



# **City of NORWALK**

## **CITY COUNCIL AGENDA REPORT**

**Date: July 7, 2015**

**TO:** Honorable City Council

**FROM:** Michael J. Egan, City Manager

**BY:** Kurt H. Anderson, Director of Community Development  
Beth Chow, Senior Planner

**SUBJECT: PUBLIC HEARING – ADOPTION OF A NEGATIVE DECLARATION;  
ORDINANCE NO. 15-1668 ADOPTING TEXT AMENDMENT NO. 302  
AMENDING THE NORWALK MUNICIPAL CODE RELATING TO  
SMOKE SHOPS**

### **Background:**

On September 17, 2013, the City Council adopted a 45-day emergency moratorium on the establishment and operation of any smoke shop, electronic cigarette retailer, or drug paraphernalia retailer. Extensions of this moratorium were approved by the City Council on October 15, 2013 and August 19, 2014, which enabled staff to study and address the proliferation of these establishments. The current moratorium is set to expire on September 15, 2015.

Since the moratorium's enactment, the City Council has approved an ordinance that prohibits smoking in public recreational and outdoor areas, including City facilities and workplaces. As part of the ordinance, smoking is defined to include the use of electronic cigarettes ("e-cigarettes") in addition to traditional cigarettes in the same areas and facilities.

On May 27, 2015, the Planning Commission adopted a resolution to recommend that the City Council approve Text Amendment No. 302 to amend the Norwalk Municipal Code ("NMC") to regulate smoke shops.

### **Analysis**

Prior to the moratorium, the NMC allowed, by right, the retail sale of "cigars and other tobacco products and related goods" within Commercial and Manufacturing Zones except for the Commercial Office and Professional Office zones. This use is also

permitted by right within Specific Plan Area (“SPA”) Nos. 1, 3, and 8, commonly known as the Norwalk Entertainment Center, Civic Center Plaza, and Heritage Center, respectively. In the past staff has taken a broad view of “retail sales of cigars and other tobacco products and related goods” to include e-cigarettes, vaporizers, vapors, and other liquids used with e-cigarettes. E-cigarettes or personal vaporizers are battery-operated devices designed to be used with liquid nicotine to produce a vapor that resembles smoke. The act of inhaling the vapor is often referred to as “vaping” and stores that carry retail products associated with e-cigarettes are known as “vape shops.”

With the emerging e-cigarette and vape trend, the City has seen a rise in the number of retail establishments specializing in tobacco products, e-cigarettes, and vape. Prior to 2007, there were five establishments classified as tobacco retailers within the City. Since that time, the number has increased to ten such establishments before the moratorium was enacted. During this time, Planning staff also noticed an increase in the number of inquiries about opening up tobacco, e-cigarette, and vape shops within the City.

In researching retail tobacco shops and e-cigarettes, staff found that the sale of tobacco products is regulated at the state and federal level, as it is well known and documented that smoking and the use of cigarettes and cigars pose increased chances of serious health risks. However, e-cigarettes are a newer product and there are less state and federal regulations associated with its sale and use.

In California’s last legislative session, legislation proposed to partially regulate the sale of e-cigarettes was not approved. Additionally, the Food and Drug Administration (“FDA”) currently does not regulate e-cigarettes. The FDA is still studying the issue of e-cigarettes, and has proposed a rule that would extend the agency’s tobacco authority to cover additional products that meet the legal definition of a tobacco product, such as e-cigarettes. As of the writing of this report, no actions have been taken by the FDA to move forward with their proposal. With the lack of State and federal legislation, local municipalities have been left to fill the gap in legislation and craft ordinances to address e-cigarettes.

Based on research conducted by staff, surrounding cities offer a wide range of regulations concerning smoke shops, tobacco retailers, and e-cigarette retailers. Regulations have included, sales of tobacco and e-cigarette products permitted by right or conditionally permitted. Other regulations have incorporated distancing requirements, a maximum number of establishments, operational requirements, or business licensing requirements.

Proposed Regulations

As mentioned previously, Norwalk has already approved an ordinance that prohibits smoking in public recreational, outdoor areas, City facilities and workplaces. As part of the ordinance, smoking is defined to include the use of e-cigarettes in addition to traditional cigarettes and other types of substances that are inhaled and creates smoke or vapors. To carry this legislation into the land use domain, staff is proposing changes to the NMC which would further regulate the sale of tobacco products, including e-cigarettes and associated accessories.

Staff is proposing to define “smoke shop” as a comprehensive term for establishments that sell tobacco products, cigarettes, cigars, and e-cigarettes. Staff has adapted the definition of a smoke shop from the one described in the moratorium to mean “any establishment, structure, facility, or stand that devotes more than 15% of either its gross floor space or display area to the retail sale, display, marketing, bartering, trading or exchange of any combination of tobacco, tobacco products, or exchange of tobacco paraphernalia, including electronic smoking devices and accessories.”

In addition to the creation of the term smoke shop, staff is proposing to add the term “sensitive use” and to add distancing regulations between “smoke shops” and “sensitive uses.” Sensitive uses are defined as any kindergarten, elementary school, middle school, high school, public library, or public park.

With the creation of these two terms, staff proposes to amend the NMC to conditionally permit smoke shops the within the following zones and SPA’s:

- C-1 Zone, Restricted Commercial Zone
- C-3 Zone, General Commercial Zone
- C-M Zone, Commercial Manufacturing Zone
- M-1 Zone, Light Manufacturing Zone
- M-2 Zone, Heavy Manufacturing Zone
- SPA No. 3
- SPA No. 8

All proposed smoke shops will be required to obtain a Conditional Use Permit (“CUP”), which will be reviewed and approved by the Planning Commission. Furthermore, staff proposes to eliminate the retail sales of tobacco products and related goods in SPA No. 1, known as the Norwalk Entertainment Center, so no smoke shops will be permitted in the area.

A newly added Section 17.04.200 “Specific Use Requirements” is proposed to identify specific standards and requirements applicable to smoke shops. Based on research on nearby cities, staff has recommended development and operational standards similar to

those other cities to be adopted by ordinance. These standards are intended to address potential land use implications.

The following table summarizes existing standards for smoke shops in nearby cities and the proposed standards for Norwalk:

<b>Jurisdiction</b>	<b>Permitted/ Conditionally Permitted/ Unpermitted</b>	<b>Permitted Zones</b>	<b>Distancing Regulations</b>	<b>Other Regulations</b>
Pico Rivera	Permitted	Commercial Zones	NA	Act of “vaping” same as smoking
Lakewood	CUP	C-4 of Lower	1000’ from sensitive uses	Act of “vaping” same as smoking
Seal Beach	CUP	Commercial Zones	NA	Act of “vaping” same as smoking
Duarte	Minor Use Permit	General & Freeway Commercial	600’ from sensitive uses	<ul style="list-style-type: none"> <li>· Tobacco Retailer License;</li> <li>· Act of “vaping” same as smoking</li> </ul>
Carson	Permitted	Commercial Zones	NA	Tobacco & Electronic Cigarette Permit
Whittier	Permitted	Commercial Zones	NA	NA
<b>Proposed for Norwalk</b>	<b>CUP</b>	<b>C-1, C-3, C-M, M-1, M-2, SPA 3 &amp; 8</b>	<b>600’ from sensitive uses</b>	<b>Act of “vaping” same as smoking*</b>

\*Ordinance No. 13-1650 (2013)

Operational and locational standards will be applied to all proposed smoke shops. These standards include:

- Distancing – each smoke shop must be a minimum of 600 feet away from each other as well a sensitive use including any kindergarten, elementary school, middle school, high school, public library, or public park.
- Operation –
  - Each smoke shop must have a manager at least 21 years of age, and no one under the age of 18 may sell tobacco products, including e-cigarettes;
  - No smoking may be permitted within a smoke shop;
  - Smoke shops must maintain a valid state tobacco product retailer license;
  - No video or arcade games are permitted within a smoke shop.

Such regulations help to regulate the sale of tobacco products; as well as minimize access of smoke shop products to youth and prevent an over concentration of smoke shops in Norwalk. The requirement of a CUP will give the City additional authority to

ensure that smoke shops will operate in a manner that protects the best interests of the surrounding properties and neighborhood, which in turn ensures the protection of the public health, safety, and welfare of the community.

Existing Businesses

Under the proposed regulations, there are eleven establishments that would be classified as smoke shops. Business licensing records show ten tobacco retailers, and staff further identified one establishment that would fall into the smoke shop category based on its floor area dedicated to the sale of tobacco and/or e-cigarette related products.

Under the proposed ordinance, these establishments can remain until there is a “substantial change in mode or character of operation” of the business which includes: structural changes (i.e. expansion of usable floor area is proposed or remodeling), a pattern of conduct in violation of other laws or regulations, or a period of closure for more than thirty days. Below is a table detailing the establishments that would be considered smoke shops under the proposed ordinance: (Also see Attachment 3, Location Map).

	<b>Name</b>	<b>Address</b>	<b>Zone</b>
1.	Tobacco Outlet	11031 Rosecrans Ave.	C-1
2.	The One Stop Smoke Shop	11600 Alondra Blvd., #D-21	C-1
3.	Mr. Smokes	10929 Alondra Blvd.	C-1
4.	Classic Tobacco	15931 1/2 Pioneer Blvd., #A	C-1
5.	Classic Tobacco #3	10931 Firestone Blvd.	C-3
6.	The Vape Room	11405 Firestone Blvd, #L	C-3
7.	Cigarette Mart	11717 The Plaza	C-3
8.	Smoking Vape	12037 Firestone Blvd.	C-3
9.	Planet Tobacco	13041 Rosecrans Ave., #205	M-1
10.	KC Tobacco	12357 Imperial Hwy.	SPA No. 8
11.	The Mind's Eye	13560 San Antonio Dr. # B	SPA No. 3

Environmental Review

Pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines of the City of Norwalk, a Negative Declaration has been prepared for the proposed project. The public comment period for the Negative Declaration began on May 15, 2015 and ended on June 4, 2015.

**Fiscal Impact:** N/A

**Citizens Advised:**

Notice of this public hearing was posted at the three designated City posting places, mailed to eleven (11) business owners, and published in the Norwalk Patriot on June 26, 2015.

**Strategic Action Plan Implementation: N/A**

**Recommended Action:**

Staff recommends City Council:

- a. adopt the Initial Study and Negative Declaration;
- b. introduce for first reading, by title only Ordinance No. 15-1668 approving Text Amendment No. 302 regulating smoke shops, and waive further reading.

**Attachments:**

1. Ordinance No. 15-1668 for Zoning Ordinance Text Amendment No. 302
2. Negative Declaration and Initial Study
3. Smoke Shop Location Map

**ORDINANCE NO. 15-1668**

**AN ORDINANCE OF THE CITY OF NORWALK AMENDING  
TITLE 17 OF THE NORWALK MUNICIPAL CODE TO AMEND  
REGULATIONS RELATED TO SMOKE SHOPS**

**THE CITY COUNCIL OF THE CITY OF NORWALK DOES ORDAIN AS  
FOLLOWS:**

**Section 1.** Section 17.01.060, Definitions, is hereby amended in alphabetical order, to read as follows:

**“17.01.060 Definitions:**

“Smoke Shop” means any establishment, structure, facility, or stand that devotes more than 15% of either its gross floor space or display area to the retail sale, display, marketing, bartering, trading or exchange of any combination of tobacco, tobacco products, or exchange of tobacco paraphernalia, including electronic smoking devices and accessories.

“Sensitive use” means any kindergarten, elementary school, middle school, high school, public library, or public park.

**Section 2.** Section 17.06.010.A., “Permitted uses” in the C-1 Zone, Restricted Commercial zone is hereby partially repealed to remove the following:

“Cigars and other tobacco products and related goods, retail sales”

**Section 3.** Section 17.06.010.B., “Permitted uses” C-1 Zone, Restricted Commercial (C-1) zone is hereby amended to include the following:

“15. Smoke shops, approved in accordance with the procedures in Section 17.04.200”

**Section 4.** Section 17.09.110.A.3., “Permitted uses” Specific Plan Area No. 1 is hereby partially repealed to remove the following:

“Tobacco products and related goods, retail sales”

**Section 5.** Section 17.09.410.B.2., “Permitted uses” Specific Plan Area No. 3 is hereby partially repealed to remove the following:

“Cigar stores”

**Section 6.** Section 17.09.410.B.2., “Permitted uses” Specific Plan Area No. 3 is hereby amended to include the following:

“Smoke shops, approved in accordance with the procedures in Section 17.04.200”

**Section 7.** Section 17.09.1080, “Permitted uses” Specific Plan Area No. 8 is hereby partially repealed to remove the following:

“Cigars and tobacco products, retail sales”

**Section 8.** Section 17.09.1070, “Permitted uses” Specific Plan Area No. 8 is hereby amended to include the following:

“E. Smoke shops, approved in accordance with the procedures in Section 17.04.200”

**Section 9.** Section 17.04.200 is hereby added to the Norwalk Municipal Code to read as follows:

**“17.04.200 Smoke Shops**

- A. Purpose. The specific purpose of this section is to establish regulations for smoke shops.
- B. Definitions. For the purpose of this section, “smoke shop” shall be defined as indicated in Section 17.01.060, Definitions, of this title.
- C. Conditional Use Permit. Smoke shops, are permitted in the C-1, C-3, C-M, M-1 and M-2 zones, and Specific Plan Areas as listed in Chapter 17.09 of this title, subject to the issuance, existence and validity of a conditional use permit as provided for in Section 17.02.210 of this title and full compliance with each and every condition thereof. Such conditional use permit shall be issued only if the applicant has submitted a site plan showing the location of the use and the following findings have been made:
  - 1. That the proposed use is a smoke shop as defined in Section 17.01.060 of this title;
  - 2. That the establishment of the proposed use is consistent with the purpose and intent of this title and of the particular zone;
  - 3. That the proposed use is compatible with surrounding uses;
  - 4. That the proposed use does not have a detrimental effect on the public health, safety, or general welfare; and

5. That the proposed use complies with all applicable state and local laws, and that all necessary building, plumbing and electrical permits have been obtained.

D. Locational and Operational Requirements. Smoke shops shall comply with the following requirements:

1. That the proposed use is being established outside of 600 feet of a sensitive use as such term is defined in Section 17.01.060 of this title;
2. Written approval from the property owner where such use is to be established, authorizing same;
3. Each smoke shop shall hold a valid California Cigarette and Tobacco Products Retailer's License issued by the State Board of Equalization, in accordance with state law, and shall be prominently displayed in a publicly visible location at the establishment;
4. Each smoke shop shall have an on-site manager a minimum of twenty-one (21) years of age;
5. No person who is younger than the minimum age of eighteen (18) years or as established by state law shall be permitted to sell, display, market, barter, trade or exchange any combination of tobacco, tobacco products, or smoking or exchange of tobacco paraphernalia, including electronic smoking devices and accessories;
6. No smoking, as defined in Title 8 of this Code, shall be permitted within the smoke shop; and
7. The operation of video games, or any other electronic games is prohibited.

E. Prior to the effective date of the ordinance codifying Section 17.04.200, a smoke shop lawfully existing and which holds a valid business license in the City of Norwalk, may remain in existence until such time as there is a substantial change in the mode or character of operation. For purposes of this section, "substantial change of mode or character of operation" shall include, but not be limited to, structural changes (i.e., expansion of usable floor area is proposed or remodeling), a pattern of conduct in violation of other laws or regulations, or a period of closure for more than thirty (30) days, notwithstanding, Chapter 17.01, Article IV, Nonconforming Buildings and Uses. Transfers of ownership shall not be considered a substantial change of mode or

character of operation. When a substantial change of mode or character of operation occurs, lawfully existing smoke shops must obtain a conditional use permit and shall be subject to the provisions of this section and may not be re-established unless it fully complies with all provisions of subsection C and D of this section.

- F. Prior to the effective date of the ordinance codifying Section 17.04.200, an inventory of existing smoke shop establishments shall be conducted by City staff and filed with the Community Development Department. After the inventory is completed, only those businesses listed in the inventory are determined to be smoke shops lawfully existing as set forth in subsection E of this section.
- G. After the effective date of the ordinance, any existing smoke shop that has obtained a conditional use permit that becomes non-conforming to Section 17.04.200.D.1 may remain in existence until such time as there is a substantial change in the mode or character of operation. For purposes of this section, “substantial change of mode or character of operation” shall include, but not be limited to, structural changes (i.e., expansion of usable floor area is proposed or remodeling), a pattern of conduct in violation of other laws or regulations, or a period of closure for more than thirty (30) days, notwithstanding, Chapter 17.01, Article IV, Nonconforming Buildings and Uses. Transfers of ownership shall not be considered a substantial change of mode or character of operation.

**Section 10.** CEQA Finding. Pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000, et seq. (“CEQA”)), and the State CEQA Guidelines (California Code of Regulations, Article 14, Sections 15000, et seq.), City staff prepared an Initial Study of the potential environmental effects of this ordinance described as Text Amendment No. 302 amending Title 17 of the Norwalk Municipal Code to establish regulations related to smoke shops “proposed Ordinance”). Based upon the findings contained in that Initial Study, the initial study concluded that there was no substantial evidence that the proposed Ordinance would have a significant effect on the environment and a Negative Declaration was prepared. Thereafter, staff provided public notice of the public comment period and of the intent to adopt the Negative Declaration as required by law. The public comment period commenced on May 15, 2015 and expired on June 4, 2015. Copies of the documents have been available for public review and inspection at City Hall located at Community Development Department, Planning Division, Room 12. The City Council has independently reviewed the Initial Study, the Negative Declaration, and all comments received regarding the Negative Declaration, and based on the whole record before it, finds that the Negative Declaration was prepared in compliance with CEQA and the CEQA Guidelines, that there is no substantial evidence that the Project will have a significant effect on the environment, and the Negative Declaration reflects the independent judgment and analysis of the City Council. Based on

the findings set forth in this Section, the City Council hereby approves and adopts the Negative Declaration prepared for the proposed Ordinance.

**Section 11. Severability.** If any section, clause or phrase of this Ordinance is for any reason held to be unconstitutional, or otherwise invalid, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared unconstitutional.

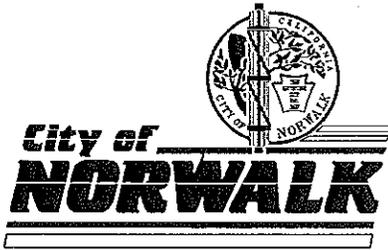
**Section 12. Certification.** The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

**PASSED, APPROVED AND ADOPTED this \_\_\_ day of \_\_\_\_\_ 2015.**

\_\_\_\_\_  
**LEONARD SHRYOCK  
MAYOR**

**ATTEST:**

\_\_\_\_\_  
**THERESA DEVOY, CMC  
CITY CLERK**



**COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION**

12700 NORWALK BOULEVARD  
NORWALK, CA 90650-1030

(562) 929-5744 Voice (562) 929-5584 Fax

---

**NEGATIVE DECLARATION**

Project Entitlement No(s): Zoning Ordinance Text Amendment No. 302

Applicant: City of Norwalk

Address: 12700 Norwalk Boulevard, Norwalk, CA 90650

Project Location: Applies Citywide to all commercial zones and properties

**Project Description:** A request to amend various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and add new definitions and procedures related to the proposed amendments.

Based on the attached Initial Study prepared for this project, the City of Norwalk has determined that there would be no significant, adverse, effect on the environment due to the scope of the project. All other materials that constitute the basis upon for determining to adopt this Negative Declaration are available for public review at the City of Norwalk Planning Division, 12700 Norwalk Boulevard, Norwalk, CA 90650. This document constitutes a Negative Declaration.

**RESPONSIBLE AGENCIES (i.e., any agency that has discretionary approval power over the project):**

City of Norwalk

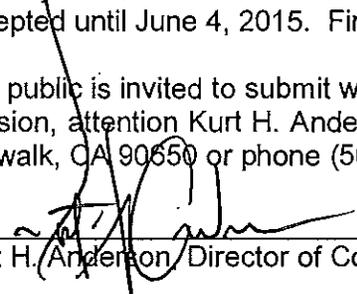
**TRUSTEE AGENCIES (i.e., the California Department of Fish and Game, State Lands Commission, State Department of Parks and Recreation, and University of California):**

None

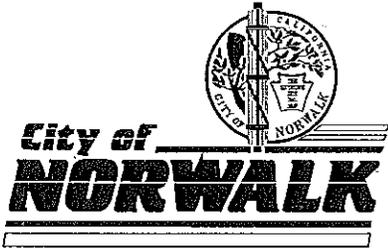
**Notice Pursuant to Section 21092.5 of the Public Resources Code:**

The 20-day review period for the draft Initial Study and Negative Declaration begins on **May 15, 2015** and expires on **June 4, 2015**. A meeting before the Planning Commission will be held at 7:30 p.m. on May 27, 2015 in the City of Norwalk, Council Chambers (located at 12700 Norwalk Boulevard, Norwalk, California) to consider this project. At that time, all interested parties are welcome to address the City on this matter. Comments regarding the Initial Study and Negative Declaration will be accepted until June 4, 2015. Final consideration regarding this project will be with the City Council.

The public is invited to submit written comments on the proposed Negative Declaration to the Planning Division, attention Kurt H. Anderson, Director of Community Development, 12700 Norwalk Boulevard, Norwalk, CA 90650 or phone (562) 929-5744.

  
Kurt H. Anderson, Director of Community Development

May 15, 2015  
Date



**COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION**

12700 NORWALK BOULEVARD  
NORWALK, CA 90650-1030

(562) 929-5744 Voice      (562) 929-5584 Fax

---

**INITIAL STUDY**  
**Text Amendment No. 302**  
*City of Norwalk*  
*May 15, 2015*

**Introduction**

This *Initial Study* has been prepared in accordance with relevant provisions of the *California Environmental Quality Act (CEQA) of 1970*, as amended, and the *CEQA Guidelines. Section 15063(c)* of the *CEQA Guidelines* indicates that the purposes of an Initial Study are to:

1. Provide the Lead Agency (i.e., the City of Norwalk) with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration;
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration or Mitigated Negative Declaration;
3. Assist the preparation of an EIR, if one is required, by:
  - Focusing the EIR on the effects determined to be significant;
  - Identifying the effects determined not to be significant;
  - Explaining the reasons why potentially significant effects would not be significant; and
  - Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
4. Facilitate environmental assessment early in the design of a project;
5. Provide documentation of the factual basis for the findings in a Negative Declaration or Mitigated Negative Declaration that a project will not have a significant effect on the environment;
6. Eliminate unnecessary EIRs; and
7. Determine whether a previously prepared EIR could be used with the project.

## INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** Zoning Ordinance Text Amendment No. 302
2. **Lead Agency Name and Address:**  
City of Norwalk  
12700 Norwalk Boulevard  
Norwalk, California 90650
3. **Contact Person and Phone Number:**  
Beth Chow,  
Senior Planner  
(562) 929 - 5744
4. **Project Location:**  
Applies Citywide to all commercial zones and properties
5. **Project Applicant Name and Address:**  
City of Norwalk  
12700 Norwalk Boulevard  
Norwalk, California 90650
6. **General Plan Designation:**  
Citywide
7. **Zoning:**  
Applies Citywide to all commercial zones and properties
8. **Description of Project:** For the Planning Commission to consider a request to amend various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and add new definitions and procedures related to the proposed amendments.
9. **Surrounding Land Uses and Setting:** N/A
10. **Other agencies whose approval is required (e.g., permits, financing approval, or participating agreement):** None

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or as indicated by the checklist on the following pages.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agricultural Resources        | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources            | <input type="checkbox"/> Geology/Soils                      |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality            |
| <input type="checkbox"/> Land Use/Planning        | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population/Housing       | <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation/Traffic   | <input type="checkbox"/> Utilities/Service Systems     | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Signature

May 15, 2015  
\_\_\_\_\_  
Date

Beth Chow  
\_\_\_\_\_  
Print Name

Senior Planner,  
City of Norwalk  
\_\_\_\_\_  
Title

## ENVIRONMENTAL IMPACT EVALUATION CHECKLIST

1. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," cited in support of conclusions reached in other sections may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used—Identify and state where they are available for review.
  - b. Impacts Adequately Addressed—Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures—For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify: a) The significance criteria or threshold, if any, used to evaluate each question; and b) The mitigation measure identified, if any, to reduce the impact to less than significance.

**A. AESTHETICS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Substantially degrade the existing visual character or quality of the site and its surroundings?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Create a source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**B. AGRICULTURAL RESOURCES\***

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
5. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

\* *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agricultural and farmland.*

**C. AIR QUALITY\***

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
8. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Expose sensitive receptors to substantial pollutant concentrations?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Create objectionable odors affecting a substantial number of people?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

\* Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

**D. BIOLOGICAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
13. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**D. BIOLOGICAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
15. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**E. CULTURAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
19. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
22. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**F. GEOLOGY AND SOILS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
23. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault? Refer to Division of Mines and Geology Special Pub. 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
24. Result in substantial soil erosion, or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
25. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
26. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
27. Have soils incompatible of adequately supporting the use of septic tanks or alternative waste water disposal system where sewers are not available for the disposal system where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**G. GREENHOUSE GAS EMISSIONS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
28. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

29. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emission of greenhouse gases?

**H. HAZARDS AND HAZARDOUS MATERIALS**

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:				
30. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
31. Create a significant hazard to the public or the environment through reasonably foreseeable up-set and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
32. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
33. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
34. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
35. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
36. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**H. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
37. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**I. HYDROLOGY AND WATER QUALITY**

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
38. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
39. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
40. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
41. Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
42. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
43. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
44. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**I. HYDROLOGY AND WATER QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
45. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
46. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**J. LAND USE AND PLANNING**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
47. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
48. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
49. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**K. MINERAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
50. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
51. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**L. NOISE**

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**L. NOISE**

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
52. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
53. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
54. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
55. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
56. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
57. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**M. POPULATION AND HOUSING**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
58. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through an extension of roads or other infra-structure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
59. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
60. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**N. PUBLIC SERVICES\***

Would the project result in substantial adverse physical impacts to the following:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
61. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
62. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
63. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
64. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
65. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

\* Include potential effects associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services.

**O. RECREATION**

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
66. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
67. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**P. TRANSPORTATION/TRAFFIC**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
68. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
69. Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**P. TRANSPORTATION/TRAFFIC**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
70. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
71. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
72. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
73. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
74. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Q. UTILITIES AND SERVICE SYSTEMS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
75. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
76. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
77. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
78. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Q. UTILITIES AND SERVICE SYSTEMS**

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:				
79. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
80. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
81. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**R. MANDATORY FINDINGS OF SIGNIFICANCE**

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
82. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
83. Does the project have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
84. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**-End of Environmental Impact Evaluation Checklist -**

## ENVIRONMENTAL IMPACT EVALUATION DISCUSSION

The following is a discussion of the potential impacts associated with the approval of the proposed project, as identified in the above *Environmental Impact Evaluation Checklist*. Explanations are provided for each item below.

### A. **AESTHETICS.** *Would the proposal:*

- 1) *Have a substantial adverse effect on a scenic vista?*

**No Impact:** The proposed text amendment revises sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No development or construction is proposed at this time. Additionally, there are no scenic vistas designated in the City's General Plan. No impacts are anticipated.

**Mitigation Measures:** None.

- 2) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**No Impact:** Refer to response A-1 above.

**Mitigation Measures:** None.

- 3) *Substantially degrade the existing visual character or quality of the site and its surroundings?*

**No Impact:** Refer to response A-1 above.

**Mitigation Measures:** None.

- 4) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

**No Impact:** Refer to response A-1 above.

**Mitigation Measures:** None.

### B. **AGRICULTURAL RESOURCES.** *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:*

- 5) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

**No Impact:** According to the State of California, Department of Conservation, California Important Farmland Finder, there are no properties identified within the City of Norwalk which are considered prime farmland, unique farmland, or farmland of statewide significance. Additionally, there are no parts of the City which have been designated for agricultural uses in the City's General Plan Land Use and Zoning Maps.

**Mitigation Measures:** None.

- 6) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

**No Impact:** Refer to response to B-5 above.

**Mitigation Measures:** None.

- 7) Involve other changes in the existing environment, which due to their location or nature, could result in the conversion of Farmland, to non-agricultural use?

**No Impact:** Refer to response B-5 above.

**Mitigation Measures:** None.

- C. **AIR QUALITY.** *Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:*

- 8) Conflict with or obstruct implementation of the applicable air quality plan?

**No Impact:** The South Coast Air Quality Management District (SCAQMD) adopted a 2012 Air Quality Management Plan (AQMP) for the South Coast Air Basin (SoCAB), which sets forth a program to ensure compliance with federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon the 2012 Regional Transportation Plan/Sustainable Communities Strategy and updated emission inventory methodologies for various source categories.

The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. The addition of definitions is not related to construction and will not result in construction related emissions nor will the project conflict with the implementation of AQMP.

The proposed establishment of provisions for smoke shops will allow minor construction at commercial properties. However, there is no construction proposed at this time. In the future, proposed construction of smoke shops may necessitate separate CEQA review, as required for each project which will identify impacts to air quality which may be mitigated and that all construction activities be in conformance with SCAQMD requirements. Therefore, the project would not violate any air quality standard or conflict with the implementation of the AQMP.

**Mitigation Measures:** None.

- 9) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

**No Impact:** Refer to response C-8 above.

**Mitigation Measures:** None.

- 10) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

**No Impact:** Refer to response C-8 above.

**Mitigation Measures:** None.

- 11) Expose sensitive receptors to substantial pollutant concentrations?

**No impact:** Refer to response C-8 above.

**Mitigation Measures:** None.

- 12) Create objectionable odors affecting a substantial number of people?

**No Impact:** The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments are proposed at this time. SCAQMD lists land uses primarily associated with odor complaints which include water transfer and recycling stations, wastewater treatment plants, landfills, composting operations, petroleum operations, food and byproduct processes, factories, and agricultural activities, such as livestock operations. These operations will not be allowed with the proposed text amendment. Therefore, no odor impacts are anticipated.

**Mitigation Measures:** None.

**D. BIOLOGICAL RESOURCES. *Would the project:***

- 13) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

**No Impact:** The City of Norwalk is a fully urbanized community. The Conservation Element of the Norwalk General Plan indicates there are no unique, rare or endangered plants or animals known to inhabit the City. No new development is proposed as part of the proposed text amendment. Further, the affected zones in the commercial zones and properties are developed with urban uses. As a result, the proposed project will not have any impacts to sensitive or special status species, riparian habitat or other sensitive natural community, protected wetlands, or wildlife.

**Mitigation Measures:** None.

- 14) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

**No Impact:** Refer to response D-13 above.

**Mitigation Measures:** None.

- 15) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

**No Impact:** Refer to response D-13 above.

**Mitigation Measures:** None.

- 16) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**No Impact:** Refer to response D-13 above.

**Mitigation Measures:** None.

- 17) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

**No Impact:** Refer to response D-13 above.

*Mitigation Measures:* None.

- 18) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

*No Impact:* Refer to response D-13 above.

*Mitigation Measures:* None

**E. CULTURAL RESOURCES. *Would the project:***

- 19) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?

*No Impact:* The project revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments are proposed at this time. Therefore, the proposed project will not alter the status of any local, state, or federally designated historic structure or property, nor will it impact a building/structure's eligibility for potential inclusion on any local, state or federal historic register.

*Mitigation Measures:* None.

- 20) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?

*No Impact:* No archaeological resources are identified within the Norwalk General Plan.

*Mitigation Measures:* None.

- 21) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

*No Impact:* No unique paleontological resources or unique geologic features are identified within the Norwalk General Plan.

*Mitigation Measures:* None.

- 22) Disturb any human remains, including those interred outside of formal cemeteries?

*No Impact:* The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments are proposed at this time.

Therefore, the proposed project will not disturb any human remains, including those interred outside of formal cemeteries.

*Mitigation Measures:* None.

## F. GEOLOGY AND SOILS.

### Overview

Building safety and construction are regulated by the requirements set forth within the Water District regulations and/or City regulations, including such regulations as the California Building Code (CBC). The CBC represents the most current practices in building safety and construction of earthquake resistant structures and facilities.

### Would the project:

23) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

a.) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

**No Impact:** The Norwalk Fault is the only potentially active fault in the City. However, the rupture of this fault is considered less than significant due to its lack of seismic activity. However, the nearby, Newport-Inglewood Fault (located seven (7) miles south of the City) is considered more seismically active and has a geological potential of creating an earthquake equal to 6.5 on the Richter Scale. While any earthquake is capable of creating human injury or damage to buildings/structures, there is no relationship between the modification of the definition of family, establishment of the definition of a single housekeeping unit, and establishment of provisions for emergency shelters and the risk to life and property. Future development would be required to conduct separate CEQA review and would be required to comply with the CBC. As a result, no impacts are anticipated.

*Mitigation Measures:* None.

b.) Strong seismic ground shaking?

**No Impact:** Refer to response F-23(a) above.

*Mitigation Measures:* None.

c.) Seismic-related ground failure, including liquefaction?

**No Impact:** The project the proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments are proposed at this time. The City has a set of guidelines which every development must adhere to. According to the City's Building Manager, future development would require a soil study in which additional reinforcing building techniques (i.e. larger footings) would be utilized to prevent structural failure in the instance where liquefaction may occur due to seismic activity or rise in the water table. Therefore, no significant impacts are anticipated.

**Mitigation Measures:** None.

d.) Landslides?

**No Impact:** The City of Norwalk has a relatively flat topography with no hillsides or substantial variation in grade. According to the Norwalk General Plan, the City is not affected by avalanches, rock falls, or landslides. The project is a text amendment to revise various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments are proposed at this time. Therefore, the proposed project will not result in any risks of landslides that will have substantial adverse effects.

**Mitigation Measures:** None.

24) Result in substantial soil erosion or the loss of topsoil?

**No Impact:** The project consists of a text amendment with no development proposed at this time. The City of Norwalk is relatively flat topography with no hillsides or substantial variation in grade. According to the Norwalk General Plan, the City is not affected by avalanches, rock falls, or landslides. Therefore, the proposed project will not result in any substantial soil erosion or loss of topsoil that will have substantial adverse effects.

**Mitigation Measures:** None.

25) Be located on a geologic unit or soil that is unstable, or would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

**No Impact:** The project consists of a text amendment with no development proposed at this time. According to the City's Building Manager, future development would require a soil study in which additional reinforcing building techniques (i.e. larger footings) would be utilized to prevent structural failure in the instance where liquefaction may occur due to seismic activity or rise in the water table. Therefore, no significant impacts are anticipated.

*Mitigation Measures:* None.

- 26) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

*No Impact:* Refer to response F-25 above.

*Mitigation Measures:* None.

- 27) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal system where sewers are not available for the disposal of waste water?

*No Impact:* Refer to response F-25 above.

*Mitigation Measures:* None.

**G. GREENHOUSE GAS EMISSIONS. *Would the project:***

- 28) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

*No Impact:* The project consists of a text amendment with no new development proposed at this time. Any new development would be reviewed on an individual basis and will need to comply with the City's development standards and guidelines. Therefore, the proposed project will not result in any significant negative impacts on the environment.

*Mitigation Measures:* None.

- 29) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

*No Impact:* Refer to G-28 above.

*Mitigation Measures:* None.

**H. HAZARDS AND HAZARDOUS MATERIALS. *Would the project:***

- 30) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

*No Impact:* The project consists of a text amendment with no development proposed at this time. Therefore, it will not result in the transportation or exposure of hazardous materials to the

environment or to the population. Future developments may be reviewed for compliance with CEQA and any significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials will be analyzed.

**Mitigation Measures:** None.

- 31) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**No Impact:** Refer to response H-30 above.

**Mitigation Measures:** None.

- 32) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

**No Impact:** Refer to response H-30 above.

**Mitigation Measures:** None.

- 33) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

**No Impact:** Refer to H-30 above.

**Mitigation Measures:** None.

- 34) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

**No Impact:** No portion of the City of Norwalk is located within two miles of a public airport or public use airport. Therefore, no impact is anticipated.

**Mitigation Measures:** None.

- 35) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

**No Impact:** Refer to response H-30 above.

*Mitigation Measures:* None.

- 36) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

*No Impact:* The project consists of a text amendment with no development proposed at this time. Future developments will not interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, the proposed project will not result in any impacts.

*Mitigation Measures:* None.

- 37) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

*No Impact:* The City of Norwalk is a fully urbanized community surrounded by other fully urbanized cities, which are not in proximity to any wildlands. Therefore, the threat of wildland fires has no impact.

*Mitigation Measures:* None.

**I. HYDROLOGY AND WATER QUALITY. *Would the project:***

- 38) Violate any water quality standards or waste discharge requirements?

*No impact:* No development is proposed as part of this project. Future developments will require additional CEQA review to address any hydrology and water quality issues. Therefore, the proposed project will not result in any impacts to the water system, supply or quality.

*Mitigation Measures:* None.

- 39) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

*No impact:* Refer to response I-38 above.

*Mitigation Measures:* None.

- 40) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, or substantially increase the rate or amount of the

surface runoff in a manner, which would result in substantial erosion or siltation on- or off-site?

*No impact:* Refer to response I-38 above.

*Mitigation Measures:* None.

41) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

*No impact:* Refer to response I-38 above.

*Mitigation Measures:* None.

42) Otherwise substantially degrade water quality?

*No impact:* Refer to response I-38 above.

*Mitigation Measures:* None.

43) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

*No impact:* According to Federal Emergency Management Agency (FEMA) Flood Control maps, the City of Norwalk is located within Flood Zone "X" (Community Number 060652, Panel 1837, September 26, 2008), which is an area of moderate to low risks of flooding. This zone is outside the 500-year or 0.2 percent annual floodplain. Therefore, no impacts are anticipated.

*Mitigation Measures:* None.

44) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

*No impact:* Refer to response I-43 above.

*Mitigation Measures:* None.

45) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

*No Impact:* Refer to response I-43 above.

*Mitigation Measures:* None.

46) Inundation by seiche, tsunami, or mudflow?

*No Impact:* The City of Norwalk is located more than fifteen (15) miles away from the Pacific Ocean. Therefore, no impact is anticipated.

*Mitigation Measures:* None.

**J. LAND USE AND PLANNING. *Would the project:***

47) Physically divide an established community?

*No Impact:* The project consists of a text amendment and no physical changes are proposed at this time. No future development will result in dividing an established community. Therefore, the proposed project will not result in any impacts.

*Mitigation Measures:* None

48) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

*No Impact:* The proposed project will not conflict with any adopted ordinance, policy or plan. Therefore, the proposed project will not result in any impacts.

*Mitigation Measures:* None.

49) Conflict with any applicable habitat conservation plan or natural community conservation plan?

*No Impact:* Refer to D-13 above.

*Mitigation Measures:* None.

**K. MINERAL RESOURCES. *Would the project:***

50) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

*No Impact:* No mineral resources have been identified within the City of Norwalk in the City's General Plan. The proposed text amendment revises various sections of the Norwalk Municipal

Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No development is proposed as part of this project. Therefore, the proposed project will not result in any impacts.

*Mitigation Measures:* None.

51) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

*No Impact:* Refer to response K-50 above.

*Mitigation Measures:* None.

L. **NOISE.** *Would the project result in:*

52) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

*No Impact:* The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No developments are proposed at this time. Any future developments will be reviewed on a case by case basis and be required to follow current development guidelines and standards.

The Norwalk General Plan identifies vehicular noise as a mobile noise source. Future development based on the proposed text amendment regulating smoke shops in all commercial zones, is anticipated to have the same or greater noise levels in the areas due to an increase in vehicular traffic on surrounding roadways. It is not expected that these potential noise sources would exceed the limits set forth in the Norwalk General Plan and Noise Ordinance. Therefore, there are no impacts..

*Mitigation Measures:* None.

53) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

*No Impact:* Refer to L-52 above.

*Mitigation Measures:* None.

54) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

*No Impact:* Refer to response L-52 above.

**Mitigation Measures:** None.

55) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

**No Impact:** The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No development is proposed at this time. Any future developments will be reviewed on a case by case basis and be required to follow current development guidelines and standards.

**Mitigation Measures:** None.

56) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

**No Impact:** Not applicable. According the City's General Plan, there are no public or private airports located in or surrounding the City of Norwalk within two (2) miles.

**Mitigation Measures:** None.

57) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**No Impact:** Refer to L-54 above.

**Mitigation Measures:** None.

**M. POPULATION AND HOUSING. *Would the project:***

58) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**No Impact:** The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No development is proposed at this time. Therefore, no impacts are anticipated.

**Mitigation Measures:** None.

59) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

**No Impact:** The proposed text revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No development is proposed at this time. Future development of sites will not require the construction of replacement housing since the sites will allow for a greater variety of housing in residential zones. Therefore, no impacts are anticipated.

**Mitigation Measures:** None.

60) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**No Impact:** Refer to M-59 above

**Mitigation Measures:** None

## N. PUBLIC SERVICES.

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratio, response times or other performance objectives for any of the public service:

61) *Fire protection?*

**No Impact:** The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments or land use changes are proposed as part of this project. Therefore, no impacts are anticipated.

**Mitigation Measures:** None

62) *Police protection?*

**No Impact:** The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments or land use changes are proposed as part of this project. Therefore, no impacts are anticipated.

**Mitigation Measures:** None.

63) *Schools?*

**No Impact:** The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments or land use changes are proposed as part of this project. Therefore, no impacts are anticipated.

**Mitigation Measures:** None.

64) *Parks?*

**No Impact:** The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments or land use changes are proposed as part of this project. Therefore, no impacts are anticipated.

**Mitigation Measures:** None.

65) *Other Public Facilities?*

**No Impact:** The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments or land use changes are proposed as part of this project. Therefore, no impacts are anticipated.

**Mitigation Measures:** None.

O. RECREATION

66) Would the proposed project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**No Impact:** The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments or land use changes are proposed as part of this project. Therefore, no impacts are anticipated.

**Mitigation Measures:** None.

67) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse effect on the environment?

**No Impact:** Refer to response O-66 above.

*Mitigation Measures:* None.

P. **TRANSPORTATION/TRAFFIC.** *Would the project:*

- 68) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

*No Impact:* The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments or land use changes are proposed as part of this project. Therefore, no impacts are anticipated. Future development would be evaluated and processed individually for any potential negative impacts and steps will be taken to mitigate the impacts of any increase in traffic.

No development is proposed at this time. Therefore, the project will not result in an increase in traffic. The proposed project would not intensify the existing operations or use at any site, therefore, the project would not generate an increase in vehicle trips and associated mobile-source emissions.

Future development may result in an increase in traffic at sites. However, based on anticipated parking demand in retail uses such as smoke shops, increases in traffic are anticipated to have no impact as such uses are currently permitted.

*Mitigation Measures:* None.

- 69) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

*No Impact:* Refer to response P-68 above.

*Mitigation Measures:* None.

- 70) Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

*No Impact:* Refer to response P-68 above.

*Mitigation Measures:* None.

- 71) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

*No Impact:* Refer to response P-68 above.

*Mitigation Measures:* None.

72) Result in inadequate emergency access?

*No Impact:* Refer to response P-68 above.

*Mitigation Measures:* None.

73) Result in inadequate parking capacity?

*No Impact:* Refer to response P-68 above.

*Mitigation Measures:* None.

74) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

*No Impact:* Refer to response P-68 above.

*Mitigation Measures:* None.

**Q. UTILITIES AND SERVICE SYSTEMS. *Would the project:***

75) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

*No Impact:* The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments or land use changes are proposed as part of this project. Therefore, no impacts are anticipated.

With the implementation of the General Plan, the City has ensured that adequate utility levels (e.g. water, sewer, storm drains, natural gas, electricity, etc.) are provided within the City to meet Norwalk's current and future needs. On a yearly basis, the City has continued to maintain all existing utility infrastructure and enhance its functional longevity to maximum performance. In 2011, a special study was conducted to analyze the City's sewer system to determine whether it is working efficiently and whether future repairs are necessary to support future population growth.

*Mitigation Measures:* None.

76) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

**No Impact:** Refer to response Q-75 above.

**Mitigation Measures:** None.

77) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

**No Impact:** Refer to response Q-75 above.

**Mitigation Measures:** None.

78) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

**No Impact:** Refer to response Q-75 above.

**Mitigation Measures:** None.

79) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

**No Impact:** Refer to response Q-75 above.

**Mitigation Measures:** None.

80) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

**No Impact:** The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No new developments or land use changes are proposed as part of this project. Therefore, no impacts are anticipated. Future development of smoke shops would be evaluated and processed individually for any potential negative impacts and steps will be taken to mitigate the impacts on solid waste disposal needs, if any.

**Mitigation Measures:** None.

81) Comply with federal, state, and local statutes and regulations related to solid waste?

*No Impact:* Refer to Q-80 above.

*Mitigation Measures:* None.

**R. MANDATORY FINDINGS OF SIGNIFICANCE.**

82) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

*No Impact:* The City of Norwalk is a fully urbanized community. The Conservation Element of the Norwalk General Plan indicates there are no unique, rare or endangered plants or animals known to inhabit the City. The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. No development is proposed as part of this project. Therefore, the proposed project will have no impact on any sensitive plant or animal species or habitat. Likewise, there will be no conflict with any adopted City, County, Regional, State or Federal policies, goals, or plans pertaining to the preservation and/or conservation of biological resources in the City of Norwalk.

*Mitigation Measures:* None.

83) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

*No Impact:* The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. Future development would be evaluated and processed individually for any potential negative impacts and steps will be taken to mitigate impacts. Therefore, no impacts are anticipated.

*Mitigation Measures:* None.

84) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

*No Impact:* The proposed text amendment revises various sections of the Norwalk Municipal Code to regulate smoke shops in all commercial zones and adds new definitions and procedures related to the proposed amendments. Future development would be evaluated and processed

individually for any potential negative impacts and steps will be taken to mitigate impacts. Therefore, no impacts are anticipated. Therefore, no environmental effects which will cause substantial adverse effects on human being, either directly or indirectly, are anticipated.

*Mitigation Measures:* None.

**-End of Environmental Impact Evaluation Discussion -**

## REFERENCES FOR ENVIRONMENTAL EVALUATION

The following references were utilized during preparation of this Initial Study:

- 1) City of Norwalk General Plan
- 2) Norwalk Municipal Code
- 3) State of California, Department of Conservation, California Important Farmland Finder
- 4) South Coast Air Quality Plan (SCAQM)
- 5) 2012 Air Quality Management Plan (AQMP)
- 6) California Register of Historical Resources
- 7) California Department of Conservation, division of Mines and Geology
- 8) Federal Emergency Management Agency (FEMA) Map for the City of Norwalk.
- 9) California Building Code
- 10) Secretary of the Interior Standards for Historic Structures
- 11) City of Norwalk Hazardous Petroleum Substance Map
- 12) City of Norwalk Building Official
- 13) State of California Government Code
- 14) United States Environmental Protection Agency

