Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

October 16, 2012

Gregory Corbin
11913 Washington Blvd
Whittier, CA

REGARDING: **PROJECT NO. 99083 - (4.)**
CONDITIONAL USE PERMIT NO. 201100140
11913 WASHINGTON BLVD (APN: 8170-001-024)

Hearing Officer Alex Garcia, by his action of October 16, 2012, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

Appeals:

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **October 30, 2012. Appeals must be delivered in person.**

To file an appeal, please contact:
Regional Planning Commission, Attn. Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

For questions or for additional information, please contact Jeantine Nazar of the Zoning Permits East Section at (213) 974-6435, or by email at jnazar@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Maria Masis, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement;

MM: JN

CC.060412

FINAL FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. 99083-(4)
CONDITIONAL USE PERMIT NO. 201100140

ENTITLEMENT REQUESTED. The applicants, Craig Brown and Gerald Carminito, are requesting a Conditional Use Permit (CUP) to continue the use and operation of a group home for a maximum of 25 adolescents pursuant to County Code Section 22.28.210 requiring that group homes obtain a conditional use permit in the C-3 (Unlimited Commercial) Zone. The applicant also requests a retroactive approval to expand the number of bedrooms from previously approved 13 to currently 16 existing bedrooms. The total number of residents remains the same 25 as previously approved.

PROCEEDINGS BEFORE THE HEARING OFFICER: 8/21/2012 and 10/16/2012
August 21, 2012 Public Hearing
A duly noticed public hearing was held on August 21, 2012 before the Hearing Officer, Alex Garcia. The applicant's representatives, Gregory Corbin and Abby Jones presented testimony in favor of the request and answered questions presented by the Hearing Officer.

There being no other testimony the Hearing Officer continued the public hearing to October 16, 2012 to allow time to research valid permits for the existing billboard on the site.

October 16, 2012 Public Hearing
A duly noticed public hearing was held on October 16, 2012 before the Hearing Officer, Alex Garcia. The applicant's representative, Gregory Corbin, presented testimony in favor of the request and answered questions addressed by the Hearing Officer.

There being no further testimony, the Hearing Officer closed the public hearing and approved the permit with changes to the findings and conditions as agreed to by the applicant.

Findings

1. This application is for a conditional use permit for the continued operation of a group home facility for adolescents. The facility provides assistance to youth with emotional problems and mood disorders, associated with family, school, drug, and alcohol problems. The average age of the residents is between 15 and 16 years old and the average length of stay is between 4 to 6 weeks. Three van pools provide transportation to the residents.

2. The group home currently contains 16 bedrooms, administrative and counseling offices, a kitchen, a computer room, a dining and a living room, and an assembly room. The

center provides a number of treatment programs such as substance abuse program, mental health and eating disorders.

3. The project is located at 11913 E Washington Blvd within the Whittier Downs Zoned District and in the community of West Whittier Los Nietos.

4. The site plan depicts a 23,953 square-foot of lot area containing three interconnected buildings totaling of 10,149 square-feet of built area. The floor plan shows the first structure as the office and registration building 2,388 square-feet in size. The second building contains the assembly room, computer room, counseling offices and four bedrooms; the third structure includes twelve bedrooms, living, dining and kitchen areas.

5. The subject property is zoned C-3-BE (Unlimited Commercial, Billboard Exclusion) in the Whittier Downs Zoned District.

   Surrounding properties are zoned as follows:

North:	C-3-BE (Unlimited Commercial, Billboard Exclusion)
South:	City of Santa Fe Springs
East:	C-3-BE (Unlimited Commercial, Billboard Exclusion)
West:	C-3-BE (Unlimited Commercial, Billboard Exclusion

   The Surrounding properties are developed as follows:

North:	Residential
South:	Vacant
East:	Retail, Auto Repair
West:	Auto Repair, Liquor store, Laundry, Tire Store

6. CUP 99083 authorized the expansion of an existing adult residential facility (residential care facility for elderly) by adding three bedrooms for a total of ten bedrooms and allowing a total of twenty-five residents on August 15, 2000.

   CUP 02-170 converted an existing adult residential care facility (6,558 square-feet) with two office buildings (400 square-feet and 2,388 square-feet) to a residential care facility group home for adolescents. The project included the addition of three bedroom facilities (800 square--feet) for a total of 13 bedrooms. A total of 20 parking spaces were provided. Three employees were allowed to work on each shift. A negative declaration determined that the project did not have a significant impact on the environment approved on September 26, 2002.

7. The project site is located within the residential land use category of the Countywide General Plan. The residential land use designation is intended to maintain the character of existing low density residential neighborhoods. This classification is particularly suitable for single-family detached housing units. Densities typically range from one to six units per gross acre. The General Plan allows for local service use in this category.

The Housing Element of the General Plan states that equal opportunity shall be provided to obtain adequate housing for people with disabilities.

8. The Housing Element of the General Plan provides policies to support the distribution of affordable housing emergency shelters, and transitional housing in geographically diverse locations throughout the unincorporated areas, where appropriate support services and facilities are available in close proximity.
   The subject group home facility provides treatment and rehabilitation programs for adolescents with coexisting substance abuse and various types of mood disorders. Treatment programs include counseling, coaching, family and group therapy, individual psychotherapy, workshops and classrooms. Young adults stay in the center for a maximum of six weeks and some may revisit the program. The facility includes 16 bedrooms. Van service is available to take the residents to school or other various activities that are part of the program. Therefore, this residential group home facility is consistent with the residential land use category designation and the Housing Element of the General Plan by providing a short-term residential facility for young adults with emotional disorders.

9. Pursuant to Section 22.28.220 of the County Code, premises in the C-3 Zone shall be subject to the following development standards:

- That not to exceed 90 percent of the net area be occupied by buildings, with a minimum of 10 percent of the net area landscaped with a lawn, shrubbery, flowers and/or trees, which shall be continuously maintained in good condition. Incidental walkways may be developed in the landscaped area. The property is 23,953 square-feet in size and is covered by 10,149 square feet of building area or 42% lot coverage. The applicant provided a total of 2832 square feet or 11.8 percent of the net area landscaped. The landscaping consists of plants and flowers and lawn. There are hedges separating the parking lot form the adjacent property to the east side. Staff visited the site on March 19, 2012 and found that the landscaping is in a good condition with walkways and seating areas.

- That the parking facilities comply by Part 11 of Chapter 22.52. Section 22.52.1120 of the County Code indicates that for every group home one parking space is required for each employee on the largest shift and for every vehicle used in conducting the proposed use. Section 22.52.1100 of the County Code indicates that professional offices require one parking space for each 400 square feet of floor area.
  The facility will employ a maximum of five employees per shift and that the group home owns three (3) van vehicles. In addition six (6) parking spaces must be provided to accommodate the 2,388 square-feet of office space on the property. Prior conditional use permit required that seven spaces be provided to accommodate relatives or other visitors. A total of 21 parking spaces are required and 21 striped parking spaces are provided.

10. There is a billboard on the southeast corner of the property that was established prior to the adoption of BE (Billboard Exclusion) zoning designation in 1983. The existing billboard is nonconforming due to use and standards.

11. The existing group home facility provides treatment programs for youth who suffer from coexisting substance abuse and various mood disorders. Therefore, the facility protects the health, peace, comfort or welfare of the residents by providing rehabilitation programs.

12. The subject site is adequately buffered by hedges, walls and fences around the property. It provides the required parking spaces. Landscaping exceeds the required 10 percent and is maintained in a neat and orderly manner.

13. Staff visited the site on March 19, 2012. There is no signage on the property. There are two beds in each room except one bedroom has one bed for youth that need special treatments. There are three therapists/counselors, three administrative staff, a cook and a nurse who is on-site 24 hours a day to provide medication to youth. The total number of employees is eight and a maximum of five employees attend the site per shift. The facility shuts down at 10:00 pm and starts at 6:30 am during the week and on the weekends from 7:30 am to 8:00 pm. Young adults are supervised 24 hours a day, seven days a week.

14. The project was originally part of Walnut Villa Retirement Home. The Center for Discovery purchased the site and converted the retirement home to a group home for youth. Youth attend school for an average of four hours a day. There are recreational activities such as taking youth to YMCA, park, movies as well as games and watching TV in the center, in addition to counseling and therapy programs. Marketing is done through insurance companies, schools and outside therapists as well as word of mouth and internet.

15. The proposed site is adequately served by Washington Blvd a 100 foot - highway and satisfies the traffic generated by the group home. Three van pools serve the residents to provide transportation to various activities.

16. The Fire Department comments dated March 16, 2012 and public health dated January 17, 2012 and Public Works email dated January 11, 2012 indicated that the project is clear for a public hearing.

17. The facility maintains a valid license from the State of California, Department of Public Health which would expire on March 17, 2013.

18. The applicant has provided photos showing that the trash bin has been removed from the parking area.

19. The Hearing Officer finds that the existing trash bin in the parking lot is blocking a parking space and shall be relocated.

20. The applicant has provided documentation from Pacific Outdoor Advertising with the exclusive advertising use dated July of 1964. There are electrical permits on the records dated August 1963.

21. The prior permit determined that the billboard was on the subject property prior to the purchase of the subject property in 1970. The zone change which added the Billboard Exclusion overlay to the C-3 zone occurred in 1983. The billboard has been established over 40 years ago and there are no further requirements for the existing billboard at this time.

22. Pursuant to the provisions of Sections 22.60.174 the notice of public hearing 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.

23. No comments have been received in favor or in opposition of this project.

24. The subject property provides temporary housing for young adults in need of rehabilitation and treatments for emotional disorders. The General Plan, Housing Element supports housing for disabled and rehabilitation programs. Therefore, the proposed use will be consistent with the adopted general plan for the area.

25. The existing group home provides services for youth in need of treatments through a variety of programs and therapy to assist the young adults to live healthier lives. Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

26. The subject property provides the required buffering, parking and landscaping. Therefore, 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 Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

27. Washington Blvd a 100 foot highway provides adequate access to the subject property to carry the quantity of traffic for this facility. Residents use van pooling to go to school as well as to various programs located outside of the school. Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

ENVIRONMENTAL DETERMINATION

1. There is no addition to the existing property. The group home converted three of their rooms to bedrooms and increased the number of bedrooms to a total of 16. However, the maximum number of residents remains the same twenty-five and

there is no increase in square-footage of the built area. Therefore, the project qualifies as a Categorical Exemption and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

2. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to fifteen (15) years.

3. **RECORD OF PROCEEDINGS.** 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, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

A. That the proposed use will be consistent with the adopted general plan for the area; and

B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare]; and

C. 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 Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area]; and

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

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit] as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Number 201100140 is **Approved** subject to the attached conditions.

c: Hearing Officer, Zoning Enforcement, Building and Safety

DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. 99083-(4)
CONDITIONAL USE PERMIT NO. 201100140

PROJECT DESCRIPTION

The project is a Conditional Use Permit (CUP) for the continued operation and use of a group home for a maximum of 25 youth in the C-3 BE (Unlimited Commercial, Billboard exclusion) Zone subject to all 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 fully 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 fully 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 August 21, 2027**. 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 Conditional Use Permit 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 a group home for adolescents for a maximum of 25 youth 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 **$1,600.00**. 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 **Eight (8) biennial (one every other year)** 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 Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the 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.

13. All development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") 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.

14. All development pursuant to this grant shall conform with the requirements of County Department of Public Works.

15. 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.

    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.

16. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **Three (3) copies of** a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

PROJECT SITE SPECIFIC CONDITIONS

This grant shall authorize the continued operation of a group home for adolescents with a maximum of 25 youth subject to the following conditions:

17. The permittee is authorized to provide 24-hour non-medical care and supervision to a maximum of twenty-five (25) youth;

18. The permittee shall maintain a valid license from the State of California, Department of Public Health to operate the facility;

19. The permittee also shall maintain a valid license from the Community Care Licensing Division and the County of Los Angeles Department of Children and Family Services, if required;

20. The permittee shall comply with all staffing, rules, regulations and facility requirements established and regulated by the State of California, Department of Social Services;

21. The permittee shall maintain a maximum of five (5) employees on the largest shift. If more than five employees are maintained on the largest shift, one (1) additional parking space shall be provided for each additional employee;

22. If more than three (3) vehicles are used directly in conducting the approved use, one (1) additional parking space shall be provided for each additional vehicle so used;

23. The trash bin shall be removed from the parking lot and it shall not block a parking space.

24. The permittee shall provide twenty-one (21) on-site standard automobile parking spaces including three designated to the van pooling and one for handicapped accessible;

25. The facility shall not accept residents directly from and paid by a probation or law enforcement agency;

26. Youths residing at the group home shall not be permitted to leave the site without supervision or to own or operate automobiles during their residence at the facility;

27. The permittee shall maintain all areas of the premises of which the permittee has control in a neat and orderly fashion and free of litter and debris;

28. The permittee shall provide adequate lighting for the parking lot area. This lighting shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. lighting shall be so arranged to prevent glare or direct illumination in adjoining properties;

29. The permittee shall maintain in good condition all existing walls, fences and landscaping on the property.

Attachments:
Fire Department Letter dated March 16, 2012
Public Health Letter dated January 17, 2012