

# Hearing Officer Transmittal Checklist

**Hearing Date**

9/21/2009

**Agenda Item Number**

2

**Project Number:** R2007-03111-(2)  
**Case(s):** Conditional Use Permit No. 200700210  
**Contact Person:** Tyler Montgomery, Zoning Permits II

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 checked="" type="checkbox"/>	DPW Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	FD Letter
<input checked="" 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 checked="" type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Opponent And Proponent Letters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aerial (Ortho/Oblique) Image(s)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other

Reviewed By: \_\_\_\_\_





Los Angeles County Department of Regional Planning  
 320 West Temple Street, Los Angeles, California 90012  
 Telephone (213) 974-6443

**PROJECT NO. R2007-03111-(2)**  
**CONDITIONAL USE PERMIT NO. 200700210**

HO MEETING DATE August 17, 2010	CONTINUED TO September 7, 2010, September 21, 2010
AGENDA ITEM 2	
PUBLIC HEARING DATE September 21, 2010	

<b>APPLICANT</b> Judith H. Zarate	<b>OWNERS</b> Sergio & Judith Zarate	<b>REPRESENTATIVE</b> Judith H. Zarate
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**REQUEST**  
*Conditional Use Permit.* To authorize the continued operation of a pallet assembly and storage yard within 250 feet of a residential zone on a property located the M-1 (Light Manufacturing) zone.

<b>LOCATION/ADDRESS</b> 9501 Laurel Street <b>ACCESS</b> Laurel Street, between 95 <sup>th</sup> Street and 96 <sup>th</sup> Street	<b>ZONED DISTRICT</b> Stark Palms <b>COMMUNITY</b> Florence-Firestone <b>EXISTING ZONING</b> M-1 (Light Manufacturing)
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<b>SIZE</b> 13,500 square feet (0.3 acres)	<b>EXISTING LAND USE</b> Pallet assembly and storage yard	<b>SHAPE</b> Rectangular	<b>TOPOGRAPHY</b> Level
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<b>SURROUNDING LAND USES &amp; ZONING</b>	
North: Pallet assembly and storage—M-1 (Light Manufacturing)	East: Auto body shop, auto dismantling, pallet assembly and storage—M-2 (Heavy Manufacturing)
South: Recycling center, light industry—M-1 (Light Manufacturing)	West: Apartment buildings—R-3 (Limited Multiple Residence)

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Countywide Land Use Element	I (Manufacturing)	N/A	See Staff Analysis

**ENVIRONMENTAL STATUS**  
 CEQA Categorical Exemption—Class 1 (Existing Facilities)

**SITE PLAN DESCRIPTION**  
 The applicant seeks authorization to continue the operation and maintenance of a pallet assembly and storage yard located within 250 feet of a residential zone. The site plan depicts the 13,500-square-foot property, most of which would be used for open storage of wooden pallets. The project would add two (2) 1,000-square-foot canopies to the northwest and southeast corners of the property, respectively, and a 300-square-foot modular office to the property's northeast corner. Three (3) parking spaces (one handicapped), a loading area, and 1,350 square feet of landscaping would be added to the site. The property would be accessed by a 26-foot-wide driveway to the east and surrounded by an eight-foot-high metal fence on all sides. The property is bounded on the east by Laurel Street, on the north by 95<sup>th</sup> Street, and on the west by a 15-foot-wide public alley, on the other side of which are located apartment buildings in a residential (R-3) zone.

**TO BE COMPLETED ONLY IN CASES TO BE HEARD BY THE BOARD OF SUPERVISORS**

<b>STAFF CONTACT PERSON</b>		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
<b>STAFF RECOMMENDATION (PRIOR TO HEARING)</b>		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

\*(O) = Opponents (F) = In Favor



**VICINITY MAP**

**SITE : 9505 LAUREL STREET**

**GC MAPPING SERVICE**  
 711 MISSION STREET ,SUITE D  
 SOUTH PASADENA CA 91030  
 (626) 441-1080, FAX (626) 441-8850  
[GCMAPPING@RADIUSMAPS.COM](mailto:GCMAPPING@RADIUSMAPS.COM)

## STAFF ANALYSIS

### PROJECT NUMBER:

R2007-03111-(2)

### CONDITIONAL USE PERMIT NO.:

200700210

### OVERVIEW OF THE PROPOSED PROJECT

The applicant is requesting a conditional use permit (CUP) to authorize the continued operation of a pallet assembly and storage yard in an M-1 (Light Manufacturing) zone located within 250 feet of a residential zone and within the Florence-Firestone Community Standards District (CSD).

### DESCRIPTION OF SUBJECT PROPERTY

#### Location

The site is located at 9501 Laurel Street, within the community of Florence-Firestone and in the Stark Palms Zoned District of unincorporated Los Angeles County. The site is also within the Florence-Firestone Community Standards District (CSD).

#### Physical Features

The subject property is a level, rectangular parcel of approximately 13,500 square feet in area (0.3 acres). The site is paved and developed with a pallet assembly and storage yard, including two (2) metal canopies, and surrounded by a metal fence eight (8) feet in height. There is currently no dedicated on-site parking. The property is accessed from Laurel Street to the east, between 95<sup>th</sup> Street and 96<sup>th</sup> Street. A 25-foot-wide public alley lies immediately to the west, across which are apartments in an R-3 (Limited Multiple Residence) zone. The area is heavily urbanized, and the site is surrounded by developed land in all directions.

### ENTITLEMENT

The applicant is requesting a conditional use permit (CUP) to authorize the continued operation and maintenance of a pallet assembly and storage yard in an M-1 (Light Manufacturing) zone located within 250 feet of a residential zone. The Florence-Firestone CSD requires that, within the M-1 zone, "(a)ll principal business uses, except parking, conducted outside an enclosed structure within 250 feet of a residential zone or sensitive use ... shall require a conditional use permit" (County Code Sec. 22.44.138.D.7.b). Therefore, a CUP is required in order to continue the use.

### EXISTING ZONING

#### Subject Property

The project site is zoned M-1 (Light Manufacturing).

#### Surrounding Zones

Surrounding properties are zoned as follows:

North: M-1 (Light Manufacturing)

South: M-1 (Light Manufacturing)

East: M-2 (Heavy Manufacturing)  
West: R-3 (Limited Multiple Residence)

## **EXISTING LAND USES**

### **Subject Property**

The subject property currently contains a pallet assembly and storage yard.

### **Surrounding Land Use**

Surrounding land uses consist of:

North: Pallet assembly and storage

South: Recycling center, Light industry

East: Auto body shop, Auto dismantling, Pallet assembly and storage

West: Apartment buildings

## **PREVIOUS CASES/ZONING HISTORY**

Plot Plan No. 40680 approved the operation of a pallet assembly and storage yard at the site on December 20, 1990. The Florence-Firestone CSD—which requires all outdoor businesses in the M-1 zone to acquire a CUP if located within 250 feet of a residential zone—was adopted in 2004. After a three-year amortization period, the use became nonconforming in 2007, as per Sec. 22.56.1540 of the County Code. The applicant was notified by Zoning Enforcement in July of 2007 that a CUP was required to continue the use, and a CUP application was submitted on December 4, 2007.

## **GENERAL PLAN**

### **Land Use Policy Map**

The subject property is located within the “I” (Manufacturing) classification of the Countywide General Plan Land Use Element. The intent of this land use classification is to provide primarily for industrial uses. The current and proposed use of the site—a pallet assembly and storage yard—is consistent with this land use classification.

## **SITE PLAN**

The site plan depicts the 13,500-square-foot property, most of which would be used for open storage of wooden pallets. The project would add two (2) 1,000-square-foot metal canopies to the northwest and southeast corners of the property, respectively, and a 300-square-foot modular office and portable toilet to the property’s northeast corner. All proposed structures would be a minimum of three (3) feet from property lines, and a three-foot-wide landscaped buffer would be provided between the public right-of-way and the fence line on the north and east sides, with the exception of the driveway access. A three-foot-wide landscaped buffer would be provided inside the fence line on the south and west sides of the site, with the fences located on the property line. Three (3) parking spaces (one of which is reserved for the handicapped), a loading zone, and 913 square feet of landscaping would be provided on the site in total. The property would be accessed by a 26-foot-wide driveway to the east and surrounded by an eight-foot-high metal fence on all sides. The property is bounded on the east by Laurel Street, on the north by 95<sup>th</sup> Street, and on the west by a 15-foot-wide public alley, on the other side of which are located apartment buildings in a residential (R-3) zone.

The current site plans do not depict elevations for the proposed perimeter fence and metal canopies. A condition of approval shall be added that these be submitted by the applicant within 30 days of any approval action taken by the Hearing Officer. A wall sign for the business currently faces Laurel Street near the existing driveway access, although the applicants have indicated that they do not wish to retain or install any signs at the site. Any future sign installation must be approved through the Revised Exhibit "A" process. Such a sign must meet all requirements for wall business signs in the County sign ordinance (County Code Sec. 22.52.880) and the Florence-Firestone CSD (Sec. 22.44.138).

### **COMPLIANCE WITH APPLICABLE ZONING STANDARDS**

The property on which the existing facility is located is zoned M-1(Light Manufacturing). Pallet assembly and storage is a type of light industry normally permitted in this zone by right. Any outdoor storage of materials is required to be enclosed by a solid fence, and an eight-foot-high solid metal fence is proposed for the perimeter of the site. There are no required setbacks for the M-1 zone.

Section 22.52.1140 of the County Code delineates parking requirements for industrial uses and states that "there shall be provided a parking space for all vehicles used directly in the conducting of such use and, in addition, not less than one automobile parking space for each two persons employed or intended to be employed on the shift having the largest number of employees." The applicant has indicated that not more than two employees would be on site at any one time. Therefore, only one parking space would be required. The project proposes three (3) parking spaces, one of which would be reserved for the handicapped.

Any industrial use with less than 18,000 square feet of gross floor area is required to maintain one "Type B" loading zone with dimensions of 12 feet by 30 feet (County Code Sec. 22.52.1084). Such a zone is indicated immediately to the west of the parking area on the northwestern portion of the project site.

Approximately 1,350 square feet of the 13,500 square-foot property (10 percent) is proposed to be landscaped. Outdoor storage uses are required to provide a minimum of one square foot of landscaping outside their screening walls for each foot of street frontage, and no planting area may have a width of less than three (3) feet (County Code Sec. 22.52.630). The applicant proposes to install a three-foot-wide landscaped buffer between the fence and the public right-of-way on the northern and eastern property lines, with the exception of the frontage used for the 26-foot-wide driveway. Therefore, the project would comply with this requirement.

Section 22.52.640 of the County Code states that no outdoor materials shall be stored above the height of the screening fence or wall within 10 feet of said fence or wall. Staff recommends that this be called out on any approved site plan and specifically added as a condition of approval for the CUP. The current facility appears to be in compliance with this regulation.

All other zone-specific development standards are met.

**COMPLIANCE WITH FLORENCE-FIRESTONE CSD STANDARDS**

The Florence-Firestone CSD (County Code Section 22.44.138) requires that "all structures, walls, and fences that are publicly visible shall remain free of graffiti. Any property owner, lessee, or other person responsible for the maintenance of a property shall remove graffiti within 72 hours of receiving written notice from a zoning enforcement officer that graffiti exists on the property." Staff will add a condition of approval requiring that all graffiti be removed within 24 hours of its detection by the applicants or their employees or agents, weather permitting.

The CSD mandates that no outdoor storage be visible to anyone from an adjoining residential zone. This shall be added as a condition of approval to the project.

The Florence-Firestone CSD also requires that, within the M-1 zone, "(a)ll principal business uses, except parking, conducted outside an enclosed structure within 250 feet of a residential zone or sensitive use ... shall require a conditional use permit" (County Code Sec. 22.44.138.D.7.b). Apartment buildings within an R-3 (Limited Multiple Residence) zone are located 20 feet to the west, across a public alley. Because of this, the applicants have applied for a CUP to continue operation of the pallet storage and assembly business.

Also per the requirements of the CSD, 10 percent of the total lot area must be landscaped: As stated above, approximately 1,350 square feet of the 13,500-square-foot property (10 percent) would incorporate landscaping.

All other standards of the CSD would be met by the facility.

**BURDEN OF PROOF**

As required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Hearing Officer the following facts:

- 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.
  
- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fence, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

- 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.

The applicant's Burden of Proof responses are attached to this document.

### **ENVIRONMENTAL DOCUMENTATION**

The Department of Regional Planning has determined that the project qualifies for a Class 1 Categorical Exemption (Existing Facilities) under the California Environmental Quality Act (CEQA) reporting requirements.

### **LEGAL NOTIFICATION/COMMUNITY OUTREACH**

A total of 83 public hearing notices were mailed out to property owners located within the 500-foot radius of the subject property and other interested parties on July 6, 2010 regarding the subject proposal. The notice was published in the *Los Angeles Sentinel* and in *La Opinion* on July 15, 2010. Case-related materials were sent to the Graham Library and posted on the Regional Planning web page.

A duly noticed public hearing was held on August 17, 2010. Because the hearing notice had only been posted at the project site since July 21—less than the required 30 days—the Hearing Officer, Mr. Mitch Glaser, continued the hearing to September 7, 2010. As of the September 7, 2010 hearing date, the public hearing notice will have been posted at the project site for 49 days. A continued public hearing was held on September 7, 2010. Because the applicant had submitted revised plans shortly before the continued hearing date, the hearing was again continued to allow staff and the Hearing Officer to adequately analyze the project.

### **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

Staff consulted with the Los Angeles County Fire, Public Works, and Public Health departments regarding the project proposal. The case was cleared for public hearing by Public Health on October 17, 2008 and by Fire on April 29, 2009 (letters enclosed). Public Works did not respond to the consultation request.

### **PUBLIC COMMENTS**

At the time of this report, staff has not received any public comments regarding the project.

### **STAFF EVALUATION**

The existing pallet assembly and storage yard has operated at the site since 1990. During this time, the site has incurred two (2) zoning violations. The first was a citation in 2006 for stacking pallets above the fence height within ten feet of the fence (RFS 06-0016347). The second was a notice in 2007 that they were required to file for a CUP to continue the use three years after the adoption of the Florence-Firestone CSD (RFS 07-0015236).

As part of the conditional use permit process, the applicant would be required to make improvements to the property, including the addition of off-street parking spaces, a dedicated loading zone, and landscaping. The site currently contains none of these features. The facility would also be required to cover or remove any graffiti on its exterior walls within 24 hours, which is less than the 72 hours currently allowed by the Florence-Firestone CSD.

The facility is located in a primarily industrial area with many other pallet assembly, auto dismantling, and recycling businesses to the north, south, and east. Apartment buildings are located across a public alley to the west. However, the impact of the facility on nearby residences would be lessened by the project's design and proposed conditions of approval. Stacked pallets and equipment would not be visible from adjacent residential properties, as per the requirements of the Florence-Firestone CSD. Vehicles would enter and exit the site from Laurel Street, at a location as far removed from residences as the property will allow. The facility does not propose to have external illumination, and, should any be added in the future, staff's recommended conditions of approval would require it to be shielded and directed away from residential areas and would also prohibit the business from operating after 10:00 pm. These standards would be enforced by biennial inspections of Zoning Enforcement staff, which is likely to result in a better maintained facility than many other industrial uses in the area, which do not require CUPs. In addition, no opposition was received from property owners in the vicinity.

The project would be adequately served by roads, highways, and other utilities in the area, as Fire has cleared the project for public hearing, and Public Works did not submit objections to the proposed design. The site also meets or exceeds all on-site parking, loading, fencing, and landscaping area requirements.

Due to the aforementioned factors, staff believes that the applicant has met the burden of proof for a conditional use permit.

#### **FEES/DEPOSITS**

If approved, the following fees will apply unless modified by the Hearing Officer:

##### Zoning Enforcement

1. Inspection fees of \$1,400.00 to cover the costs of 7 recommended biennial zoning enforcement inspections.

#### **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 **APPROVAL** Conditional Use Permit No. 200700210, subject to the attached conditions.

Prepared by Tyler Montgomery, Regional Planning Assistant II  
Reviewed by Maria Masis, AICP, Supervising Regional Planner,  
Zoning Permits Section II

Attachments:

Draft Findings  
Draft Conditions of Approval  
Applicant's Burden of Proof statement  
Public Health clearance letter  
Fire clearance letter  
Site photographs

MM:TM  
09/07/10

**HEARING OFFICER'S FINDINGS AND ORDER:**

**REQUEST:** Pursuant to the provisions of Section 22.56, Part 1 of the Los Angeles County Code, a conditional use permit to authorize the continued operation and maintenance of a pallet assembly and storage yard in an M-1 (Light Manufacturing) zone within 250 feet of a residential zone, located in the Stark Palms Zoned District and within the Florence-Firestone Community Standards District (CSD) of Los Angeles County.

**PROCEEDINGS BEFORE THE HEARING OFFICER:**Findings

1. The site is located at 9501 Laurel Street, within the community of Florence-Firestone and in the Stark Palms Zoned District of unincorporated Los Angeles County. The site is also within the Florence-Firestone Community Standards District (CSD).
2. The project site is zoned M-1 (Light Manufacturing) and is used for pallet assembly and storage.
3. The subject property is a level, rectangular parcel of approximately 13,500 square feet in area (0.3 acres). The site is paved and developed with a pallet assembly and storage yard, including two (2) metal canopies, and surrounded by a metal fence eight (8) feet in height. There is currently no dedicated on-site parking. The property is accessed from Laurel Street to the east, between 95<sup>th</sup> Street and 96<sup>th</sup> Street. A 25-foot-wide public alley lies immediately to the west, across which are apartments in an R-3 (Limited Multiple Residence) zone. The area is heavily urbanized, and the site is surrounded by developed land in all directions.
4. Surrounding properties are zoned as follows:
  - North: M-1 (Light Manufacturing)
  - South: M-1 (Light Manufacturing)
  - East: M-2 (Heavy Manufacturing)
  - West: R-3 (Limited Multiple Residence)
5. The surrounding land uses consists of the following:
  - North: Pallet assembly and storage
  - South: Recycling center, light industry
  - East: Auto body shop, auto dismantling, pallet assembly and storage
  - West: Apartment buildings
6. Plot Plan No. 40680 approved the operation of a pallet assembly and storage yard at the site on December 20, 1990. The Florence-Firestone CSD—which requires all outdoor businesses in the M-1 zone to acquire a CUP if located within 250 feet of a residential zone—was adopted in 2004. The applicant was notified by Zoning

Enforcement in July of 2007 that a CUP was required to continue the use, and a CUP application was submitted on December 4, 2007.

7. The Department of Regional Planning has determined that the project qualifies for a Class 1 Categorical Exemption (Existing Facilities) under the California Environmental Quality Act (CEQA) reporting requirements.
8. A total of 83 public hearing notices were mailed out to property owners located within the 500-foot radius of the subject property and other interested parties on July 6, 2010 regarding the subject proposal. The notice was published in the *Los Angeles Sentinel* and in *La Opinion* on July 15, 2010. Case-related materials were sent to the Graham Library and posted on the Regional Planning web page. The notice was also posted at the project site for a minimum of 30 days
9. Staff consulted with the Los Angeles County Fire, Public Works, and Public Health departments regarding the project proposal. The case was cleared for public hearing by Public Health on October 17, 2008 and by Fire on April 29, 2009 (letters enclosed). Public Works did not respond to the consultation request.
10. Staff has not received any comments from the public regarding this project proposal.
11. The applicant is requesting a conditional use permit (CUP) to authorize the continued operation and maintenance a pallet assembly and storage yard in an M-1 (Light Manufacturing) zone located within 250 feet of a residential zone. The Florence-Firestone CSD requires that, within the M-1 zone, "(a)ll principal business uses, except parking, conducted outside an enclosed structure within 250 feet of a residential zone or sensitive use ... shall require a conditional use permit" (County Code Sec. 22.44.138.D.7.b). Therefore, a CUP is required in order to continue the use.
12. The subject property is located within the "I" (Manufacturing) classification of the Countywide General Plan Land Use Element. The intent of this land use classification is to provide primarily for industrial uses. The current and proposed use of the site—a pallet assembly and storage yard—is consistent with this land use classification.
13. The site plan depicts the 13,500-square-foot property, most of which would be used for open storage of wooden pallets. The project would add two (2) 1,000-square-foot metal canopies to the northwest and southeast corners of the property, respectively, and a 300-square-foot modular office and portable toilet to the property's northeast corner. All proposed structures would be a minimum of three (3) feet from property lines, and a three-foot-wide landscaped buffer would be provided between the facility and the fence line on all sides, with the exception of the driveway access. Three (3) parking spaces (one of which is reserved for the handicapped), a loading zone, and 1,350 square feet of landscaping would be

provided on the site in total. The property would be accessed by a 26-foot-wide driveway to the east and surrounded by an eight-foot-high metal fence on all sides. The property is bounded on the east by Laurel Street, on the north by 95<sup>th</sup> Street, and on the west by a 15-foot-wide public alley, on the other side of which are located apartment buildings in a residential (R-3) zone.

14. The applicant has indicated that not more than two employees would be on site at any one time. Therefore, only one parking space would be required. The project proposes three (3) parking spaces, one of which would be reserved for the handicapped.
15. Any industrial use with less than 18,000 square feet of gross floor area is required to maintain one "Type B" loading zone with dimensions of 12 feet by 30 feet (County Code Sec. 22.52.1084). Such a zone is indicated immediately to the west of the parking area on the northwestern portion of the project site.
16. Approximately 1,350 square feet of the 13,500 square-foot property (10 percent) is proposed to be landscaped. Outdoor storage uses are required to provide a minimum of one square foot of landscaping outside their screening walls for each foot of street frontage, and no planting area may have a width of less than three (3) feet (County Code Sec. 22.52.630). The applicant proposes to install a three-foot-wide landscaped buffer between the fence and the public right-of-way on the northern and eastern property lines, with the exception of the frontage used for the 26-foot-wide driveway. Therefore, the project would comply with this requirement.
17. The Florence-Firestone CSD (County Code Section 22.44.138) requires that "all structures, walls, and fences that are publicly visible shall remain free of graffiti. Any property owner, lessee, or other person responsible for the maintenance of a property shall remove graffiti within 72 hours of receiving written notice from a zoning enforcement officer that graffiti exists on the property." A condition of approval will require that all graffiti be removed within 24 hours of its detection by the applicants or their employees or agents, weather permitting.
18. The CSD mandates that no outdoor storage be to anyone from an adjoining residential zone. This shall be added as a condition of approval to the project.
19. Also per the requirements of the CSD, 10 percent of the total lot area must be landscaped. Approximately 1,350 square feet of the 13,500-square-foot property (10 percent) would incorporate landscaping.
20. As part of the conditional use permit process, the applicant would be required to make improvements to the property, including the addition of off-street parking spaces, a dedicated loading zone, and landscaping. The site currently contains none of these features. The facility would also be required to cover or remove any

graffiti on its exterior walls within 24 hours, which is less than the 72 hours currently allowed by the Florence-Firestone CSD.

21. The facility is located in a primarily industrial area with many other pallet assembly, auto dismantling, and recycling businesses to the north, south, and east. Apartment buildings are located across a public alley to the west. However, the impact of the facility on nearby residences would be lessened by the project's design and conditions of approval. Stacked pallets and equipment would not be visible from adjacent residential properties, as per the requirements of the Florence-Firestone CSD. Vehicles would enter and exit the site from Laurel Street, at a location as far removed from residences as the property will allow. The facility does not propose to have external illumination, and, should any be added in the future, the conditions of approval require it to be shielded and directed away from residential areas and would also prohibit the business from operating after 10:00 pm. In addition, no opposition was received from property owners in the vicinity.
22. The project would be adequately served by roads, highways, and other utilities in the area, as Fire has cleared the project for public hearing, and Public Works did not submit objections to the proposed design. The site also meets or exceeds all on-site parking, loading, fencing, and landscaping area requirements.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed locations will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding areas, 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 and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such use would generate and by other public or private facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for conditional use permits as set forth in Section 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer finds that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of projects, which have been determined not to have a significant effect on the environment in that it meets the criteria set forth in section 15301 of the State CEQA Guidelines and Class 1 of the County Environmental Document Reporting Procedures and Guidelines, Appendix G
2. In view of the findings of facts presented above, Conditional Use Permit No. 200700210 is **APPROVED**, subject to the attached conditions.

Attachments: Conditions

Affidavit of Acceptance

- c: Commission Services, Zoning Enforcement, Building and Safety

1. This grant authorizes the use of the subject property for a pallet assembly and storage yard with appurtenant parking and landscaping, as depicted on the approved Exhibit "A", subject to all of the following conditions of approval.
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 10. 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.
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 or any other applicable limitation period. 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 Section 2.170.010 of the Los Angeles County Code.

6. This grant shall expire unless used within two (2) years from the date of approval. A one-year time extension may be requested in writing with the applicable fee before the expiration date.
7. 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.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
9. This grant shall terminate on **September 21, 2025**. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$1,400.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for 7 biennial inspections. Inspections shall be unannounced.
11. 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. A revocation/modification public hearing shall be held before the Regional Planning Commission in accordance with Section 22.60.174 of the County Code. The permittee shall pay or reimburse the County of all necessary fees associated with such hearing.
12. 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. The on-site storage of appliances, heating and air conditions systems, water tanks, and similar materials not directly related to authorized uses is expressly prohibited.

13. The subject property shall be developed and maintained in compliance with the requirements of the Los Angeles County Department of Public Health. Adequate water and sewage facilities shall be provided to the satisfaction of said department, and the permittee shall comply with all requirements of the County Noise Ordinance.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.
15. 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 provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization. In the event such extraneous marking 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 marking shall be of a color that matched, as closely as possible, the color of the adjacent surfaces.
16. Within 30 days of the approval date of this grant, the permittee shall submit to the Director for review and approval three (3) copies of revised plans, similar to Exhibit "A" as presented at the public hearing, that depict all project changes required by these conditions of approval, including elevations which depict the dimensions and location of the perimeter fence and canopy structures. The subject property shall be developed and maintained in substantial compliance with the approved Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
17. A minimum of 1,350 square feet of landscaping shall be maintained on the project site. Landscaping shall comply with the drought-tolerant landscaping requirements of Section 22.52.2230 of the County Code. A minimum of 75 percent of such total landscaped area for each parcel shall contain plants from the drought-tolerant plant list of the Department of Regional Planning, and no more than 25 percent of such total landscaped area shall consist of grass or turf. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover. The permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary. The permittee shall record a covenant agreeing to maintain such landscaping for the life of the permit. This covenant shall be filed with the Department of Regional Planning, to the satisfaction of the Director of said department.

18. The operation and maintenance of the pallet assembly and storage facility shall be further subject to all of the following restrictions:
- a. A minimum of three (3) on-site parking spaces shall be provided and continuously maintained, one of which shall be reserved for the handicapped, and all of which shall be visibly delineated and striped and comply with the design specifications of County Code Sec. 22.52.1060;
  - b. Required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile or truck repair, or any other unauthorized uses;
  - c. Except for required landscaping, the subject property shall be paved with concrete or an asphalt surfacing or an oil and aggregate mixture to prevent emission of dust or tracking of mud onto public right-of-way or adjacent properties. The permittee must demonstrate that the entire lot is paved to the satisfaction of the Department of Public Works and the Director of Regional Planning;
  - d. Any exterior lighting shall be hooded and directed away from neighboring properties to prevent direct illumination and glare, and shall be turned off within thirty (30) minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting;
  - e. The height of the all structures shall not exceed 45'0" above finished grade;
  - f. The permittee shall maintain an eight-foot metal fence along the property's northern, eastern, and western frontages that meets all design requirements of County Code Sec. 22.52.610. Said wall shall be finished with a uniform, neutral color, excluding black, which blends with the surrounding terrain. Alternate design may be considered by the Director if practical difficulties or unnecessary hardships exist due to physical conditions or restrictions and such a design is in conformity with the intent and purpose of the Florence-Firestone CSD;
  - g. Operating hours are restricted to the hours between 6:00 a.m. to 10:00 p.m.;
  - h. The permittee may maintain no more than one wall business sign, which must comply with the signage standards of the Florence-Firestone CSD;
  - i. The permittee shall maintain a current contact name, address, and phone number with the Department of Regional Planning at all times;
  - j. One office trailer not less than 1,000 square feet may be located on the subject property;

- k. The use of an outdoor public address system, or similar acoustical device is prohibited;
- l. Equipment and/or materials stored within ten feet of the wall along any property line shall not exceed the height of said wall, and no equipment or materials shall be publicly visible from any adjacent residentially zoned property;
- m. The permittee shall not store or use hazardous materials;
- n. Uses on the subject property, other than those specifically allowed by this permit, shall be limited to those permitted in the M-1 zone;

MM:TM  
09/07/10

R2009-03111

CONDITIONAL USE PERMIT CASE – BURDEN OF PROOF

SEC. 22.56.040

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

- 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.

The use of the location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or 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.

- 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 Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

9525 Laurel St site is adequate in size and shape to accommodate the yards, walls, fences and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

- 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

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 would generate, and by other public or private service facilities as are required.



COUNTY OF LOS ANGELES  
**Public Health**



**JONATHAN E. FIELDING, M.D., M.P.H.**  
Director and Health Officer

**JONATHAN E. FREEDMAN**  
Acting Chief Deputy

**Environmental Health**  
**ANGELO J. BELLOMO, REHS**  
Director of Environmental Health

**ALFONSO MEDINA, REHS**  
Director of Environmental Protection Bureau

**COLE LANDOWSKI, MS, CIH, REHS**  
Head, Environmental Hygiene Program  
5050 Commerce Drive, Baldwin Park, CA 91706  
TEL (626) 430-5440 • FAX (626) 813-3025

[www.publichealth.lacounty.gov](http://www.publichealth.lacounty.gov)

**BOARD OF SUPERVISORS**

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First District  
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**Michael D. Antonovich**  
Fifth District

October 17, 2008

Mr. Phillip Estes  
Department of Regional Planning  
Impact Analysis Section  
320 West Temple Street  
Los Angeles, CA 90012

Dear Mr. Estes,

**SUBJECT: NOISE COMMENT R2007-03111 9501 LAUREL ST., FLORENCE-FIRESTONE, WALNUT PARK, CA**

This is to inform you that upon review of the documents provided and limited site investigation for the proposed project, the following recommendations are provided to minimize operational noise to less than significant:

- The applicant shall adhere to the requirements contained in the Los Angeles County Code, Title 12 Environmental Protection-Noise Control.
- The project is currently used as a storage and assembly of pallets. The current configuration of pallets stored along the west, north, and south, with assembly (cutting & nailing) on the east (Laurel St.) side, should be maintained in order to minimize operational noise affecting residential units on the west side (alley). The plan should reflect or indicate an assembly area on the east side or Laurel St. There are currently several pallet storage facilities in the immediate area.

We appreciate the opportunity to be of service on this project and look forward to working with you in the future. If you have any questions, please contact Robert Vasquez at (626) 430-5431.

Sincerely,

Cole Landowski, MS CIH  
Head, Environmental Hygiene Program



COUNTY OF LOS ANGELES  
FIRE DEPARTMENT

R.P  
fite

5823 Rickenbacker Road  
Commerce, California 90040-3027

DATE: 04-29-2009

TO: Department of Regional Planning  
Permits and Variances

PROJECT #: R2007-0111 - 03111

LOCATION: 9501 Laurel Street

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is 1500 gallons per minute for 2 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- The required fire flow for private on-site hydrants is \_\_\_\_\_ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing \_\_\_\_\_ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- Verify 1 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments: THIS PROJECT AS SUBMITTED IS CLEARED FOR PUBLIC HEARING.
- Location: Verify 1 existing public hydrant at the SE corner of Laurel St. and 65<sup>th</sup> St. Provide evidence on LACoFD fire flow form, Form 196 that the hydrant and available flow rate meets the current Fire Department requirements.
- Access: Access as shown on the site plan is adequate.
- Special Requirements: \_\_\_\_\_

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: **CLAUDIA SOIZA**

Land Development Unit – Fire Prevention Division – Office (323) 890-4243 Fax (323) 890-9783







