

**PROJECT NO. 02-124-(4)  
CONDITIONAL USE PERMIT CASE NO. 02-124-(4)**

**DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING  
COMMISSION COUNTY OF LOS ANGELES**

**REGIONAL PLANNING COMMISSION HEARING DATE: September 24, 2008**

**SYNOPSIS:**

The applicant is requesting a Conditional Use Permit to authorize the establishment of a church facility in the R-1-12,000-DP (Single Family Residence, 12,000 square foot minimum lot size, Development Program) zone. The project consists of three buildings: a one-story chapel building, two-story classroom building and two-story parking structure. The proposed development is for religious worship and other auxiliary activities such as prayer meetings, seminaries, Sunday school, bible study groups, fellowships and outreach events. The proposed facility will include chapel building comprised of a sanctuary with seating for 250 persons, an office area, bride and cry rooms, storage and mechanical equipment rooms. The classroom building consists of 12 classrooms, an administration office, kitchen, storage room and a guest living quarter. The two-story parking structure consists of 96 parking spaces.

**PROCEEDINGS BEFORE THE COMMISSION**

June 4, 2003 Public Hearing

A duly noticed public hearing was scheduled before the Regional Planning Commission on June 4, 2003. The request was to develop a church and a convent comprised of five detached buildings. The Planning Commission, the Rowland Heights Community Coordinating Council (RHCCC) and residents raised concerns regarding the scale and intensity of the project. After receiving testimony, the Commission voted to take the matter off-calendar to provide additional time for the applicant to meet with the RHCCC and revise the project to address community concerns.

September 24, 2008 Public Hearing

To be inserted.

Findings

1. The applicant is requesting a Conditional Use Permit to authorize the operation and maintenance of a church in the R-1-12,000-DP zone, pursuant to Section 22.20.100 of the County Code.
2. The 3.43-acre subject property (APN No. 8269-016-071) is triangular shaped, currently vacant, and consists of sloping topography. It is located at the northwest corner of the intersection of Brea Canyon Cutoff Road and Balan Road, in the unincorporated community of Rowland Heights, in the San Jose Zoned District.

3. The property is zoned R-1-12,000-DP (Single Family Residence, 12,000 square foot minimum lot size, Development Program).
4. Surrounding land uses and zoning consist of the following:
  - North: Church, Multifamily residences (A-1-20,000)
  - South: Single-family residences (R-1-12,000-DP)
  - East: Multifamily residences (RPD-10,000-13U, A-1-20,000)
  - West: Single-family residences (A-1-10,000)
5. Pursuant to section 22.20.100 of the County Code, the applicant's requested use is within the classification defined as churches, temples or other places used exclusively for religious worship, including customary, incidental educational and social activities in conjunction therewith. This use is subject to a conditional use permit under zone R-1.
6. According to the Rowland Heights Community General Plan, the subject property is designated as Non Urban 2 (N2). The applicant's requested use is consistent with the Non Urban 2 Land Use and pertinent policies of the Plan. The project site is currently vacant and is adjacent to compatible land uses. The construction of the church facility is necessary to serve current and future congregation members mainly located in the Rowland Heights area. The subject property is of sufficient size to accommodate the proposed construction and the required parking. The project also complies with applicable zoning requirements. The property will be served by public sanitary and water facilities and has direct access to a secondary highway.
7. The site plan submitted by the applicant depicts three buildings consisting of a 5,884 square-foot one-story chapel, 8,802 square-foot two-story classroom building and 31,196 square-foot two-story parking structure for 96 spaces. The chapel building, the largest assembly area with an occupancy load of 403 persons, is located at the center of the subject property. The two-story proposed classroom building, located to the south of the chapel, has 12 classrooms, a living quarter, space for administrative offices, and storage spaces. The parking structure is located north of the chapel building. The remainder of the site will be developed with landscaping and walkways consisting of permeable and non-permeable pavement materials. Vehicular access to the subject property is via a 26-foot paved driveway from Brea Canyon Cutoff Road.
8. The church will maintains regular hours of operation from 6:00 a.m. to 10:00 p.m. Monday through Sunday; services are held on Saturdays and Sundays; other uses related to the church such as prayer meetings, seminaries, Sunday school, Bible study cell groups, fellowships, outreach events, meetings and other incidental uses related to the church (i.e.

weddings, funerals, potlucks and special services) are held at various days and times, but no later than 10:00 p.m.

9. Section 22.52.1095 of County Code provides that churches, temples, or other places of worship, or other similar place used in whole or in part for the gathering together of persons for worship, shall provide one parking space for each five persons based on the occupant load of the largest assembly area as determined by the County Engineer. The County Engineer has determined the occupant load of the largest assembly area (the proposed chapel) to be 403 persons, which requires 81 parking spaces. The site plan indicates 96 paved parking spaces (66 standard, 26 compact and four (4) reserved spaces to persons with disabilities, of which two (2) are van accessible).
10. Except as modified by the Regional Planning Commission, the proposed use complies with all applicable development standards of the R-1 zone as provided in Section 22.20 of the Los Angeles County Code.
11. The total site developed area, including paved areas, walkways, and building footprints, shall not exceed 27.4 percent (40,990 square feet) of the total site area as required by CUP97034. The remaining area shall consist of landscaped grounds and permeable pavement with a minimum of 70 percent of grass or other vegetative material.
12. An Initial Study was prepared for this project and circulated for public review in compliance with the California Environmental Quality Act (California Public Resources Code Section 21000 *et seq.*) ("CEQA"), the State CEQA Guidelines, and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment. Based on the Initial Study, the Department of Regional Planning has prepared a Negative Declaration for this project. The project is not *de minimus* in its effect on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
13. Pursuant to provisions of Sections 22.60.174 and 22.60.175 of the County Code, the Community was properly notified of the public hearing by mail, newspaper advertisement and property posting.
14. The Rowland Heights Community Coordinating Council (RHCCC) provided a letter dated July 11, 2006. Comments included support for the project as the applicant agreed to recommendations by the RHCCC that the four (4) foot metal entrance gates which provide access from Balan Road to the property are for Fire Department use only and are to be kept locked at all times; outdoor amplified sound shall not be used; day care, K-

12 school or dormitory facility shall not be added to the subject property; outdoor lighting of parking area and walkways shall be downward directed type; operation schedule presented as part of the project shall be adopted as part of the project conditions of use.

15. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> 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 I Section, Los Angeles County Department of Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:**

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed location 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;
- C. The proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said uses with the uses in the surrounding area; and
- D. 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.

**AND, THEREFORE,** the information submitted by the applicant and presented at the hearing substantiates the required findings and burden of proof for a conditional use permit as set forth in Sections 22.56.040 and 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

**REGIONAL PLANNING COMMISSION ACTION:**

1. The Regional Planning Commission has considered the Negative Declaration together with any comments received during the public review

process, finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Negative Declaration.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 02-124-(4) is **APPROVED** subject to the attached conditions.

***VOTE***

***Concurring:***

**Dissenting:**

**Abstaining:**

**Absent:**

**Action Date:**