



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

October 16, 2014

TO: Esther L. Valadez, Chair
Laura Shell, Vice Chair
David W. Louie, Commissioner
Curt Pedersen, Commissioner
Pat Modugno, Commissioner

FROM: Gretchen Siemers
Zoning Permits North Section

**SUBJECT: Project No. 97021
Nonconforming Review No. 201000006
RPC Meeting: October 29, 2014
Agenda Item: 5**

On June 17, 2014, the Hearing Officer approved a request for a Nonconforming Review of a mobilehome park and automobile dismantling yard pursuant to Section 22.56.1500 of the Los Angeles County Code. The project included a condition (No. 29) to limit the hours of operation of the automobile dismantling yard. The applicant is appealing said condition. The condition is written as follows:

29. The automobile dismantling yard and related businesses on the site shall limit operations to the hours between 7:00 A.M. and 7:00 P.M. daily, and shall be closed on Sundays and federal holidays, except that strictly office activities (e.g. paperwork) may take place outside of those hours.

The approved site plan depicts 15 mobilehomes in close proximity to the work area of an automobile dismantling yard. The appealed condition was included to minimize the noise and traffic impacts on the residents of the mobilehome park. While no complaints of impacts had been received, it is standard practice for staff to attempt to mitigate potential impacts from noxious uses, in order to protect residential uses. However, the appellant/applicant submitted a petition signed by each resident of the mobilehome park attesting that they have no complaints about the automobile dismantling yard being open on Sundays.

Therefore, staff recommends that the Commission authorize the operation of the automobile dismantling yard on Sundays by amending Condition No. 29, as follows:

Hearing Officer Transmittal Checklist

Hearing Date
6/17/2014
Agenda Item No.
8

Project Number: 97021-(5)
Case(s): Nonconforming Review No. 201000006
Planner: Gretchen Siemers

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 



Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012

PROJECT NUMBER
 97021

HEARING DATE
 6/17/2014

REQUESTED ENTITLEMENTS

Nonconforming Review No. 201000006

PROJECT SUMMARY

OWNER / APPLICANT

Torgon Abramian and Vartan Honarchian

MAP/EXHIBIT DATE

5/19/10

PROJECT OVERVIEW

The project is a request to allow for the continued operation and maintenance of a mobilehome park and an automobile dismantling yard in a zone that does not allow such use. Ancillary auto-related businesses are also located on the property.

LOCATION

37855 90th Street East, Sun Village, CA 93543

ACCESS

Via 90th Street East

ASSESSORS PARCEL NUMBER(S)

3042 022 020, 3024 022 019

SITE AREA

20 Acres

GENERAL PLAN / LOCAL PLAN

Antelope Valley Area Plan

ZONED DISTRICT

Littlerock

LAND USE DESIGNATION

M (Industrial)

ZONE

M-1½ (Restricted Heavy Manufacturing Zone)

PROPOSED UNITS

15 existing mobilehomes

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

Southeast Antelope Valley

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - Part 10 Of Chapter 22.56 Part 10 (Nonconforming Uses, Buildings And Structures)

CASE PLANNER:

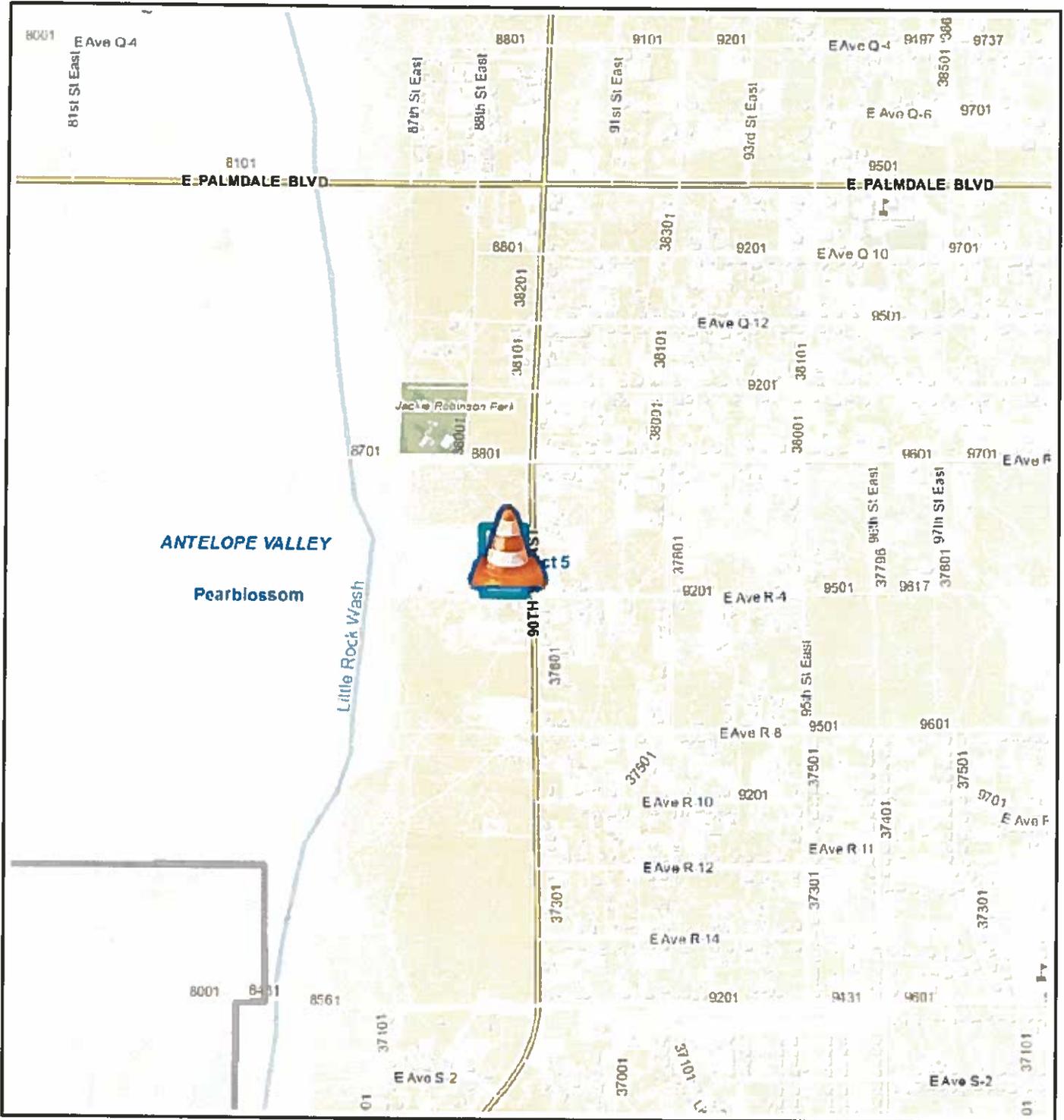
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97021

Printed: Jun 05, 2014



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ENTITLEMENTS REQUESTED

The applicant is requesting a nonconforming review ("NCR") pursuant to Part 10 of Chapter 22.56 of the Los Angeles County ("County") Code for the continued use, operation, and maintenance of an existing mobilehome park and automobile dismantling yard in the M-1½ (Restricted Heavy Manufacturing) Zone.

PROJECT DESCRIPTION

The subject property consists of two rectangular parcels with level topography. The majority of the site is developed with an automobile dismantling yard, which is located at the rear of the property; the mobilehome park, which contains 15 mobilehomes, fronts 90th Street. Related auto services, including a towing company, tire shop, auto repair, auto sales, and private party (repossession) impound area are also located on the property and front 90th Street.

The automobile dismantling operation consists of an open, unpaved yard and is used primarily to store wrecked and partially dismantled vehicles. When a part is needed or a vehicle is scheduled for dismantling and crushing, it is moved to a paved area near the workshop. The car crusher is located in the center northern portion of the property on a paved pad. An eight-foot tall chain link fence encloses this impound within the perimeter dismantling yard fence. Parts storage racks are located near the mechanic shop and public counter.

A six foot high fence separates the mobilehome park from the parking area for the automobile dismantling yard and ten foot high fence separates the storage yard from the mobilehome area. Fifteen mobilehome stalls are depicted on the site plan. The property has improved the water system for the residents of the mobilehome park by connecting to public water and decommissioning a private water well, as required by County Department of Public Health.

EXISTING ZONING

The subject property is zoned M-1½ (Limited Heavy Manufacturing) and located within the Southeast Antelope Valley Community Standards District ("CSD"). Surrounding properties are zoned as follows:

North: A-2-1 (Heavy Agriculture, 1-acre Minimum Required Lot Area)
South: M-1½
East: A-1-1
West: A-2-1

EXISTING LAND USES

The subject property presently operates as an automobile dismantling yard and a mobilehome park. Surrounding properties are developed as follows:

North: Vacant land, Jackie Robinson Park
South: Vacant land
East: Single-family residences, vacant land
West: Vacant land

PREVIOUS CASES/ZONING HISTORY

Ordinance 6042, adopted May 19, 1952, zoned the subject property M-3-2 (Unclassified, 2 acre minimum required lot area). Ordinance 6690, adopted May 17, 1955, changed the zone to A-2-1, and on June 28, 1957 the zoning was again changed to the present M-1½. Records indicate that the automobile dismantling yard and the mobilehome park were established around 1954 when the property was zoned M-3-2. According to the 1951 edition of the County Code, both the automobile dismantling yard and the mobilehome park could have legally existed on the same property in the M-3-2 Zone.

The subject application is essentially unchanged from the first zoning permit issued for the property. The first zoning permit, NCR 60-(5) was issued for this property on June 12, 1975. On April 25, 1986 NCR 86-061 approved the continuation of the use for a further ten years. In 2000, an NCR was again approved for the site, with the same site plan.

ENVIRONMENTAL DETERMINATION

This project qualifies for a Categorical Exemption (Class 1, for existing facilities) under the California Environmental Quality Act ("CEQA") and the County environmental guidelines. The project is has been in existence for approximately 60 years and is not proposing any changes. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the "M" (Industrial) land use category of the Antelope Valley Area Plan ("AV Plan"). This designation is intended for manufacturing and employment uses. The "M" category does not distinguish intensity, but it implies however that it be clean, non-polluting, with no offensive odors and visually attractive. The Plan allows for residential uses in the "M" designated areas through a design review procedure. Although no design review procedure has been established, the required NCR burden of proof addresses compatibility with neighboring uses.

Zoning Ordinance and Development Standards Compliance

Neither automobile dismantling yards nor mobilehome parks are permitted in the M-1½ Zone. The M-1½ Zone was applied to the subject property in 1957. At that time, the subject automobile dismantling yard and the mobilehome park on the property became legal nonconforming uses. Continued operation and maintenance of the facility is only possible with the approval of a nonconforming review permit. Denial of the NCR may require the preparation of a Mobilehome Closure Impact Report pursuant to State requirements along with related procedures (Govt. Code Section 65863.7).

There is one pole-mounted sign on the property that measures approximately 2 feet by 8 feet. This sign is in conformance with the standards specified in Section 22.52.870 of the County Code. The existing dismantling yard and mobilehome park are in compliance will all conditions required under previously approved NCR 97021-(5).

In 2007, a Notice of Violation and Final Zoning Enforcement Order were issued for violating various code standards, project conditions, and not complying with the approved site plan; the case was closed in 2008. In April of 2010, a Notice of Violation was issued for not complying with project conditions relating to the storage of tires; the case was closed in May 2010. It can be concluded from the information in the enforcement file that the property owners were responsive in abating the violations.

Site Visit

Staff visited the site on September 21, 2013. The property was well-maintained.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.1550 (C) of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

Neighborhood Impact/Land Use Compatibility

The area surrounding the subject property is mostly vacant. As such, the impacts to the area are minimal. The residential and commercial portions of the operation are located at the front of the property, while the more noxious dismantling activities take place in the rear of the property. No major development plans are slated for the community and the area is not expected to change in density or character in forthcoming grant period. The uses on the property do not now and will not during the extension period requested adversely affect the health, peace, or welfare of persons residing or working in the surrounding area, nor will it be materially detrimental to the use, enjoyment or valuation of the property of other persons located in the vicinity of the site. Furthermore, due to conditions imposed on the project, the use will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

A nonconforming review is a limited term permit with the intent that both the automobile dismantling yard and the mobilehome park will eventually be removed from the site, or the zone changed to allow for the uses through an appropriate permit. The applicant has expressed interest in working with Regional Planning in the coming years on the AV Plan update to reevaluate the appropriate land use and zoning designations for the property.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Staff consulted with the Departments of Public Health, Public Works, and Fire. All departments have cleared the project for public hearing.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

Staff consulted with the State Department of Housing and Community Development, which confirmed the property has a valid license for a 15-unit mobilehome park.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has not received any comments at this time.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends approval of Project Number Project No. 97021-(5), Nonconforming Review No. 201000006, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE NONCONFORMING REVIEW NO. 201000006 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Gretchen Siemers, AICP, Zoning Permits North Section
Reviewed by Paul McCarthy, Supervising Regional Planner, Zoning Permits North Section

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Correspondence
Site Photographs, Aerial Image
Site Plan, Land Use Map

PMC:GS
6/5/2014

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. 97021-(5)
NONCONFORMING REVIEW NO. 201000006**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing on June 17, 2014, in the matter of Project No. 97021, Nonconforming review No. 201000006.
2. The permittee, Torgom Abramian and Vortan Honarchian ("permittee"), requests the Project Permits to authorize the continued use, operation, and maintenance of a mobilehome park and automobile dismantling yard ("Project") on a property located at 37855 90th Street East in the unincorporated community of Sun Village ("Project Site"), in the M-1½ (Restricted Heavy Manufacturing) Zone pursuant to Part 10 of Chapter 22.56 of the Los Angeles County ("County") Code
3. The Project Site is 20 gross acres in size and consists of two legal lots. The Project Site is rectangular in shape with flat topography and is developed with an automobile dismantling yard and mobilehome park, as well as related automobile services, including a towing company, tire shop, auto repair, auto sales, and private party (repossession) impound area.
4. The Project Site is located in the Littlerock Zoned District and is currently zoned M-1 ½, within the Southeast Antelope Valley Community Standards District ("CSD").
5. The Project Site is located within the "M" (Industrial) land use category of the Antelope Valley Area Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: A-2-1 (Heavy Agriculture, 1-acre Minimum Required Lot Area)
 - South: M-1½
 - East: A-1-1
 - West: A-2-1
7. Surrounding land uses within a 500-foot radius include:
 - North: Vacant land, Jackie Robinson Park
 - South: Vacant land
 - East: Single-family residences, vacant land
 - West: Vacant land
8. Ordinance 6042, adopted May 19, 1952, zoned the subject property M-3-2 (Unclassified, 2 acre minimum required lot area). Ordinance 6690, adopted May 17, 1955, changed the zone to A-2-1, and on June 28, 1957 the zoning was again changed to the present M-1½. Records indicate that the automobile dismantling yard and the mobilehome park were established around 1954 when the property

was zoned M-3-2. According to the 1951 edition of the County Code, both the automobile dismantling yard and the mobilehome park could have legally existed on the same property in the M-3-2 Zone. The subject application is essentially unchanged from the first zoning permit issued for the property. The first zoning permit, NCR 60-(5) was issued for this property on June 12, 1975. On April 25, 1986 NCR 86-061 approved the continuation of the use for a further ten years. In 2000, an NCR was again approved for the site, with the same site plan.

9. The site plan for the Project depicts a 15-unit mobilehome park and an automobile dismantling yard.
10. The Project will provide a total of 66 parking spaces. The automobile dismantling yard provides 45 spaces, including 2 ADA accessible spaces and 1 ADA van-accessible space. The mobilehome portion of the Project provides 21 spaces, including 1 ADA accessible space and 1 ADA van-accessible space.
11. Project Site is accessible via 90th Street East to the west.
12. Prior to the Hearing Officer's public hearing on the Project, the permittee has worked with County staff to meet standards for the provision of drinking water.
13. Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the continued use of an existing mobilehome park and automobile dismantling yard, with negligible or no expansion of use beyond that which was previously existing.
14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. No comments from the public have been received by staff.
16. *To be inserted after the public hearing to reflect hearing proceedings.*
17. The Hearing Officer finds that the project site is located within the "M" (Industrial) land use category of the Antelope Valley Area Plan ("AV Plan"). This designation is intended for manufacturing and employment uses. The "M" category does not distinguish intensity, but it implies however that it be clean, non-polluting, with no offensive odors and visually attractive. The Plan allows for residential uses in the "M" designated areas through a design review procedure. Although no design review procedure has been established, the required NCR burden of proof addresses compatibility with neighboring uses.

18. The Hearing Officer finds that the Project is located in a zone that does not permit automobile dismantling yards nor mobilehome parks. The M-1½ Zone was applied to on the subject property in 1957. At that time, the subject automobile dismantling yard and the mobilehome park on the property became legal nonconforming uses. Continued operation and maintenance of the facility is only possible with the approval of a nonconforming review permit. There is one pole-mounted sign on the property that measures approximately 2 feet by 8 feet. This sign is in conformance with the standards specified in Section 22.52.870 of the County Code. The existing dismantling yard and mobilehome park are in compliance will all conditions required under previously approved NCR 97021-(5).
19. The Hearing Officer finds that the Project has been in operation for approximately 60 years with limited issues of concern. While there have been two enforcement actions taken during the last permit term, the property owners have been responsive in abating the violations. Therefore, the Project does not now, and will not during the extension period requested, adversely affect the health, peace, or welfare of persons residing or working in the surrounding area.
20. The Hearing Officer finds that the Project is located in an area that is primarily vacant land. The dismantling yard is not visible from 90th Street East, and the mobilehome park and ancillary auto-related businesses are well-maintained. There have been no complaints from neighbors or concerns prior to the public hearing regarding the continuation of the use. Therefore, the Project does not now, and will not during the extension period requested, be materially detrimental to the use, enjoyment or valuation of the property of other persons located in the vicinity of the site.
21. The Hearing Officer finds that the Project has been in existence at the current location for 60 years and poses no threat to the community. No major development plans are slated for the community and the area is not expected to change in density or character in forthcoming grant period. Therefore, the Project does not now, and will not during the extension period requested, jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
22. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Nonconforming Review to twenty (20) years.
23. The Hearing Officer finds that due to the close proximity between the auto dismantling yard and the mobilehome park residences, additional noise-reduction measures, such required maintenance of the equipment (e.g. car crusher) and limitations on the queuing of vehicles.
24. The Hearing Officer finds that due to the close proximity between the automobile dismantling yard and the mobilehome park residences, the automobile dismantling yard and related uses shall be limited in operating from 7:00 A.M. to 7:00 P.M. daily, and closed on Sundays and federal holidays, except that office-related activities, such as paperwork, may take place outside of those hours of operation.

25. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Sun Village community. On May 12, 2014, a total of 63 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 8 notices to those on the courtesy mailing list for the Littlerock Zoned District and to any additional interested parties.
26. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. That such use, building or structure does not now and will not during the extension period requested:
 1. Adversely affect the health, peace or welfare of persons residing or working in the surrounding area.
 2. Be materially detrimental to the use, enjoyment or valuation of the property of other persons located in the vicinity of the site.
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is categorically exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities); and
2. Approves Nonconforming Review No. 201000006, subject to the attached conditions.

ACTION DATE: June 17, 2014

PMC:GS
6/5/2014

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. 97021-(5)
NONCONFORMING REVIEW NO. 201000006**

PROJECT DESCRIPTION

The project is the continued use, operation, and maintenance of an automobile dismantling yard and mobilehome park, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9, shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on June 17, 2024.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Nonconforming Review application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the mobilehome park and automobile dismantling yard and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The

permittee shall deposit with the County the sum of **\$2,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **ten (10) biennial** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
17. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification

of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

18. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **four (4) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **August 17, 2014**.
19. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **four (4) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS – NONCONFORMING REVIEW, AUTO-DISMANTLING YARD

20. The permittee shall maintain the subject property in a neat and orderly fashion, and shall maintain all areas of the premises over which the permittee has control free of litter and debris.
21. The permittee shall post a sign in English and Spanish near the main entrance with a hotline/emergency phone number for reporting any problems which may occur related to the operation of the facility, 24 hours a day, 7 days a week. The permittee shall keep a record of complaints including the date and time, nature of complaints, and actions taken to identify and mitigate the complaint. Such record shall be furnished to the Department upon request. The permittee shall post the conditions of this grant in the office.
22. All signs shall be in conformance with Part 10 of Section 22.52 of the County Code; except that portable signs on sidewalks adjacent to the site, and temporary on-site wall or pole signs are prohibited.
23. The permittee shall maintain the landscaping as shown on the approved Exhibit "A" in a neat, clean, and healthful condition, including the proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary.
24. The automobile dismantling yard portion of the site shall maintain 45 parking spaces, of which 2 shall be ADA Accessible spaces, 1 shall be ADA Van Accessible. All parking spaces shall be accessible for customer and employee parking and shall not be used for the storage of scrap metals, for mobilehome park residents or guests, or storage other materials and equipment. All parking spaces, as depicted on the approved Exhibit "A," shall be accessible and permanently maintained with paving and striping.
25. The permittee shall not be allowed to store vehicles or parts on the site above the height of the fence.

26. Fences and/or walls shall be at least six feet in height and shall be constructed of an opaque material. Fence paint and/or materials shall be maintained in good condition at all times.
27. The permittee shall be required to control on-site vehicle circulation to ensure that vehicles are not queuing in the public right of way and causing a traffic hazard.
28. The permittee shall take all necessary measures to ensure that noise emissions from the on-site facilities in any residential zone or at a sensitive use receptor are within the limits of the County Noise Ordinance, as contained in Title 12 of the County Code.
29. The automobile dismantling yard and related businesses on the site shall limit operations to the hours between 7:00 A.M. and 7:00 P.M. daily, and shall be closed on Sundays and federal holidays, except that strictly office activities (e.g. paperwork) may take place outside of those hours.
30. The permittee shall comply with National Pollutant Discharge Elimination System (NPDES), Storm Water Management Program (SWMP), and Standard Urban Stormwater Mitigation Plan (SUSMP) requirements.
31. The permittee shall properly maintain and monitor the use of mobile and static equipment (e.g. car crusher). The use and maintenance shall be monitored and verified on a periodic basis to verify compliance with the County Noise Ordinance and manufacturers' specifications regarding noise and vibration attenuation (verification of vibration dampening mats, mufflers and noise reduction enclosures). Records of maintenance shall be presented upon request to verify compliance with this condition to the satisfaction of Department of Public Works, Environmental Health.

PERMIT SPECIFIC CONDITIONS – NONCONFORMING REVIEW, MOBILEHOME PARK

32. The mobilehome park portion of the site shall be limited to a maximum of 15 spaces.
33. There shall be 21 parking spaces provided for the mobilehome park portion of the site, including 1 ADA accessible space and 1 ADA van-accessible space.
34. The mobilehome park portion of the site shall have no conventionally constructed or stud-framed residences or apartment houses.
35. There shall be no commercial uses within the mobilehome park portion of the site.

CONDITIONS – SITE SPECIFIC

36. This grant shall authorize the continued use, operation, and maintenance of two uses not allowed in the zone: an automobile dismantling yard and a mobilehome park. Any other use located or proposed to be located on the site shall comply with County Code Section 22.56.1510.
37. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated July 5, 2013.
38. The applicant shall comply with the requirements established by Regional Water Quality Control Board and Department of Public Health applicable to the operation of the onsite wastewater treatment system (septic system) serving the mobilehome park and the auto dismantling yard operations.
39. The entire premises; to include all facilities, buildings, mobile homes, structures, stalls, shops, yards, offices, etc. located on the referenced site and all potable water plumbing lines and fixtures serving such amenities shall be supplied by potable water provided through Los Angeles County Waterworks District and AVEK Water Agency, as proposed. All onsite water well(s) shall be decommissioned and properly abandoned in accordance with the requirements of Environmental Health Division, Drinking Water Program. Any use of onsite water well(s), for irrigation purposes or otherwise, shall be pre-authorized by the Drinking Water Program.

Attachments:

Public Health Department Letter dated July 5, 2013



COUNTY OF LOS ANGELES

Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

JACQUELINE TAYLOR, MPA, REHS
Director of Environmental Protection Bureau

PATRICK NEJADIAN, REHS
Chief EHS, Land Use Program
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Baldwin Park, California 91706
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July 5, 2013

TO: Gretchen Siemers, AICP
Zoning Permit North Section
Department of Regional Planning

FROM: Patrick Nejadian, Chief REHS *PN*
Land Use Program / Environmental Health
Department of Public Health

**SUBJECT: Project NO. 97-021, NCR2010-00006
37855 90th STREET EAST, LITTLEROCK**

The Department of Public Health, Environmental Health Division, Land Use Program has reviewed the zoning application and site plan for the subject Non-Conforming Review (NCR) intended to authorize the continued operation and maintenance of a mobile home park and auto dismantling yard, located in the M-1.5 zone, SE Antelope Valley CSD, Littlerock Zoned District.

We have no objection to the approval of this project contingent upon the following conditions:

1. The applicant shall comply with the requirements established by Regional Water Quality Control Board and Department of Public Health applicable to the operation of the onsite wastewater treatment system (septic system) serving the mobile home park and the auto dismantling yard operations. Any other additional operations/activities require authorization from this Department.
2. The entire premises; to include all facilities, buildings, mobile homes, structures, stalls, shops, yards, offices, etc. located on the referenced site and all potable water plumbing lines and fixtures serving such amenities shall be supplied by potable water provided through Los Angeles County Waterworks District and AVEK Water Agency, as proposed. All onsite water well(s) shall be decommissioned and properly abandoned in accordance with the requirements of Environmental Health Division, Drinking Water Program. Any use of onsite water well(s), for irrigation purposes or otherwise, shall be pre-authorized by the Drinking Water Program.

Please contact me at (626) 430-5380 or pnejadian@ph.lacounty.gov should you have any question.

97-021



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



NONCONFORMING REVIEW BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.1550, the applicant shall substantiate the following facts:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

- A. That the requested use at the location proposed will not:
 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

See attached document.

- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, and loading facilities, landscaping and other development features prescribed in this Ordinance, or as is other wise required in order to integrate said use with the uses in surrounding area.

See attached document.

- C. That the proposed site is adequately served:
 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 2. By other public or private service facilities as are required.

See attached document.

- D. That the nature of the improvement is such that to require cessation of use would impair the property rights of any person to such an extent as to be an unconstitutional taking of property.

See attached document.

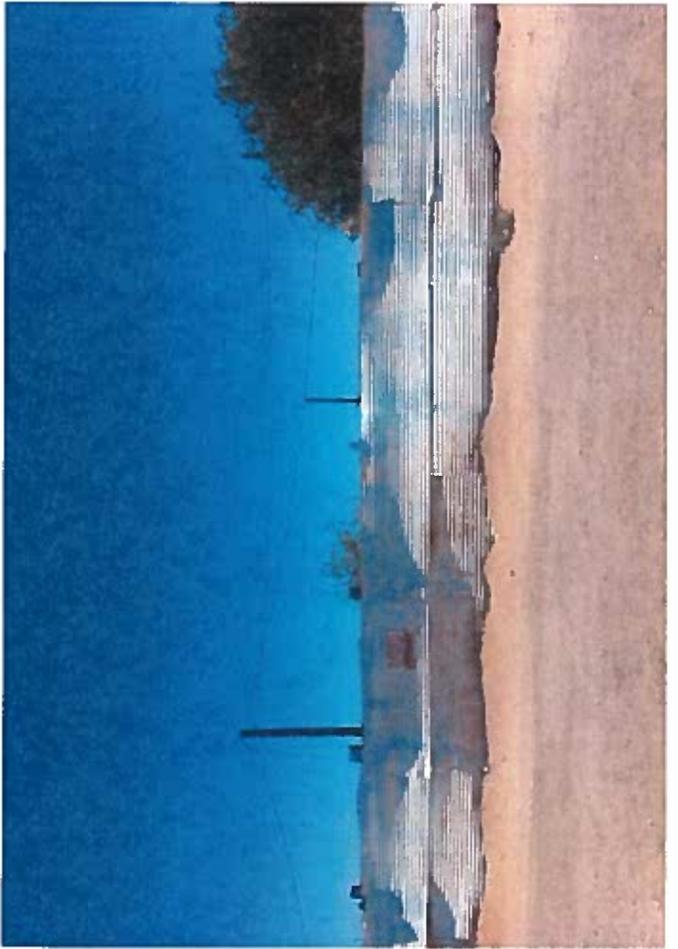
- E. That such adjustment will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity.

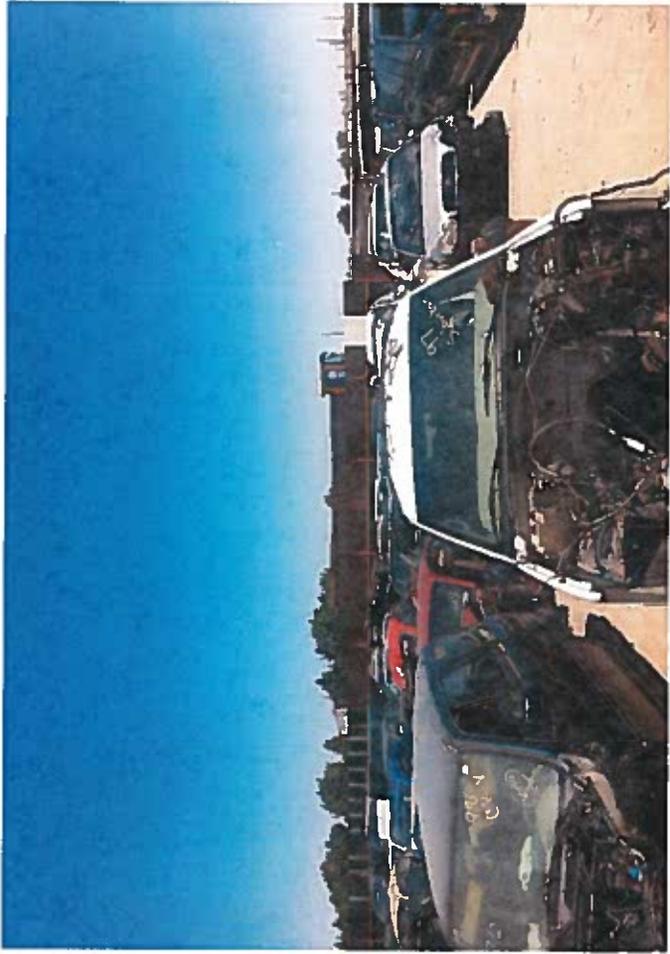
See attached document.

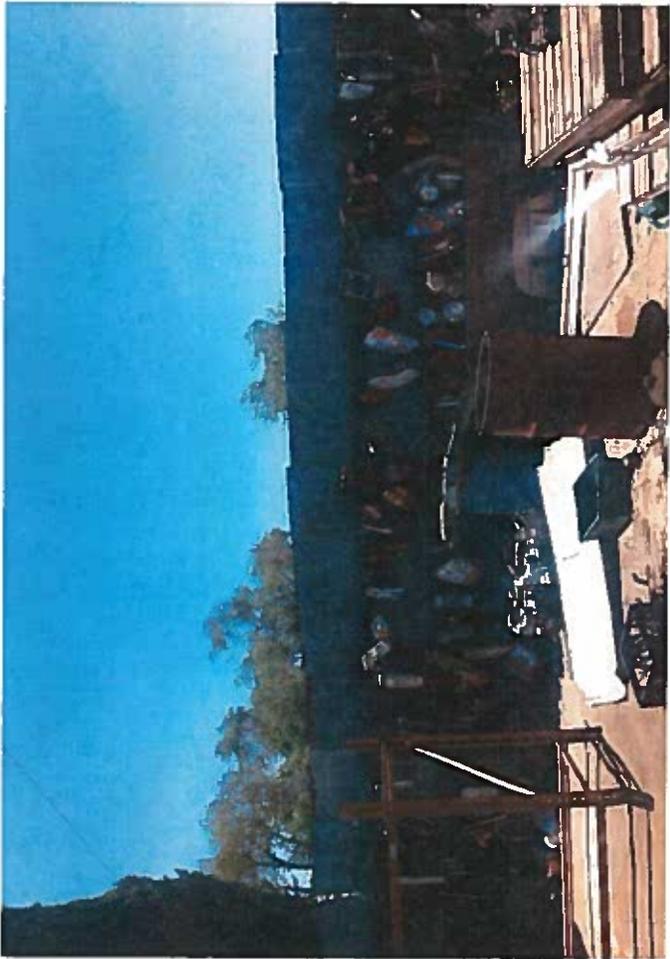
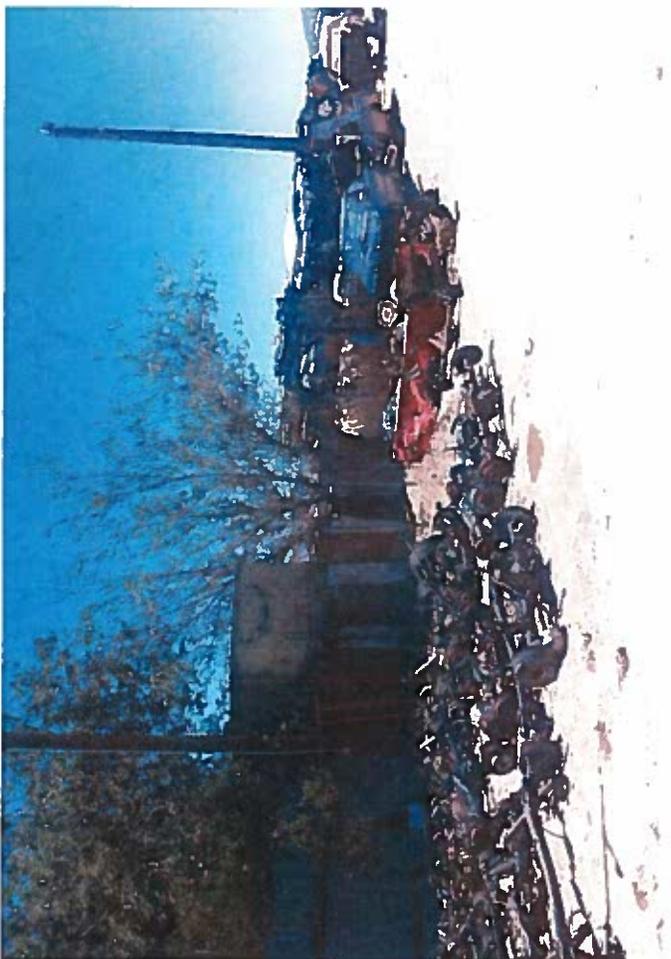
97-021

Burden Proof

- A) No, because we have trained professionals who are required to take charge of hazardous material that would affect persons residing or working in the surrounding area. For example things such as oil, coolant, tires and etc. to be properly recycled so they won't harm the people or the environment in any possible way.
- B) Yes, our facility(auto dismantlers, mobile home parks) is properly adequate in size and shape so there is proper loading space, parking area for customers (over 40 parking spots),dismantling yard is surrounded with fence and landscaping and everything else that is needed to keep the area well maintained and environmental friendly.
- C) Yes, our facility including (auto dismantlers, mobile home parks) is located on E. 90th St. in Little Rock, CA. The benefits of our parking area being located in the front of our facility helps maintain any type of traffic that would be caused on our behalf. We have sufficient St. space and parking area to prevent any of these matters from taking place.
- D) No, our facility (auto dismantlers, mobile home parks) is not involved in any way causing any stoppage or harm to the property rights of anyone nor is unconstitutional in any way.
- E) No, if any adjustment is ever needed to our business, staff is required to obtain necessary permits approved by the regional planning department or the city before any modifications can take place.









97021

Printed: Jun 05, 2014

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"The automobile dismantling yard and related activities on the site shall limit operations to the hours between 7:00 A.M. and 7:00 P.M. daily."

SUGGESTED MOTION:

I move that the REGIONAL PLANNING COMMISSION close the public hearing and approve the appeal of Condition No. 29, Project No. 97021, Nonconforming Review No. 201000006, and amend Condition No. 29 as recommended by Staff.

If you need further information, please contact Gretchen Siemers at (213) 974-6443 or gsiemers@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

PMC:GS

Enclosure(s): Attachment 1: June 17, 2014 Hearing Package
 Attachment 2: Appeal Form and Petition from Applicant