

Hearing Officer Transmittal Checklist

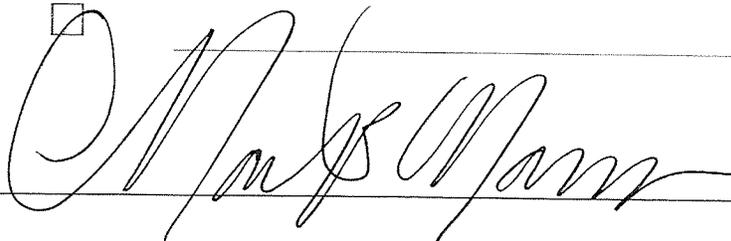
Hearing Date
04/05/2011

Agenda Item Number
8

Project Number: 93-190-(4)
Case(s): Nonconforming Review 200900005
Contact Person: Diane Aranda, Regional Planning Assistant II
 Zoning Permits East

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input type="checkbox"/>	<input type="checkbox"/>	DPW Letter
<input type="checkbox"/>	<input type="checkbox"/>	FD Letter
<input type="checkbox"/>	<input type="checkbox"/>	Other Department's Letter(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input type="checkbox"/>	<input type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Opponent And Proponent Letters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Aerial (Ortho/Oblique) Image(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input type="checkbox"/>	<input type="checkbox"/>	

Reviewed By: _____





Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6435

PROJECT NUMBER 93190-(4)
NON-CONFORMING REVIEW NUMBER 200900005

PUBLIC HEARING DATE
 4/5/2011

AGENDA ITEM
 8

RPC CONSENT DATE

CONTINUE TO

APPLICANT Sharon Patapoff	OWNER Sharon Patapoff	REPRESENTATIVE None
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PROJECT DESCRIPTION
 The applicant is requesting to continue the operation and maintenance of a florist and picnic supply business that has been in existence since 1941 located in the A-1-5 (Light Agriculture- 5 acre lot minimum) Zone within the Workman Mill Zoned District. There is a single-family dwelling, paved parking and various storage units and sheds located on the property. The hours of operation for the floral business are 7 a.m. to 5 p.m. with one employee working on-site. The picnic supply service company is seasonal and employees are only on-site to load the picnic equipment and unload at the end of the day.

REQUIRED ENTITLEMENTS
 The applicant is requesting a nonconforming review to continue the operation of a florist business and picnic supply business that has been in operation since 1941 and has been allowed to operate with the approval of three previous non-conforming reviews, pursuant to Section 22.56.1550 of Title 22 of the Los Angeles County Code. There is also a single-family dwelling, paved parking and various storage sheds on the property. The project is located in the A-1-5 (Light Agriculture- 5 acre lot minimum) Zone within the Workman Mill Zoned District.

LOCATION/ADDRESS
 4747 Workman Mill Road

SITE DESCRIPTION
 The site plan depicts two irregular-shaped parcels (8124-016-005 & 8124-016-006) each at approximately 1.1 acres in size with a frontage of approximately 240-feet on the northwesterly side of Workman Mill Road and northerly of Pioneer Boulevard. There is a one-story 1,188-square-foot single-family dwelling, a 2,250-square-foot building with attached refrigeration unit used for the florist business, and various storage containers and a three car garage used for the picnic service business located on the subject property. There are 13 parking spaces, including two handicap accessible parking spaces, located on the southern portion of the property close to the access driveways, two covered parking spaces for the single-family dwelling and 26 parking spaces used for vehicles used for the picnic supply business.

ACCESS Workman Mill Road	ZONED DISTRICT Workman Mill
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ASSESSORS PARCEL NUMBER 8124016005, 8124016006	COMMUNITY North Whittier
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SIZE 2.2 Acres	COMMUNITY STANDARDS DISTRICT N/A
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	EXISTING LAND USE	EXISTING ZONING
Project Site	Florist and Picnic Service Business/ Single-family Dwelling	A-1-5 (Light Agriculture-5 acre lot minimum)
North	Industrial	City of Industry
East	Rose Hills Cemetery	A-1-5 (Light Agriculture-5 acre lot minimum)
South	Rose Hills Cemetery	A-1-5 (Light Agriculture-5 acre lot minimum)
West	Rose Hills Cemetery/ San Gabriel River (605) Freeway	A-1-5 (Light Agriculture-5 acre lot minimum)

GENERAL PLAN/COMMUNITY PLAN Countywide General Plan	LAND USE DESIGNATION Open Space	MAXIMUM DENSITY N/A
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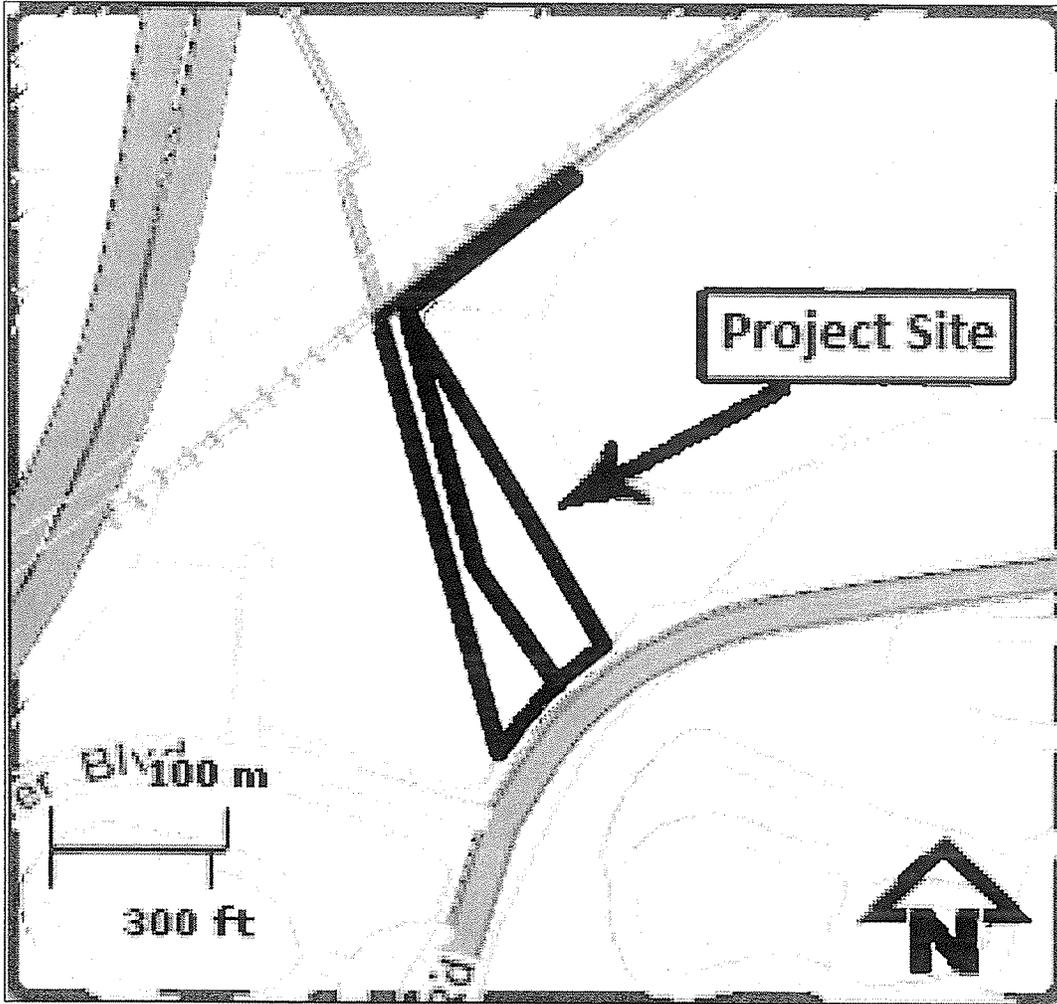
ENVIRONMENTAL DETERMINATION
 Class 1 Categorical Exemption-Existing Facilities

RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON: Diane Aranda		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING

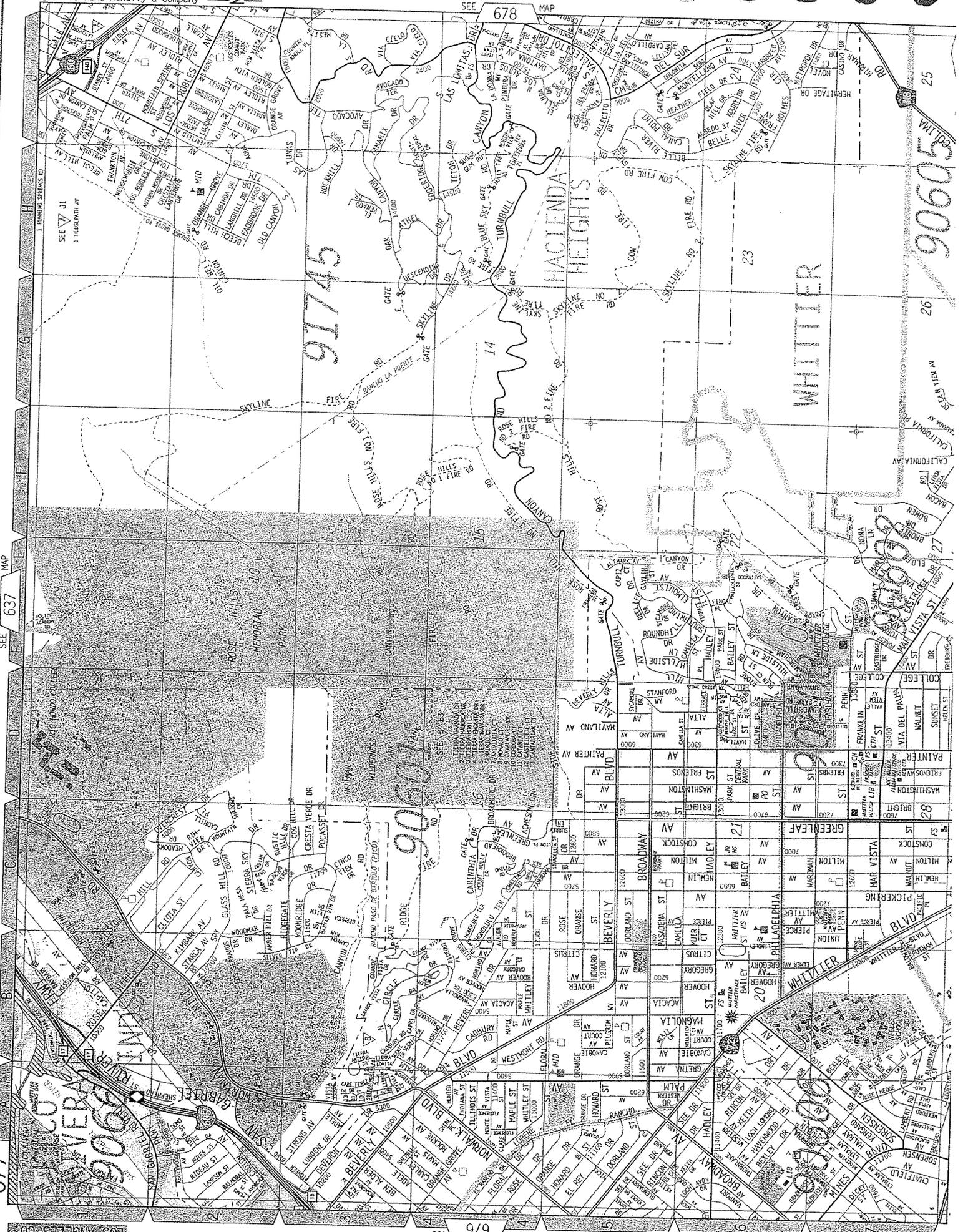


SEE 678 MAP

SEE 637 MAP

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SEE 676 MAP



90605

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91746

90601

WHITTIER

BROADWAY

NORWALK BLVD

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**STAFF ANALYSIS
PROJECT NUMBER 93190-(4)
NONCONFORMING REVIEW 200900005**

PROJECT DESCRIPTION

The applicant, Sharon Patapoff, is requesting authorization for the continued operation and maintenance of a florist preparation/retail business, and seasonal picnic equipment rental business on two parcels, a total of 2.2 acres, located in the A-1 (Light Agricultural- Five Acre Required Lot Minimum) Zone. The previous Nonconforming Review (NCR), case no. 93190, expired on March 17, 2009. The applicant claims the florist business has been in operation since 1941 and the picnic equipment rental business has been in operation since 1968. The hours of operation for the florist business are 7 a.m. to 1 p.m., Monday through Friday, with two employees maximum. There is also a single-family dwelling on the southern portion, and access to the project site is from two paved driveways via Workman Mill Road. No expansion of the existing use or structures is proposed.

REQUIRED ENTITLEMENTS

Section 22.56.1510 of the County Code allows for the continuation of a nonconforming use or a building or structure nonconforming due to use and/or standards provided there is no alteration, enlargement or addition to any building or structure; no increase in occupant load; nor any enlargement of area, space or volume occupied by or devoted to such use, except as otherwise provided in Title 22. The applicant requests a nonconforming review for the continued use and maintenance of an existing florist and picnic equipment rental business with business-related storage of equipment and vehicles on the property. No expansion of the existing use is being proposed.

LOCATION

The subject property is located at 4747 Workman Mill Road within the unincorporated community of North Whittier, with a frontage of approximately 240 feet on the northwesterly side of Workman Mill Road, northerly of Pioneer Boulevard. The location is situated in the Fourth Supervisorial District of Los Angeles County.

Existing Zoning

Subject Property

The subject property is zoned A-1-5 (Light Agricultural- Five Acre Required Lot Minimum) Zone within the Workman Mill Zoned District.

Surrounding Properties

Surrounding properties are zoned as follows within 500 feet from the subject property:

North: City of Industry, R-1-6000 (Single-family residence-6,000 sq. ft. required lot minimum)

South: A-1-5 (Light Agricultural- Five Acre Required Lot Minimum)

East: A-1-5 (Light Agricultural- Five Acre Required Lot Minimum)

West: A-1-5 (Light Agricultural- Five Acre Required Lot Minimum)

Existing Land Uses

Subject Property

The subject property is developed with a one-story single-family residence, a one-story 2,250 sq. ft. metal structure with a refrigeration unit adjacent to a 27'x15' shed on the southern portion, and several storage containers, sheds, and accessory buildings on the northern portion of the property located on a 2.2 acre triangular-shaped parcel surrounded by the Rose Hills Cemetery grounds to the south, east and west in a developed and urbanized area.

Surrounding Properties

Land uses within 500 feet of the subject property consist of the following:

North: Union Pacific Railroad, 605 Freeway, warehouses

South: Rose Hills Cemetery grounds

East: Rose Hills Cemetery grounds

West: Rose Hills Cemetery grounds, storage yard

SITE PLAN DESCRIPTION

The site plan depicts two triangular-shaped parcels (8124-016-005 and 8124-016-006) each approximately 1.1 acre in size with a frontage of approximately 240-feet on the northwesterly side of Workman Mill Road and northerly of Pioneer Boulevard. There is a one-story 1,188-square-foot single-family dwelling, a 2,250-square-foot garage-like structure with attached refrigeration unit adjacent to a 27'x15' shed used for the florist business on the south and southwesterly portion of the property, and a total of 30 storage sheds, trailer and accessory buildings of various sizes used to store equipment associated with the picnic service business are located to the rear of the property. A 6-foot high chain-link fence outlines the parcel to the north, east and west, and a 7-foot high wrought iron fence separates the single-family residence and florist portion of the property from the picnic rental equipment business located to the north. There are 13 parking spaces, including two handicap accessible parking spaces, located on the southern portion of the property close to the access driveways, two covered parking spaces for the single-family dwelling and 26 parking spaces used for vehicles related to the picnic rental equipment business. Access is from two paved driveways to the south along Workman Mill Road.

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning has determined that a Categorical Exemption, Class 1 – Existing Facilities, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

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.

PREVIOUS CASES/ZONING HISTORY

On February 20, 1952 the Board of Supervisors adopted the Workman Mill District No. 97 Zone Plan as part of Ordinance No. 5979, and the associated map was adopted on June 10, 1952. In 1952 the A-1 (Light Agricultural) Zone permitted greenhouses, nurseries, commercial flower gardening, storage and rental of hand-operated garden equipment in connection with a greenhouse or nursery, but not retail sales (since A-1 refers to R-A uses), however roadside stands were permitted. The zone also allowed some miscellaneous uses such as: "other similar enterprises or uses, or other enterprises or uses which in the opinion of the Regional Planning Commission are not more obnoxious or detrimental to the welfare of the particular community than the enterprises or uses herein this section enumerated." Prior to the 1952 adoption of the Workman Mill District No. 97, the subject area was zoned A-1 (Light Agricultural) and the regulations appear to be the same. In 1968 the permitted uses and regulations are the same as in 1952, except that the "other similar enterprises or uses, or other enterprises or uses which in the opinion of the Regional Planning Commission are not more obnoxious or detrimental to the

welfare of the particular community than the enterprises or uses herein this section enumerated” language was removed.

The applicant claims the florist business has been operating since 1941 and the picnic equipment rental business has been in operation since 1968. Assessor records show the single-family residence was built in 1924. The Los Angeles County South Whittier Building and Safety Office only has one building permit on record related to plumbing for the existing single-family dwelling on the subject property.

On January 27, 1982 NCR case no. 176 granted approval for the continued operation and maintenance of a retail flower stand with appurtenant facilities including signs on the property which contained a single-family residence. Outdoor storage of vehicles and equipment not related to the florist business was to be removed by January 27, 1985. NCR 176 expired in 1992.

On March 8, 1994 NCR 93190 granted approval for the continued operation and maintenance of an existing florist business, and a picnic supply business with related outdoor storage of vehicles and equipment. NCR 93190 expired in 2009.

COC-200900146- A Certificate of Compliance to legalize lot 8124-016-006 was recorded on March 22, 2010.

STAFF EVALUATION

General Plan Consistency

The subject property is located within the Countywide General Plan and is designated as O-Open Space, Rose Hills Memorial Park Cemetery. Generally, these areas include both public and privately owned lands committed to long-term open space use, and lands intended to be used in a manner compatible with open space objectives. The intent of this land use classification is for the conservation of open space for parks, riding and hiking trails, passive recreation, cemeteries, scientific study, sanitary landfills, and utility easements.

The existing single-family dwelling, florist business, picnic rental equipment business and associated storage of equipment and vehicles is inconsistent with the current land use category of Open Space. Although, situated within the Open Space (O-Rose Hills Memorial Park Cemetery) Category of the Countywide General Plan, the florist business is compatible with its surroundings due to its proximity to the Rose Hills cemetery grounds, and the business supplies floral arrangements to the surrounding floral businesses and occasional patrons.

Zoning Ordinance and Development Standards Compliance

The existing florist business has been in operation since 1941 and the picnic rental equipment business has been in operation since 1968. Both businesses are commercial in nature, and therefore are nonconforming uses in the A-1 Zone. The existing single-family residence is an allowed use within the A-1 Zone.

Lack of building permits and approved plot plans for the use and structures make it difficult to identify the exact date that the commercial uses were established. The florist business was allowed to continue operating with approval of NCR 176 in 1982 which allowed the continued operation and maintenance of a retail flower stand with appurtenant facilities including signs and a single-family residence for ten years. In 1994 NCR 93190 allowed the continued operation

and maintenance of a flower shop, recreational equipment, picnic supply business and outdoor storage of business-related vehicles and equipment.

There are various cargo storage containers, sheds, and accessory buildings used for storage and a trailer used as an office appurtenant to the picnic equipment rental business. While these various storage units do not meet current A-1 Zone-Accessory Uses development standards for accessory buildings and structures, pursuant to Los Angeles County Code, Section 22.24.080. The storage units appurtenant to the florist and picnic businesses were previously allowed to remain on-site with NCR 93190. A requirement that the applicant legalize all existing structures un-permitted by Building and Safety has been included as a draft condition of approval.

Parking - Section 22.52.1100

Pursuant to Section 22.52.1100, Title 22 of the Los Angeles County Code (Zoning Ordinance), the parking requirements for commercial uses is as follows:

Commercial uses- "Except as otherwise provided in this Part 11, every lot or parcel of land which is used for a use permitted in Zone C-3 but not permitted in Zone R-4-()U, except an electrical substation or similar public utility in which there are no offices or other places visited by the public, shall provide an area of sufficient size so that it contains one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure so used".

Current parking standards for the commercial uses on the property require a total of 23 parking spaces for the florist and picnic business and the subject site provides 13 parking spaces, including two handicap parking spaces, for public use. There are 26 parking spaces for vehicles associated with the picnic rental equipment business. Single-family residence requires two covered parking spaces, pursuant to Los Angeles County Code Parking Standards, 22.52.1177 and the subject site provides two uncovered tandem parking spaces. The single-family residence was, however, built in 1924, prior to any parking requirements.

Parking has not been an issue due to the fact that the florist business only conducts occasional retail sales to the public with most of the sales consisting of delivering the product to other businesses. The picnic rental equipment business provides services off-site, with a maximum of two employees used to load and unload picnic related equipment.

Termination and Time Limits

The florist business has been in operation since 1941 and the picnic equipment rental business has been in operation since 1968. Per section 22.56.1540-B.1 (e) of the zoning code the termination date for a nonconforming use of this type is 25 years, "from the effective date or operative date where later of the ordinance or amendment thereto establishing said nonconforming status, and for such longer time so that the total life of the structure from the date of construction, based on the type of construction as defined by the Building Code (set out at Title 26 of this Code)."

The florist business was an allowed use in 1941 as a flower stand. Flower stands were no longer allowed in the 60's and there was a 25 year amortization period for the use. The flower stand and appurtenant facilities, including signs has been allowed to continue for over 60 years with the approval of two nonconforming reviews.

The picnic business has been in operation since 1968 and has been allowed to continue with one nonconforming review.

Neighborhood Impact/Land Use Compatibility

The surrounding land uses consist of the Union Pacific Railroad tracks and the 605 (San Gabriel River) Freeway to the north and the Rose Hills Cemetery grounds to the south, east and west. The florist business has existed within the community for over 60 years and is compatible with the cemetery grounds because it supplies flowers to Rose Hills and the other flower retail businesses in the area. The picnic equipment rental business does not adversely affect the surrounding neighborhood because operating hours are seasonal and the subject site is only used for loading and unloading of equipment stored on-site. The picnic related outdoor storage is located to the rear of the 2.2 acre property and approximately 60 feet from the front portion of the property along Workman Mill Road. The various storage units and business related vehicles are not visible from the adjacent properties due to heavy vegetation and distance from Workman Mill Road. The existing use does not generate an increase in traffic due to the fact that a maximum of four employees total for both businesses work on-site and public retail sales are minimal.

The picnic rental equipment business is seasonal (May through October) and has two employees for on-site loading and unloading. The on-site storage structures, equipment and vehicles are not visible from the public view as they are located 60 feet back from Workman Mill Road to the rear of the property, and buffered by vegetation to the south, east and west. It is important to note that the subject property is located adjacent to the Union Pacific Railroad and 605 Freeway to the north and surrounded by Rose Hills Cemetery to the south, east and west. The subject property does not seem out of character with the surrounding land uses and does not increase traffic on Workman Mill Road because of the seasonal and non-retail characteristics of the businesses.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.1550.C of the Los Angeles County Code. The Burden of Proof with applicant's responses is attached. The Burden of Proof has been met because the florist and picnic business has been operating as a legal non-conforming use and the use is compatible with the surrounding land uses.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

County Fire Department

Staff has not received comments at the time of this report.

PUBLIC COMMENTS

Staff has received a letter from Rose Hills Cemetery in favor of the project. Staff has not received correspondence in opposition to the project.

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 limiting the amount and placement of cargo storage containers to the rear portion of the property. The applicant must also legalize all existing un-permitted structures on the property as determined by the Los Angeles County Building and Safety Department. Only vehicles and storage of equipment related to the flower and picnic business can be stored on-site in designated areas.

The applicant has maintained and operated the florist and picnic businesses 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 nonconforming uses. Therefore, Staff recommends a 15 year grant term length. With appropriate conditions and enforcement, the proposal to allow the continued operation and maintenance of the florist and picnic businesses with associated outdoor storage will not disrupt the surrounding neighborhood.

Staff recommends Approval of project number 93190 and Nonconforming Review 200900005 subject to the attached conditions.

Prepared by Diane Aranda, Regional Planning Assistant II, Zoning Permits East
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East

Attachments:

Draft Conditions of Approval
Draft Findings
Applicant's Burden of Proof statement
Site Photographs
Site Plan

HEARING OFFICER'S FINDINGS AND ORDER:

**PROJECT NUMBER 93190-(4)
NONCONFORMING REVIEW 200900005**

REQUEST:

The applicant requests a non-conforming review for the continued operation and maintenance of a florist and picnic equipment rental business including outdoor storage of business-related equipment and vehicles in the rear portion of the property. The subject site is located in the A-1-5 (Light Agricultural-10,000 Five Acre Required Lot Minimum) Zone in the Workman Mill Zoned District. No expansion of the existing use is being proposed.

HEARING OFFICER DATE: April 5, 2011

PROCEEDINGS BEFORE THE HEARING OFFICER:

A duly noticed public hearing was held on April 5, 2011 before the Hearing Officer.

Findings

1. The subject property is located at 4747 Workman Mill Road within the unincorporated community of North Whittier, with a frontage of approximately 240 feet on the northwesterly side of Workman Mill Road, northerly of Pioneer Boulevard. The location is situated in the Fourth Supervisorial District of Los Angeles County.
2. The applicant, Sharon Patapoff, is requesting authorization for the continued operation and maintenance of a florist preparation/retail business, and seasonal picnic equipment rental business on two parcels, a total of 2.2 acres, located in the A-1 (Light Agricultural- Five Acre Required Lot Minimum) Zone. The previous Nonconforming Review (NCR), case no. 93190, expired on March 17, 2009. The hours of operation for the florist business are 7 a.m. to 1 p.m., Monday through Friday, with two employees maximum. There is also a single-family dwelling on the southern portion, and access to the project site is from two paved driveways via Workman Mill Road. No expansion of the existing use or structures is proposed.
3. The applicant claims the florist business has been in operation since 1941 and the picnic equipment rental business has been in operation since 1968. The applicant was granted two ten year nonconforming reviews and currently requests an extension to allow for the continued use of the florist and picnic equipment rental business.
4. Surrounding properties are zoned as follows within 500 feet from the subject property:
 - North: City of Industry, R-1-6000 (Single-family residence-6,000 sq. ft. required lot minimum)
 - South: A-1-5 (Light Agricultural- Five Acre Required Lot Minimum)
 - East: A-1-5 (Light Agricultural- Five Acre Required Lot Minimum)
 - West: A-1-5 (Light Agricultural- Five Acre Required Lot Minimum)
5. Land uses within 500 feet of the subject property consist of the following:
 - North: Union Pacific Railroad, 605 Freeway, warehouses
 - South: Rose Hills Cemetery grounds
 - East: Rose Hills Cemetery grounds
 - West: Rose Hills Cemetery grounds, storage yard
6. The Department of Regional Planning has determined that a Categorical Exemption, Class 1 – Existing Facilities, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

7. The site plan depicts two triangular-shaped parcels (8124-016-005 and 8124-016-006) each approximately 1.1 acre in size with a frontage of approximately 240-feet on the northwesterly side of Workman Mill Road and northerly of Pioneer Boulevard. There is a one-story 1,188-square-foot single-family dwelling, a 2,250-square-foot garage-like structure with attached refrigeration unit adjacent to a 27'x15' shed used for the florist business on the south and southwesterly portion of the property, and a total of 30 storage sheds, trailer and accessory buildings of various sizes used to store equipment associated with the picnic service business are located to the rear of the property. A 6-foot high chain-link fence outlines the parcel to the north, east and west, and a 7-foot high wrought iron fence separates the single-family residence and florist portion of the property from the picnic rental equipment business located to the north. There are 13 parking spaces, including two handicap accessible parking spaces, located on the southern portion of the property close to the access driveways, two covered parking spaces for the single-family dwelling and 26 parking spaces used for vehicles related to the picnic rental equipment business. Access is from two paved driveways to the south along Workman Mill Road.
8. Zoning History includes the following permits:
 - NCR case no. 176 granted approval on January 27, 1982 for the continued operation and maintenance of a retail flower stand with appurtenant facilities including signs on the property which contained a single-family residence. Outdoor storage of vehicles and equipment not related to the florist business was to be removed by January 27, 1985. NCR 176 expired in 1992.
 - NCR 93190 granted approval on March 8, 1994 for the continued operation and maintenance of an existing florist business, and a picnic supply business with related outdoor storage of vehicles and equipment. NCR 93190 expired in 2009.
 - COC-200900146- A Certificate of Compliance to legalize lot 8124-016-006 was recorded on March 22, 2010.
9. The subject property is located within the Countywide General Plan and is designated as O-Open Space, Rose Hills Memorial Park Cemetery. Generally, these areas include both public and privately owned lands committed to long-term open space use, and lands intended to be used in a manner compatible with open space objectives. The intent of this land use classification is for the conservation of open space for parks, riding and hiking trails, passive recreation, cemeteries, scientific study, sanitary landfills, and utility easements.
10. The existing single-family dwelling, florist business, picnic rental equipment business and associated storage of equipment and vehicles is inconsistent with the current land use category of Open Space. Although, situated within the Open Space (O-Rose Hills Memorial Park Cemetery) Category of the Countywide General Plan, the florist business is compatible with its surroundings due to its proximity to the Rose Hills cemetery grounds, and the business supplies floral arrangements to the surrounding floral businesses and occasional patrons.
11. The picnic rental equipment business is seasonal (May through October) and has two employees for on-site loading and unloading. The on-site storage structures, equipment and vehicles are not visible from the public view as they are located 60 feet back from Workman Mill Road to the rear of the property, and buffered by vegetation to the south, east and west. The subject property is located adjacent to the Union Pacific Railroad and 605 Freeway to the north and surrounded by Rose Hills Cemetery to the south, east and west. The subject property does

not seem out of character with the surrounding land uses and does not increase traffic on Workman Mill Road because of the seasonal and non-retail characteristics of the businesses.

12. The existing florist business has been in operation since 1941 and the picnic rental equipment business has been in operation since 1968. Both businesses are commercial in nature, and therefore are nonconforming uses in the A-1 Zone. The existing single-family residence is an allowed use within the A-1 Zone.
13. There are various cargo storage containers, sheds, and accessory buildings used for storage and a trailer used as an office appurtenant to the picnic equipment rental business. While these various storage units do not meet current A-1 Zone-Accessory Uses development standards for accessory buildings and structures, pursuant to Los Angeles County Code, Section 22.24.080. The storage units appurtenant to the florist and picnic businesses were previously allowed to remain on-site with NCR 93190. A requirement that the applicant legalize all existing structures un-permitted by Building and Safety has been included as a draft condition of approval.
14. Current parking standards for the commercial uses on the property require a total of 23 parking spaces for the florist and picnic business and the subject site provides 13 parking spaces, including two handicap parking spaces, for public use. There are 26 parking spaces for vehicles associated with the picnic rental equipment business.
15. Parking has not been an issue due to the fact that the florist business only conducts occasional retail sales to the public with most of the sales consisting of delivering the product to other businesses. The picnic rental equipment business provides services off-site, with a maximum of two employees used to load and unload picnic related equipment.
16. The florist business has been in operation since 1941 and the picnic equipment rental business has been in operation since 1968. Per section 22.56.1540-B.1 (e) of the zoning code the termination date for a nonconforming use of this type is 25 years, "from the effective date or operative date where later of the ordinance or amendment thereto establishing said nonconforming status, and for such longer time so that the total life of the structure from the date of construction, based on the type of construction as defined by the Building Code (set out at Title 26 of this Code)."
17. The florist business was allowed an allowed use in 1941 as a flower stand. Flower stands were no longer allowed in the 1960's and there was a 25 year amortization period for the use. The flower stand and appurtenant facilities, including signs has been allowed to continue operation for over 60 years with the approval of two nonconforming reviews. The picnic business has been in operation since 1968 and has been allowed to continue with one nonconforming review.
18. The surrounding land uses consist of the Union Pacific Railroad tracks and the 605 (San Gabriel River) Freeway to the north and the Rose Hills Cemetery grounds to the south, east and west. The florist business has existed within the community for over 60 years and is compatible with the cemetery grounds because it supplies flowers to Rose Hills and the other flower retails businesses in the area.
19. The picnic equipment rental business does not adversely affect the surrounding neighborhood because operating hours are seasonal and the subject site is only used for loading and unloading of equipment stored on-site. The picnic related outdoor storage is located to the rear of the 2.2 acre property and approximately 60 feet from the front portion of the property along Workman Mill Road. The various storage units and business related vehicles are not visible from the adjacent properties due to heavy vegetation and distance from Workman Mill Road.

20. The existing use does not generate an increase in traffic due to the fact that a maximum of four employees total for both businesses work on-site and public retail sales are minimal.
21. The applicant is not any proposing an expansion to the existing use, or new signs.
22. There are no current zoning violations associated with the florist and picnic rental equipment and supplies business, and the applicant has operated in a responsible fashion. Conditions of approval will ensure that the continued uses will be compatible with the surrounding land use pattern and address safety concerns from adjacent residents.
23. Staff received a letter from Rose Hills Cemetery in favor of the project. Staff has not received correspondence in opposition to the project.
24. 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.
25. Staff is limiting the amount of cargo storage containers on the property. Only vehicles and storage of equipment related to the flower and picnic business can be stored on-site in designated areas.
26. The applicant is required to legalize all existing un-permitted structures on the property as determined by the Los Angeles County Building and Safety Department.
27. 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.
28. 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 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 florist and picnic rental equipment and supply business 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, **Nonconforming Review 200900005** is **approved** subject to the attached conditions.
- c: Zoning Enforcement, Building and Safety

MM:da
03/24/2011

1. This grant authorizes the continued operation and maintenance of an existing florist preparation/retail business, and seasonal picnic equipment rental business including the outdoor storage of equipment and vehicles appurtenant to the existing uses. The subject property is located on two parcels, a total of 2.2 acres, located in the A-1-5 (Light Agricultural-5 Acre Required Lot Minimum) Zone in the Workman Mill Zoned District within the unincorporated community of North Whittier. The use of the subject property as depicted on the approved Exhibit "A" is subject to all of the following conditions:
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. 8, and until all required monies have been paid pursuant to Condition No.16. Notwithstanding the foregoing, this Condition No. 3, and Condition Nos. 4, 5, and 6 shall be effective immediately upon final approval of this grant by the County. The recorded affidavit shall be filed and the required monies shall be paid by June 5, 2011.
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. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
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 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 in accordance with Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within two years from the date of approval. A single one-year time extension may be requested in writing with the appropriate fee before the expiration date.
7. 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.
8. 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 subject property during the term of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.
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.
10. 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.
11. 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.
12. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
13. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
14. 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 use subject to this grant or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event such extraneous markings occur, 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.

15. The subject property shall be developed and maintained in substantial conformance with the approved revised Exhibit "A". If other 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 the conditional use permit. All revised plot plans must be accompanied by the written authorization of the property owner.
16. **This grant will terminate on April 5, 2026.**
Entitlement to use of the property thereafter shall be subject to the regulations then in effect. At least six (6) months prior to the expiration of this permit and in the event that the permittee intends to continue operations after such date, a new conditional use permit application shall be filed with the Department of Regional Planning. The application shall be a request for continuance of the use permitted under this grant, whether including or not including modification to the use at that time.
17. 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 in violation of any such law, statute, ordinance, or other regulation 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 **\$1,600.00**. The 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 conformance with the approved site plan on file. The fund provides for **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 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. The current recovery cost is \$200.00 per inspection.
17. 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.
18. This grant allows the continued operation and maintenance of a florist and seasonal picnic rental business, including storage of business-related equipment and vehicles, and is subject to the following conditions:
 - a. Approval of this grant shall not permit construction, alteration, enlargement or expansion of any structures, or any modification of use, except as may be permitted under Section 22.56.1510 of the Zoning Ordinance. Any modification,

addition, or enlargement provided by said Section 22.56.1510 shall first be approved by the Director of Planning;

- b. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval four (4) copies of a revised Exhibit "A", similar to that presented at the public hearing, that clearly depicts the correct amount of parking on-site, the location of all existing sheds and storage units pursuant to Section 22.24.080 and 22.48.140. The property shall be developed and maintained in substantial conformance with the approved revised Exhibit "A". All revised plot plans must be accompanied by the written authorization of the property owner;
- c. Equipment and vehicles not used in conduct of the florist or the picnic rental equipment business shall not be stored or maintained on the subject property;
- d. Vehicles that are used for the florist and picnic business shall only be stored in the designated striped parking spaces located to the rear of the property;
- e. Commercial vehicles over 6,000 pounds shall not be stored overnight on the subject property;
- f. Within 60 days of the approval date of this grant, the permittee shall contact the South Whittier Building and Safety Office for assistance in legalizing the existing unpermitted storage buildings that are more than 120 square feet in size;
- g. No junk, debris disabled vehicles, or miscellaneous materials or storage can be kept in the rear yard at anytime. No vehicles shall be repaired in the rear yard;
- h. No posters or banners are allowed;
- i. Storage of trailers (other than the one office trailer), old cars and/or household equipment, such as refrigerators, stoves, freezers, etc. not related to the florist and picnic business shall be prohibited in all required yard areas;
- j. The property shall remain free of trash, litter, and other debris;
- k. All driveways and parking areas shall be maintained in good condition;
- l. The permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, litter removal, fertilizing, watering and replacement of dead or unhealthful plants; and

- m. 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.

MM:DA
3/24/2011

NON CONFORMING

~~Conditional~~ Use Permit Burden of Proof

Please consider this letter to be a request to continue non-conforming use on my property located at 4747 Workman Mill Road, Whittier CA (APN 8124016006) as follows:

- Retail flower stand which has been continuously in use since about 1941 and retail picnic business which sells prizes, supplies and equipment for group picnics and rents recreation equipment for picnics. This business has been continuously operating here since 1968. We were granted a 10 year nonconforming use permit in 1982 and a 15 year nonconforming use permit in 1994.
1. This request will not result in any change of operations that have been ongoing for more than 25 years.
 2. There is little to no visible/audible impact to surrounding areas
 - The front of this 1 ½ acre parcel (East end) is located in a gully about four to five feet lower than the divided highway (Workman Mill Road). The flower stand, two bedroom house and a paved parking lot for approximately 50 cars are situated here. The North and South end of this front area are visually blocked by trees and bushes.
 - The remainder of the property, for the picnic business, is located about 60 feet back from the main road, with trees and bushes in front of the fence to serve as a visual block from the street. All other sides of this back area are also visually blocked by trees and bushes.
 3. There are no close residential areas in the near vicinity.
 - The North side of the property borders Rose Hills and is separated by a 6' chain link fence with heavy growth that separates the two properties.
 - The West side is fenced and beyond this are railroad tracks & Quinn Machinery, which sells and rents heavy equipment. The 605 freeway is adjacent to Quinn on the West side of the plant.
 - The South side (fenced) is adjacent to a dry creek, which is about 30 feet wide and separates our property from a cement manufacturing place and service/repair yard owned by Rose Hills.
 - The East side, past the divided highway, is more Rose Hills land.
 4. The land is more than adequate in size and parking for the operations there.
 5. These operations generate very little traffic and the use we allow Rose Hills on the back end of the property actually *reduces* traffic on Workman Mill Road.
 - The picnic business is seasonal, and operates **summer months/weekends only**, for about three hours each Saturday/Sunday.
 - Rose Hills uses a service road on the back end of our property, which allows the large transport trucks from the cement business to avoid a large portion of busy Workman Mill Road since they cut through the back end of all lots to different sections of Rose Hills. Use of our property also allows the large trucks to avoid blocking two lanes around a blind corner on Pioneer Blvd.
 6. Our relationship with the community is excellent. The flower shop serves a need because of proximity to the cemeteries. The picnic business is **unique** and provides the only service of its type in the San Gabriel Valley area. We have not received any complaints during the numerous years we have operated the flower and picnic businesses at this location.



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

- 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 otherwise required in order to integrate said use with the uses in surrounding area.

SEE ATTACHED

- 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

- 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

- 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

LOS ANGELES COUNTY LETTERGRAM

TO	Maria Masis Zoning Permits East	FROM	Diane Aranda Zoning Permits East
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**SUBJECT: PROJECT NO. 93-190-(4)
NONCONFORMING REVIEW 200900005**

DATE: 03/24/2011

This is an application to authorize the continued operation and maintenance of an existing florist and picnic rental equipment business in the A-1-5 (Light Agricultural-Five Acre Lot Minimum) zone located at 4747 Workman Mill Road in the Workman Mill Zoned District within the unincorporated portion of Los Angeles County.

This request is exempt from the California Environmental Quality Act based on Section 15301 (Chapter 3, Title 14, California Code of Regulations) because the request is to continue an existing use and structure; and as such, it meets the criteria set forth under Class 1 Categorical Exemption-Existing Facilities.

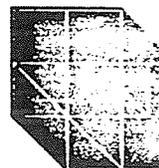
If you have any questions regarding the above determination or environmental document preparation, please contact Diane Aranda of the Zoning Permits II Section at (213) 974-6435

A NOTICE OF EXEMPTION MAY BE FILED WITH THE COUNTY CLERK UPON APPROVAL OF THIS PROJECT.

Comments:

February 8, 1981

Certified - Return
Requested



Alex Patapoff
10315 E. Kimbark Avenue
Whittier, California 90601

Dear Mr. Patapoff:

RE: NONCONFORMING USE &
STRUCTURE REVIEW CASE NO. 176-(1)

To continue the operation and maintenance of a retail
flower stand with appurtenant facilities including signs
on property presently containing a single-family residence.
4747 South Workman Mill Road.
Workman Mill Zoned District, Zone A-1-5 //

The Regional Planning Commission, by its action of January 27,
1982, granted an extension of the above-described use. The docu-
ments pertaining to this grant are enclosed.

Your attention is called to the following:

1. Condition No. 1, requiring acceptance by the owner of
the property of all conditions of this permit;
2. Condition No. 4, stressing limitations of this grant;
3. That during the fifteen-day period following your receipt
of this letter, the decision may be appealed to the Board
of Supervisors through the office of James Mize, Executive
Officer, Room 383, Hall of Administration, 500 West Temple
Street, Los Angeles, California 90012. This grant will not
become effective until this period has passed without an
appeal.

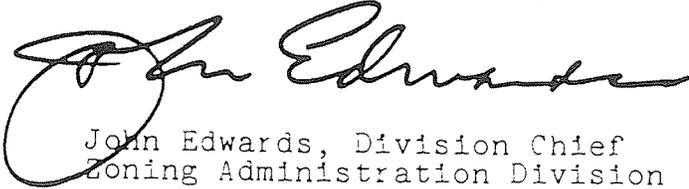
The Regional Planning Commission of the County of Los Angeles,
under the provisions of Title 22 of the Los Angeles County Code,
grants a nonconforming use and structure review permit to enable
the property shown on the attached legal description to be used to
continue the operation and maintenance of a retail flower stand with
appurtenant facilities including signs on property presently containing
a single family residence, subject to the attached conditions
numbered 1 through 11.

NONCONFORMING USE &
STRUCTURE REVIEW CASE NO. 176-(1)

Page 2

The foregoing is the decision of the Regional Planning Commission on January 27, 1982, upon adoption of the attached findings.

DEPARTMENT OF REGIONAL PLANNING
Norman Murdoch, Planning Director



John Edwards, Division Chief
Zoning Administration Division

JE:LBP:crb

Enclosures

cc: Building and Safety; Board of Supervisors; Zoning Enforcement
Health Dept.
John & Ruth Turk, 6546 Friends Avenue, Whittier, CA 90601

The land referred to in this policy is situated in the State of California
of Los Angeles and is described as follows

County

That portion of Lot "A" of said Tract 1622, as per map recorded in Book 20 Page 198 of Maps, in the office of the county recorder of said county, and a portion of said Lot 7 of Cohn's Partition, as per map recorded in Book 60 Pages 3 and 4 of Miscellaneous Records, described as follows:

Beginning at the most Westerly corner of said Lot "A"; thence South 29° 23' 50" East 634.66 feet to a point in the Southeasterly line of said Lot "A"; thence along the Southeasterly line of said Lot "A" and its Southwesterly prolongation, South 39° 06' West 169.96 feet; thence South 16° 03' West 57.29 feet to the beginning of a tangent curve concave to the Northwest having a radius of 105.28 feet; thence Southwesterly along said curve 52 feet to a point in the Westerly line of said Lot 7 to which a radial line bears South 45° 39' East; thence along the Westerly line of said Lot 7, North 14° 34' 25" West 803.63 feet to a point in the Southerly right of way of said railroad; thence along said right of way line, North 50° 44' East 370.43 feet; thence South 39° 16' East 20 feet; thence South 50° 44' West 335.60 feet to the point of beginning.

EXCEPT that portion of said land included within the lines of Workman Mill Road, as vacated by order of the Board of Supervisors filed in Road Book 19 Page 168 in the office of said Board.

ALSO EXCEPT that portion of said land described as follows:

Beginning at the most Easterly corner of Lot 2 of Tract 3584, as per map recorded in Book 38 Page 70 of Maps; thence along the Easterly line of said Lot 2, North 14° 34' 25" West 55.50 feet; thence North 75° 25' 35" East 47.47 feet to a point in the Northwesterly line of Workman Mill Road, as shown by Record of Survey Map filed in Book 54 Page 12, Record of Surveys; thence along said Northwesterly line, South 16° 03' West 22.02 feet to the beginning of a tangent curve concave Westerly having a radius of 105.28 feet; thence Westerly along said curve 52 feet to the point of beginning.

ALSO EXCEPT an undivided one-half of all oil, gas and minerals and of all gas and mineral rights upon and under said land with no right of entry on the surface of said land for the purpose of extracting oil, gas and minerals thereon and thereunder, excepted and reserved by Frances I. Tobey, a married woman, in deed recorded January 24, 1945 in Book 21610 Page 239, Official Records.

The above described land is shown as a portion of Parcel 2 on Record of Survey Map filed in Book 54 Page 12 of Record of Surveys.

NONCONFORMING USE AND STRUCTURE REVIEW CASE NO. 176-(1) CONDITIONS

1. This permit shall not be effective for any purpose until a duly authorized representative of the owner of the property involved has filed at the office of said Regional Planning Commission his affidavit stating that he is aware of, and accepts all the conditions of this permit;
2. It is hereby declared to be the intent that if any provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse;
3. It is further declared and made a condition of this permit that: any condition hereof is violated, or if any law, statute, or ordinance is violated, the permit shall be suspended and the privileges granted hereunder shall lapse, provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days;
4. That all requirements of the Zoning Ordinance and of the specific zoning of subject property must be complied with unless set forth in the permit or shown on the approved plot plan;
5. That the property shall be developed and maintained in substantial conformance with the plot plan on file marked Exhibit "A";
6. That all requirements of the Los Angeles County Code relating to outside storage and of the specific zoning of subject property must be complied with within 3 years from the date of Regional Planning Commission approval;
7. That approval of this application shall not permit the construction, alteration, enlargement, or expansion of any structures, or any modification of use, except as may be permitted under Section 22.56.1510 of the Los Angeles County Code. Any modification, addition, or enlargement provided by said Section 22.56.1510 shall first be approved by the Director of Planning;
8. That applicant shall make an irrevocable offer to dedicate to the County of Los Angeles, that portion of subject property within 50 feet of the centerline of CSB 5047-5;
10. That subject facility be developed and maintained in compliance with requirements of the Los Angeles County Health Services Department. Adequate water and sewage facilities shall be provided to the satisfaction of said Health Officer;
11. That this grant, with respect to the flower stand only, will expire 10 years from date of Regional Planning Commission approval; however the open storage shall be completely terminated 3 years from date of Regional Planning Commission approval.

LBP:WLM:meg
1-6-82



Los Angeles County
Department of Regional Planning

Director of Planning, James E. Hartl, AICP



RE: NONCONFORMING REVIEW NO. 93190 - (4)
FLOWER SHOP, RECREATIONAL EQUIPMENT AND
PICNIC SUPPLY BUSINESS
4747 WORKMAN MILL ROAD, WHITTIER

Mailing Date: March 24, 1994

TO: Alex Patapoff
10315 Kimbark Avenue
Whittier, California 90601

**CERTIFIED-RECEIPT
REQUEST**

PLEASE NOTE: This document contains the hearing officer's findings, and order and conditions relating to **APPROVAL** of the above referenced case.

CAREFULLY REVIEW EACH CONDITION.

Condition 2 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the hearing officer's decision to the Regional Planning Commission at the office of the Commission's secretary, Room 170, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Contact the Commission's secretary for the necessary forms and the amount of the appeal fee at (213) 974-6409. The appeal must be postmarked or delivered in person within 15 days after this notice is received by the applicant. The hearing officer's decision may also be called up for review by the Regional Planning Commission during the appeal period. This grant will not become effective until and unless this period has passed without an appeal or call for review.

For further information on appeal procedures compliance with conditions or any other matter pertaining to this grant, please contact the Zoning Permits Section at (213) 974-6443.

HEARING OFFICER'S FINDINGS AND ORDER:

FACTUAL SUMMARY:

The subject property is an irregularly shaped 2.2 acre parcel located at 4747 Workman Mill Road with a frontage of approximately 240 feet on the northwesterly side of Workman Mill Road northerly of Pioneer Boulevard. A one-story single family residence, a one-story office building, a green house, refrigeration equipment, and

various storage sheds, paved and unpaved parking and storage areas exist on the site which is located within the A-1-5 (Light Agriculture - 5 acres required area) zone.

Surrounding land uses include a single family residence and burial vault assembly area to the north, cemetery grounds to the south and east, a railroad right of way and the 605 Freeway to the west.

The subject property and the structures located thereon are used in the conduct of a florist business and a picnic business which includes the rental of amusement devices, food and entertainment booths, and the provision of picnic supplies. The continued operation and maintenance of the florist business was previously approved by Nonconforming Use and Structure Review Case No. 176 which expired in 1991. Outdoor storage of vehicles and equipment not related to such business was to have been terminated on or before January 27, 1985. The request is to continue the use and operation of the existing uses and structures, the florist business, the picnic supply business and the outdoor storage of vehicles and equipment appurtenant thereto, which are nonconforming uses within the A-1-5 zoning classification.

The project is categorically exempt (Class 1) from environmental reporting requirements in that it involves the continuation of existing uses and structures with no expansion.

A public hearing was held on January 25, 1994 and March 8, 1994. The applicants and their representative testified in favor of the request. No one appeared in opposition. The hearing officer received one letter in support of the request.

FINDINGS:

The existing structures and uses on the subject property with the attached conditions and restrictions do not now and will not during the period of this grant adversely affect the health, peace, or welfare of persons residing or working in the surrounding area, be materially detrimental to the use, enjoyment or valuation of the property of other persons located in the vicinity of the subject property or jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare.

The existing florist and picnic businesses have been conducted on the subject property for a period of more than thirty years during which there have been no complaints or violations other than the storage of vehicles and equipment which are not clearly appurtenant to such uses. The applicants have agreed to remove any vehicles and equipment from the site that are not used in the conduct of the florist business or the picnic business.

And, therefore, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Nonconforming Review as set forth in Section 22.56.1020 of Title 22 of the Los Angeles County Code, the Zoning Ordinance.

HEARING OFFICER'S ACTION:

1. I find that the project is categorically exempt (Class 1) from the reporting requirements of the California Environmental Quality Act, and that the project will not have a significant effect on the environment.
2. In view of the findings of fact presented above, Nonconforming Review No. 93190 - (4) is **GRANTED** with the attached conditions.

BY: *John R. Huttinger*
JOHN HUTTINGER, HEARING OFFICER
Department of Regional Planning
County of Los Angeles

DATE: 3-23-94

DCC:mh

Enclosure: Affidavit

cc: Each Commissioner; Zoning Enforcement; Building and Safety;
Subdivision Road Unit; Carolyn Seitz; John Turk

1. 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.
2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (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.
3. 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 65907. 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.
4. This grant will terminate March 17, 2009.

Entitlement to use of the property thereafter shall be subject to the regulations then in effect.
5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. 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.

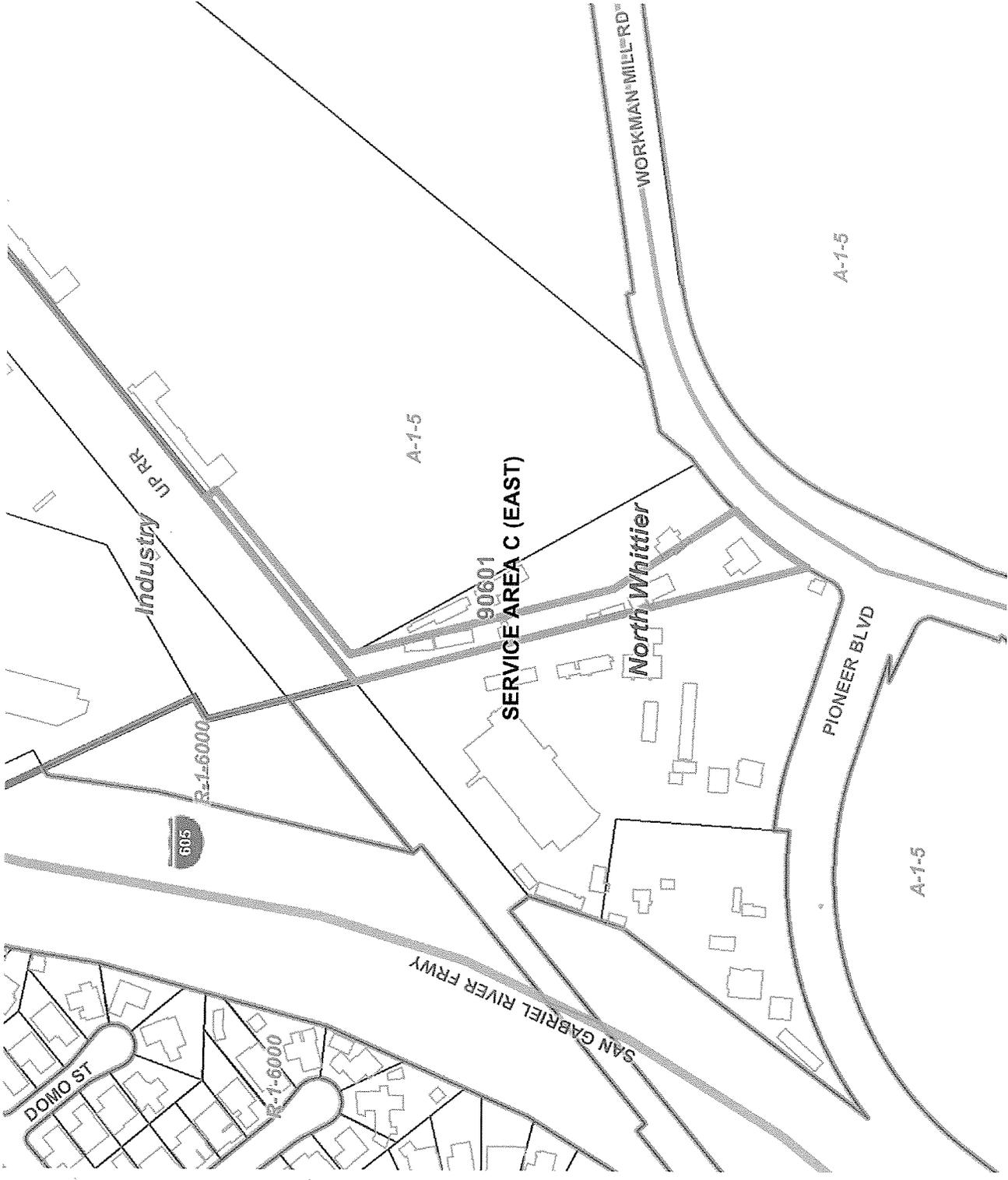
If an inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all enforcement efforts necessary to bring the subject property into compliance.

7. 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. the permittee shall deposit with the County of Los Angeles the sum of \$800.00. The fee shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planing for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fee provides for eight biennial inspections.

If any future 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 the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

8. 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 health or safety or so as to be a nuisance.
9. This grant allows the continued operation of a florist business and a picnic supply and equipment rental business and the maintenance of the existing structures located on the subject property subject to the following restrictions as to use:
 - a. No vehicles or equipment that is not used in the conduct of the florist business or the picnic supply and equipment rental business shall be stored or maintained on the subject property;
 - b. Any vehicles or equipment that are not used in the conduct of such uses shall be removed within 30 days of the date of this letter; and
 - c. No signs shall be installed or maintained on the subject property unless approved by the Director of Planning.

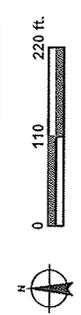
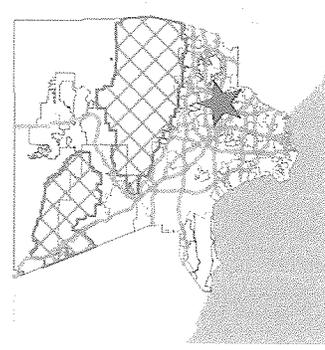
10. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent revised plans are submitted the written authorization of the property owner is necessary.
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
12. The subject facility shall be developed maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said Department.
13. The approval of this application shall not permit the construction, alteration, enlargement, or expansion of any structures, or any modification of use except as may be permitted by Section 22.56.1510 of the County Code.
14. Any modification, addition or enlargement permitted by said Section 22.56.1510 shall first be approved by the Director of Planning.
15. Make an irrevocable offer to dedicate to the County of Los Angeles that portion of the subject property within 50 feet of the centerline of Workman Mill Road. (CSB 5047-5).
16. 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.
17. In the event of such extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage by the close of the next business day following 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.



Legend

- Parcel Boundary
- Arterial Street
- Freeway
- Master Plan of Highways
 - Expressway - (E)
 - Expressway - (P)
 - List. Secondary Highway - (C)
 - List. Secondary Highway - (G)
 - Parway - (P)
 - Major Highway - (C)
 - Major Highway - (G)
 - Secondary Highway - (C)
 - Secondary Highway - (G)
 - Existing (P) Proposed
- Railroad or Rapid Transit
 - Rapid Transit
 - Underground Rapid Transit
- Significant Rightlines
 - Classic CSD Boundary
 - Classic CSD Secondary
 - SMANA Significant
- Other Tools (CDD)
 - Assessor Map Book (AMB) Bay
 - Zoning Index Map Grid
 - USGS Base Sheet Grid
 - TB Internal Page Grid
 - Very High Fire Hazard Severity
 - Community Standards District (CSD)
 - CSD Area Specific Boundary (CSD)
 - ESHA (Coast Only)
 - Significant Ecological Area (SEA)
 - Section Line
 - Township and Range
 - National Fire Plan
 - Historic District (EQD)
 - Transit Oriented District (TOD)
 - Setback District
 - Zoned District (ZD)
 - Supervisory District Boundary
- Safety Related Stations (From TB)
 - Fire Station
 - Highway Patrol
 - Police Station
 - Ranger Station
 - Sherrif Station
- Zoning (Boundary)
 - Zone A-1
 - Zone B-1
 - Zone B-2
 - Zone C-1
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- Landuse Policy (Not in Comm./ Area Plan)
 - 1 - Low Density Residential (1 to 6 a/c)
 - 2 - Medium Density Residential (7 to 12 a/c)
 - 3 - Medium Density Residential (12 to 22 a/c)
 - 4 - High Density Residential
 - 5 - Major Commercial
 - 6 - Major Industrial
 - 7 - Open Space
 - 8 - Public and Semi-Public Facilities
 - 9 - Rural Communities
 - 10 - Non-Urban
 - 11 - Transportation Center
- Inland Waterbody
 - Perennial
 - Intermittent
 - Dry

Note: This is a static legend, which includes only a portion of layers. To get full legend, please use "Display Map Legend Tab" on the top left sub-center.





May 27, 2009

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

Re: Nonconforming Review Case No. 93190-4

I am writing you at the request of Sharon Patapoff who has applied for permission to continue the operation of a flower stand and a picnic services business at 4747 Workman Mill Road, Whittier, CA 90601.

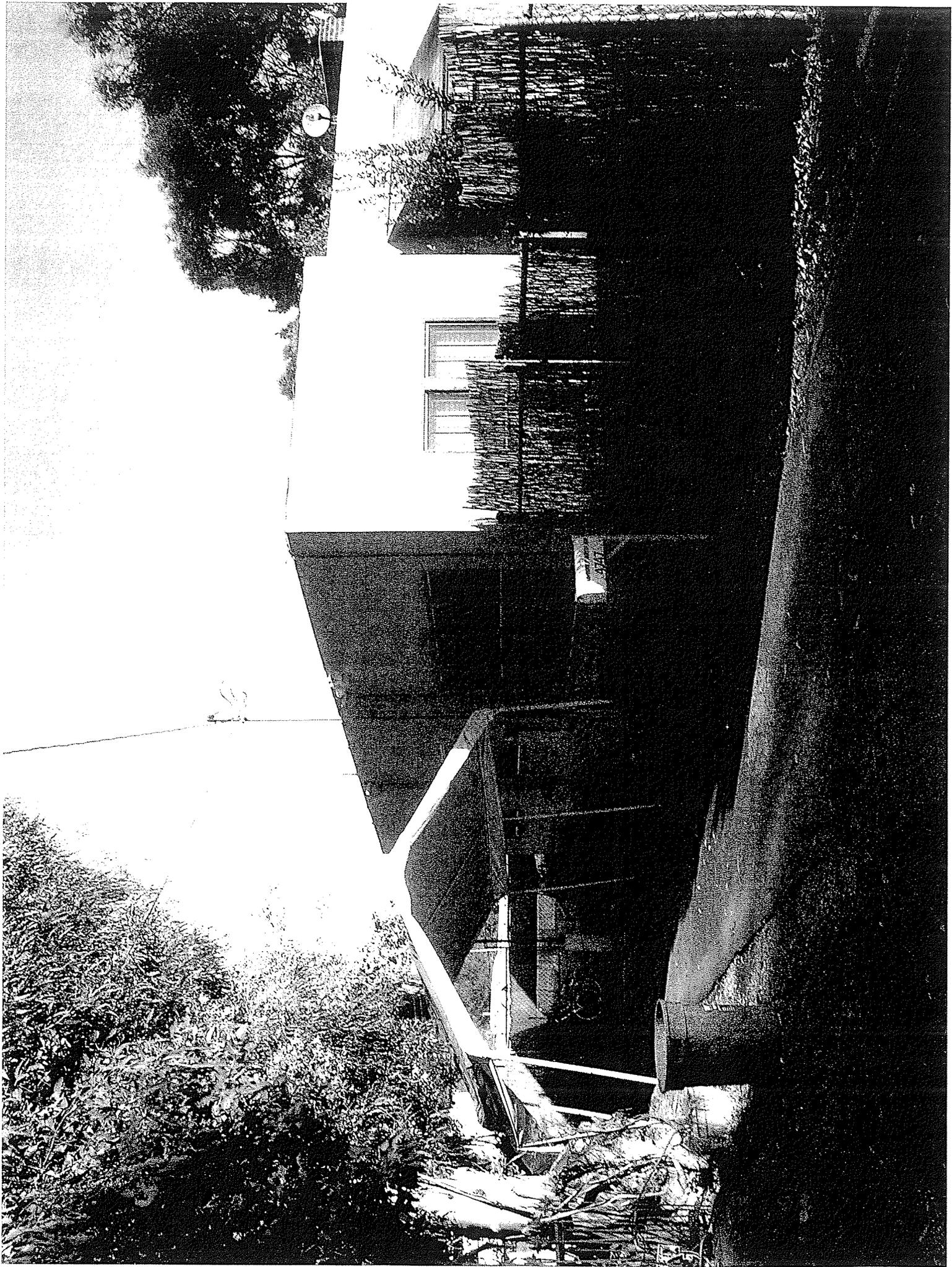
The Patapoffs have been a neighbor of Rose Hills for over 30 years. During that time we have experienced no problems with their business activities. Their picnic services company only operates on weekends during the summer months.

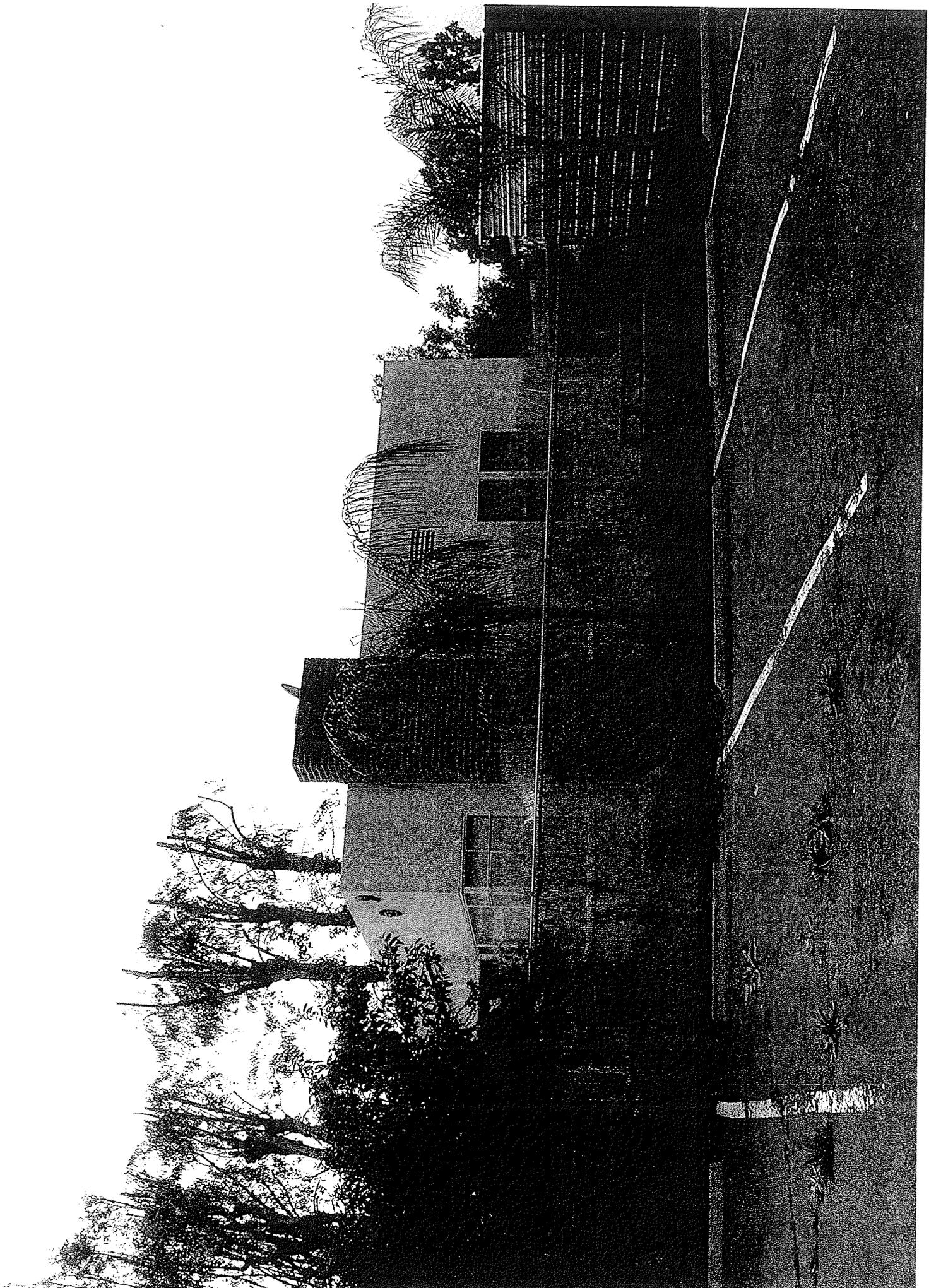
We have no objection to the renewal of the nonconforming use permit currently being requested by Ms. Patapoff.

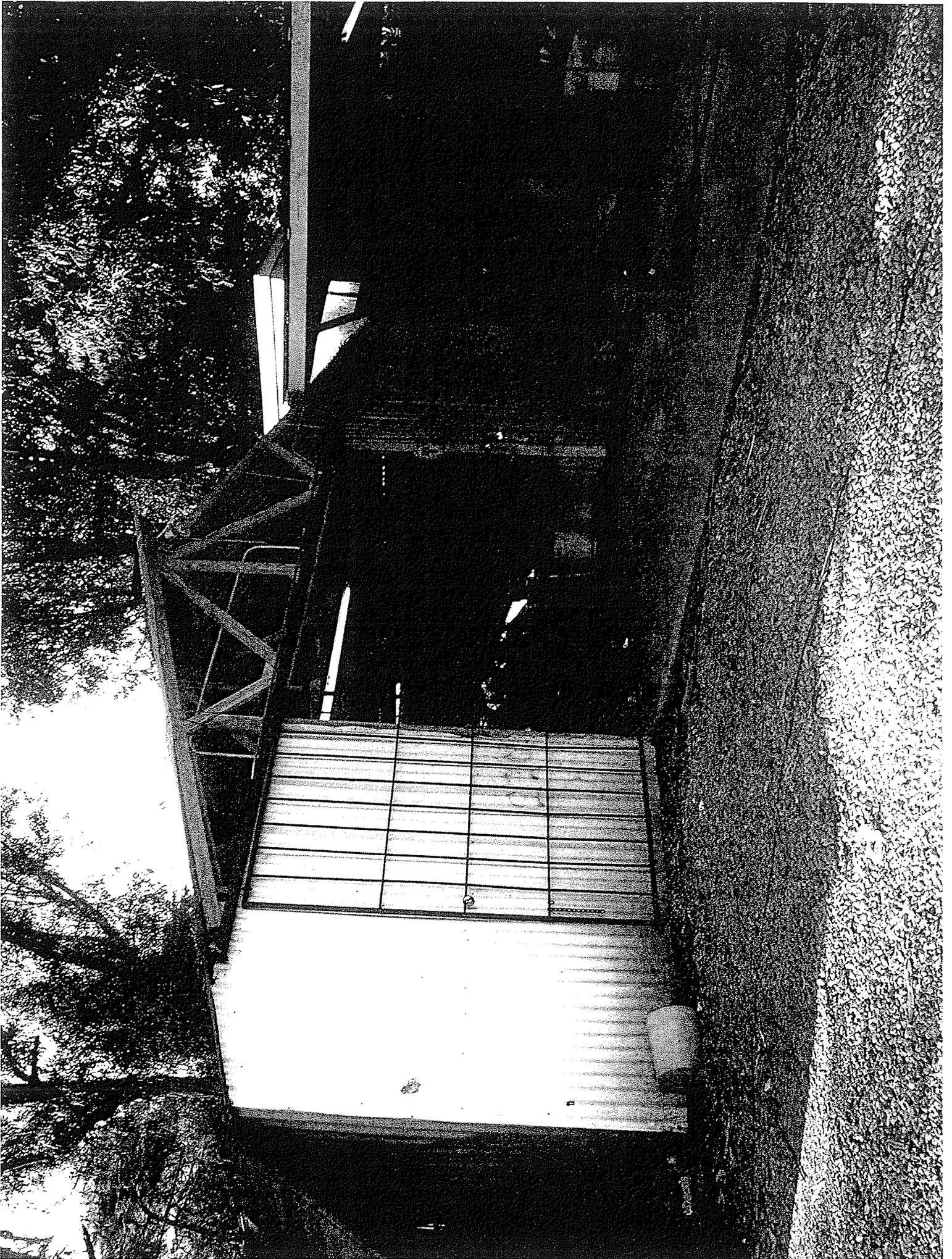
Sincerely,

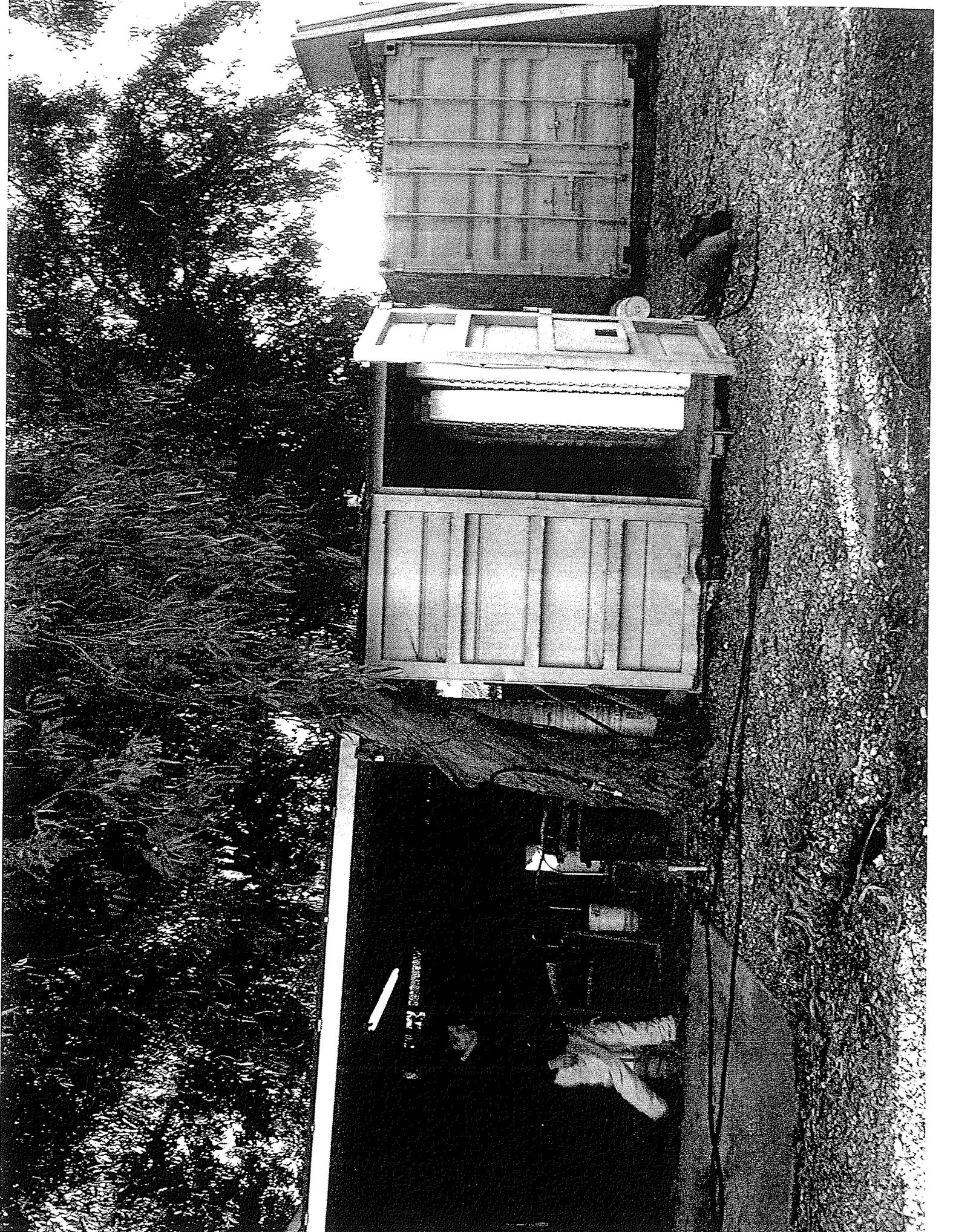
David J. Worker
Director, Cemetery Operations
Park Superintendent

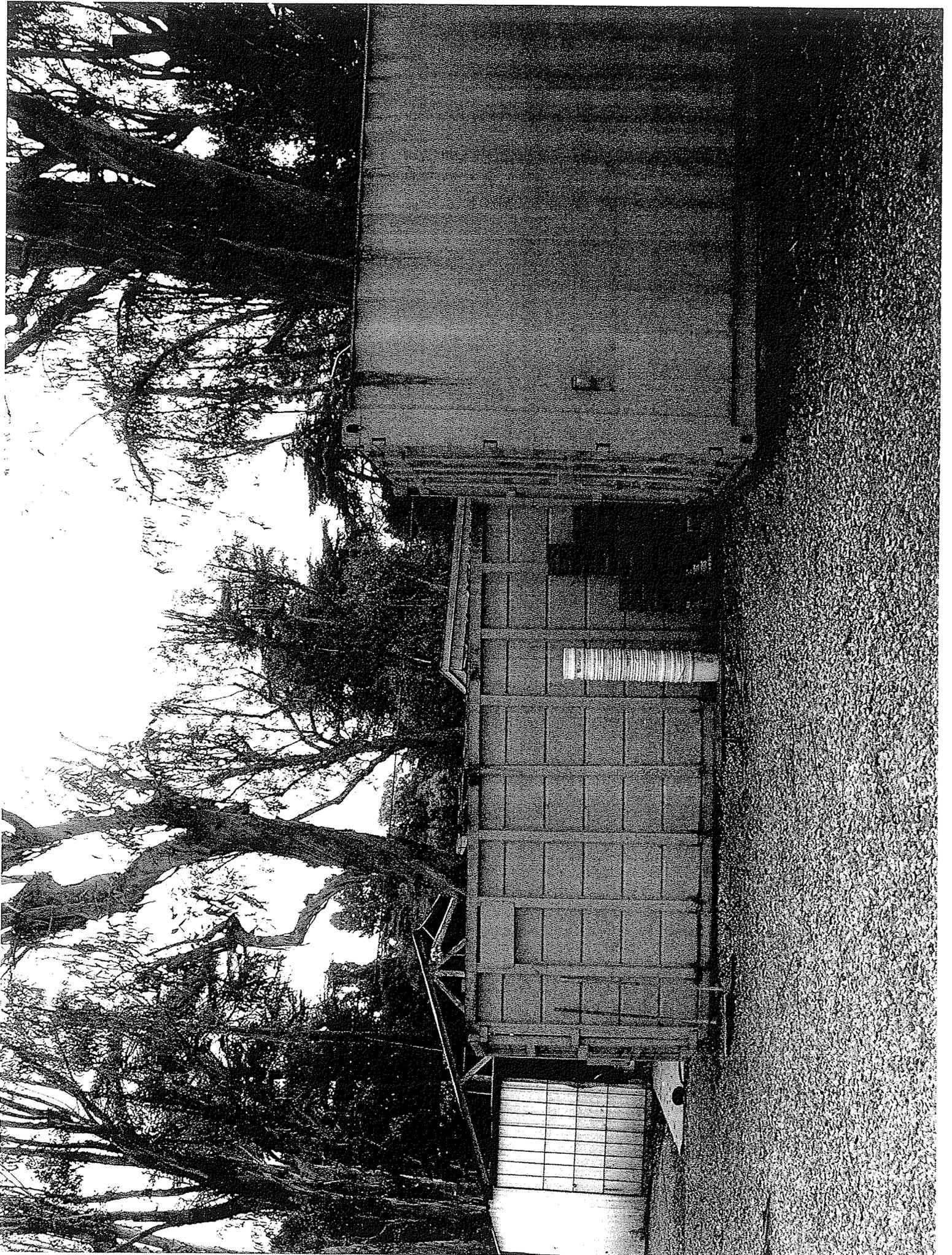
cc: Sharon Patapoff

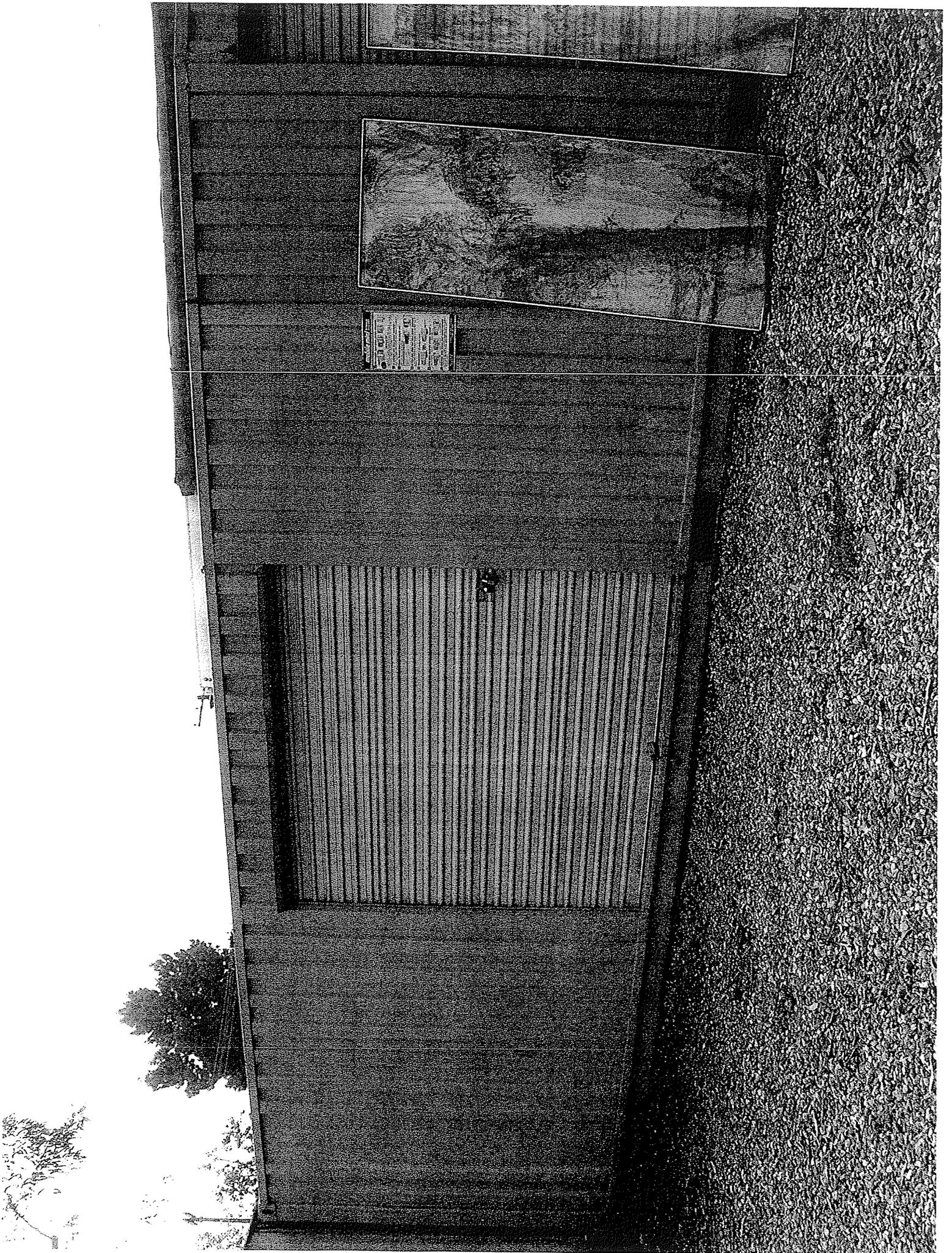


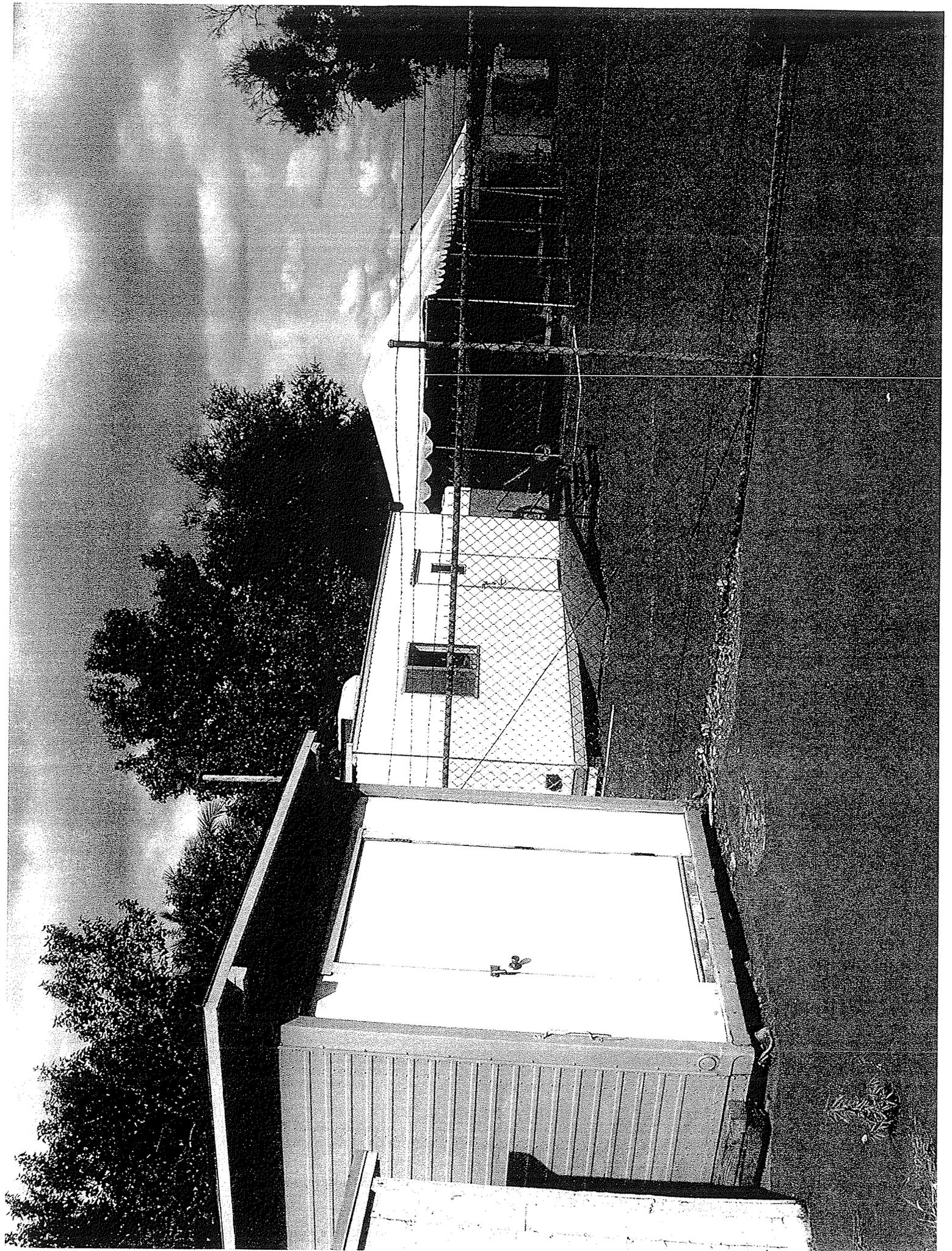


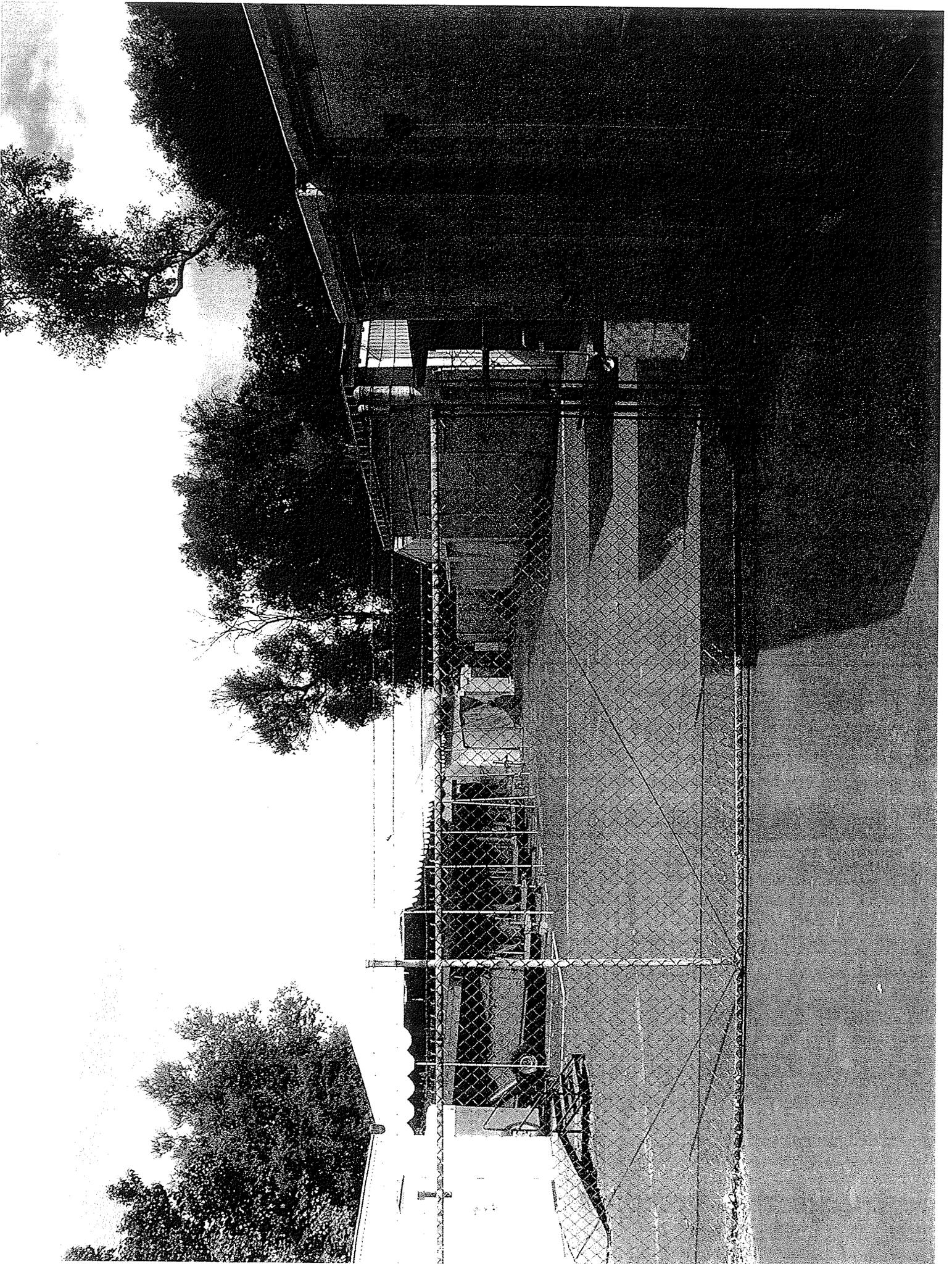


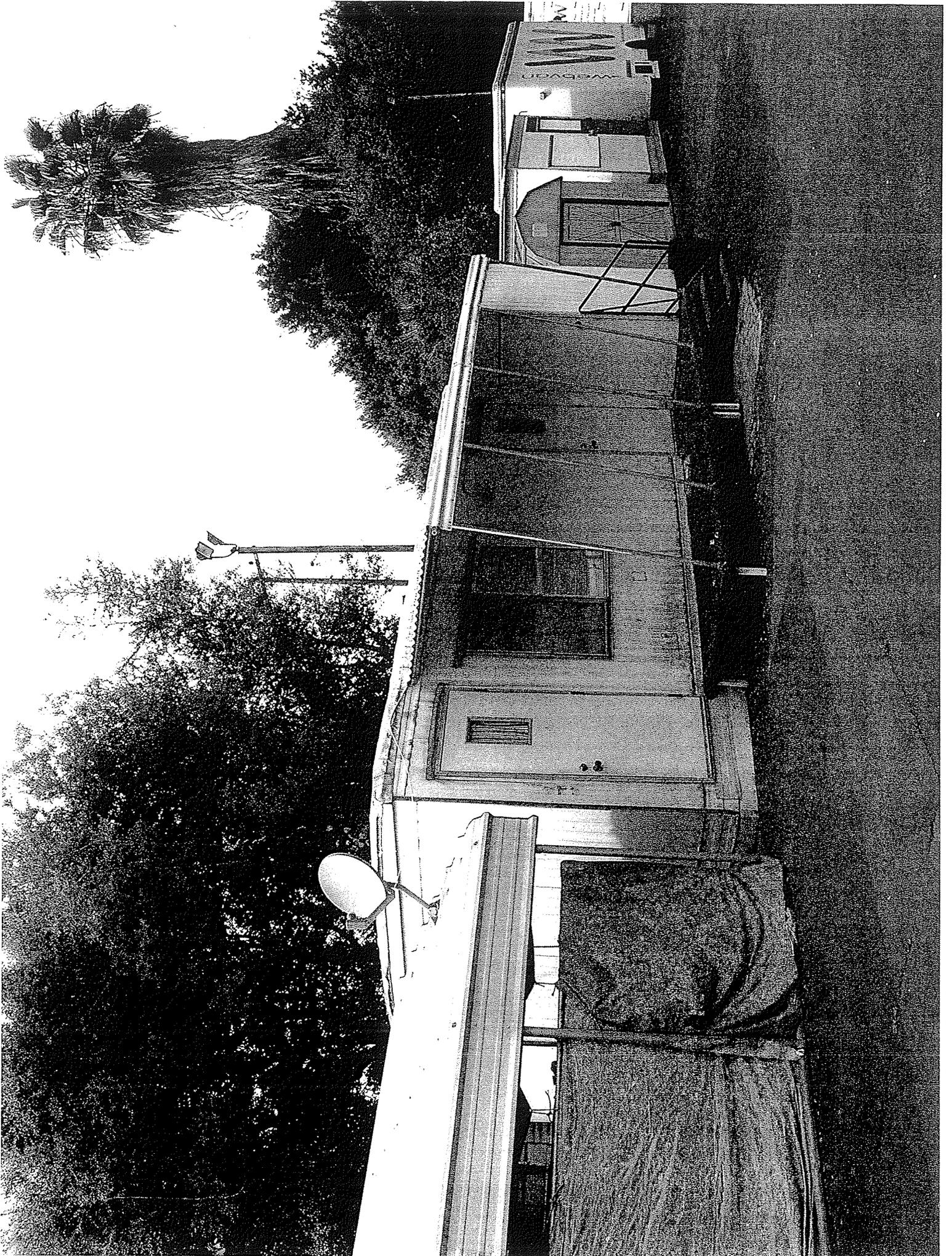


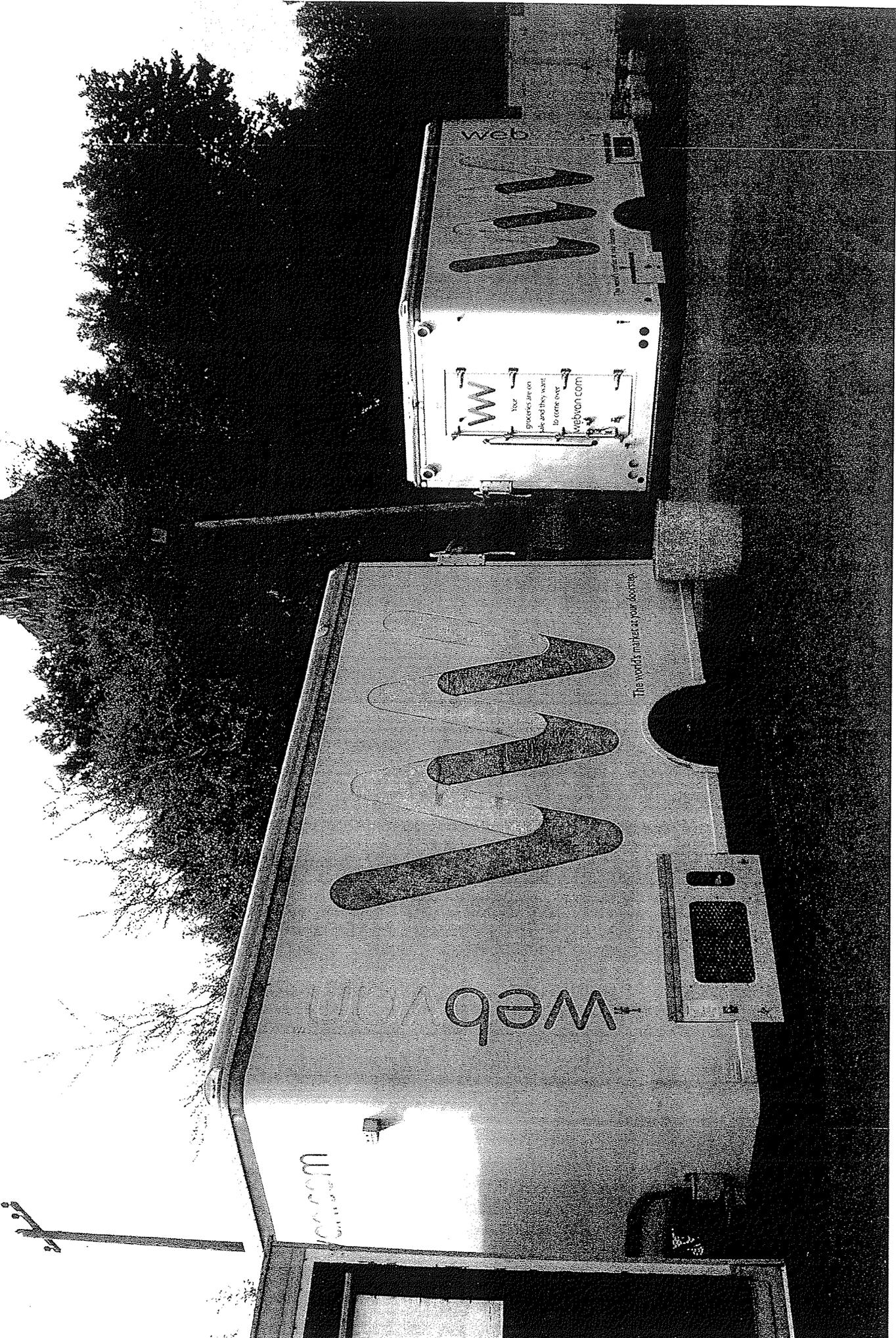












web

www

The world's market at your doorstep

web

www

Your groceries are on sale and they want to come over.

WEB.COM

