



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

Jon Sanabria
Acting Director of Planning

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

John Cummings III-Torrance Park LLC.
2723 West Coast Highway
Newport Beach, CA 92663

**Regarding: Project Number 88-574-(2)
Non-Conforming Review 200800007
22516 South Normandie Avenue Torrance, CA 90502**

Dear Applicant:

Hearing Officer, Mitch Glaser, by his action of November 3, 2009, **APPROVED** the above described Non-Conforming Review Permit. The attached documents contain the Hearing Officer's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 3 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

The applicant or and other interested person may appeal the Hearing Officer's decision to the Regional Planning Commission at the office of the commission secretary, Room 1350, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Please contact the commission secretary for the appeal procedures and fee at (213) 974-6409. **The appeal period for this project will end at 5:00 p.m. on November 17, 2009.** Any appeal must be delivered in person to the commission secretary by this time. If no appeal is filed during the specified period, the Hearing Officer's action is final.

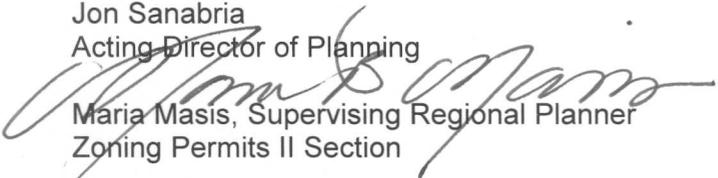
Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Diane Aranda in the Zoning Permits Section II at (213) 974-6435.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING

Jon Sanabria
Acting Director of Planning


Maria Masis, Supervising Regional Planner
Zoning Permits II Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)
c: Zoning Enforcement, ABC

MM:DA

HEARING OFFICER'S FINDINGS AND ORDER:

PROJECT NUMBER 88-574-(2) NON-CONFORMING REVIEW 200800007

REQUEST:

The applicant requests a non-conforming review for the continued use and maintenance of a mobile home park. The project includes the continued use and operation of an existing mobilehome park, consisting of 63 mobilehome spaces for persons of 55 years or older including a recreation building (club house) with a pool and a laundry room, and eight visitor on-site parking spaces.

HEARING OFFICER DATE: November 3, 2009

PROCEEDINGS BEFORE THE HEARING OFFICER:

A duly noticed public hearing was held on November 3, 2009 before the Hearing Officer. The applicant, John Cummings III from the Torrance Park LLC., testified in favor of the proposed project. The president of the Torrance Mobilehome Park's Homeowner Association was sworn in and testified in favor of the project.

There was discussion regarding the requested twenty year (20) grant term, with an additional ten (10) years with Director's Review, and whether it is appropriate for a Non-Conforming Review. The Hearing Officer decreased the grant term to fifteen (15) years without Director's Review. There being no further testimony, the Hearing Officer closed the public hearing, indicated his intent to approve project 88-574-(2) with changes to the conditions as agreed to by the applicant.

Findings

1. The subject property is located at 22516 Normandie Avenue, Torrance within the community of West Carson.
2. The applicant, Torrance Park LLC, proposes the continued use and operation of an existing mobilehome park, consisting of 63 mobilehome spaces, for persons of 55 years or older including a recreation building (club house) with a pool and a laundry room, and eight visitor on-site parking spaces.
3. This mobilehome park was developed in the 1959 prior to current development standards and the prohibition of mobilehome parks in the M-1 (Light Manufacturing) zone. The amortization for the existing use expired in 1989. The applicant requests an extension to allow for the continued use of the mobilehome park.
4. Zoning History includes the following permits: The mobilehome park was established in 1959 when mobilehome parks were allowed in the M-1 (Light Manufacturing) zone.
5. NCR -88-574-(2) approved an extension for the continued use of the mobilehome park. The permit was approved January 25, 1989 and expired March 1, 2009.
6. A Certificate of Compliance recorded on September 30, 2009 to legalize lot 7344-017-001.
7. The subject property has a density of 12.6 dwelling units per acre. The current Major Industrial land use designation does not have a maximum allowed density. It is important to note that the subject property abuts other mobilehome parks located to the south and east and there is high density multiple-family to the west within the city of Los Angeles. The mobilehome park does not seem out of character with the surrounding density.

8. The subject property located on a 4.28 acre parcel, which is zoned M-1 (Light Manufacturing) zone. A mobilehome park is defined as "any area or tract of land where two or more sites are rented or leased, or held out for rent or lease, to accommodate mobilehomes, as defined in this Title 22, and/or factory-built houses as defined in the Health and Safety Code of the state, which bear an insignia of approval pursuant to the Health and Safety Code of the state, used for human habitation."
9. Mobilehome parks and any other residential use are prohibited in the M-1 (Light Manufacturing) zone. The existing mobilehome park was established in 1959 when mobilehome parks were permitted in the M-1 (Light Manufacturing) zone and a non-conforming review, if granted, would allow the continued use.
10. NCR 88-574 approved the mobilehome park with 134 parking spaces in 1989 and the residents consist of persons fifty-five years and older who a majority of do not have cars, therefore there have not been any issues with a shortage of parking for the residents.
11. There is no specified height limit for the M-1 (Light Manufacturing) zone. The maximum height of any structure on the property is 15 feet.
12. There are no specified yard requirements in the M-1 (Light Manufacturing) zone. The property has a 14 foot front yard setback and a 20 foot rear yard setback.
13. Each mobilehome space has an approximately 6 foot setback from each other and was approved under NCR 88-574.
14. The surrounding land uses consist of a diverse variety of uses such as warehouses, mobile home parks, and single family/multiple family residences. The mobilehome park has existed within the community for over 50 years and other mobilehome parks operate within the neighborhood. The mobilehome park is a compatible use within the neighborhood.
15. 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 and property posting.
16. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determined that it is necessary to limit the term of the grant to a total of 15 years.
17. The mobilehome park provides needed affordable housing for the elderly in the community and that the continued use was consistent with the surrounding community.
18. 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, 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 I Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

1. That to require cessation of such use, building or structure would impair the property rights of any person to such an extent as to be an unconstitutional taking of property; and/or
2. The applicant has maintained the property and has operated the mobilehome park in compliance with the conditions of the previous permits. The applicant has been timely in

applying for renewals of the appropriate permits to continue use of the park and therefore has demonstrated good faith efforts to maintain the property in compliance with zoning requirements.

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

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, **Non-Conforming Review 200800007 is approved** subject to the attached conditions.
- c: Zoning Enforcement, Building and Safety

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11/03/2009

1. This grant authorizes the continued use and maintenance of a mobilehome park and is subject to the following conditions of approval;
 - a. The maximum number of mobile-home spaces is limited to 63.
 - b. No mobile-homes shall be located within the open space areas of the park.
 - c. Parking shall be maintained at a minimum ratio of two (2) tandem parking spaces per mobilehome unit and a minimum of eight (8) parking spaces for onsite guest parking.
 - d. The permittee shall not permit parking within the access driveways.
 - e. All driveways and parking areas shall be maintained in good condition.
 - f. All units within the park shall be mobilehomes.
 - g. The park shall be licensed and operated in accordance with the requirements of the California State Department of Housing and Community Development.
 - h. The use of park facilities is limited to tenants and their guests.
 - i. All exterior lights shall be shielded away adjacent properties.
 - j. The A six foot high metal fence or block wall shall be maintained along the developed north, south, east and west perimeters of the mobilehome park and shall be maintained in good condition.
 - k. Parking or storage of vehicles associated with use of this property outside the development's property boundaries is prohibited unless authorized by applicable law or pursuant to a valid permit.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. 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 Department of 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. 4, and until all required fees have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this condition (No. 3), and Condition Nos. 5, 6, and 7 shall be effective immediately upon final approval of this grant by the County.
4. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

5. 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. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully 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.
6. 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 pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs 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 the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.

7. If the non-conforming use authorized in this grant terminates for a consecutive period of two or more years, the non-conforming status will expire per Code Section 22.56.1540(3).
8. **This grant has a maximum term length of 15 years.** It will expire after fifteen years on November 3, 2024. Upon termination of this grant, entitlement to the use of the property shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, a new non-conforming review application shall be filed with the Department of Regional Planning at least six months prior to the termination of this permit, whether or not any modification of the use is requested at that time.
9. 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. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$1,200.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all

expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for **eight (8) biennial (once every other year)** inspections for the fifteen years of the grant. Inspections shall be unannounced.

10. The inspection fee shall be paid within 90 days of approval. 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 condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).
11. 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. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully 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.
12. Prior 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 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.
13. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
14. If there are any changes to the site plan within ninety (90) days of the approval date of this grant, the permittee shall submit to the Director for review and approval, three (3) copies of site plans, similar to Exhibit "A" as presented at the public hearing. The property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A". In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner. If changes to the site plan are required as a result of instruction given at the public hearing, a Revised Exhibit "A" shall be submitted to the Department of Regional Planning within sixty (60) days of the date of approval for this permit.
15. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.

16. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
17. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas on the premises over which the permittee has control.
18. All landscaped areas shall be continuously and properly maintained in good condition.
19. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. 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.
20. 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 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
21. The permittee shall maintain a current contact name, address, and phone number with the Department of Regional Planning at all times.
22. Any sign to be located on the subject property is subject to a separate sign review that shall be filed for review and approval to the Department of Regional Planning.

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11/3/2009