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld. the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action. This requirement to indemnify shall survive the suspension, revocation, expiration or termination of this conditional use permit.

20. The building color(s) will be maintained substantially in compliance with the elevation plans and listed façade colors as shown on the approved plan set.

**SECTION 7:** The Community Development Director shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 18TH DAY of February 2025.

Victor Manalo, Chairperson

ATTEST:

Sal Lopez, Interim Community Development Director

**ROLL CALL VOTE:** 

AYES:	<b>COMMISSIONERS:</b>
NOES:	<b>COMMISSIONERS:</b>
ABSTAIN:	<b>COMMISSIONERS:</b>
ABSENT:	<b>COMMISSIONERS:</b>













