



THE REGIONAL PLANNING COMMISSION

County of Los Angeles

MINUTES

Meeting Place: Room 150 Hall of Records
320 W. Temple Street
Los Angeles, California 90012

Meeting Date: February 19, 2014 - Wednesday

Time: 9:03 a.m.

Present:

Commissioners Valadez, Shell, Louie, Pedersen, Modugno

Ex Officio Members:

Director of Public Works: Mr. Andy Narag, Senior Civil Engineer

County Counsel: Ms. Jill Jones, Principal Deputy

Planning Director: Mr. Sorin Alexanian, Deputy Director, Current Planning Division

Forester and Fire Warden: Ms. Janna Masi, Supervising Fire Prevention Engineer

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance was led by Commissioner Valadez representing the First Supervisorial District.

APPROVAL OF AGENDA

2. Motion/second by Commissioners Modugno/Shell – That the agenda for February 19, 2014 be approved.

At the direction of the Chair, the agenda was approved unanimously.

COUNTY COUNSEL REPORT

3. There were no reports given by County Counsel.

DIRECTOR/DEPUTY DIRECTOR

4. Mr. Alexanian reported that at yesterday's Board of Supervisors meeting the Board adopted a resolution approving the Santa Monica Mountains Local Coastal Program (LCP), on a four to one vote. Staff is preparing the LCP transmittal to the Coastal Commission. Certification of the LCP, by the Coastal Commission would repeal the 1986 Malibu Land Use Plan making zoning consistent with the Land Use Policy Map; amending Title 22 – Planning and Zoning of the County Code relating to the establishment of the Santa Monica Mountains Local Implementation Program.

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MINUTES FOR APPROVAL

5. Motion/second by Commissioners Modugno/Louie – That the minutes for January 22, and 29, 2014 be approved.

At the direction of the Chair, the minutes were approved with Commissioners Modugno, Louie, Valadez, Pedersen in favor and Commissioner Shell being recorded as abstaining.

PUBLIC HEARINGS

Zoning Permits

Project Denied

6. **(Continued from 05/22/13, 06/12/13, 09/04/13 & 11/13/13). Project No. R2013-00520-(1). Adult Business Permit No. 201300001. Applicant: Chawkat Jajieh. 13217 Valley Boulevard. Puente Zoned District. To authorize the continued operation of an adult business with live entertainment located in the M-1-BE (Light Industrial-Billboard Exclusion) Zone within the unincorporated community of Avocado Heights. The project is a ministerial permit and is not subject to the California Environmental Quality Act.**

Ms. Aranda presented the staff report to the Commission indicating that recent site inspections continue to disclose non-compliance with the Los Angeles County Code Title 22 and Title 7 requirements pursuant to the following Sections:

- The exterior door of the business was propped open in violation of Title 7, Section 7.92.050 (E);
- Dancers and patrons were using rooms that are not open to view at all times in violation of Title 7, Section 7.92.050 (H);
- The business was open past 2 a.m. in violation of Title 7, 7.92.050 (L);
- Dancers performing on the stage were touching patrons in violation of Title 7, Section 7.92.070 (E); and
- Dancers were observed touching patrons and offering "lap dances" in violation of Title 7, Section 7.92.070 (F).

Ms. Aranda further explained that the applicant has failed to bring the operation into compliance with applicable development standards since the application was filed in September 2007. For these reasons, staff recommends denial of Adult Business Permit RMIS 201300001.

Testimony was followed by Roger Diamond, James Miller applicant representatives and Jajieh Chawkat, owner of Bliss Showgirls in support of project. Pastor Victor Chen, Evergreen Baptist SGV provided testimony in opposition.

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PUBLIC HEARINGS (Cont.)

Zoning Permits

Mr. Diamond respectfully protested the Commission's rules and protocol. Mr. Diamond indicated that the permit is ministerial and the Planning Commission has no discretion to deny the project. He continued by saying that the only issue is zoning and development standards with which the applicant is in compliance and that the operational matters are within jurisdiction of the Business License Commission. The applicant's agent, James Miller, testified that none of the dancers arrested in the previous undercover operation were convicted of prostitution and that Regional Planning claimed "the location is a perfect place for an adult business."

Motion/second by Commissioners Modugno/Louie – That the Regional Planning Commission close the public hearing and deny Project No. R2013-00520, Adult Business Permit RMIS 201300001 with findings of denial.

At the direction of the Chair, the item passes with Commissioners Modugno, Louie, Valadez and Pedersen in favor of denial and Commissioner Shell being recorded as abstaining.

Pursuant to Section 22.62.080 of the Zoning Code, issuance or denial of the business permit is not subject to administrative appeal.

Commissioners praised staff on an excellent presentation and report and appreciated the quality of the work put forth by staff.

Project Approved

7. **Project No. R2013-03079-(4). Applicant: Min Hong. 18305 Colima Rd., Unit B, Rowland Heights. Puente Zoned District. a. Conditional Use Permit No. 201300162. To authorize the sale of a full line of alcohol for off-site consumption (Type 21) at a new liquor store (Bootlegger Liquor) in an existing shopping center in the C-1 (Restricted Business) zone in the Puente Zoned District. b. Variance No. 201300005. To authorize the new liquor store to exceed the five percent display limit of total shelf space devoted to alcoholic beverages as required when an establishment is located within a 500 ft. radius of any other facility selling alcoholic beverages. c. Environmental Assessment No. 201300266. This project is categorically exempt Class 1 – Existing Facilities pursuant to CEQA reporting requirements.**

Mr. Mar presented the staff report followed by testimony from Min Hong, the applicant's representative in support. There being no members of the public present in opposition, no rebuttal from the applicant was required.

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PUBLIC HEARINGS (Cont.)

Zoning Permits

Discussion followed in which the Commission wanted a comparison of the proposed store's alcohol shelf space compared to that of the former location. The applicant stated that the new store would have a slightly less percentage of alcohol shelf space compared to the old store.

Motion/second by Commissioners Pedersen/Modugno – That the Regional Planning Commission close the public hearing and find the project is categorically exempt Class 1 – Existing Facilities pursuant to CEQA reporting requirements and approve Conditional Use Permit No. 201300162 and Variance No. 201300005 with findings and conditions of approval. The appeal period for this item ends on Wednesday, March 5, 2014.

At the direction of the Chair, the item passes unanimously.

Project Approved

8. **Project No. R2010-01797-(3). Applicant: Paula Login. 791 Latigo Canyon Rd., Santa Monica Mountains North Area. The Malibu Zoned District. a. Conditional Use Permit No. 201000169. To authorize a conditional use permit (CUP) to allow a single-family residence located in an antiquated subdivision on a parcel that is less than one-half acre and contains any slope of 25 percent grade or greater in the A-1-5 (Light Agricultural-5 Acre Minimum Required Lot Area) Zone within the Santa Monica Mountains North Area CSD. b. Environmental Assessment No. 201000139. To consider a Mitigated Negative Declaration as it has been determined that with the adoption of the Mitigation Monitoring Program, the project will have a less than significant effect on the environment pursuant to CEQA reporting requirements.**

Mr. Seawards presented the staff report followed by testimony from Stacey Sherman, the applicant's representative in support. There being no members of the public present in opposition, no rebuttal from the applicant was required.

Mr. Sherman stated that the applicant had no disagreements with the Conditions of Approval. He asked if the requested editorial changes to the Mitigation Monitoring Reporting Program were accepted, and staff verified that the edits have been changed and will be in the final documents.

Commissioner Shell had one question for Department of Public Works' on Road Condition No. 2.4 that required a right turn ingress and egress. Public Works stated that there is no need for this condition and agreed to have it removed.

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PUBLIC HEARINGS (Cont.)

Zoning Permits

Motion/second by Commissioners Shell/Modugno – That the Regional Planning Commission close the public hearing and adopt the Mitigated Negative Declaration and Mitigation Monitoring Program.

Motion/second by Commissioners Shell/Modugno – That the Regional Planning Commission approve Conditional Use Permit No. 201000169 with findings and conditions of approval and eliminating Department of Public Works Road Condition No. 2.

At the direction of the Chair, the item passes unanimously.

PUBLIC COMMENT

9. Public comment pursuant to Section 54954.3 of the Government Code.

There were no requests by members of the public to address the Commission.

CONTINUATION OF REPORTS

10. Possible Call for Review of Decisions by Hearing Officer, pursuant to Section 22.60.200 of the Los Angeles County Code.

There were no items Called up for Review by the Commission.

11. Commission/Counsel/Director Reports

There were no reports given by Commission/Counsel/Director.

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ADJOURNMENT

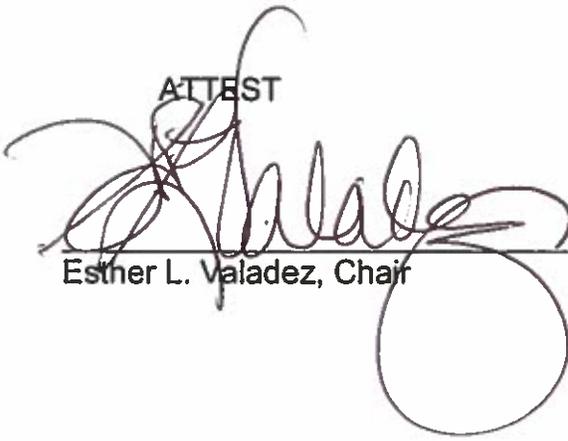
A recording of the testimony received and the discussions held at this meeting and a copy of all findings and resolutions acted upon by the Commission are on file in the Department of Regional Planning.

The Commission adjourned at 10:25 a.m. to Wednesday, February 26, 2014.



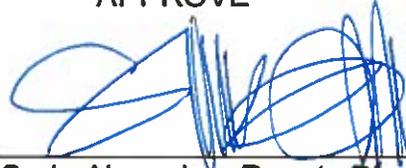
Rosie O. Ruiz, Commission Secretary

ATTEST



Esther L. Valadez, Chair

APPROVE



Sorin Alexanian, Deputy Director
Current Planning Division