

NOTICE OF EXEMPTION

To: X County of Los Angeles
Environmental Filings
12400 E Imperial Hwy #2001
Norwalk, CA 90650

X Office of Planning and Research
Submitted via online at <https://cegasubmit.opr.ca.gov>

Project Title: Conditional Use Permit 23-08

Project Applicant: Geri Fox, on behalf of CEC Entertainment, LLC

Project Location: 17585 Colima Road, City of Industry, California 91748

Project Description: Consideration of a Resolution approving Conditional Use Permit No. 23-08, to allow a restaurant with an entertainment arcade, along with a Class 41 ABC License for the sale of beer and wine for onsite consumption, and adopting a Notice of Exemption regarding same, and making findings in support thereof, for property located at 17585 Colima Road, City of Industry, California.

Public Agency Approving Project: City of Industry

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268));
- Declared Emergency (Sec.21080(b)(3);15269(a));
- Emergency Project (Sec. 21080(b)(4);15269(b)(c));
- Categorical Exemption (state type, section and class number) **Section 15332 Class 32: Infill**

Reasons why project is exempt: Section 15332 of the CEQA Guidelines identifies the Class 32 categorical exemption for projects characterized as infill development. This exemption is intended to promote infill development within urbanized areas. The class consists of environmentally benign infill projects which are consistent with local general plan and zoning requirements. This class is not intended to be applied to projects which would result in any significant traffic, noise, air quality, or water quality effects. Such projects must meet conditions (a) through (e) described in the analysis below. **(See Attached)**

Lead Agency: City of Industry

Contact Person: Eduardo Manriquez, Contract Associate Planner **Telephone:** (626) 333-2211

If filed by Applicant: N/A

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

Signature: 
Name and Title: Eduardo Manriquez, Contract Associate Planner
Date: September 9, 2024

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The subject parcel has a General Plan land use designation of Commercial and is zoned Commercial, which allows the proposed Project subject to the approval of a Conditional Use Permit by the Planning Commission. The project generally conforms to General Plan policies and zoning regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The 82,331 square foot (1.89 acres) building (labeled Building "B" on the site plan) is located in the City and is currently occupied by ten commercial tenant spaces. The proposed project will occupy 14,497 square foot tenant space.

(c) The Project site is currently developed and surrounded by development. Pursuant to the General Plan Element 3. Resource Management Section 3.1: "Since the city is urbanized and largely built out, it does not contain significant biological resources", therefore, the Project site has no value as habitat for endangered, rare, or threatened species and does not contain any endangered habitat because it is a developed lot that has an existing industrial building and was disturbed when the original buildings were built and there were no environmental concerns found at the time of original construction. Furthermore, no areas of the City are within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan as stated in the General Plan Element 3. Therefore, the Project site has no value as habitat for endangered, rare or threatened species, and the Project qualifies for an exemption under CEQA Guidelines Section 15332(c) as a Class 32 urban in-fill development under this criteria.

(d) The Project site is currently developed and surrounded by development. The existing shopping center has been built out and operated since 1989 and potential effects to traffic, noise, air quality and water were taken into consideration and accounted for at the time the original development was built. Although the site will be interiorly improved there will be no expansion of the existing building. The proposed project is permitted with the approval of a CUP pursuant to Municipal Code, and the Project's improvements will be constructed and operated in compliance with all applicable development standards and conditions of approval. Therefore, approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) The Project site is situated in an area of the City that is fully developed. All necessary public services and utilities are readily available to adequately serve the site. The Project

site is currently served by all of the City's public services, including Sheriff and fire protection.