Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

April 20, 2011

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Alameda Recycling & Metals
2241 E. 89th Street
Los Angeles CA 90002

REGARDING:
PROJECT NUMBER R2008-01463
Conditional Use Permit RCUP200800125
2241 E. 89th Street, Los Angeles Ca 90002

Dear Applicant:

The Los Angeles County Board of Supervisors, by its action on Tuesday, April 5, 20111 **APPROVED** the above described project and entitlements. The attached documents contain the Board of Supervisor's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 3 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

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

For further information on or any questions, please contact Daniel Fierros at (213) 974-6443, Monday through Thursday, from 7:30 a.m. to 6:00 p.m. Our offices are closed on Fridays. You may also Contact Anthony Richardson the Zoning investigator at (213) 974-6455 in regard to the zoning violations.

Sincerely,

Richard J. Bruckner
Director

Mi Kim, Supervising Regional Planner
Zoning Permits III Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement,

MK:df

COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL
648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

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ANDREA SHERIDAN ORDIN
County Counsel

April 5, 2011

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
#11 OF APRIL 5, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Agenda No. 2
10/26/10

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

RE: PROJECT NUMBER R2008-01463-(2)
CONDITIONAL USE PERMIT NUMBER 2008-00125-(2)
SECOND SUPERVISORIAL DISTRICT/3-VOTE MATTER

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced permit to authorize the development of a scrap metal and recyclable materials processing yard, located at 2241 East 89th Street in the unincorporated community of Florence-Firestone. At the completion of the hearing you indicated an intent to approve the permit with revised conditions, and instructed us to prepare findings and conditions for approval. Enclosed are findings and conditions for your consideration.

Very truly yours,

ANDREA SHERIDAN ORDIN
County Counsel

By
LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:

JOHN F. KRATTLI
Senior Assistant County Counsel

LLH:sh

Enclosures

HOA.777774.1

FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
CONDITIONAL USE PERMIT NUMBER 2008-00125-(2)

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Conditional Use Permit Case No. 2008-00125-(2) ("CUP") on October 26, 2010. A County Hearing Officer ("Hearing Officer") previously conducted a duly-noticed public hearing on the CUP on October 6, 2009, November 17, 2009, January 5, 2010, and February 16, 2010, and the County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP on April 14, 2010 and June 16, 2010.

2. The permittee, Alameda Recycling and Metals, requests the CUP to authorize the development of a scrap metal and recyclable materials processing yard on a 0.96-acre site. The use will include: (a) accepting scrap metals and recyclable materials, including cardboard, newspaper, and California Redemption Value ("CRV") materials; (b) sorting and loading these materials into containers; and (c) hauling these containers to an off-site processing facility.

3. The site is located at 2241 East 89th Street in the unincorporated community of Florence-Firestone within the Firestone Park Zoned District.

4. The subject property is zoned M-2 (Heavy Manufacturing). Under section 22.32.190(A)(1) of the Los Angeles County Code ("County Code"), operation of a scrap metal and recyclable materials processing yard in that zone classification requires a conditional use permit.

5. The subject property is designated "I" (Major Industrial) in the Countywide General Plan ("General Plan").

6. The site consists of two rectangular-shaped parcels totaling 0.96 acre. One parcel is 32,957 square feet, and the second parcel is 8,900 square feet. The permittee will be required to record a covenant to keep and maintain both parcels as one for the term of the CUP.

7. Access to the site is from Alameda Street by two separate driveways.

8. The site plan for the project, labeled Exhibit "A," depicts the following: (a) a 30-foot by 12-foot office building; (b) a 30.5-foot by 17-foot open patio with patio cover; (c) two scales, one of which is 10-foot by 25-foot, and the second of which is 5-foot by 5-foot; (d) seven 8-foot by 26-foot scrap containers and four 8-foot by 24-foot CRV containers; (e) an outside storage area screened by a 12-foot-high solid fence; (f) 19 parking spaces, one of which is dedicated for disabled persons; (g) a 15-foot by 10-foot free standing sign proposed for the corner of 89th and Alameda Street having a total sign area of 120 square feet; and (h) a depiction of truck queuing and circulation patterns within the site.

Landscaping for the site is proposed along 89th Street and Alameda Street and adjacent to the office building. All non-landscaped, open areas will be paved.

9. The surrounding properties are zoned M-2 in all directions.

10. Surrounding land uses within 500 feet of the site are as follows:

North:	Auto glass, container storage, and a utility station;
South:	Manufacturing and used car sale facilities;
East:	The Alameda Rail Corridor and industrial; and
West:	Auto body, towing, and vehicle storage.

11. The County Department of Regional Planning ("Regional Planning"), determined that the project was categorically exempt under the California Environmental Quality Act ("CEQA"), finding that the CUP qualifies for a Class 3 Categorical Exemption under the state CEQA Guidelines in that it authorizes the development of a small facility or structure as described in those Guidelines.

12. Throughout the public hearing process, correspondence was received and testimony was given both in support of and in opposition to the project. The opposition came primarily from individuals and/or entities in the immediate vicinity of the project who conduct uses similar to the permittee's proposed use. In general, the opposition claimed that the project had undergone inadequate environmental, noise, and traffic review. In particular, the opponents' principal concern was that the 0.96-acre site was too small for proposed use in terms of logistics, safety, and other necessary activities for the use.

13. A number of other specific concerns were also raised by the opponents, including that: (a) traffic congestion on the adjoining streets will make access to other businesses in the vicinity more difficult for their customers; (b) trucks and other vehicles will be unable to adequately maneuver on site because of the site's size, creating traffic congestion on adjoining streets; (c) because of the complexity and expense to comply with the use's regulatory requirements, the permittee will not likely comply with these requirements; (d) the proposed use requires larger material handling equipment and greater areas for staging and preparation than proposed; (e) potential risks exist that hazardous substances will be released onto the site; and (f) the project review failed to adequately address storm water issues.

14. The Hearing Officer conducted a duly-noticed public hearing on the matter on October 6, 2009, November 17, 2009, January 5, 2010, and February 16 2010. In these sessions, the Hearing Officer heard a presentation from staff, testimony in support of the project, and testimony from several local recycling operators in opposition to the project. The opposition raised many, if not all, of the concerns described in Finding Nos. 12 and 13 above. The first three sessions were continued to allow staff and the permittee additional time to consult with the County Department of Public Works ("Public Works") regarding the project's

traffic and drainage issues. On February 16, 2010, because of the complex and controversial nature of the case, the Hearing Officer referred the matter to the Commission for consideration without rendering a decision.

15. Prior to the Commission's public hearing, and at the request of Public Works, the permittee prepared a traffic report and a revised site plan to address the project's traffic circulation, grading, drainage, street lighting, and road condition issues.

16. The Commission conducted a public hearing on the project on April 14, 2010 and June 16, 2010. At both public hearing sessions, the Commission heard a presentation from Regional Planning staff, testimony from the permittee and its representative, and testimony in favor of and in opposition to the project. The permittee's agent testified that, among other things, the permittee had over 13 years of experience in businesses like the proposed use, and that the permittee had prepared the appropriate storm water reports required by Public Works. The opposition raised many, if not most, of the same issues described in Finding Nos. 12 and 13 above. The first public hearing session was continued to allow the permittee additional time to work further with staff and Public Works to resolve the project's traffic circulation, grading, drainage, street lighting, and road condition issues.

17. On June 16, 2010, after considering all evidence and taking all testimony, the Commission closed the public hearing, approved the Categorical Exemption for the project, and approved the CUP, subject to the conditions recommended by staff with the following modifications: (a) the site's six excess parking spaces shall be allowed to be used to expand the facility's special materials and appliance area; and (b) the facility shall be allowed to operate from 8:00 a.m. to 6:00 p.m., seven days a week.

18. Pursuant to section 22.60.230(A) of the County Code, Atlas Iron and Metal Co., a nearby scrap yard processor ("Appellant"), appealed the Commission's approval of the CUP to the Board citing, among other things, hazardous waste and water quality concerns related to the project.

19. A similar scrap metal case was heard by the Board on July 27, 2010 and continued to October 26, 2010. In that case, the permittee, Bahram Bakhshi, requested a CUP to operate a scrap metal processing yard on a 0.7-acre site located at 9113 South Alameda Street near the instant project site. The same opponents opposed both CUPS for substantially similar reasons. The Board indicated its intent to approve both CUPS on October 26, 2010.

20. In continuing the first hearing session of that other case, the Board directed Regional Planning to, among other things, report back to the Board with recommended CUP conditions for scrap metal uses to address potential safety and operational hazards related to the size of the involved site, and to provide clear conditions and enforcement protocols to ensure that a proposed scrap metal use would have effective plans related to operations, traffic, and parking.

In response, on October 19, 2010, Regional Planning issued a report to the Board ("Regional Planning's Report") providing a set of recommended CUP conditions for scrap metal uses. The applicable CUP conditions addressed in Regional Planning's Report were included as part of the instant CUP, as described in Findings Nos. 29 through 32 below.

21. Prior to the Board hearing on the instant CUP, correspondence was received from project opponents raising substantially similar claims as those raised at the Hearing Officer and Commission proceedings.

22. On October 26, 2010, the Board conducted its public hearing on the appeal, and heard a presentation from Regional Planning staff, testimony from the Appellant and other opponents of the project, and testimony from the permittee and proponents of the project.

23. At the Board's October 26, 2010 public hearing, the Appellant asserted that, among other things, the site was too small for the proposed use, that the permittee had operated for months without obtaining a CUP and only applied for the CUP after having been cited by the County, and that the use would negatively impact traffic in the area. Other opponents raised substantially similar claims as those raised at the Hearing Officer and the Commission proceedings, and in their prior written submissions.

24. At the conclusion of the Board's public hearing, the Board found that the project was categorically exempt under CEQA and indicated its intent to approve the CUP with staff's recommended conditions, modified as described herein, along with the applicable conditions set forth in Regional Planning's Report. Regarding modifications, the Board directed that the CUP conditions should: (a) provide for 13 inspections of the site, biannually for the first three years of the grant and annually thereafter; (b) require that all vehicles on site be instructed by the permittee to stop in designated waiting areas only; (c) authorize the Director of Regional Planning ("Director") to direct the permittee to hold a community meeting should issues related to the permittee's use be brought to the Director's attention; and (d) provide that any violation of any regulation or permit related to the permittee's use issued by a state or federal agency, including but not limited to, the United States Occupational Safety and Health Administration, the United States and California Environmental Protection Agencies, and the California Department of Toxic Substances Control, shall constitute a violation of this CUP and shall be grounds for the issuance of a notice of violation of the CUP.

25. The Board finds that, while the Appellant has expressed concerns regarding the potential environmental, operational, and traffic concerns regarding the project, the project, as conditioned, including those conditions added by the Board and the applicable conditions in Regional Planning's Report sufficiently address such concerns.

26. The Board finds that the applicable conditions recommended in Regional Planning's Report will promote a safe, coordinated, and thorough enforcement strategy for the proposed use.

27. The Board finds that the project conditions, as modified, specifically describe the types of activities and operations permitted on site and provide assurance that the size of the site can accommodate the proposed use.

28. The Board finds that the subject scrap metal and recyclable materials processing yard is compatible with the surrounding community and/or land uses, which consist of other scrap metal yards, auto dismantling uses, and industrial sites, and that with the conditions of approval, the use will not create a negative impact on the surrounding uses.

29. The Board finds that, as recommended in Regional Planning's Report, to control on-site vehicular flow, the permittee shall, among other things: (a) limit the storage and sorting areas to certain designated drop areas depicted on the approved Exhibit "A"; and (b) direct on-site vehicles to designated waiting areas while waiting to unload, use the scale, and make payment.

30. The Board finds that, as recommended in Regional Planning's Report, to prevent a back-up of vehicles in the public right-of-way, the permittee may implement a "flag man" procedure to regulate the number of incoming vehicles and to prevent the site from exceeding a maximum capacity of vehicles at any one time. The permittee shall continuously monitor the number of vehicles on site to mitigate possible traffic congestion in and around the site. In addition, the permittee shall be required to temporarily close the facility to additional vehicles when the maximum capacity has been reached until the on-site number of vehicles has decreased.

31. The Board finds that, as recommended in Regional Planning's Report, to ensure on-street cuing of vehicles is avoided, the permittee shall maintain an efficient vehicular circulation system, and shall implement a clockwise circulation pattern for all vehicles, excluding semi-trucks removing materials from the site.

32. The Board finds that, as recommended in Regional Planning's Report, to prevent negative impacts to neighboring businesses due to the size of the site, the permittee shall be prohibited from accepting fully assembled automobiles or other vehicles from customers, but shall not be prohibited from receiving automobile/vehicle body frames, parts, or components already legally dismantled, subject to any and all state or local laws related to the acceptance of such body frames, parts, or components.

33. The Board finds that, to address issues related to the potential off-site impacts of this use, if the Director so directs, the permittee shall hold a community meeting for purposes of identifying and informally resolving such issues. Minutes of the meeting shall be submitted to the Zoning Enforcement Section of Regional Planning.

34. The Board finds that, to assure continued compliance of this grant and the continued compatibility of this use with surrounding land uses, the term of the grant shall be limited to 10 years, with 13 monitoring inspections, two per year for the first three years of the grant, and annually thereafter.

35. Approval of the CUP is conditioned on the permittee's compliance with the attached conditions of approval.

36. The permittee has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.

37. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted General Plan;

B. That with the attached conditions and restrictions, the requested use at the proposed 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;

C. 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 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

D. That the proposed 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 adequately served by other public or private service facilities as are required.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Certifies that it found the project to be categorically exempt under CEQA at the conclusion of the public hearing on the project; and

2. Approves Conditional Use Permit Case No. 2008-00125-(2), subject to the attached conditions.

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 2008-00125-(2)

1. This grant authorizes the development of a scrap metal and recyclable materials processing yard, located at 2241 East 89th Street in the unincorporated community of Florence-Firestone, as depicted on the approved Exhibit "A," subject to all 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 and cannot be used unless and until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the County Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all conditions of this grant, and that the conditions have been recorded as required by Condition No. 4, and until all required monies have been paid pursuant to Condition No. 17. Notwithstanding the foregoing, this Condition No. 3, and Condition Nos. 2, 5, 6, 14, and 17 shall become immediately effective upon final approval by the County.

4. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director of Regional Planning ("Director").

5. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this grant approval, which action is brought within the applicable time period of section 65009 of the California Government Code, or any other applicable limitation period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to notify the permittee of any claim, action, or proceeding, and if the County fails to reasonably cooperate in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing, pay 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 Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the permittee or the 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; and

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 shall be paid by the permittee in accordance with section 2.170.010 of the Los Angeles County Code ("County Code").

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. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the County Regional Planning Commission or a County Hearing Officer may, after conducting a public hearing, revoke or modify this grant if it is found that these conditions have been violated, or that this grant has been exercised so as to be detrimental to the public health, safety, or so as to be a nuisance. In the event that the County deems it necessary to initiate such proceedings pursuant to Part 13 of Chapter 22.56 of the County Code, the permittee shall compensate the County for all costs incurred in such proceedings.

9. 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 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. With respect to any site plan changes resulting from the direction of the Board at its public hearing, the permittee shall submit a revised Exhibit "A" showing such changes within 60 days of the final approval date of this grant.

10. 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, including the Exhibit "A" or a revised Exhibit "A" approved by the Director.

11. All structures in the development shall comply with the requirements of the County Department of Public Works ("Public Works") Division of Building and Safety.

12. The permittee shall maintain the subject property in a neat and orderly fashion, and shall maintain all areas over which the permittee has control free of litter and debris.

13. All landscaped areas on the premises shall be continuously and properly maintained and kept in good condition.

14. This grant shall expire unless used within two years from the date of final approval. Pursuant to section 22.56.140 of the County Code, the permittee may request a one-year extension to use this grant, provided such request is made in writing and accompanied with the applicable fee at least six months prior to the expiration date described herein.

15. This grant shall terminate 10 years after its final approval date and entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue the use after this termination date, the permittee shall file a new conditional use permit application with Regional Planning at least six months prior to the expiration of the grant, whether or not the permittee seeks any modification of the use at that time.

16. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any permit, law, statute, ordinance, or other regulation applicable to any development or activity on the subject property, including any applicable permit, laws, or regulations adopted and/or enforced by the United States Occupational and Safety Health Administration, the United States and California Environmental Protection Agencies, and the California Department of Toxic Substances Control. Violation of any such permit, law, or regulation shall be a violation of these conditions, and shall constitute grounds for the issuance of a notice of violation of this grant.

17. Prior to the use of this grant, the permittee shall deposit the sum of $2,600 with the County to be placed in a performance fund to be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including inspecting the permittee's adherence to development in accordance with the site plan on file at Regional Planning. This fund shall provide for 13 inspections as follows: biannually (twice a year) for the first three years of the term; and annually thereafter. Inspections shall be unannounced.

    If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be $200 per inspection, or the current recovery cost at the time of payment, whichever is greater.

18. Except for seasonal decorations or signage provided by or for a civic or non-profit organization, all structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage that do not directly relate to the use of the property or provide pertinent information about the premises. In the event any such extraneous markings become visible, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of their visibility, 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.

19. The permittee shall at all times maintain a current contact name, address, and telephone number with Regional Planning.

20. All signs to be located on site shall be subject to review and approval by Regional Planning. Portable signs on sidewalks adjacent to the site, and temporary on-site wall or pole signs, shall be prohibited.

21. Pursuant to section 22.52.730.E of the County Code, all fences and walls, excluding masonry and approved permanent-finish panels, shall be painted a uniform, neutral color, excluding black, which blends with the surrounding terrain, and shall be uniform in height in relation to the ground upon in which they stand, as depicted on the approved Exhibit "A." Such fences and/or walls shall be maintained in a clean, orderly condition at all times and shall contain no painted signs or posters except as approved by the Director.

22. All operations and storage of equipment or materials shall be located within an enclosed structure or within an area enclosed by a solid wall or solid fence within the site. No operations authorized by this grant shall commence until such appropriate structure, wall, or fence is constructed pursuant to the specifications set forth in section 22.52.730 of the County Code.

23. Storing scrap metal and/or other materials above the height of any wall or fence described in Condition No. 22 shall be prohibited, and no metals or materials shall be placed or allowed to remain outside any enclosed storage structure. All storage areas shall be maintained in such a manner so that no stored metals or materials can be blown away from any enclosed storage structure. All storage container exchanges by semi-trucks shall be conducted within the boundaries of the site.

24. All areas of the site open to vehicular passage shall be paved with a concrete or asphalt surface, or with an oil and aggregate mixture, as depicted on the approved Exhibit "A," to prevent dust emission or the tracking of mud onto nearby public rights-of-way.

25. Landscaped areas depicted on the approved Exhibit "A" shall comply with the County's drought-tolerant landscaping requirements of section 22.52.2230 of the County Code, including the requirement that a minimum of 75 percent of the total landscaped area on-site shall contain plants from Regional Planning's drought-

tolerant plant list. 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 turf or other ground cover is present. Landscaped areas shall also comply with section 22.52.770 of the County Code regarding scrap metal processing yards, including the requirement that no planting area shall have a horizontal dimension of less than three feet. The permittee shall maintain all landscaping in a neat, clean, and healthful condition, and shall properly prune, weed, remove litter, fertilize, and replace plants when necessary.

26. Prior to the use of this grant, the permittee shall ensure that the owner of the subject property records a covenant in the office of the Recorder indicating that the owner is aware of the drought-tolerant landscaping requirements of Part 21 of Chapter 22.52 of the County Code, and that the owner is also aware that these requirements apply to this project.

27. All parking spaces on the premises shall be provided pursuant to Part 11 of section 22.52 of the County Code. All parking areas, as depicted on the approved Exhibit "A," shall be conveniently accessible and permanently maintained with, among other things, proper paving, striping, landscaping, and wheel stops. The on-site excess parking spaces labeled 3R, 4R, 5R, 6R, 7R, and 8R on the site plan may be used to expand the areas labeled "special materials and appliances area" on the site plan.

28. No expansion of the on-site storage area(s), as depicted on the approved Exhibit "A," shall be permitted without the prior approval of Regional Planning.

29. Within 60 days of the final approval date of this grant, the permittee shall record a covenant and agreement with the Recorder showing that the owner of the subject property has agreed to hold the two parcels used by this facility as one parcel for the life of the grant. Prior to recordation, the covenant and agreement shall be submitted to Regional Planning for review and approval, and upon recordation, an official copy of the recorded document shall be provided to the Director.

30. Vehicle dismantling and/or disassembly shall be prohibited on site. No wrecked or inoperable vehicles shall be located on the premises.

31. If an issue arises related to the facility's operation which is brought to the Director's attention, the Director may require the permittee to hold a community meeting to address such issue, and to provide notice of the meeting to the current property owners within a 500-foot radius of the exterior boundaries of the site, as listed in the County Assessor's records. To show evidence of compliance with this requirement, the permittee shall provide the Director copies of the meeting notices, the address list used for the notices, the meeting minutes describing the issues addressed, and the proposed action to address the issues raised.

32. 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.

33. The facility's hours of operation shall be from 8:00 a.m. to 6:00 p.m., seven days a week.

34. The permittee shall comply with all requirements set forth in Public Works' letter dated June 16, 2010, a copy of which is attached hereto.

35. The facility's area for sorting and storage shall be restricted to the designated drop areas as shown on the approved Exhibit "A." At no time shall sorting activities impede the traffic circulation pattern depicted on the approved Exhibit "A."

36. The permittee shall not place or allow scrap metal to remain outside the site's enclosed yard area. The yard area shall be paved with asphalt or comparable surfacing and shall periodically be inspected and repaved to prevent deterioration of the area.

37. The following requirements shall apply regarding on-site vehicular circulation:

    a. All vehicles entering the site shall use Alameda Street, which shall be limited to an entrance only, and all vehicles exiting the site shall use 89th Street, which shall be restricted to an exit only.

    b. All on site vehicular circulation shall occur and be maintained in a clockwise circular pattern as depicted on the approved Exhibit "A," excluding semi-trucks removing materials from the site. The permittee shall control on-site traffic by directing vehicles to designated waiting areas when they are waiting to use the scale, unload, and receive payment. Vehicles shall be allowed to stop in designated waiting areas only.

    c. The permittee shall monitor in-bound vehicles to prevent vehicle back-up in the public right-of-way when the site has reached maximum capacity, which shall be defined to mean any time when vehicle circulation is impeded. When site capacity is reached, the entrance gate, as depicted on the approved Exhibit "A," shall be closed and no additional vehicles shall be permitted to enter the site.

    d. In lieu of closing the entrance gate pursuant to subdivision (c) above, the permittee may use a "flag man" procedure on a trial basis, which procedure shall be discontinued if the Director determines that the procedure is ineffective at controlling in-bound vehicles from stopping in the public right-of-way. When using the procedure, the "flag man" shall be

positioned at the entrance gate, which may remain open, and the "flag man" shall signal to incoming vehicles that the site is closed to in-bound vehicles when it has reached capacity and that the vehicles cannot stop in the public right-of-way and wait to enter the site. If the "flag man" procedure is discontinued, the permittee shall again control in-bound vehicles in the manner described in subdivision (c) or by any other means determined appropriate by the Director.

38. The permittee shall be allowed to accept fully assembled "major appliances," but only if the permittee complies with all California Health and Safety Code requirements, and all other state or local laws regarding the acceptance, processing, disassembling, transportation, delivery, and sale of major appliances. For purposes of this condition, a major appliance shall be as defined in section 42166 of California Public Resources Code, and shall include a washer or dryer, refrigerator or freezer, water and/or space heater, furnace or boiler, air-conditioner or dehumidifier, trash compactor, oven, stove, or microwave.

39. The permittee shall be prohibited from accepting a fully assembled automobile or other vehicle, but shall not be prohibited from receiving automobile/vehicle body frames, parts, or components legally dismantled, subject to any and all state or local laws related to the acceptance of such body frames, parts, or components.

40. The use of machinery shall be subject to the following restrictions:

    a. No more than three items of heavy machinery shall be located on the premises at any time, and no more than two items of heavy machinery shall be in operation at any time; and

    b. If machinery with a crane is used, such machinery shall not contain an extended boom.

Attachments:

Letter from County of Los Angeles, Department of Public Works, dated June 16, 2010.

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

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ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 16, 2010

IN REPLY PLEASE REFER TO FILE: LD-1

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

Attention Daniel Fierros

FROM: Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 2008-00125
PROJECT NO. R2008-01463
2241 EAST 89TH STREET
UNINCORPORATED COUNTY AREA OF WALNUT PARK

☒ Public Works recommends approval of this CUP.

☐ Public Works does **NOT** recommend approval of this CUP.

We reviewed the project located in the unincorporated County area of Walnut Park, near the intersection of 89th Street and Alameda Street. The project is for the establishment of a recycling facility for scrap metals, cardboards, newspaper, and California Redemption Value (CRV) materials. The proposed project consists of the construction of a 360-square-foot, modular office building; a 10-foot by 25-foot truck scale; 4 containers for CRV materials; and 12 containers for recyclable.

Upon approval of the site plan, we recommend the following conditions:

1. Road

   1.1 Dedicate right of way for a corner cut-off at the northwest corner of Alameda Street and 89th Street, based on a curb return radius of 35 feet, to the satisfaction of Public Works. A deposit is required for processing the road deeds.

1.2 Dedicate an additional 4 feet of right of way on 89th Street to accommodate the Americans with Disabilities Act (ADA) guidelines for sidewalk. A deposit is required for processing road deeds.

1.3 Underground all new service lines to the satisfaction of Public Works.

1.4 Plant street trees on Alameda Street and 89th Street. Existing trees in dedicated right of way shall be removed and replaced if not acceptable as street trees.

1.5 Reconstruct the curb ramp at the northwest corner of Alameda Street and 89th Street to comply with ADA guidelines to the satisfaction of Public Works.

1.6 Close any unused driveways with standard curb, gutter, and sidewalk along the property frontage on 89th Street and Alameda Street.

1.7 Reconstruct all driveway approaches to meet current ADA guidelines to the satisfaction of Public Works. Relocate any affected utilities/catch basins if necessary.

1.8 Construct 8-foot-wide sidewalk on 89th Street and relocate existing fence to accommodate new sidewalk to the satisfaction of Public Works.

1.9 Repair any improvements damaged during construction to the satisfaction of Public Works.

1.10 Acquire street improvement plan approval or direct check status before obtaining grading/building permit.

1.11 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road requirements, please contact Sam Richards at (626) 458-4921 or by e-mail at srich@dpw.lacounty.gov.

2 Street Lighting

2.1 Provide street lights on concrete poles with underground wiring, along the property frontage on Alameda Street and 89th Street, to the satisfaction of Public Works. Submit street lighting plans along with existing and/or proposed underground utility plans as soon as possible to Public Works' Traffic and Lighting Division, Street Lighting Section, to allow the maximum time for processing and approval.

For any questions regarding street lighting requirement No. 2.1, please contact Emmanuel Okolo at (626) 300-4733 or by e-mail at eokolo@dpw.lacounty.gov.

2.2 The applicant shall comply with conditions of acceptance listed below in order for the lighting districts to pay for the future operation and maintenance of the street lights. The street lights shall be installed per approved plans prior to issuance of a Certificate of Occupancy.

Conditions of Acceptance for Street Light Transfer of Billing:

All street lights in the project, or the approved project phase, must be constructed according to Public Works-approved plans. The contractor shall submit one complete set of As-built plans. Provided the above conditions are met, the lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year provided all street lights in the project, or approved project phase, have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met. The lighting district cannot pay for the operation and maintenance of street lights within gated communities.

For questions regarding street lighting requirement No. 2.2, please contact David Stringer at (626) 300-4754 or by e-mail at dstring@dpw.lacounty.gov

3. Drainage

3.1 Prior to issuance of building permits or use of the site, whichever comes first, comply with National Pollutant Discharge Elimination System, Stormwater Management Program, Standard Urban Stormwater Mitigation Plan, and Low-Impact Development requirements and obtain all necessary permits from the Regional Water Quality Control Board.

For questions regarding the road requirements, please contact Chris Sheppard at (626) 458-4921 or by e-mail at csheppard@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4910 or by e-mail at rcruz@dpw.lacounty.gov.

RC:ca
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