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JEFF ORTIZ, COMMISSIONER
KENNETH TANG, COMMISSIONER
VACANT, COMMISSIONER



RENE SALAS, INTERIM CITY
MANAGER
GUILLERMO ARREOLA, PLANNING
MANAGER
ANGIE HERNANDEZ, COMMISSION
SECRETARY
CHRISTY MARIE LOPEZ,
ASSISTANT CITY ATTORNEY

**CITY OF SOUTH EL MONTE
REGULAR MEETING OF THE SOUTH EL MONTE PLANNING COMMISSION**

AGENDA

January 17, 2023, 6:00 PM
1415 Santa Anita Avenue, South El Monte, CA 91733

PUBLIC COMMENT

To participate during public comment via teleconference, see below:

Link: <https://us02web.zoom.us/j/87633079092>

Webinar ID: 876 3307 9092

Or Call In: 1 669 900 6833, when prompted, enter 87633079092#

AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's office at (626) 579-6540 ext. 3280 or ext. 3220 at least 72 hours prior to the meeting.

GENERAL COMMENT

Members of the public wishing to submit a general comment or a comment on an agenda item, can email ahernandez@soelmonte.org or call (626) 579-6540 ext. 3233 to leave a voicemail message. All comments received an hour before the scheduled meeting will be read during public comment and made part of the record.

MEETINGS

The Planning Commission holds regular meetings on the Third Tuesday of every month. Regular meetings start at 6 p.m. in the Council Chambers at City Hall, 1415 Santa Anita Avenue, South El Monte, California.

POSTING LOCATIONS OF AGENDA AND/OR CANCELLATION NOTICES

Regular meeting agendas will be posted at least 72 hours before the meeting (GC 54954(a)(1)).

Agenda and Cancellation Notices can be viewed online and are also posted at the following three (3) locations: City Hall located at 1415 Santa Anita Avenue, Senior Center located at 1556 Central Avenue and the Community Center located at 1530 Central Avenue, South El Monte, California.

VIEWING OF AGENDA PACKETS

Full agenda packet can be viewed either at <https://www.cityofsouthelmonte.org/373/Agendas-Minutes> or in the Community Development's Office at City Hall during normal business hours Monday through Thursday 7:00 a.m. to 5:30 p.m. Closed on Fridays and major holidays.

ISSUES RELATED TO AGENDA

For issues related to the agenda, including a disability-related accommodation necessary to participate in this meeting, please contact:

Angie Hernandez, Community Development Executive Assistant
Ph (626) 652-3175

AGENDA BEGINS ON THE FOLLOWING PAGE

1. ROLL CALL

Commissioners: Barrera, Ortiz, Rodriguez and Tang

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

This is the time for the commission to remove any items from the agenda, continue, add items, to make a motion to rearrange the order of this agenda, or accept Agenda “as-is”.

4. PUBLIC COMMENT

Any person wishing to address the Planning Commission on any items not on the agenda, or any other matter, is invited to do so at this time. Pursuant to the Brown Act, the Commission cannot discuss or take action on items not on the agenda. Matters brought before the Commission that are not on the agenda may be, at the Commissions’ discretion, be referred to staff or placed on the next agenda.

5. CONSENT CALENDAR

Items on the consent calendar are considered to be routine and customary and are enacted by a single motion with the exception of items previously removed by a member of the Planning Commission during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar

5.a. Minutes for November 15, 2022

RECOMMENDATION: Staff recommends that the Planning Commission approve the above reference minutes.

6. GENERAL BUSINESS/ PUBLIC HEARING

6.a. Consideration of Resolution No. 22-03 a Conditional Use Permit (CUP) (No. 22-03) to allow for the operation of a massage establishment (Sunny Spa) located at 1648 Tyler Ave, South El Monte CA 91733.

This item was continued from the December 20, 2022 Planning Commission Meeting

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 22-03 approving CUP (No. 22-03).

Public Notice was posted 12/08/2022

7. DIRECTOR UPDATE

8. COMMISSIONER COMMENTS

9. ADJOURNMENT

February 21, 2023 at 6:00 p.m.

CITY OF SOUTH EL MONTE
PLANNING COMMISSION - MINUTES
Tuesday, December 20, 2022, 6:00 P.M.

1. **CALL TO ORDER** – Chair Tang called the meeting to order at 6:07 p.m.
2. **ROLL CALL** – PRESENT: Commissioner(s): Vice Chair Barrera (via Zoom), Rodriguez, Ortiz, and Diaz.

STAFF PRESENT: Christy Lopez, Assistant City Attorney (via Zoom), Rene Salas, Interim City Manager; Guillermo Arreola, Planning Manager; and Angie Hernandez, Planning Commission Secretary.

CITY COUNCIL PRESENT: Gloria Olmos, Mayor (via Zoom)

Zoom was provided for the Public to participate during public comment via teleconference.

3. **FLAG SALUTE** – Commissioner Barrera led the Pledge of Allegiance.

4. **APPROVAL OF AGENDA**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Ortiz, to approve the agenda. Motion carried 5-0, by the following vote:

AYES: Commissioner(s): Barrera, Rodriguez, Ortiz, Tang, and Diaz

NAYS: Commissioner(s): None

ABSENT: Commissioner(s): None

5. **PUBLIC COMMENT** - Chair Tang opened public comment, being none, closed public comment.

6. **CONSENT CALENDAR – MINUTES FOR NOVEMBER 15, 2022**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barrera, to approve the agenda. Motion carried 5-0, by the following vote:

AYES: Commissioner(s): Barrera, Rodriguez, Ortiz, Tang, and Diaz

NAYS: Commissioner(s): None

ABSENT: Commissioner(s): None

7. **GENERAL BUSINESS/PUBLIC HEARING**

- 7.a. **Consideration of Resolution No. 22-02 a Conditional Use Permit (CUP) (No. 22-02) to allow the construction of a 4,010 square foot laboratory testing facility and abutting equipment pads at 10350 Vacco Street, South El Monte, CA 91733.**

RECOMMENDATION: Staff recommends that the Planning Commission continue the public hearing to a date uncertain.

Public Notice was posted 12/08/2022

Planning Manager requested the Commission continue this item to date uncertain.

Chair Tang opened public comment, being none, public comment was left open to grant the continuance of this item to a date uncertain.

A motion was made by Commissioner Rodriguez, seconded by Commissioner Barrera, to continue application for CUP 22-02 to allow the construction of a 4,010 square foot laboratory testing facility and abutting equipment pads at 10350 Vacco Street, South El Monte, CA 91733. Motion carried 5-0, by the following vote:

AYES: Commissioner(s): Barrera, Rodriguez, Ortiz, Tang, and Diaz

NAYS: Commissioner(s): None

ABSENT: Commissioner(s): None

7.b. Consideration of Resolution No. 22-03 a Conditional Use Permit (CUP) (No. 22-03) to allow for the operation of a massage establishment (Sunny Spa) located at 1648 Tyler Ave, South El Monte CA 91733.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 22-03 approving CUP (No. 22-03).

Public Notice was posted 12/08/2022

The Planning Manager gave an overview of the application submitted. Planning Manager included the applicants' intended tenant improvements to the space. The business would eliminate one of three current vacancies in this business complex. New business would enhance the city's economic development sector and continue to meet overall city goals.

Chair Tang opened public comment.

1. Commissioners questioned if adequate notification of this project was conducted, further public outreach to be conducted and if any comments were received. No public comments were received and public notice was sent to all property and business owners within 500 feet.
2. Xiaoping Chen, applicant and Mike Chen, translator was present to answer any Commissioner questions. Applicant stated she owns two other businesses out of state. Applicant added comments related to the Commissions request to delay the application. Stating she has been paying commercial rent for over 6 months and has not been allowed to operate her business. Making statement that the city is not business friendly in this aspect.
3. Commission requested city staff conduct background investigation on the applicant's other businesses and report back before approving this current application. Staff was instructed to revise the hours of operations to 9:00 a.m to

9:00 p.m and to include a condition that would request the applicant to return before the Planning Commission within six months of the business opening.

There being no further comments, Chair Tang closed public comment.

A motion was made to **CONTINUE** this item to the next Planning Commission meeting on January 17, 2023 by Commissioner Rodriguez, seconded by Commissioner Ortiz, to continue application for consideration of resolution No. 22-03 of a Conditional Use Permit (CUP) (No. 22-03) to allow for the operation of a massage establishment (Sunny Spa) located at 1648 Tyler Ave, South El Monte CA 91733. Motion carried 5-0, by the following vote:

AYES: Commissioner(s): Barrera, Rodriguez, Ortiz, Tang, and Diaz

NAYS: Commissioner(s): None

ABSENT: Commissioner(s): None

8. **DIRECTOR UPDATE** – Interim City Manager had no comments. Planning Manager had no additional comments. Assistant City Attorney wished city staff and commissions a Happy Holidays and safe New Year.

9. **COMMISSIONERS' COMMENTS**

Commissioner Barrera – Thanked city staff for all their hard work all year long and wished everyone a Merry Christmas.

Commissioner Rodriguez – Thanked the city for their (School Board) support.

Commissioner Ortiz – Thanked the city for all their hard work.

Chair Tang – Thanked the city for all their hard work.

Chair Diaz– no comment.

10. **ADJOURNMENT**

A motion was made by Commissioner Rodriguez, second by Commissioner Ortiz to adjourn the meeting at 6:52 p.m. Motion carried 5-0 by the following vote:

AYES: Commissioner(s): Barrera, Rodriguez, Ortiz, Tang, and Diaz

NAYS: Commissioner(s): None

ABSENT: Commissioner(s): None



Planning Commission Agenda Report

Agenda
Item No.
6.a.

DATE: January 17, 2023

TO: Honorable Chairman and
Members of the Planning Commission

FROM/PREPARED BY: Guillermo Arreola
Planning Manager

SUBJECT: Adoption of Resolution No. 22-03 approving a Conditional Use Permit (CUP) (No. 22-03), to allow for the operation of a massage establishment (to be known as Sunny Spa) in Suite A of an existing commercial building at 1648 Tyler Avenue.

PUBLIC NOTICE: Notice of Public Hearing was posted on December 8, 2022.

ENVIRONMENTAL DETERMINATION: A Categorical Exemption, Section 15301, Class 1 of the California Environmental Quality Act (CEQA) – Existing Facilities

BACKGROUND/DISCUSSION:

During the December 20, 2022 Planning Commission public hearing for a proposed massage establishment to be located at 1648 Tyler Avenue, Suite A, the Planning Commission recommended that the public hearing be continued to the January 17, 2023 Commission meeting to allow Staff to conduct a background investigation on the two out-of-state massage establishments the owner stated she owned. In addition, the Commission also recommended that the hours of operation change from 10:00 am to 10:00 pm, with the last massage starting at 9:00 p.m., to 9:00 a.m. to 9:00 p.m., with the last massage starting at 8:00 p.m., and that the conditional use permit be brought back for Planning Commission review six (6) months after the opening date or issuance of the certificate of occupancy. Lastly, the Commission requested that staff reach out to the Epiphany Church and School located to the east of the subject site informing them of the proposed application.

Per the Commission's request, staff contacted the local jurisdictions for information on the two out-of-state massage establishments. Specifically, staff was able to contact both local police departments, however, they both indicated that they did not have any specific "calls-for-service" for either one of the massage establishments.

As indicated above, the attached draft Resolution was amended to incorporate the Commission's recommended changes. Condition No. 14 was amended to reflect the recommended hours of operation, and Condition No. 37 was added to require the conditional use permit be brought back for Planning Commission review six (6) months after the opening date of the business or issuance of the certificate of occupancy.

On January 11th, staff contacted Epiphany Church, and they did not express any concern over the proposed massage establishment.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. 22-03, approving Conditional Use Permit (No. 22-03), as conditioned.

ATTACHMENTS:

A – Draft Resolution 22-03

B – Planning Commission Packet – December 20, 2022

ATTACHMENT A

PLANNING COMMISSION

RESOLUTION NO. 22-03

A RESOLUTION OF THE SOUTH EL MONTE PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT (NO. 22-03) TO ALLOW THE OPERATION OF A MASSAGE ESTABLISHMENT WITHIN AN EXISTING COMMERCIAL CENTER LOCATED AT 1648 TYLER AVENUE, SUITE A, ZONED C (COMMERCIAL).

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1: Xiaoping Chen (Xiaoping Chen LLC), (“Applicant”), filed an application for a Conditional Use Permit (CUP) to allow for the operation of a full-body massage establishment (“Project” or “proposed Project”) in an existing commercial center located at 1648 Tyler Avenue, Suite A, South El Monte, CA 91733 (“Property” or “project site”).

Pursuant to South El Monte Municipal Code (“SEMMC”) Sections 17.14.040, 17.41.020, and 5.04.055 the Project requires Planning Commission review and approval because the Project consists of operation of a massage establishment.

SECTION 2: Pursuant to Section 15301 (Class 1) of the California Environmental Quality Act, the proposed Project is categorically exempt from environmental review and a Notice of Exemption has been prepared. The proposed Project qualifies for a Class 1 Categorical Exemption for the Project proposes to be operated within existing facilities. The criteria is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The Planning Commission finds that the Project is exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are located in the Department of Community Development and are in the custody of the Director of Community Development.

SECTION 3: A public hearing was held before the Planning Commission on December 20, 2022, to consider the application. All evidence, both written and oral, presented during the public hearing was considered by the Planning Commission in making their determination. On that date, the Commission voted to continue this matter to January 17, 2023.

SECTION 4: The public hearing was continued to the January 17, 2023 Planning Commission meeting to allow staff the opportunity to conduct a background check on two out-of-state massage establishments which the applicant stated she owned. In addition, the Commission recommended that Condition No. 14 be amended to reflect new hours of operation and that a new condition be added to require the conditional use permit be brought back for Planning Commission review six (6) months after the opening date of the business.

SECTION 5: Based on the record of the hearing, including all information presented at the hearing, including the Staff Reports dated December 20, 2022 and January 17, 2023, which are hereby incorporated into this Resolution 22-03 by reference, the Planning Commission hereby finds:

1. The proposal for a massage establishment as conditioned should not become a nuisance to surrounding properties. Pursuant to SEMMC Section 17.68.040, the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. This is so because the Project is mostly surrounded by industrial uses and the operation is herein conditioned and required to operate in a way that does not negatively impact the area.

3. As conditioned, the Project meets the requirements of SEMMC Sections 17.14.040, 17.41.020, and 5.04.055 and will not be detrimental to the public health, safety or welfare, nor will it adversely affect property values or the present or future development of the surrounding areas. This is because the project is compatible with the surrounding uses.

4. As conditioned, the proposed Project is consistent with the City's General Plan. No goal or policy will be impaired. The proposed Project is compatible with the objectives, policies, general land uses, economic development and programs specified in the General Plan which includes, but is not limited to, the following goals:

- Goal 1.0: *Maintain a balanced mix and distribution of land uses throughout South El Monte;*
 - (a) Policy 1.4 seeks to create opportunities for commercial uses that meet the retail and service needs of the local resident and employee population.
- Goal 2.0: *Focus new revenue-generating development in those areas of the City with high visibility;* and
- Goal 3.0: *Attract local-serving retail and service commercial businesses.*

5. A record of the public hearing indicates the following:

A. The proposed use is not detrimental to persons or properties in the immediate vicinity, or to the City in general.

A. The General Plan Land Use designation for the Property is "C" (Commercial). The proposed project is compatible with both the land use designation and zoning uses surrounding the Property.

B. The proposed Project promotes the City's goals and objectives stated in the General Plan. The goals and policies will be promoted as provided in the Section 4 above.

C. The site abuts a street adequate in width and improvements to carry traffic generated by the proposed use. The subject site is located on Tyler Avenue, an arterial highway capable of handling the additional vehicle trips per day that may be generated by the Project. The subject site is near the intersection of Santa Anita Avenue, which is more than adequate in size to accommodate any additional vehicle trips generated by the

proposed use.

D. SEMMC Chapter 17.41 requires massage establishments obtain a conditional use permit to operate in the City. Pursuant to SEMMC Section 17.41.020(G)(10), no massage establishment may be sited within five hundred feet of an existing or otherwise approved massage establishment. The proposed location is not within five hundred feet of any other known massage establishment.

Based on the aforementioned findings, the Planning Commission hereby approves CUP 22-03 (Resolution No. 22-03) to allow the establishment of a massage establishment subject to the following conditions:

General Conditions

1. The Applicant shall indemnify, defend and hold harmless the City, its officers, agents, employees, and volunteers from any and all claims, lawsuits or actions arising from the granting of, or the exercise of, the rights permitted by this approval, and from any and all claims or losses occurring or resulting to any person, firm, corporation or property for damage, injury, or death arising out of, or connected in anyway, with the performance of the use permitted hereby. The Applicant's obligation to indemnify, defend, and save harmless the City shall include, but not be limited to, paying all legal fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, losses, lawsuits or actions, and any award of damages or attorney's fees in any such lawsuit or action.
2. The Applicant shall execute an Affidavit of Acceptance of these conditions in the presence of a Notary Public and return the Affidavit to the Director of Community Development within ten calendar days of the date of the Planning Commission's approval.
3. The approval shall lapse and become void if the privilege authorized herein is not utilized and/or business operations have not commenced. The applicant may request an extension from the Community Development Director based on specific circumstances.
4. The Project shall be subject to an appeal period of 14 calendar days. A written appeal of a decision of the Planning Commission for City Council review may be filed by the Applicant or any person. or the City Council may call any decision for review by filing a written request consistent with section 17.74.050(B).

Community Development Department/Planning Conditions

5. The approval of Conditional Use Permit (CUP) (No. 22-03) permits the operation of a full body massage establishment at 1648 Tyler Avenue.
6. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of South El Monte Municipal Code shall apply.

7. The Community Development Director or his designee is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
8. The Planning Commission reserves the right to revoke or modify this approval if the proposed use becomes a public nuisance, finds the permit or business license was obtained by fraud, the approved use is operated in violation of the terms and conditions contained herein, the use is in violation of any law, rule, regulation or policy, or the approved use ceased or for three consecutive months or for six months during any calendar year consistent with SEMMC section 17.68.100.
9. The massage establishment operator or any partner with a 5% or more interest in the business, who are not CAMTC certified, is required to submit an application for a background check. The application must be submitted fully completed by all persons required to pass a background check. Additionally, every background check must be renewed every 2 years.
10. If ownership of the establishment changes, operators of the massage establishment, and any partner with a 5% or more interest in the business, must hold CAMTC certification or are required to submit an application for a background check. This condition must be met prior to new ownership taking control or possession of the establishment.
11. The operator shall provide and continue to maintain an updated list of all massage therapists and copies of their licenses quarterly to the Community Development Department to ensure full compliance.
12. A list of all persons providing massage services at the establishment, including each person's full true name and other names used, photograph, and certificate from the California Massage Therapy Council must be provided to the Community Development Director prior to issuance of a Business License. Any changes in practitioners must be reported to Community Development Director within two weeks of the change.
13. All employees performing massages shall be certified massage therapists in good standing by the California Massage Therapy Council, pursuant to the Massage Therapy Act (Cal. Bus. & Prof. Code § 4600 et seq.). The massage establishment shall not operate until and shall hold at all times a valid business license and massage establishment permit from the City, pursuant to South El Monte Municipal Code Title 5 and Chapter 5.22.
14. The permitted hours of operation of the business are Monday through Sunday from 9:00 a.m. to 9:00 p.m. with the last massages starting at 8:00 p.m. Customers shall not be allowed within the business outside of these business hours.
15. No person shall give, or assist in giving of, any massage to any other person under the age of eighteen (18) years, unless the parent or guardian of such minor person has given consent thereto in writing.
16. The massage establishment and all employees performing massages shall comply with all

applicable State, Federal and local laws and regulations, including without limitation the Massage Therapy Act (Cal. Bus. and Prof. Code § 4600 et seq.) and South El Monte Municipal Code Title 5 and Chapter 17.41.

17. The City must be notified on any change in employment of massage therapists at the property, whether the employment of new therapists or when therapists cease to work at the above-mentioned massage establishment.
18. Any alteration to the interior of the massage establishment must be brought to the City for approval before improvements may take place. If applicable, building permits or the like will be required.
19. The applicant must allow a minimum of two inspections a year by the City and its agents to ensure compliance of all conditions of approval.
20. Remove litter daily from the premises, adjacent sidewalks and parking lots under permittees control and sweep/clean these areas daily.
21. Remove graffiti from Suite A of the property and parking lot in front of Suite A within 48 hours (2 days) of application.
22. There shall be provided in each room, or portion of a room, where massage services are provided, sufficient lighting of a minimum of 40 watts within each room that is providing massage services and ventilation as required by the Massage Therapy Act.
23. There shall be provided and maintained adequate dressing, and toilet facilities for patrons at all times. Physical facilities for the massage establishment shall be maintained in good repair and in a clean and sanitary condition. Showers, if any, and toilets utilized in the operation shall be cleaned each day.
24. Any new signage shall require separate permits and must comply with the Planned Sign Program for this commercial center and any applicable SEMMC.
25. All exterior doors shall remain unlocked during business hours from the interior side; and the exterior side should remain unlocked in the event that any City or any first responders require the doors to remain unlocked from the exterior (said requirement may be by county or state codes or otherwise requested for any City or first responder needs).
26. In accordance with the Zoning Code, no covering of windows shall exceed 25% of the window surface.
27. Massage tables in each of the four massage rooms must be a table designed and manufactured for medical and massage uses. No mattresses or sleeping beds are allowed.
28. Each employee must be provided individual lockers on the premises of the massage establishment.
29. Operators of massage establishments must obtain a business license from the City of South

El Monte before commencing any commercial activity within the City.

30. Massage Practitioners operating as independent contractors, not employees, within an establishment must obtain a business license from the City of South El Monte before commencing any commercial activity within the City.
31. All employees must be dressed in clean and opaque clothing from neck to knee, excepting hands and arms, at all times while on the premises.
32. Each customer's genitals must be fully covered at all times. No person shall massage the genitals of any customer. No person shall massage any female customer whose breasts are not covered by a sheet or other opaque clothing. No person shall massage any female customer's breasts.
33. Any changes to the services provided or business plan must be submitted to and approved by the Community Development Director prior to any change taking effect. If the proposed change significantly alters the use as described and approved through this CUP, the change may be referred to the Planning Commission for review.
34. No persons other than those receiving a massage, parents or guardians of a minor who is receiving a massage, and those administering a massage shall enter or remain within a room where a massage is being given.
35. The massage establishment must maintain compliance with all provisions of the South El Monte Municipal Code, as it relates to the operation of massage establishments.
36. A copy of this resolution shall be prominently posted on the premises at all times. The applicant shall make available said copies upon request by any Sheriff's Department Deputy or City official charged with the enforcement of the City's laws, ordinances or regulations.
37. This conditional use permit shall be brought back to the Planning Commission for review six months after the issuance of the certificate of occupancy or the opening date of the massage establishment, with such hearing date determined at the discretion of the City. At that time, the Commission may consider amendments or revocation to this conditional use permit consistent with the SEMMC including but not limited to section 17.68.070.

Building

38. All construction shall comply with the most recent adopted City and State building codes: California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Fire Code, and California Green Code.
39. Special Inspections – If applicable, per California Building Code Section 1704, the owner shall employ one or more special inspectors who shall provide special inspections when required by CBC section 1704. Please contact the Building Division at time of plan submittal to obtain application for special inspections.

40. The Title Sheet of the plans shall include Occupancy Group, Occupant Load, Description of Use, Type of Construction, Height of Building, Floor area of building(s) and/or occupancy group(s).
41. The project design will conform with energy conservation measures articulated in Title 24 of the California Code of Regulations and address measures to reduce energy consumption such as flow restrictors for toilets, low consumption light fixtures, and insulation and shall use to the extent feasible draught landscaping.
42. If applicable, a design professional will be required at time of construction drawings, to prepare plans for proposed improvements per the Business and Professions' Code.
43. Public and private site improvements shall be designed in accordance with the Americans with Disabilities Act and Chapter 11 of the California Building Code. As applicable, site plan shall include a site accessibility plan identifying exterior routes of travel and detailing running slope, cross slope, width, pedestrian ramp, curb ramps, handrails, signage and truncated domes. Path of travel shall be provided from the public right of way and accessible parking to building. The design professional shall ensure that the site accessibility plan is compliance with the latest Federal and State regulations.

Fire

44. The proposed occupancy use (e.g. massage services) shall comply with code requirements for building's use as a Business Group B occupancy adhering to requirements for egress, egress sizing, occupant load, egress/emergency illumination, building addressing, Knox box installation, and any other code requirements for the occupancy type and use.

Sheriff (based on comments and suggestions from Sheriff's Department)

45. Security Cameras and Building Lights: Prior to the issuance of a building permit, applicant shall submit a plan for Sheriff's Department review for the installation of security cameras and building lights with motion sensors for the exterior of the massage establishment. In addition, the plan shall identify locations of exterior building security cameras in areas where they can adequately identify vehicle license plates upon entry and exit into the parking lot. Lighting shall be adequate to enhance visibility. The plan shall have installation of low-level site security lighting throughout the site as approved by the Sheriff's Department. The equipment shall be installed and functioning prior to the issuance of a building occupancy permit.
46. Interior Security Cameras/Video Monitoring: Prior to the issuance of a building permit, applicant shall submit a plan for Sheriff's Department review for the installation of security cameras inside the massage establishment at each entry/exit points. The equipment shall be installed and functioning prior to the issuance of a building occupancy permit.

SECTION 6: Any interested party may appeal this decision to the City Council pursuant to Section 17.74.050 and 17.68.090 of the South El Monte Municipal Code.

ADOPTED this 17th day of January, 2023.

Chairman

ATTEST:

Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH EL MONTE)

I, Angie Hernandez, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 22-03 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 17th day of January 2023.

AYES:
NOES:
ABSENT:
ABSTAIN:

Secretary

EXHIBIT B



Planning Commission Agenda Report

**Agenda
Item No.
7.b.**

DATE: December 20, 2022

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Planning Manager

PREPARED BY: James Funk, Planning Consultant

SUBJECT: Adoption of Resolution No. 22-03 approving a Conditional Use Permit (CUP) (No. 22-03), to allow for the operation of a massage establishment (to be known as Sunny Spa) in Suite A of an existing commercial building at 1648 Tyler Avenue.

PUBLIC NOTICE: Notice of Public Hearing was posted on December 8, 2022.

ENVIRONMENTAL DETERMINATION: Categorical Exemption, Section 15301 Class 1 – Existing Facilities, California Environmental Quality Act Guidelines.

PROJECT

LOCATION: Address: 1648 Tyler Avenue, Suite A
Project Applicant: Xiaoping Chen, Xiaoping Chen LLC
Property Owner: Stephen Lee and Tracy Hsu Lee
Zone: "C" (Commercial)
Lot Size: Approximately 30,400 square feet (0.7 acres)

SURROUNDING ZONING AND LAND USE:

	Zone	General Plan	Land Use
North	"C" (Commercial)	Commercial	Commercial
South	"C" (Commercial)	Commercial	Commercial
East	P-F (Public Facilities)	Public Facilities	Public Facilities
West	"C" (Commercial)	Commercial	Commercial

BACKGROUND: The applicant, Xiaoping Chen (Xiaoping Chen LLC), ("Applicant"), submitted a conditional use permit request to allow the operation of a full-body massage establishment in an existing commercial center on property located at 1648 Tyler Avenue, Suite A.

The subject site is developed with a single-story multi-tenant commercial center and is located on the east side of Tyler Avenue.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 22-03, approving Conditional Use Permit (No.22-03), as conditioned.

ANALYSIS:

General Plan/Zoning Consistency

The property identified as 1648 Tyler Avenue is currently developed as a commercial retail center. The center is in the “C” (Commercial) Zone. The site is designated as “Commercial” in the City’s General Plan. Therefore, the proposed use is in conformance with zoning and the General Plan, subject to approval of a conditional use permit (“CUP”). Further, the proposed massage establishment satisfies the following City objectives:

Land Use Element

Goal 1.0: Maintain a balanced mix and distribution of land uses throughout South El Monte.

Policy 1.4: Create opportunities for two types of commercial development: (1) commercial uses that meet the retail and service needs of the local resident and employee populations, and (2) regional-serving retail commercial businesses that capture revenues from a broader population base.

Goal 2.0: Focus new revenue-generating development in those area of the City with high visibility.

Economic Development Element

Goal 3.0: Attract local-serving retail and service commercial businesses.

The proposed use will strengthen the existing commercial center and will be a viable commercial asset to the City’s economy. The proposed project will also promote balanced and dynamic economic growth for the area and the City as a whole because this use will address the growing needs of its customers. Considering all of the above, the proposed Project is consistent with both the General Plan and the Zoning Code.

Conditional Use Permit (CUP)

The proposed massage establishment is subject to the requirements for approval of a CUP.

Effective January 1, 2015, the State of California restored the ability of cities to impose local regulations on massage establishments. However, the enabling legislation (“AB 1147”) did include some limitations on cities’ regulation of massage establishments. For example, a city may not define or regulate massage establishments as adult entertainment businesses. Next, a city may not require such establishments to post any notice in an area that may be viewed by clients that contains explicit language describing sexual acts or mentions genitalia or specific contraception devices. Further, a city may not impose more stringent client draping rules than what the statutes require. As it pertains to facilities, a city may not obligate a massage establishment to have internal physical structures, such as windows looking into massage rooms or walls that do not extend from the floor to the ceiling, which interfere with any client’s reasonable expectation of privacy, and a city may not prevent a one (1) person business from locking its external doors.

In early 2015, the City of South El Monte amended the South El Monte Municipal Code (“SEMMC”) with the adoption of Chapter 17.41 (MESSAGE ESTABLISHMENTS), in Title 17 (ZONING), which established the requirements for a CUP for the establishment of any massage establishment. The Zoning Code was amended to ensure that all massage establishments comply with the City’s requirements to ensure the health and safety of the employees and residents of the City. Requirements pursuant to the Zoning Code include, but are not limited to the following:

- “In granting a conditional use permit, the Planning Commission may impose conditions if the Planning Commission determines such conditions are necessary to minimize any adverse effect of the proposed use on properties and uses in the area and the rest of the city.” SEMMC 17.41.020(C)
- “A massage establishment shall not operate under any name or conduct business under any designation not specified in the application for the conditional use permit, which shall be identical as the name listed in the applications for the city business license and massage establishment permit.” SEMMC 17.41.020(D)
- “A description of all physical changes proposed to the property, whether permanent or impermanent, both inside and outside of the building.” SEMMC 17.41.020(G)(5)
- “The separation distance from other existing massage establishments shall be shown on an updated site plan or map.” SEMMC 17.41.020(G)(6)
- “No massage establishment shall be sited within five hundred feet of an existing or otherwise approved massage establishment.” SEMMC 17.41.020(G)(10)
- “No massage establishment shall be sited in a zone where it is not permitted.” SEMMC 17.41.020(G)(11)

To grant a CUP, the Commission must make the following findings pursuant SEMMC Section 17.68.040, 17.41.020 (B) and 17.41.020 (G)(8)-(12) respectively:

- “The commission shall find that the proposed use shall not be detrimental to persons or properties in the immediate vicinity nor to the city in general. If it fails to make these findings, the request shall be denied.”
- “In considering applications for massage establishments, the planning commission shall be guided by the provisions of Chapter 17.68 and this section. However, in the event of any inconsistency in said standards, the provisions of this section shall govern.”
- “In addition to any standards for consideration of conditional use permit applications pursuant to Chapter 17.68 of this Code, the planning commission shall consider the following factors in determining whether to issue a conditional use permit, although the planning commission may waive or reduce the burden on the applicant of one or more of these criteria if the planning commission determines that the goals of this section are better served thereby.
- “No massage establishment shall be sited in a location where the applicant cannot produce proof of legal title or a possessory or leasehold interest in that real property and a certified statement from the real property owner(s) authorizing the proposed use of the premises as a massage establishment.”
- “No massage establishment shall be sited within five hundred feet of an existing or otherwise approved massage establishment.”
- “No massage establishment shall be sited in a zone where it is not permitted.
- “No massage establishment shall violate any provision regarding facility requirements within Chapter 5.22 of this Code.”

The commercial center and the parcels directly surrounding the subject property are developed as commercial uses and/or nonresidential uses. Staff believes the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity nor to the City in general because of the conditions referenced in the resolution, as well as most of the surrounding parcels being utilized for commercial and nonresidential activities.

Proposed Project/Use

As submitted by the Applicant, the proposed use consists of remodeling the interior of Suite A in the commercial center for operations of a massage establishment. The business will eliminate one (1) of the three (3) vacancies and add to the vitality of the commercial center.

The proposed project is a conversion of a suite previously occupied by a rehabilitation center into a massage establishment. The proposed project involves the installation of a 27” unitized electric stack pair washer and dryer unit, modifications to the existing restroom, installation of a partition wall to create a new office, electrical upgrades, and building and site accessibility upgrades (for example, ADA pavement markings, approach ramp improvements, pictorial signs, accessible door operating hardware, smooth surface doors).

The existing commercial center contains approximately 8,317 square feet of floor area in two (2) buildings on a site of approximately 30,400 square feet. Currently, there are eight (8) tenant spaces in the two (2) buildings in the commercial center. Three (3) of the tenant spaces are vacant and have posted “For Rent” signs in the windows of each of the vacant spaces. The remaining five (5) spaces are occupied by the following tenants: Ying’s Chinese Food Café, Modern Pooch Dog Grooming, Los Chilitos Restaurant, Ajos Y Cebollas Restaurant, and Blooming Flowers and Gifts.

The commercial center has 39 parking spaces, including two (2) ADA stalls. Occupancy of the now vacant 1,264 square foot space (Suite A) will not detrimentally impact parking. The previous tenant in Suite A was Treatment Clinic, with a City of South El Monte Business License Designation of Herbal Clinic, Business Type – Retail Registration, Standard Industrial Classification (SIC) – Health Food Store/Retail. The parking requirement for both the former and proposed use is 1 space for each 300 square feet of floor area. The change in tenants will not significantly alter the demand for parking in the commercial center and no additional parking is required by the SEMMC.

Floor Plan

The proposed massage establishment would occupy approximately 1,264 square feet of interior floor area. The floor plans illustrate four (4) massage rooms, a restroom, a storage cabinet accessible from the interior hallway, an office and a waiting room. The waiting room is separated by a wall and door from the hallway leading to the four (4) private massage rooms. The office is exterior from the four (4) private massage rooms and restroom.

Proximity to Sensitive Areas

The proposed massage establishment is required to be located 500 feet away from other massage establishments. As of November 29, 2022, Code Enforcement/Public Safety Supervisor Joe Martinez reported: “There are currently no licensed, legitimate massage establishments within the City. We are currently in the process of investigating three possible illegal massage parlor operations within the City...”

The proposed massage establishment is not located near possible sensitive uses such as parks and areas zoned for residential uses. A religious institution and school, Epiphany Catholic Church and Epiphany Catholic School (though not residentially zoned) could possibly be considered sensitive uses. The church and school are located to the east in the immediate vicinity at 10911 and 10907 Michael Hunt Drive, however there is no direct pedestrian or vehicular access between the subject site and the properties on the other side of the block.

The Facilities Planning Bureau of the Sheriff's Department generally subscribes to the principles of Crime Prevention Thru Environmental Design (CPTED). The goal of CPTED is to reduce opportunities for criminal activities by employing physical design features that discourage anti-social behavior, while encouraging the legitimate use of the site. Staff has incorporated in the proposed conditions of approval for Planning Commission's consideration:

- Installation of security cameras and building lights with motion sensors on the exterior of the massage establishment; and
- Installation of security cameras in areas where the cameras can adequately identify vehicle license plates upon entering and exiting into the parking lot of the proposed project, installation of low-level site security lighting at sites to be approved by the Sheriff's Department; and
- Installation of security cameras inside the massage establishment to cover the entry and waiting area lobby and hallways.

Staff is proposing that the Planning Commission require these features to be reflected in the set of plans to be approved by the Sheriff's Department and installed prior to issuance of building permits.

ENVIRONMENTAL REVIEW: This proposed project (the remodel of the interior of Suite A and massage establishment use) is categorically exempt from environmental review pursuant to Section 15301 Class 1 of the California Environmental Quality Act (CEQA) Guidelines. The proposed project satisfies the criteria for the Class 1 categorical exemption for existing facilities. The criteria is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This project falls within the criteria of operation of an existing building and is only utilizing interior space of an existing facility/building.

CONCLUSION: Staff has reviewed the applicant's request and has determined that the proposed project meets all of the development standards as set forth in SEMMC. Approval of the CUP, as conditioned, will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. Staff recommends the Planning Commission adopt Resolution No. 22-03 to approve CUP No. 22-03 for the proposed massage establishment.

ATTACHMENTS:

- A - Draft Resolution No. 22-03
- B – Relevant Code Sections
- C - Location Maps and Site Aerials
- D - Project Plans

Attachment A

PLANNING COMMISSION

RESOLUTION NO. 22-03

A RESOLUTION OF THE SOUTH EL MONTE PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT (NO. 22-03) TO ALLOW THE OPERATION OF A MASSAGE ESTABLISHMENT WITHIN AN EXISTING COMMERCIAL CENTER LOCATED AT 1648 TYLER AVENUE, ZONED C (COMMERCIAL).

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1: Xiaoping Chen (Xiaoping Chen LLC), (“Applicant”), filed an application for a Conditional Use Permit (CUP) to allow for the operation of a full-body massage establishment (“Project” or “proposed Project”) in an existing commercial center located at 1648 Tyler Avenue, Suite A, South El Monte, CA 91733 (“Property” or “project site”).

Pursuant to South El Monte Municipal Code (“SEMMC”) Sections 17.14.040, 17.41.020, and 5.04.055 the Project requires Planning Commission review and approval because the Project consists of operation of a massage establishment.

SECTION 2: Pursuant to Section 15301 (Class 1) of the California Environmental Quality Act, the proposed Project is categorically exempt from environmental review and a Notice of Exemption has been prepared. The proposed Project qualifies for a Class 1 Categorical Exemption for the Project proposes to be operated within existing facilities. The criteria is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The Planning Commission finds that the Project is exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are located in the Department of Community Development and are in the custody of the Director of Community Development.

A public hearing was held before the Planning Commission on December 20, 2022, to consider the application. All evidence, both written and oral, presented during the public hearing was considered by the Planning Commission in making their determination.

A record of the public hearing indicates the following:

A. The proposed use is not detrimental to persons or properties in the immediate vicinity, or to the City in general.

B. The General Plan Land Use designation for the Property is “C” (Commercial). The proposed project is compatible with both the land use designation and zoning uses surrounding the Property.

C. The proposed Project promotes the City’s goals and objectives stated in the

General Plan. No goal or policy will be impaired.

D. The site abuts a street adequate in width and improvements to carry traffic generated by the proposed use. The subject site is located on Tyler Avenue, an arterial highway capable of handling the additional vehicle trips per day that may be generated by the Project. The subject site is near the intersection of Santa Anita Avenue, which is more than adequate in size to accommodate any additional vehicle trips generated by the proposed use.

E. SEMMC Chapter 17.41 requires massage establishments obtain a conditional use permit to operate in the City. Pursuant to SEMMC Section 17.41.020(G)(10), no massage establishment may be sited within five hundred feet of an existing or otherwise approved massage establishment. The proposed location is not within five hundred feet of any other known massage establishment.

SECTION 3: Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated December 20, 2022, which is hereby incorporated into this Resolution 22-03 by reference, the Planning Commission hereby finds:

The proposal for a massage establishment as conditioned should not become a nuisance to surrounding properties.

Pursuant to SEMMC Section 17.68.040, the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. This is so because the Project is mostly surrounded by industrial uses and the operation is herein conditioned and required to operate in a way that does not negatively impact the area.

As conditioned, the Project meets the requirements of SEMMC Sections 17.14.040, 17.41.020, and 5.04.055 and will not be detrimental to the public health, safety or welfare, nor will it adversely affect property values or the present or future development of the surrounding areas. This is because the project is compatible with the surrounding uses.

As conditioned, the proposed Project is consistent with the City's General Plan. No goal or policy will be impaired. The proposed Project is compatible with the objectives, policies, general land uses, economic development and programs specified in the General Plan which includes, but is not limited to, the following goals:

- Goal 1.0: *Maintain a balanced mix and distribution of land uses throughout South El Monte;*
 - (a) Policy 1.4 seeks to create opportunities for commercial uses that meet the retail and service needs of the local resident and employee population.
- Goal 2.0: *Focus new revenue-generating development in those areas of the City with high visibility;* and
- Goal 3.0: *Attract local-serving retail and service commercial businesses.*

Based on the aforementioned findings, the Planning Commission hereby approves CUP 22-03 (Resolution No. 22-03) to allow the establishment of a massage establishment subject to the following conditions:

General Conditions

1. The Applicant shall indemnify, defend and hold harmless the City, its officers, agents, employees, and volunteers from any and all claims, lawsuits or actions arising from the granting of, or the exercise of, the rights permitted by this approval, and from any and all claims or losses occurring or resulting to any person, firm, corporation or property for damage, injury, or death arising out of, or connected in anyway, with the performance of the use permitted hereby. The Applicant's obligation to indemnify, defend, and save harmless the City shall include, but not be limited to, paying all legal fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, losses, lawsuits or actions, and any award of damages or attorney's fees in any such lawsuit or action.
2. The Applicant shall execute an Affidavit of Acceptance of these conditions in the presence of a Notary Public and return the Affidavit to the Director of Community Development within ten calendar days of the date of the Planning Commission's approval.
3. The approval shall lapse and become void if the privilege authorized herein is not utilized and/or business operations have not commenced. The applicant may request an extension from the Community Development Director based on specific circumstances.
4. The Project shall be subject to an appeal period of 14 calendar days. A written appeal of a decision of the Planning Commission for City Council review may be filed by the Applicant or any person. or the City Council may call any decision for review by filing a written request consistent with section 17.74.050(B). .

Community Development Department/Planning Conditions

5. The approval of Conditional Use Permit (CUP) (No. 22-03) permits the operation of a full body massage establishment at 1648 Tyler Avenue.
6. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning regulations, or any Federal, State, County, and City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of South El Monte Municipal Code shall apply.
7. The Community Development Director is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
8. The Planning Commission reserves the right to revoke or modify this approval if the proposed use becomes a public nuisance, finds the permit was obtained by fraud, , the approved use is operated in violation of the terms and conditions contained herein, the use is in violation of any law, rule, regulation or policy, or the approved use ceased or was suspended for one year or more.
9. The massage establishment operator or any partner with a 5% or more interest in the business, who are not CAMTC certified, is required to submit an application for a background check. The application must be submitted fully completed by all persons required to pass a background check. Additionally, every background check must be

renewed every 2 years.

10. If ownership of the establishment changes, operators of the massage establishment, and any partner with a 5% or more interest in the business, must hold CAMTC certification or are required to submit an application for a background check. This condition must be met prior to new ownership taking control or possession of the establishment.
11. The operator shall provide and continue to maintain an updated list of all massage therapists and copies of their licenses quarterly to the Community Development Department to ensure full compliance.
12. A list of all persons providing massage services at the establishment, including each person's full true name and other names used, photograph, and certificate from the California Massage Therapy Council must be provided to the Community Development Director prior to issuance of a Business License. Any changes in practitioners must be reported to Community Development Director within two weeks of the change.
13. All employees performing massages shall be certified massage therapists in good standing by the California Massage Therapy Council, pursuant to the Massage Therapy Act (Cal. Bus. & Prof. Code § 4600 et seq.). The massage establishment shall hold at all times a valid business license and massage establishment permit from the City, pursuant to South El Monte Municipal Code Title 5 and Chapter 5.22.
14. The permitted hours of operation of the business are Monday through Sunday from 10:00 a.m. to 10:00 p.m. with the last massages starting at 9:00 p.m. Customers shall not be allowed within the business outside of these business hours.
15. No person shall give, or assist in giving of, any massage to any other person under the age of eighteen (18) years, unless the parent or guardian of such minor person has given consent thereto in writing.
16. The massage establishment and all employees performing massages shall comply with all applicable State, Federal and local laws and regulations, including without limitation the Massage Therapy Act (Cal. Bus. and Prof. Code § 4600 et seq.) and South El Monte Municipal Code Title 5 and Chapter 17.41.
17. The City must be notified on any change in employment of massage therapists at the property, whether the employment of new therapists or when therapists cease to work at the above mentioned massage establishment.
18. Any alteration to the interior of the massage establishment must be brought to the City for approval before improvements may take place. If applicable, building permits or the like will be required.
19. The applicant must allow a minimum of two inspections a year by the Community Development Department to ensure compliance of all conditions of approval.
20. Remove litter daily from the premises, adjacent sidewalks and parking lots under permittees control and sweep/clean these areas daily.
21. Remove graffiti from Suite A of the property and parking lot within 48 hours (2 days) of

application.

22. There shall be provided in each room, or portion of a room, where massage services are provided, sufficient lighting of a minimum of 40 watts within each room that is providing massage services and ventilation as required by the Massage Therapy Act.
23. There shall be provided and maintained adequate dressing, and toilet facilities for patrons at all times. Physical facilities for the massage establishment shall be maintained in good repair and in a clean and sanitary condition. Showers, if any, and toilets utilized in the operation shall be cleaned each day.
24. Any new signage shall require separate permits and must comply with the Planned Sign Program for this commercial center and any applicable SEMMC.
25. All exterior doors shall remain unlocked during business hours from the interior side.
26. In accordance with the Zoning Code, no covering of windows shall exceed 25% of the window surface.
27. Massage tables in each of the four massage rooms must be a table designed and manufactured for medical and massage uses. No mattresses or sleeping beds are allowed.
28. Each employee must be provided individual lockers on the premises of the massage establishment.
29. Operators of massage establishments must obtain a business license from the City of South El Monte before commencing any commercial activity within the City.
30. Massage Practitioners operating as independent contractors, not employees, within an establishment must obtain a business license from the City of South El Monte before commencing any commercial activity within the City.
31. All employees must be dressed in clean and opaque clothing from neck to knee, excepting hands and arms, at all times while on the premises.
32. Each customer's genitals must be fully covered at all times. No person shall massage the genitals of any customer. No person shall massage any female customer whose breasts are not covered by a sheet or other opaque clothing. No person shall massage any female customer's breasts.
33. Any changes to the services provided or business plan must be submitted to and approved by the Community Development Director prior to any change taking effect. If the proposed change significantly alters the use as described and approved through this CUP, the change may be referred to the Planning Commission for review.
34. No persons other than those receiving a massage, parents or guardians of a minor who is receiving a massage, and those administering a massage shall enter or remain within a room where a massage is being given.
35. The massage establishment must maintain compliance with all provisions of the South El Monte Municipal Code, as it relates to the operation of massage establishments.

36. A copy of this resolution shall be prominently posted on the premises at all times. The applicant shall make available said copies upon request by any Sheriff's Department Deputy or City official charged with the enforcement of the City's laws, ordinances or regulations.

Building

37. All construction shall comply with the most recent adopted City and State building codes: California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Fire Code, and California Green Code.
38. Special Inspections – If applicable, per California Building Code Section 1704, the owner shall employ one or more special inspectors who shall provide special inspections when required by CBC section 1704. Please contact the Building Division at time of plan submittal to obtain application for special inspections.
39. The Title Sheet of the plans shall include Occupancy Group, Occupant Load, Description of Use, Type of Construction, Height of Building, Floor area of building(s) and/or occupancy group(s).
40. The project design will conform with energy conservation measures articulated in Title 24 of the California Code of Regulations and address measures to reduce energy consumption such as flow restrictors for toilets, low consumption light fixtures, and insulation and shall use to the extent feasible draught landscaping.
41. If applicable, a design professional will be required at time of construction drawings, to prepare plans for proposed improvements per the Business and Professions' Code.
42. Public and private site improvements shall be designed in accordance with the Americans with Disabilities Act and Chapter 11 of the California Building Code.. As applicable, site plan shall include a site accessibility plan identifying exterior routes of travel and detailing running slope, cross slope, width, pedestrian ramp, curb ramps, handrails, signage and truncated domes. Path of travel shall be provided from the public right of way and accessible parking to building. The design professional shall ensure that the site accessibility plan is compliance with the latest Federal and State regulations.

Fire

43. The proposed occupancy use (e.g. massage services) shall comply with code requirements for building's use as a Business Group B occupancy adhering to requirements for egress, egress sizing, occupant load, egress/emergency illumination, building addressing, Knox box installation, and any other code requirements for the occupancy type and use.

Sheriff (based on comments and suggestions from Sheriff's Department)

44. Security Cameras and Building Lights: Prior to the issuance of a building permit, applicant shall submit a plan for Sheriff's Department review for the installation of security cameras and building lights with motion sensors for the exterior of the massage establishment. In addition, the plan shall identify locations of exterior building security cameras in areas where they can adequately identify vehicle license plates upon entry and exit into the

parking lot. Lighting shall be adequate to enhance visibility. The plan shall have installation of low-level site security lighting throughout the site as approved by the Sheriff's Department. The equipment shall be installed and functioning prior to the issuance of a building occupancy permit.

45. Interior Security Cameras/Video Monitoring: Prior to the issuance of a building permit, applicant shall submit a plan for Sheriff's Department review for the installation of security cameras inside the massage establishment at each entry/exit points. The equipment shall be installed and functioning prior to the issuance of a building occupancy permit.

46.

SECTION 4: Any interested party may appeal this decision to the City Council pursuant to Section 17.74.050 and 17.68.090 of the South El Monte Municipal Code.

ADOPTED this 20th day of December, 2022.

Chairman

ATTEST:

Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH EL MONTE)

I, Angie Hernandez, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 22-03 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 20th day of December 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

Secretary

Attachment B

Chapter 17.41 MASSAGE ESTABLISHMENTS

- [17.41.010 Location criteria.](#)
- [17.41.020 Conditional use permit required.](#)
- [17.41.030 Amortization and regulation of nonconforming massage establishments.](#)
- [17.41.040 Extension of time for termination of nonconforming use.](#)

17.41.010 Location criteria.

A massage establishment may be located in any zone district which permits that particular use subject to the following exceptions and qualifications:

A. A massage establishment shall not be established or located within five hundred feet of any existing massage establishment. The distance between any two massage establishments shall be measured in a straight line, without regard to the boundaries of the city and to intervening structures, from the closest point of each establishment.

B. A massage establishment may not open or operate in a location where that establishment or a prior massage establishment was closed due to criminal activity, had its conditional use permit revoked, or had a massage establishment permit revoked any time within the past three years. (Ord. 1195 §14, 2015)

17.41.020 Conditional use permit required.

A conditional use permit shall be required for the establishment of any massage establishment. The following provisions shall govern the issuance of conditional use permits for massage establishments:

A. Applications for conditional use permits under this section shall be subject to the procedures and requirements of Chapter [17.68](#) of this Code.

B. In considering applications for massage establishments, the planning commission shall be guided by the provisions of Chapter [17.68](#) and this section. However, in the event of any inconsistency in said standards, the provisions of this section shall govern.

C. In granting a conditional use permit, the planning commission may impose conditions if the planning commission determines such conditions are necessary to minimize any adverse effect of the proposed use on properties and uses in the area and the rest of the city.

D. A massage establishment shall not operate under any name or conduct business under any designation not specified in the application for the conditional use permit, which shall be identical as the name listed in the applications for the city business license and massage establishment permit.

E. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.

F. An applicant for a conditional use permit shall submit the information described in this section and a non-refundable fee as established in the city's schedule of fees by resolution of the city council to reimburse the city for the costs of reviewing the application.

G. In addition to any information required for applications for a city business license pursuant to Title 5 of this Code, a massage establishment permit pursuant to Chapter [5.22](#) of this Code, and conditional use permits pursuant Chapter [17.68](#) of this Code, an applicant for a conditional use permit for a massage establishment shall submit the following information:

1. A legal description of the parcel.
2. Proof of legal title or a possessory or leasehold interest in the real property upon which the proposed massage establishment will be operated.
3. If the massage establishment has a leasehold interest in the real property, a certified statement from the real property owner(s) authorizing the proposed use of the premises as a massage establishment.
4. A scaled site plan.
5. A description of all physical changes proposed to the property, whether permanent or impermanent, both inside and outside of the building.
6. The separation distance from other existing massage establishments shall be shown on an updated site plan or map.
7. A description of compliance with all facility requirements in Chapter [5.22](#) of this Code.
8. In addition to any standards for consideration of conditional use permit applications pursuant to Chapter [17.68](#) of this Code, the planning commission shall consider the following factors in determining whether to issue a conditional use permit, although the planning commission may waive or reduce the burden on the applicant of one or more of these criteria if the planning commission determines that the goals of this section are better served thereby.
9. No massage establishment shall be sited in a location where the applicant cannot produce proof of legal title or a possessory or leasehold interest in that real property and a certified statement from the real property owner(s) authorizing the proposed use of the premises as a massage establishment.
10. No massage establishment shall be sited within five hundred feet of an existing or otherwise approved massage establishment.
11. No massage establishment shall be sited in a zone where it is not permitted.
12. No massage establishment shall violate any provision regarding facility requirements within Chapter [5.22](#) of this Code. (Ord. 1195 §14, 2015)

17.41.030 Amortization and regulation of nonconforming massage establishments.

A. Any use of real property existing on April 1, 2015, which does not conform to the provisions of this chapter, but which was constructed, operated and maintained in compliance with all previous regulations prior to March 11, 2014, shall be regarded as a nonconforming use.

B. Any nonconforming use pursuant to this chapter may continue in operation until June 30, 2017, provided that use and its facility is in compliance with all other laws,

except the use restrictions in the zoning ordinance; the use is not extended, enlarged, moved or altered so as to occupy land outside the current structure(s); and the use is not discontinued or abandoned for a continuous period of one hundred eighty days or more.

C. Any nonconforming use pursuant to this chapter may apply for a conditional use permit pursuant to Section [17.41.020](#). In the event the city grants the conditional use permit, such use shall be considered to be a conforming use.

D. The city manager may approve an extension of time until termination pursuant to Section [17.41.040](#) of this chapter. (Ord. 1195 §14, 2015)

17.41.040 Extension of time for termination of nonconforming use.

The owner or operator of a nonconforming use as described in Section [17.41.030](#) may apply under the provisions of this section to the city manager for an extension of time within which to terminate the nonconforming use, as follows:

A. The owner of the real property upon which such use operated or the operator of the use may file an application for an extension of time within which to terminate a use made nonconforming by the provisions of this chapter. Such application must be filed with the city manager at least sixty days but no more than ninety days prior to the expiration of the time established in Section [17.41.030](#) for termination of such use.

B. The application shall state the grounds for requesting an extension of time. The filing fee for such application shall be the same as that for a variance as is set forth in the city's schedule of fees established by resolution from time to time by the city council. An application which fails to state a basis upon which an extension may be granted, as set forth in subsection D of this section, shall be returned to the applicant as nonresponsive, together with the application fee less any administrative costs of processing the application.

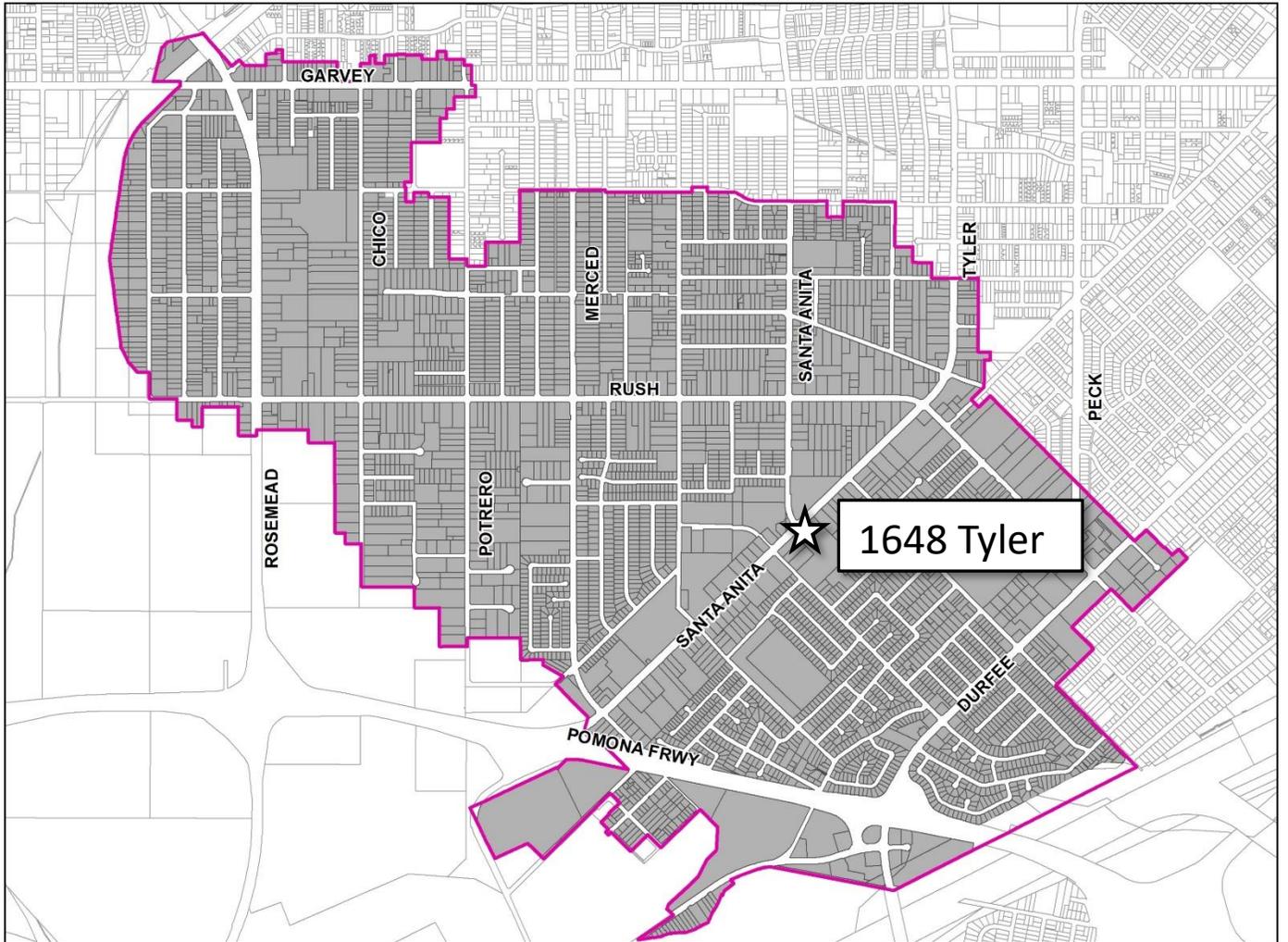
C. The city manager shall appoint a hearing officer to hear the application. The hearing officer shall set the matter for hearing within twenty days of receipt of the application. All parties involved: shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues; may be represented by counsel; and shall have the right to confront and cross-examine witnesses. Any relevant evidence may be admitted. Any hearing under this section may be continued for a reasonable time for the convenience of a party or a witness. The decision of the hearing officer shall be final and subject to judicial review pursuant to [Code of Civil Procedure](#) Section 1094.6.

D. An extension under the provisions of this section shall be for a reasonable period of time commensurate with the investment involved, and shall be approved only if the hearing officer makes all of the following findings or such other findings as are required by law:

1. The applicant has made a substantial investment (including, but not limited to, lease obligations) in the property or structure on or in which the nonconforming use is conducted; such property or structure cannot be readily converted to another use; and such investment was made before April 1, 2015;
2. The applicant will be unable to recoup said investment as of the date established for termination of the use; and

3. The applicant has made good faith efforts to recoup the investment and to relocate the use to a location in conformance with Section [17.41.030](#). (Ord. 1195 §14, 2015)

Attachment C



Attachment D

SUNNY SPA (MASSAGE)

1648 TYLER AVE, SUIT A, SOUTH EL MONTE, CA 91733

GENERAL NOTES

ALL WORK, INCLUDING MATERIALS AND WORKMANSHIP, SHALL CONFORM TO THE LOCAL CODES, LAWS, AND WORK SHALL COMPLY WITH THE CODES.

- CURRENT CODES
 - THE 2019 EDITION OF THE CALIFORNIA BUILDING CODE (CBC).
 - THE 2019 EDITION OF THE CALIFORNIA ELECTRICAL CODE (CEC).
 - THE 2019 EDITION OF THE CALIFORNIA PLUMBING CODE (CPC).
- POST SIGN PER CBC "THIS DOOR TO REMAIN UNLOCKED WHEN THE BUILDING IS OCCUPIED" THE DOOR OF LOWER 10" IS SMOOTH, & PLANE SURFACE
- TACTILE EXIT SIGNS: TACTILE (RAISED CHARACTERS AND BRAILLE) EXIT SIGNS ARE REQUIRED ON THE WALL ADJACENT TO THE LATCH SIDE AT 60" ABOVE THE FINISH FLOOR TO THE CENTERLINE OF THE SIGN.
- SMOKE ALARMS SHALL BE HARDWIRED WITH BATTERY BACKUP AND INTERCONNECTED SO THAT THE ACTIVATION OF ONE ALARM SHALL ACTIVATE ALL OTHER ALARMS IN THIS UNIT. RETROFIT ALARMS MAY BE BATTERY OPERATED IN ROOMS WHERE CONSTRUCTION IS PROPOSED.
- A PRIMARY ENTRANCE TO THE BUILDING AND THE PRIMARY PATH OF TRAVEL TO THE ALTERED AREA MUST BE SHOWN TO COMPLY WITH ALL ACCESSIBILITY FEATURES.
- PERMANENT LIGHTING SHALL COMPLY WITH THE COMMERCIAL MANDATORY MEASURES FORMS ATTACHED.

SCOPE OF WORKS

- CONVERTED SANTA ANITA THERAPY AND REHABILITATION CENTER TO A MASSAGE PARLOR.
- INSTALL A 27" UNITIZED ELECTRIC STACK PAIR TO THE RESTROOM.
- ADD SOME PARTITION WALLS TO CREATE A NEW OFFICE.

SUMMARY

- BUSINESS NAME: SUNNY SPA
- JOB ADDRESS: 1648 TYLER AVE, SUIT A, SOUTH EL MONTE, CA 91733
- FLOOR AREA: 1,264 SQ/FT
- TYPE OF BUSINESS: MASSAGE SERVICE
- TYPE OF CONSTRUCTION: V-B
- NUMBER OF STORY: 1
- OCCUPANCY TYPE: B

VICINITY MAP



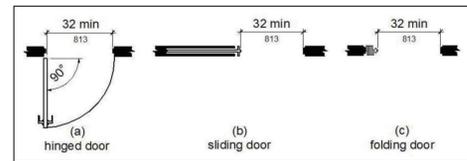
WORK AREA

FINISH SCHEDULE

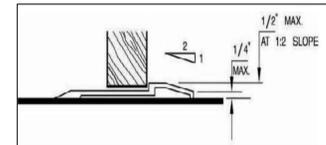
ROOMS	WAITING RM	NEW OFFICE	MASSAGE RM	HALLWAY	RESTROOM	NOTES
CEILING	DRY WALL CEILING	SEMI GLOSS ENAMEL PAINT SEE NOTE 1	WASHABLE SMOOTH	1" BAR CEILING PANEL	1/2" GYPSUM, WHITE VINYL	24" OR 30" ACOUSTIC CLG PANEL
WALL	DRY WALL (GYPSUM BD) WITH PAINT	SEMI GLOSS ENAMEL PAINT SEE NOTE #1	WASHABLE SMOOTH	CERAMIC TILE TO CEILING	CERAMIC TILE 4" (SHOWER RM TILE 8"X8")	QUARRY TILE (SMOOTH, NON-SLIP) "USA"
FLOOR	VINYL TILE 12x12"	SHEET VINYL FLOOR (CONTINUE)	HARD WOOD FLOOR	EXISTING CONC. FL.	METAL FLOOR (FOR WALK-IN FREEZER)	CARPET
COVERED BASE	QUARRY TILE 6"X6" (SMOOTH) "USA"	CERAMIC TILE 6"X6" (CONTINUE)				

WALL AND CEILING ALL AREAS SHALL BE FINISHED WITH A FINISH THAT IS EASY TO CLEAN AND MAINTAINABLE WITH A MINIMUM OF 10% REFLECTANCE VALUE (RV) OF PREVIOUSLY EXISTING FINISH.

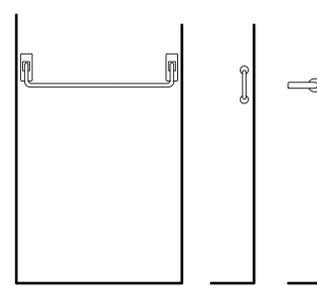
MINIMUM CLEARANCES DOOR



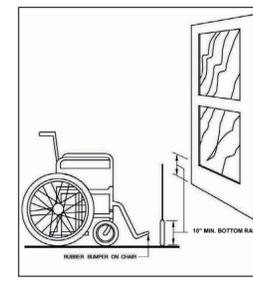
THRESHOLDS DOORWAYS



ACCESSIBLE DOOR OPERATING HARDWARE



SMOOTH SURFACES DOORS



1 ACCESSIBILITY DOOR DETAILS

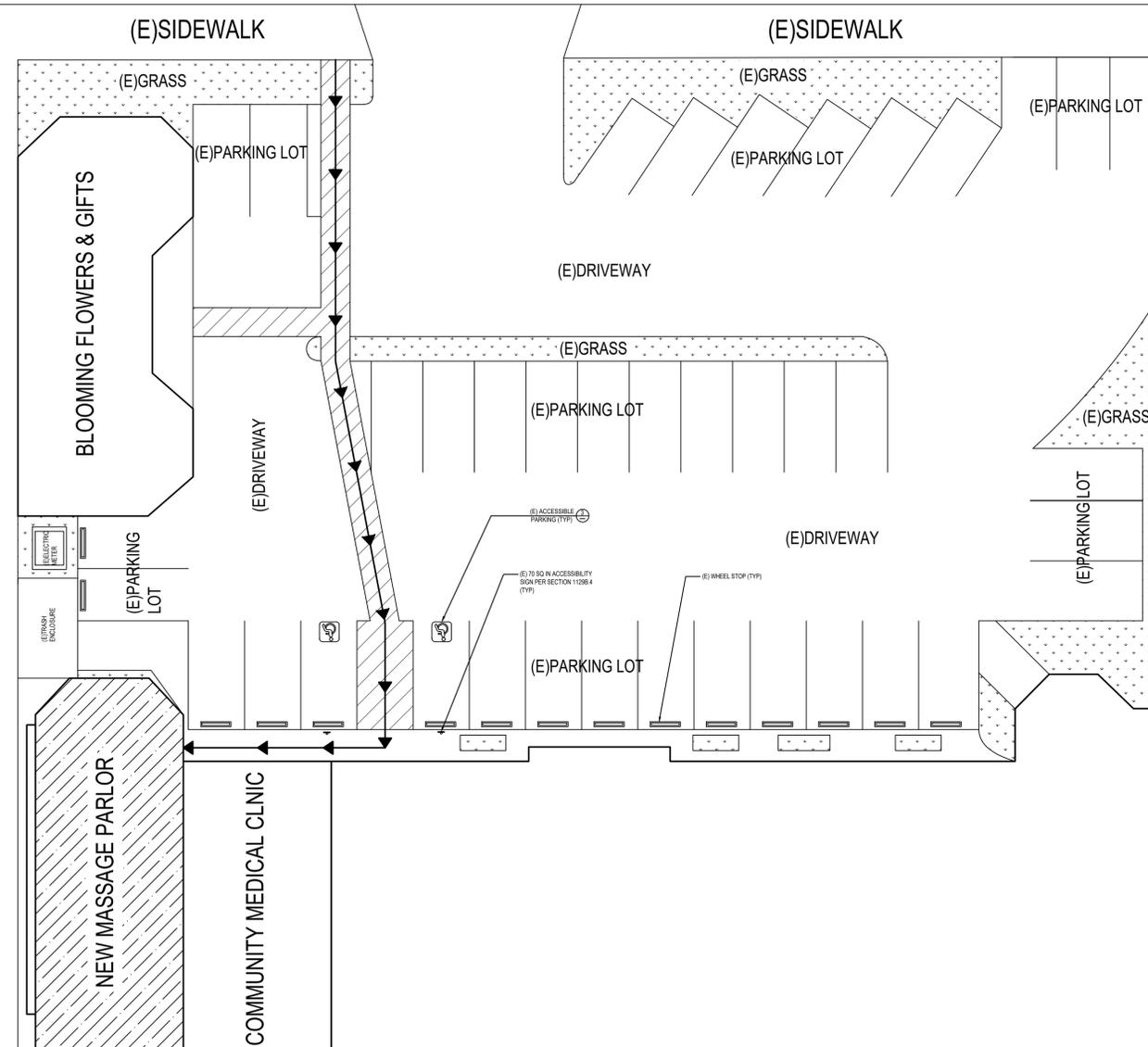


2 TACTILE EXIT SIGN

4 PICTORIAL SIGNAGE

SANTA ANITA AVE

TYLER AVE



3 H/C PARKING DETAIL

SHEET TITLE:
**SUNNY SPA (MASSAGE)
SITE & DETAIL PLAN**

CLIENT/PROJECT:

1648 TYLER AVE, SOUTH EL MONTE, CA 91733

SCALE:

N.T.S.

DRAWN BY:

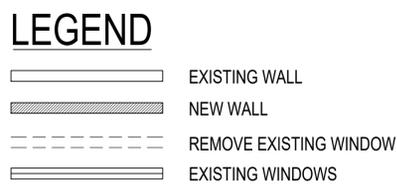
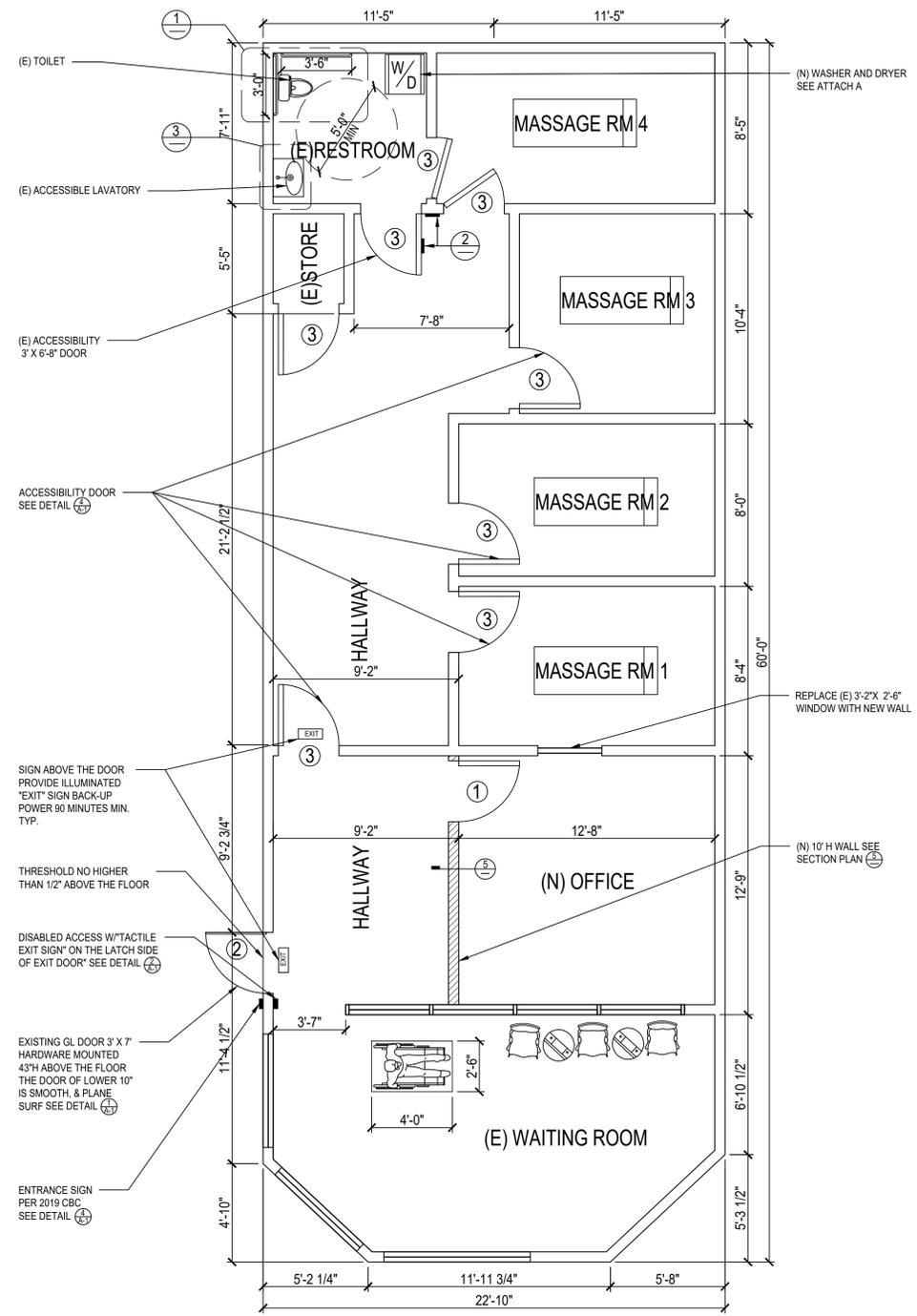
MARK LEE

DATE:

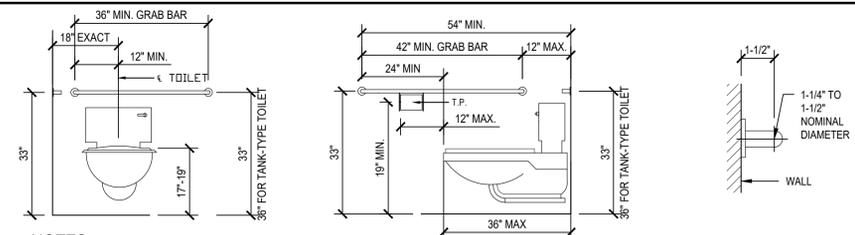
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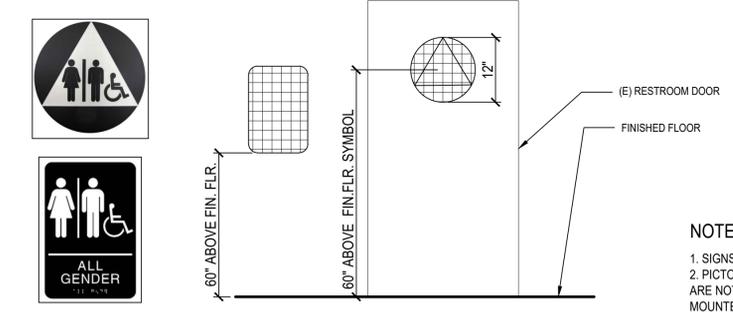
1 FLOOR PLAN
Scale: 1/4"=1'-0"



NOTES:

- TOILET TISSUE DISPENSERS THAT CONTROL DELIVERY OR THAT DO NOT PERMIT CONTINUOUS PAPER FLOW SHALL NOT BE USED.
- TOILET ROOM FLOORS SHALL HAVE A SMOOTH, HARD, NON-ABSORBENT SURFACE SUCH AS PORTLAND CEMENT, CONCRETE, CEREMENT TILE OR OTHER APPROVED MATERIAL WHICH EXTENDS UPWARD ONTO THE WALLS AT LEAST 6". WALLS WITHIN WATER CLOSET COMPARTMENTS AND WALLS WITHIN 24" OF THE FRONT & SIDES OF URINALS SHALL BE SIMILARLY FINISHED TO A HEIGHT OF 48".
- FLUSH CONTROLS MUST BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN 5 POUND-FORCE (IBF).
- CLEAR FLOOR SPACE OF 30" WIDE x 48" IN FRONT OF URINAL MUST BE PROVIDED FOR FORWARD APPROACH.

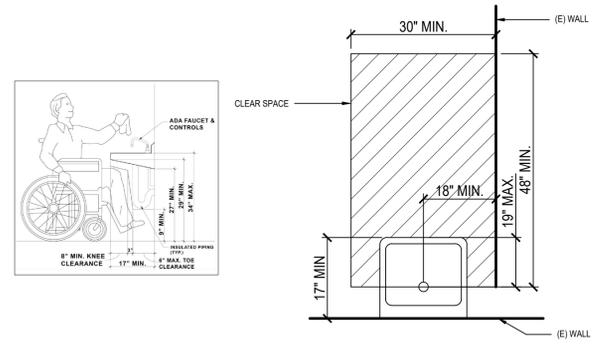
1 FRONT & SIDE ELEVATION



NOTES:

- SIGNS SHALL BE 1/4" THICK.
- PICTOGRAMS AND/OR LETTERING ARE NOT REQUIRED ON DOOR MOUNTED SIGNS.

2 PICTORIAL SIGNAGE



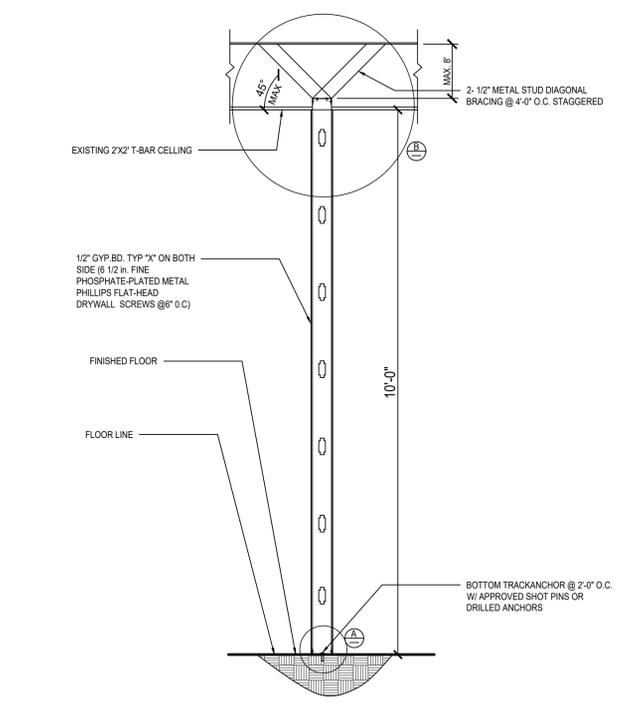
NOTES:

- HOT WATER AND DRAIN PIPE SHALL BE INSULATED. THERE SHALL BE NO SHARP OR ABRASIVE SURFACES UNDER LAVATORIES.
- FAUCET HANDLES SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN 5LB.
- MIRRORS SHALL BE MOUNTED WITH THE BOTTOM EDGE OF THE REFLECTING SURFACE NO HIGHER THAN 40" FROM THE FLOOR.

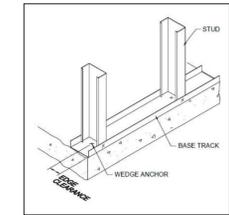
3 ACCESSIBLE LAVATORY

SYMBOL			SIZE			TYPE			NOTE			
①	②	③	WIDTH	HEIGHT	THK	S.C.HDBD	H.C.HDBD	H.C.HDBD BI-PASS UNIT	METAL FRAME GLASS DOOR	POCKET DOOR	GLASS DOOR	
①	②	③	3'-0"	6'-8"	1-3/8"							NEW DOOR
			3'-0"	7'-0"	1-3/4"							EXISTING DOOR
			3'-0"	6'-8"	1-3/8"							EXISTING DOOR

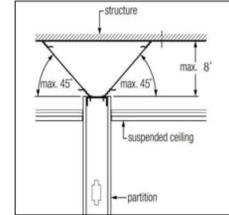
4 DOOR SCHEDULE



A DETAIL-1



B DETAIL-2



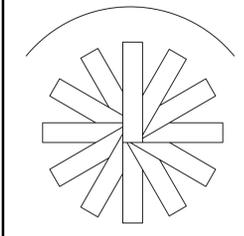
25 GAGE STEEL STUDS - MAXIMUM HEIGHT

STUD SPACING (IN)	STUD DEPTH (IN)	
12	3 5/8"	4"
18	13'-8"	15'-1"
24	12'-5"	13'-9"
	10'-10"	12'-0"

NOTES:

- MINIMUM PARTIITIO COMPONENTS TO BE PER STEEL STUD TABLES BELOW WITH 1/2" DRYWALL ON BOTH SIDES. 5/8" TYPE "X" DRYWALL IS REQUIRED FOR 1 HOUR FIRE RESISTIVE CONSTRUCTION.
- MINIMUM BRACING SHALL CONSIST OF 2-1/2" METAL STUDS INSTALLED AT 4' ON CENTER, 45 DEGREES OR LESS FROM THE HORIZONTAL FROM TOP TRACKER PLATE TO STRUCTURE ABOVE. BRACING IS REQUIRED WHERE THE HORIZONTAL SPAN (PERPENDICULAR TO THE PLANE OF THE WALL) IS 8' OR GREATER FROM SUPPORT TO SUPPORT. MAXIMUM DISTANCE FROM TOP OF PARTITION TO STRUCTURE ABOVE IS 8'.

5 SECTION OF NEW WALL



SHEET TITLE:
**SUNNY SPA (MASSAGE)
FLOOR & DETAIL PLAN**

CLIENT/PROJECT:
1648 TYLER AVE, SOUTH EL MONTE, CA 91733

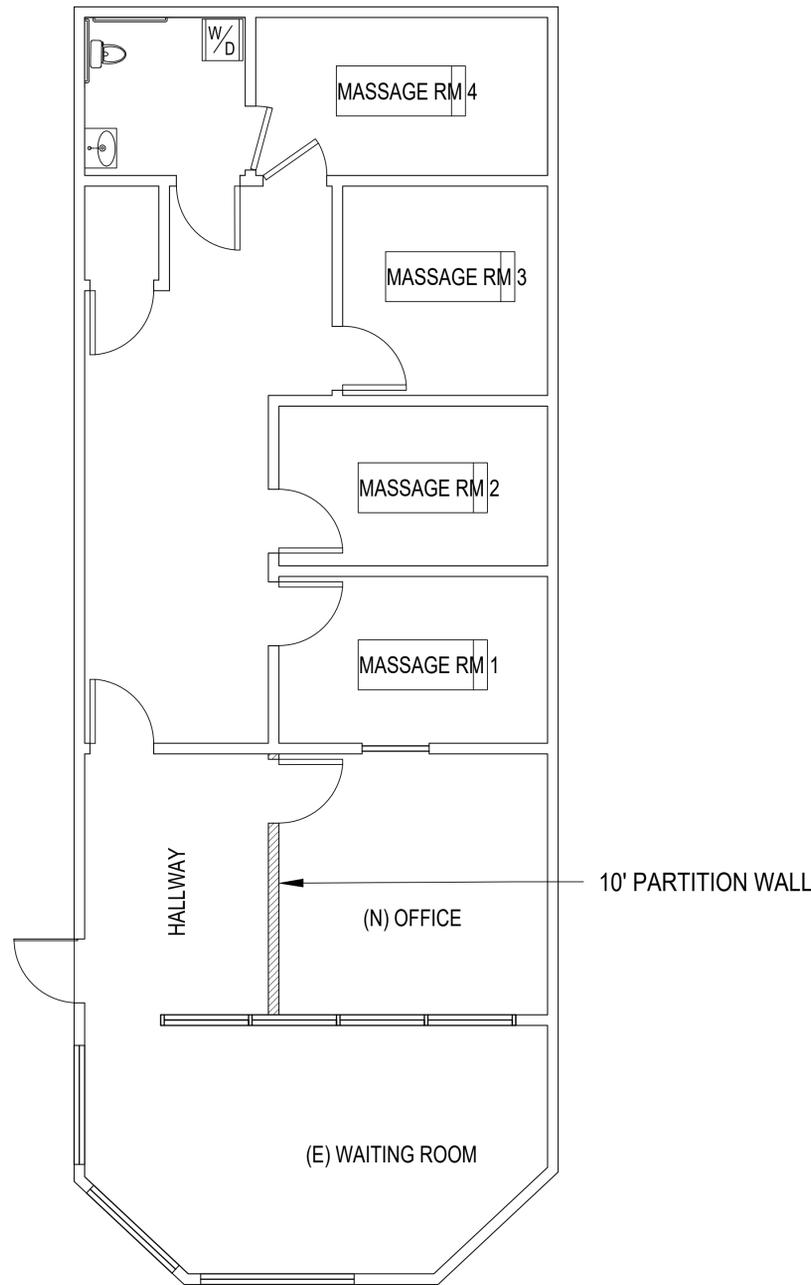
SCALE:
1/4"=1'-0"

DRAWN BY:
MARK LEE

DATE:
02-05-2022

SHEET NUMBER:

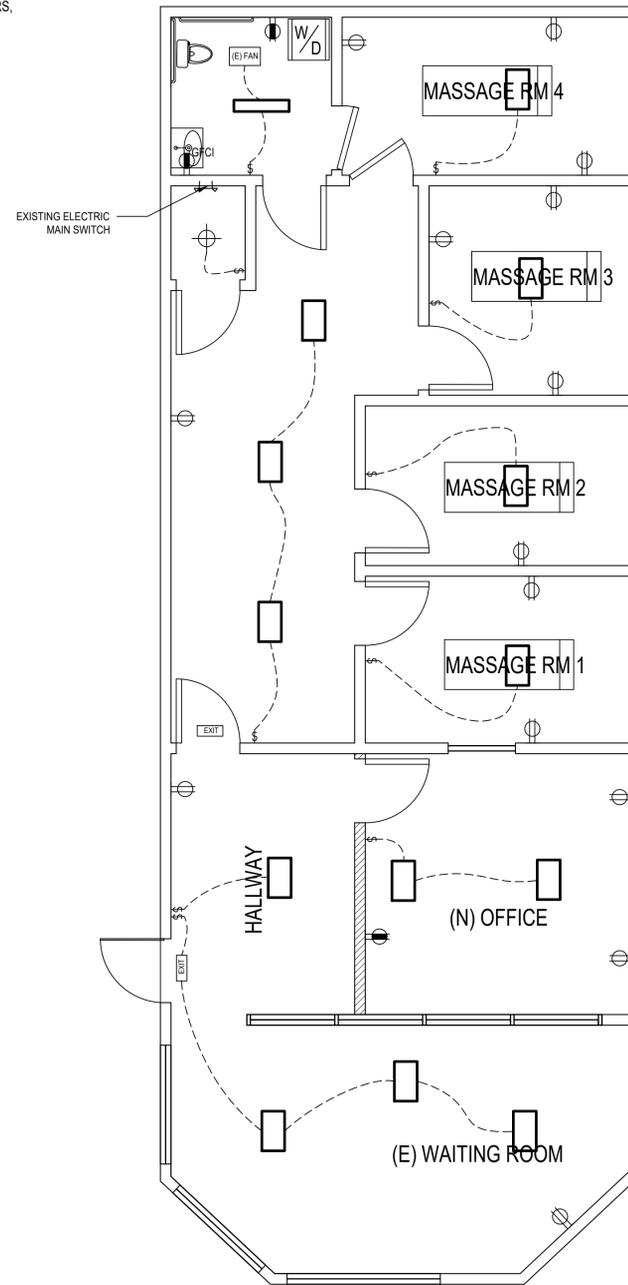
A-2.0



1 FLOOR PLAN
Scale: 1/4"=1'-0"

GENERAL NOTE:

1. BEFORE SUBMITTING BID, THE ELECTRICAL CONTRACTOR SHALL VISIT THE JOB SITE AND FULLY AQUIANT HIMSELF WITH THE JOB CONDITION, SERVICE REQUIREMENTS BY UTILITY COMPANY AND CONNECTIONS, AND OTHER CONDITIONS INCLUDING TRANSFORMER PAD, ALL NECESSARY PULL BOXES, JUNCTION BOXES, SIZE AND NUMBER OF CONDUITS AND CONDUCTORS, CONDUIT FITTINGS, SERVICE COMPONENTS, PANELBOARDS, ETC., WHETHER SHOWN ON DRAWINGS OR NOT. TO MAKE A COMPLETE AND OPERABLE ELECTRICAL SYSTEM WITHOUT ADDITIONAL COST TO OWNER.
2. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF ALL LOCAL LAWS, RULES AND REGULATIONS OF ALL LEGALLY CONSTITUTED PUBLIC AUTHORITIES HAVING JURISDICTION. IN CASE OF CONFLICT BETWEEN REQUIREMENTS, THE MOST RESTRICTIVE SHALL APPLY. FOLLOW THE LOCAL LAWS, RULES AND REGULATIONS FOR ANY CONFLICTS BETWEEN THE CONTRACT DRAWINGS AND THE LAWS, RULES AND REGULATION.
3. THIS CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS AND ARRANGE ALL REQUIRED INSPECTIONS FOR THE EXECUTION OF THE WORK UNDER THIS CONTRACT. HE SHALL FURNISH ALL INSTRUMENTS AND PERFORM ALL TESTS REQUIRED BY THE AUTHORITIES HAVING JURISDICTION. HE SHALL ALSO CORRECT ALL FAILURES AND REPLACE AND DAMAGED PORTIONS OF THE WORK RESULTING FROM THESE TESTS. THE COST OF THE FOREGOING ITEMS SHALL BE PAID BY THE CONTRACTOR.
4. THE CONTRACTOR SHALL COORDINATE CLOSELY WITH THE OWNER AND OTHER TRADES FOR ALL PHASES AND SCHEDULING OF WORK, AND AUTHORIZED IN WRITING BY THE OWNER AT LEAST ONE WEEK PRIOR TO THE EXECUTION OF ANY WORK.
5. ALL MATERIAL FURNISHED AND INSTALLED UNDER THIS CONTRACT SHALL BE NEW AND UL LISTED, FREE FROM ALL DEFECTS, AND SHALL BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR FROM DATE OF ACCEPTANCE OF THE WORK.
6. THE ELECTRICAL DRAWINGS, CONDUIT RUNS, WIRINGS AND ELECTRICAL INFORMATIONS ARE DIAGRAMMATIC ONLY. DO NOT SCALE THE ELECTRICAL DRAWINGS TO DETERMINE THE LOCATION OF EQUIPMENT OR OUTLETS.
7. REFER TO THE ARCHITECTURAL REFLECTED CEILING PLAN FOR EXACT LOCATIONS OF ALL LIGHTING FIXTURES, CEILING MOUNTED OUTLETS AND EQUIPMENT.
8. ALL RECEPTACLES AND OUTLET MOUNTING HEIGHTS AND EXACT LOCATION SHALL BE COORDINATED WITH ARCHITECTURAL, DRAWINGS ELEVATIONS PRIOR TO ROUGH-IN WORK.
9. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO VERIFY TYPES OF CEILING SYSTEMS AND TO FURNISH APPROVED LIGHTING FIXTURES OF THE TYPE REQUIRED FOR MOUNTING IN RELATED CEILINGS. FIXTURES SHALL BE COMPLETE WITH NECESSARY MOUNTING HARDWARE AND ACCESSORIES. FIXTURES LOCATED IN DAMP OR WET LOCATIONS SHALL BE LABELED FOR USE IN SUCH LOCATIONS.
10. ALL RECESSED LIGHTING FIXTURES, SPEAKERS, PANELBOARDS, SWITCHES, ETC. MOUNTED IN FIRE RATED STRUCTURES SHALL BE ENCLOSED WITH AN APPROVED ENCLOSURE CARRYING THE SAME FIRE RATING AS THE STRUCTURE.
11. ELECTRICAL OUTLETS ON OPPOSITE SIDES OF FIRE RATED WALLS AND PARTITIONS MUST BE SEPARATED BY DISTANCE OF 24 INCHES HORIZONTAL OPENINGS IN FIRE RATED WALLS GREATER THAN 16 SQ. INCHES MUST BE FIRE STOPPED.
12. SEAL ALL PENETRATIONS THROUGH FIRE RATED WALLS, CEILINGS, FLOORS, ETC., TO MAINTAIN THE FIRE RATING. FURNISH AND INSTALL FIRE RATED ENCLOSURE FOR ALL EQUIPMENT PENETRATING INTO FIRE RATED ENVELOPES, SPACES ETC.
13. PORTIONS OF THE CEILING SYSTEMS MAY BE INACCESSIBLE. THEREFORE, THE CONTRACTOR SHALL STRATEGICALLY LOCATE ACCESS BOXES, ETC., WHICH SHALL BE READILY ACCESSIBLE. ALL LIGHTING FIXTURE WIRING, BALLASTS, J-BOXES, ETC. SHALL BE ACCESSIBLE FROM FIXTURE OPENING.
14. ALL WIRING AND ELECTRICAL EQUIPMENT INSTALLED FOR MECHANICAL AND PLUMBING EQUIPMENT SHALL BE IN ACCORDANCE WITH DIVISION 15 AND ASSOCIATED DRAWINGS. CONTRACTOR TO OBTAIN THE REQUIRED MECHANICAL AND PLUMBING DRAWINGS AND PROVIDE ALL EQUIPMENT, RACEWAYS, WIRING, ETC., AS INDICATED THEREON AS PROVIDED UNDER THE ELECTRICAL WORK.
15. ALL FINAL CONNECTIONS TO OWNER FURNISHED EQUIPMENT SHALL BE MADE BY THE CONTRACTOR UNLESS OTHERWISE NOTED. VERIFY ELECTRICAL CHARACTERISTICS AND U.L LISTING PRIOR TO CONNECTION.
16. THE CONTRACTOR SHALL VERIFY THE LOAD INPUT VOLTAGE OF ALL EQUIPMENT PRIOR TO INSTALLATION. ACCEPTING ANY EQUIPMENT RESULT IN LOAD INCREASE SHALL BE THE RESPONSIBILITY OF CONTRACTOR.
17. PROVIDE AN ADDITIONAL JUNCTION BOX (SIZE AS REQUIRED) WHERE THE NUMBER OF CONDUCTORS EXCEEDS THE MAXIMUM ALLOWED FOR A GIVEN JUCTION POINT OR OUTLET.
18. CONDUCTORS SHALL BE THHN/THWN 600 VOLT INSULATION COPPER UNLESS OTHERWISE NOTED. USE PROPER TEMPERATURE RATING OF CONDUCTORS BASED ON THE AMBIENT AIR TEMPERATURE WHERE CONDUCTORS ARE BEING USED. HIGHER AMPACITY CONDUCTORS AND LARGER RACEWAY SHALL BE PROVIDED TO OFFSET THE AMPACITY CORRECTION FACTORS AS INDICATED IN NEC TABLE 310 AND ELSEWHERE IN CODE.
19. DO ALL DRILLING, CUTTING, CHANNELING AND PATCHING REQUIRE TO ELECTRICAL WORK AND INDICATED OR HEREIN SPECIFIED. ALL HOLES, CURBS, ETC., IN FLOORS, CEILINGS AND WALLS SHALL BE PATCHED, UNLESS INDICATED OTHERWISE. PAINT ALL EXPOSED ELECTRICAL RACEWAYS, CABINETS, ENCLOSURES AND FITTINGS TO MATCH IN COLOR ADJACENT SURFACES IN FINISHED AREAS.
20. EMERGENCY LIGHTING SHALL BE PROVIDED PER C.B.C. OR LOCAL CODE AND SHALL BE DESIGN TO PROVIDE MINIMUM REQUIRE FOOTCANDLES AND LUMENS.
21. ANY CIRCUITING CHANGE SHALL BE APPROVED BY ENGINEER AND SUBMITTED FOR BUILDING & SAFTY REVIEW & APPROVAL.
22. ALL ELECTRICAL EQUIPMENT SHALL BE BRACED OR ANCHORED TO RESIST A HORIZONTAL FORCE ACTING IN ANY DIRECTION PER SEISMIC BRACING AND ANCHORING STANDARD, ASCE 7-05, CHARTER 13 FOR ALL ELECTRICAL COMPONENTS.



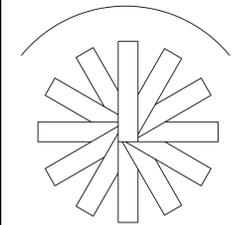
1 ELEC PLAN
Scale: 1/4"=1'-0"

NOTE:

RECEPTACLES IN BATHROOM, LAUNDRY ROOM, AND KITCHEN SINK AND EXTERIOR LOCATIONS SHALL BE GROUND FAULT TYPE (GFCI)

LEGEND

- ⊞ SWITCH
- ⊕ EXISTING FLUSH MOUNT CEILING LIGHT
- ▭ EXISTING FLUORESCENT FIXTURE
- EXISTING TROFFER LIGHT
- ⊖ EXISTING OUTLETS
- ⊖ NEW OUTLETS
- ⊖-GFCI EXISTING GFCI OUTLETS



SHEET TITLE:
**SUNNY SPA (MASSAGE)
TENANT IMPROVEMENT**

CLIENT/PROJECT:
1648 TYLER AVE, SOUTH EL MONTE, CA 91733

SCALE:
1/4"=1'-0"

DRAWN BY:
MARK LEE

DATE:
02-05-2022

SHEET NUMBER:

A-3.0