

FINDINGS AND ORDER OF THE HEARING OFFICER COUNTY OF LOS ANGELES

PROJECT NUMBER R2006-03460-(1)
Conditional Use Permit RCUP200600277
13426 Beaty Ave. Whittier Ca 90604

HEARING DATE: October 6, 2009

SYNOPSIS:

A conditional use permit is required to authorize the continued operation of a church and parsonage with 41 on-site parking spaces for church and two covered parking spaces for the residence. The church was first established in the 1950's prior to the County of Los Angeles requiring a conditional use permit for churches in A-1 zone (1982).

PROCEEDINGS BEFORE THE HEARING OFFICER:

Findings

1. The subject property is located 13426 Beaty Ave. Whittier in the unincorporated community of South Whittier-Sunshine Acres within the Sunshine Acres Zoned District.
2. The applicant is requesting a conditional use permit to authorize the continued operation of a church within an A-1 zone.
3. The subject property is designated Policy, 1-Low Density Residential (2 to 6 du/ac) within the General Plan Countywide Land Use.
4. The surrounding properties are zoned as follows:
North: R-1 (Single-family residences)
South and East: R-3-20U (Limited Multiple Residence Zone)
West: C-3B-E (Unlimited Commercial Zone) and R-3-24U DP (Limited Multiple Residence Zone)
5. Surrounding land uses within 500 include:
North: Single Family Residence
South: continuation of the eastern 35-Unit condominium complex
East: 35-Unit condominium complex
West Multi-Family residence and Food Market
6. 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.

7. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to 20 years.
8. 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.
9. The subject property is a square shaped parcel totaling 30,005 square feet (0.69 acres).
10. The Department of Regional Planning has determined that the project qualifies for a Categorical Exemption, Class 1 – Existing Facilities, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.
11. 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 hours of church operation to 6 a.m. to 10 p.m. daily. Outdoor activities associated with the church will be limited to 7 a.m. to 10 p.m. and amplified systems hours from 8 a.m. to 10 p.m. for special events. The use of chimes, outdoor public address systems, or similar acoustical devices is prohibited except on weekends and special occasions. Any acoustical devices used shall not exceed the limitations established in the County Noise Ordinance (Los Angeles County Code, Title 12, chapter 12.08).

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

1. That the proposed use is consistent with the adopted general plan for the area; and
2. That the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
3. That the requested continued use of this location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or

otherwise constitute a menace to the public health, safety or general welfare; and

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

HEARING OFFICER ACTION:

1. I the Hearing Officer have considered the California Environmental Quality Act (CEQA) Categorical Exemption, Class 1 – Existing Facilities for this project and certify 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 presented above, Conditional Use Permit CUP200600277 Project Number R2006-03460 (1) is APPROVED, subject to the attached conditions.

c: Hearing Officer, Each Commissioner, Zoning Enforcement, Building and Safety