



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Jon Sanabria
Acting Director of Planning

January 28, 2010

TO: Patricia Hachiya
Hearing Officer

FROM: Mi Kim
Principal Regional Planning Assistant
Zoning Permits I Section

**SUBJECT: FEBRUARY 2, 2010 HEARING OFFICER PUBLIC HEARING
AGENDA ITEM NO. 5
PROJECT NO. R2004-00104-(5)
COMMUNITY STANDARDS DISTRICT MODIFICATION NO. 200900002**

Background

This case is continued from January 19, 2010. The applicant is seeking relief from the East Pasadena – San Gabriel CSD rear yard setback requirement from 15 feet to 5 feet. The request for the modification is related to the proposed construction of a community center for a church, which without the modification request would have been allowed with a director's review in the R-3 Zone.

At the previous hearing, you requested staff's analysis of the applicant's request for modification of the conditions of approval, occupancy load determination of the sanctuary by Building and Safety, revised plot plan if applicable, and responses from the Department of Public Works and Fire regarding the applicant's request to amend the recommended conditions of approval.

Request to Modify Draft Conditions of Approval

Prior to the previous hearing, the applicant submitted a letter requesting changes to the draft conditions of approval. Staff revised the conditions as requested on some and on others, if standard conditions, recommended no change but left it up to the hearing officer's discretion.

The applicant highlighted some of the requested changes at the public hearing and you asked for an analysis of the requests. Attached are the revised draft conditions. One copy tracks the applicant's written requests as well as requests made at the hearing. The other is a clean copy of the revised conditions. Staff revised conditions 12 and 15g per discussion at the hearing. Staff recommends retaining the standard conditions language

wherever possible, but understands that the hearing officer may revise the conditions at her discretion. Staff has no objection to the requested change to condition 13 regarding additional time to remove graffiti.

Department of Public Works

The applicant requested modification of the Public Work's condition regarding fees. The applicant has been in touch with Public Works; however, Staff has not received revised conditions from Public Works.

Fire Department

The applicant requested modification of Fire Department's conditions regarding alley width and fire hydrant. The applicant has been in touch with the Fire Department to request the modification, but Staff has not received revised conditions from the Fire Department. Staff followed up with Fire and was informed that the Fire Department will not be revising the conditions of approval dated November 30, 2009, which was previously forwarded to you. Fire also clarified that they do not object to the requested setback modification.

Occupancy Load Determination

The occupancy load as determined by Building and Safety shows the occupancy of the largest assembly area, the nave, to be 440. County Code requires one parking space per every five persons in the largest assembly area; therefore, the required number of parking spaces for the subject location is 88. The applicant will be providing 96 parking spaces including three handicap parking spaces.

Revised Plot Plan

The applicant provided a revised plot plan prior to the previous public hearing. Condition 14 states that the new development must comply with the County Code unless modified by this grant or is nonconforming. The applicant has 60 days after the hearing to submit the revised Exhibit "A."

Staff Recommendation

Staff recommends approval of the requested CSD rear yard setback modification and the plot plan for the new community center subject to the revised conditions of approval.

Tracked Copy

This grant authorizes a modification to the East Pasadena-San Gabriel Community Standards District for the construction of a community building accessory to an existing church with a side-rear yard setback of five (5) feet in lieu of the required 15 feet, as depicted on the approved Exhibit "A", and subject to all of the following conditions:

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.

St. Anthony Response:

Unless it would delay the process leading to the Public Hearing and approval of the Request for CSD Modification, we would prefer that St. Anthony be reflected in the documentation as the **applicant/permittee**.

Staff Recommendation:

Staff does not recommend any changes. This is DRP's standard condition and language.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the 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 Number 6, and until all required monies have been paid pursuant to Condition Number 8.

St. Anthony Response:

Please amend the condition per the following: 2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept **the conditions** of this grant.

Staff Recommendation:

Staff does not recommend any changes. This is DRP's standard condition and language.

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 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate reasonably 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.

St. Anthony Response:

Please amend the condition per the following: "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 approval**, which ..."

Additionally, we are conferring with our insurance carrier to confirm that this condition is currently permissible under our policy. Further revisions to this condition may be required by our carrier and thus proposed by St. Anthony.

Staff Recommendation:

Staff does not recommend any changes. This is DRP's standard condition and language.

4.4. 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.

St. Anthony Response:

Please amend the condition per the following: "4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within **ten business days** of the filing..."

Additionally, we are conferring with our insurance carrier to confirm that this provision is currently permissible under our policy. Further revisions to this condition may be required by our carrier and thus proposed by St. Anthony.

Staff Recommendation:

Staff does not recommend any changes. This is DRP's standard condition and language.

2.5. 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.

3.6. 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.

4.7. This grant shall expire unless used within 2 years from the date of final approval by the County. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.

5.8. 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 \$450. The deposit 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. The deposit provides for a total of three annual inspections, one a year.~~ Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.

9. 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.

Tracked Copy

6-10. 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.

11. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.

St. Anthony Response:
This condition is acceptable.

12. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was not approved by the Department of Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises unless otherwise authorized by a Temporary Use Permit.

St. Anthony's Request at the Hearing:
Please add "unless otherwise authorized by a Temporary Use Permit."

Staff Response:
Condition revised to add the phrase as requested by the applicant.

13. 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.

St. Anthony Response:
We propose the following minor revisions to the portion of the condition immediately above: "In the event of graffiti or other extraneous markings occurring on the St. Anthony site, the permittee shall remove or cover said markings, drawings, or signage within a **reasonable time period**. Paint utilized in covering such markings shall be of a color that matches, as closely as practical, the color of the..."

Staff Recommendation
This is DRP's standard condition; however, if the Hearing Officer would like to amend this condition to 48 hours, Staff has no objections.

St. Anthony's Request at the Hearing:

Please amend to 48 hours instead of 24 hours.

Staff Recommendation:

This is DRP's standard condition; however, if the Hearing Officer would like to amend this condition to 48 hours, Staff has no objections.

~~7.14.~~ The property shall be developed and maintained in substantial conformance with the approved Exhibit "A." All development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, or is nonconforming, by the approved Exhibit "A," or the revised Exhibit "A" approved by the Director.

- a. If changes to the site plan are required as a result of instruction given at the public hearing, a-the corrected Revised Exhibit "A" shall be submitted to the Department of Regional Planning within sixty one hundred twenty (60120) days of the date of approval of the CSD Modification Request.
- b. In the event that subsequent revised-Revised Exhibit "A" plans are submitted, the permittee shall submit four 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(s) for such revision.

St. Anthony Response:

We have not yet received a copy of the document you refer to as Exhibit "A."
Please provide us with a copy as soon as possible.

Staff Recommendation:

Exhibit "A" are the maps and plans considered at the hearing. The applicant will receive a copy of the approved maps and plans at the end of the appeal period and upon submission of the Affidavit of Acceptance.

St. Anthony's Request at the Hearing:

Please revise 60 days to 120 days.

Staff Recommendation:

Revised as requested.

~~8.15.~~ The construction, operation and maintenance of the proposed use shall be further subject to all of the following conditions:

- a. The Permittee shall maintain a combined minimum total of 88 parking spaces on either one or all of lots APN 5878012021, 5378012023 and/or

Tracked Copy

~~5378011032. A minimum of xx parking spaces shall be maintained on site at all times. An additional xx spaces shall be available on the auxiliary lot.~~

St. Anthony Response:

Please amend this condition per the following: 11. A total of 92 parking spaces shall be provided by the Church- a combination of the Locksley lot and the Church site unless approved pursuant to processes established by the County of Los Angeles.

Staff Recommendation

The occupancy load determination is pending. Parking will be determined once staff receives occupancy load certified by Building and Safety.

Staff received the occupancy load determination from Building and Safety. The largest assembly area is the nave, which has an occupancy load or 440. Applying the required parking ratio of one space for every five persons in the largest assembly area, the required parking is 88.

a.b. The permittee shall maintain the subject property in a neat and orderly fashion and free of litter all areas of the premises under which the permittee has control.

St. Anthony Response:

Please remove the first sentence "The permittee shall maintain the subject property in a neat and orderly fashion." from this condition since the interpretation of "neat and orderly fashion" is subjective. The second sentence is acceptable.

Staff Recommendation

This condition has been revised to: "The permittee shall maintain the subject property in a neat and orderly fashion, such that the premises under which the permittee has control free is of litter, trash and debris.

b.c. Outdoor storage is expressly prohibited unless otherwise authorized by the Department of Regional Planning pursuant to County Code.

St. Anthony Response:

Please amend the condition per the following: "13. Permanent outdoor storage is expressly prohibited unless approved pursuant to processes established by the County of Los Angeles.

Staff Recommendation:

Staff has no objections to the proposed language.

Tracked Copy

d. All on-site lights shall be shielded in such a way so as to minimize glare from the site. Any lighting adjacent to residences shall be hooded and directed away from neighboring residences to prevent direct illumination and glare.

St. Anthony Response:

Please amend this condition per the following: 14. Parking lot lighting shall be designed and installed per governing code requirements.

Staff Recommendation:

Staff does not recommend any changes, unless the change more clearly specifies the lighting type and standard suggested by Staff.

e.e. Concurrent events at the sanctuary and community center or on site shall not exceed the total occupancy load for the sanctuary as established by this permit, unless otherwise authorized by a Temporary Use Permit for a "Special Event."

f. "Special Event" is any activity outside normal hours of operation established by this permit ~~or~~ and any activity that exceeds occupancy load of the sanctuary as established by this permit. A Temporary Use Permit must be obtained from the Department of Regional Planning prior to any such event. Operating hours for such an event, appropriate parking arrangements, or other requirements may be established by the Temporary Use Permit especially for the "Special Event."

St. Anthony Response:

We object to this condition as currently phrased.

The County has a right to regulate occupancy limits and thus we propose the following alternative language: "Special Event" is any activity other than a church service or a reception immediately following such service, which leads to an occupancy load level exceeding 460 people on the premises or an occupancy load level on the premises in excess of the number supported by available parking. A Temporary Use Permit must be obtained from the Department of Regional Planning prior to any such event, and the operating hours for such an event may be established by the said permit. Personnel supporting each event shall not be included in the occupancy load calculation for the purposes of this condition."

Staff Recommendation:

This condition has been revised to, "Special Event" is any activity outside normal hours of operation established by this permit or any activity that exceeds occupancy load of the sanctuary as established by this permit. A Temporary Use Permit must be obtained from the Department of Regional Planning prior to any such event. Operating hours for such an event, appropriate parking

Tracked Copy

arrangements, or other requirements may be established by the Temporary Use Permit especially for the "Special Event."

g. The permittee's operating hours of the new community center shall be from 7 a.m. to 10 p.m., Sunday through Thursday except memorial services, wakes, homeowner's association activities, county polling, and meetings consisting of no more than 30 people; and 7 a.m. to 12 (midnight) Friday and Saturday, unless otherwise authorized by a Temporary Use Permit for a "Special Event," except said limitations may not include Christmas Eve, Christmas Day, Greek Orthodox Easter Sunday, and three days preceding Greek Orthodox Easter Sunday.

St. Anthony Response:

Please revise the condition as follows: The permittee's scheduled event hours of operation shall be from 7 am to 12:00 (midnight), unless otherwise authorized by a Temporary Use Permit. Time periods not subject to said limitations include Christmas Eve, Christmas Day, the Sunday of Greek Orthodox Easter, and the three days preceding Greek Orthodox Easter Sunday.

Staff Recommendation:

Staff recommends hours of operation be limited to 7 a.m. to 10 p.m. similar to other churches, unless the Hearing Officer modifies these hours pursuant to testimony given at the public hearing.

St Anthony's Request at the Hearing:

St. Anthony requests the weekday to be Sunday through Thursday with operating hours of 7 a.m. to 10 p.m. except for memorial services, wakes, homeowner's association activities, county polling, and meetings consisting of no more than 30 people; and weekend to be Friday and Saturday with operating hours of 7 a.m. to 12 midnight.

Staff Recommendation:

Condition revised as requested by the applicant.

h. Upon approval of this grant, the permittee shall contact the County Fire Department to determine the requirements that must be satisfied for fire protection purposes related to the permittee's use. All such requirements shall be satisfied to the satisfaction of and within the timeframe set by said department. In addition, the permittee shall comply with all requirements set forth in the letter dated November 30, 2009 by the County Fire Department, attached hereto, except as otherwise required by said department.

St. Anthony Response:

Tracked Copy

This condition is generally acceptable. St. Anthony has proposed modifications to the department's last correspondence and awaits confirmation of acceptance of those modifications. A follow-up mtg with the Fire Dept. prior to the Public Hearing may be necessary to address the proposed modifications.

~~d.i.~~ The subject property shall be developed and maintained in compliance with requirements of the County Department of Public Health. Water and sewer facilities and/or service shall be provided for the project to the satisfaction of said department.

St. Anthony Response:
This condition is acceptable.

j. All structures related to the permittee's use shall comply with the requirements of County Department of Public Works' ("Public Works") Division of Building and Safety. In addition, the permittee shall comply with all requirements set forth in the letter dated January 14, 2010 ~~November 25, 2009~~ by Public Works, attached hereto, except as otherwise required by said department.

St. Anthony Response:
This condition is generally acceptable. St. Anthony has proposed modifications to the department's last correspondence and awaits confirmation of acceptance of those modifications. A follow-up mtg with Public Works prior to the Public Hearing may be necessary to address the proposed modifications.

k. The permittee shall post a sign at the entrance to the church parking encouraging parishioners to park on church premises and away from neighboring residential streets.

St. Anthony Response:
Please revise this condition per the following: 25. The permittee shall post a sign at the entrance to the church parking **encouraging** parishioners to park on church premises and away from neighboring residential streets.

Staff Recommendation:
Staff has no objections to the applicant's proposed change.

l. Within **90 days** following the approval date of this grant, the permittee shall submit to the Director for review and approval a **covenant** running with the land for the benefit of the County showing that the permittee agrees to hold the following parcels as one parcel: Assessor Parcel Numbers 5378011032, 5378012023, and 5378012021. Once said **covenant** is approved, it shall be

recorded in the office of the County Registrar-Recorder/County Clerk and shall remain in effect for the life of this grant or for as long as otherwise provided for in said **covenant**.

St. Anthony Response:

Please revise this condition per the following

Within **90 business days** following the approval date of this grant, the permittee shall submit to the Director for review and approval a **lot tie agreement** running with the land for the benefit of the County showing that the permittee agrees to hold the following parcels as one parcel: Assessor Parcel Numbers 5378011032, 5378012023, and 5378012021. Once said **lot tie agreement** is approved, it shall be recorded in the office of the County Registrar-Recorder/County Clerk and shall remain in effect for the life of this grant or for as long as otherwise provided for in said **lot tie agreement**.

Staff Recommendation:

No change is recommended as the standard practice at Regional Planning is to count consecutive days.

e.m. All trash receptacles shall be placed within a masonry or concrete block enclosure of adequate height to preclude view of the receptacle. Said enclosure shall have a wooden or other type of opaque gate.

f.n. The permittee shall comply with Drought Tolerant Landscaping Ordinance requirements as follows:

- Minimum 75 percent of all landscaping must be drought-tolerant.
- Grass or turf must be maximum of 25 percent of all landscaping, 5,000 square feet, water efficient, and at least five feet in width.
- Plants with similar water needs are to be grouped together.

g.o. The permittee shall comply with Green Building Ordinance as follows:

- One 15-gallon tree per 10,000 square feet of developed area. At least 65 percent of the trees must be from the Drought Tolerant Plant List.
- Project must comply with Green Building requirements unless waived or modified by Los Angeles County Department of Public Works.
- Third party LEED Certification or equivalent is required.

p. Three copies of a landscape plan shall be submitted to and approved by the Director of Planning before issuance of a building permit. The landscaping may be incorporated into the revised Exhibit "A" described above, showing the size, number, type, and location of all plants, trees, and watering facilities to be installed at the site. The permittee shall maintain all landscaping in a neat, clean, and healthy condition, and shall properly prune, weed, remove

Tracked Copy

litter, fertilize, and replace plants when necessary. Landscape watering facilities, if any, shall consist of a permanent water-efficient irrigation system, such as "bubbler" or drip irrigation, to irrigate all landscaped areas, except for turf or other ground cover.

(Previous condition) Within **60 days** following the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of a landscape plan, which complies with Green Building Program Ordinances. The landscaping may be incorporated into the revised Exhibit "A" described above, showing the size, number, type, and location of all plants, trees, and watering facilities to be installed at the site. The permittee shall maintain all landscaping in a neat, clean, and healthy condition, and shall properly prune, weed, remove litter, fertilize, and replace plants when necessary. Landscape watering facilities, if any, shall consist of a permanent water-efficient irrigation system, such as "bubbler" or drip irrigation, to irrigate all landscaped areas, except for turf or other ground cover.

St. Anthony Response:

Please revise this condition per the following: 24. Within **120 business days** following the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of a landscape plan, which complies with Green Building Program Ordinances. The landscaping may be incorporated into the revised Exhibit "A" described above, showing the size, number, type, and location of all plants, trees, and watering facilities to be installed at the site. The permittee shall maintain landscaping per governing codes and ordinances.

Staff Recommendation:

Revised condition: "Three copies of a landscape plan shall be submitted to and approved by the Director of Planning before issuance of a building permit. The landscaping may be incorporated into the revised Exhibit "A" described above, showing the size, number, type, and location of all plants, trees, and watering facilities to be installed at the site. The permittee shall maintain all landscaping in a neat, clean, and healthy condition, and shall properly prune, weed, remove litter, fertilize, and replace plants when necessary. Landscape watering facilities, if any, shall consist of a permanent water-efficient irrigation system, such as "bubbler" or drip irrigation, to irrigate all landscaped areas, except for turf or other ground cover."

h-g. The permittee shall comply with Low Impact Development Ordinance requirements unless waived or modified by Public Works.

This grant authorizes a modification to the East Pasadena-San Gabriel Community Standards District for the construction of a community building accessory to an existing church with a rear yard setback of five (5) feet in lieu of the required 15 feet, as depicted on the approved Exhibit "A", and subject to all of the following conditions:

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 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 Number 6, and until all required monies have been paid pursuant to Condition Number 8.
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 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate reasonably 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. 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.

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. 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.
7. This grant shall expire unless used within 2 years from the date of final approval by the County. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
8. 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 **\$450**. The deposit 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. The deposit provides for a total of **three** inspections, one a year. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.

9. 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.

10. 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.
11. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
12. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was not approved by the Department of Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises unless otherwise authorized by a Temporary Use Permit.
13. 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.
14. The property shall be developed and maintained in substantial conformance with the approved Exhibit "A." The new development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, or is nonconforming.
 - a. If changes to the site plan are required as a result of instruction given at the public hearing, the corrected Exhibit "A" shall be submitted to the Department of Regional Planning within one hundred twenty(120) days of the date of approval of the CSD Modification Request.
 - b. In the event that subsequent Revised Exhibit "A" plans are submitted, the permittee shall submit four 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(s) for such revision.
15. The construction, operation and maintenance of the proposed use shall be further subject to all of the following conditions:
 - a. The Permittee shall maintain a combined minimum total of 88 parking spaces on either one or all of lots APN 5878012021, 5378012023 and/or 5378011032.

- b. The permittee shall maintain the subject property in a neat and orderly fashion and free of litter all areas of the premises under which the permittee has control.
- c. Outdoor storage is expressly prohibited unless otherwise authorized by the Department of Regional Planning pursuant to County Code.
- d. All on-site lights shall be shielded in such a way so as to minimize glare from the site. Any lighting adjacent to residences shall be hooded and directed away from neighboring residences to prevent direct illumination and glare.
- e. Concurrent events at the sanctuary and community center or on site shall not exceed the total occupancy load for the sanctuary as established by this permit, unless otherwise authorized by a Temporary Use Permit for a "Special Event."
- f. "Special Event" is an activity outside normal hours of operation established by this permit and an activity that exceeds occupancy load of the sanctuary as established by this permit. A Temporary Use Permit must be obtained from the Department of Regional Planning prior to any such event. Operating hours for such an event, appropriate parking arrangements, or other requirements may be established by the Temporary Use Permit especially for the "Special Event."
- g. The operating hours of the new community center shall be from 7 a.m. to 10 p.m., Sunday through Thursday except memorial services, wakes, homeowner's association activities, county polling, and meetings consisting of no more than 30 people; and 7 a.m. to 12 (midnight) Friday and Saturday, unless otherwise authorized by a Temporary Use Permit for a "Special Event," except said limitations may not include Christmas Eve, Christmas Day, Greek Orthodox Easter Sunday, and three days preceding Greek Orthodox Easter Sunday.
- h. Upon approval of this grant, the permittee shall contact the County Fire Department to determine the requirements that must be satisfied for fire protection purposes related to the permittee's use. All such requirements shall be satisfied to the satisfaction of and within the timeframe set by said department. In addition, the permittee shall comply with all requirements set forth in the letter dated November 30, 2009 by the County Fire Department, attached hereto, except as otherwise required by said department.
- i. The subject property shall be developed and maintained in compliance with requirements of the County Department of Public Health. Water and sewer

- facilities and/or service shall be provided for the project to the satisfaction of said department.
- j. All structures related to the permittee's use shall comply with the requirements of County Department of Public Works' ("Public Works") Division of Building and Safety. In addition, the permittee shall comply with all requirements set forth in the letter dated January 14, 2010 by Public Works, attached hereto, except as otherwise required by said department.
- k. The permittee shall post a sign at the entrance to the church parking encouraging parishioners to park on church premises and away from neighboring residential streets.
- l. Within 90 days following the approval date of this grant, the permittee shall submit to the Director for review and approval a covenant running with the land for the benefit of the County showing that the permittee agrees to hold the following parcels as one parcel: Assessor Parcel Numbers 5378011032, 5378012023, and 5378012021. Once said covenant is approved, it shall be recorded in the office of the County Registrar-Recorder/County Clerk and shall remain in effect for the life of this grant or for as long as otherwise provided for in said covenant.
- m. All trash receptacles shall be placed within a masonry or concrete block enclosure of adequate height to preclude view of the receptacle. Said enclosure shall have a wooden or other type of opaque gate.
- n. The permittee shall comply with Drought Tolerant Landscaping Ordinance requirements as follows:
- Minimum 75 percent of all landscaping must be drought-tolerant.
 - Grass or turf must be maximum of 25 percent of all landscaping, 5,000 square feet, water efficient, and at least five feet in width.
 - Plants with similar water needs are to be grouped together.
- o. The permittee shall comply with Green Building Ordinance as follows:
- One 15-gallon tree per 10,000 square feet of developed area. At least 65 percent of the trees must be from the Drought Tolerant Plant List.
 - Project must comply with Green Building requirements unless waived or modified by Los Angeles County Department of Public Works.
 - Third party LEED Certification or equivalent is required.
- p. Three copies of a landscape plan shall be submitted to and approved by the Director of Planning before issuance of a building permit. The landscaping

may be incorporated into the revised Exhibit "A" described above, showing the size, number, type, and location of all plants, trees, and watering facilities to be installed at the site. The permittee shall maintain all landscaping in a neat, clean, and healthy condition, and shall properly prune, weed, remove litter, fertilize, and replace plants when necessary. Landscape watering facilities, if any, shall consist of a permanent water-efficient irrigation system, such as "bubbler" or drip irrigation, to irrigate all landscaped areas, except for turf or other ground cover.

- q. The permittee shall comply with Low Impact Development Ordinance requirements unless waived or modified by Public Works.

DRAFT