Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

April 22, 2010

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Bahram Bakhshi
1424 Stratford Ave.
South Pasadena, CA 91030

REGARDING: PROJECT NUMBER R2008-01962-(2)
CONDITIONAL USE PERMIT NO. 200800163
9113 S. Alameda, Los Angeles, CA 90002

Dear Applicant:

The Regional Planning Commission, by its action of Wednesday, April 14, 2010, **APPROVED** the above described project and entitlements. The attached documents contain the Regional Planning Commission'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.

The applicant or and other interested person may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on Wednesday, April 28, 2009.** Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission action is final.

Upon completion of the appeal period, 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 appeal procedures or any other matter pertaining to these approvals, please contact Andrew Svitek at (213)974-6435 or e-mail at ASvitek@planning.lacounty.gov of the Zoning Permits Section II. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner
Director

Maria Masis, Supervising Regional Planner
Zoning Permits Section II Section

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

c: DPW (Building and Safety); Zoning Enforcement

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES

PROJECT NUMBER R2008-01962-(2)
CONDITIONAL USE PERMIT NO. 200800163
9113 S. Alameda, Los Angeles, CA 90002

HEARING DATES: December 9, 2009, February 10, 2010 and April 14, 2010

SYNOPSIS:
The applicant is requesting a Conditional Use Permit to authorize the establishment of a scrap metal processing yard. The on-site activities will include the loading, sorting and storage of scrap metals. The site is paved and is developed with an existing office building (1,031 SF), 8 parking spaces, and a scale (10ft by 60ft). The site has access from Alameda St. and 92nd Street and is enclosed with a 10-ft high solid metal fence. Landscaping will be maintained along the exterior of the fence on the 92nd Street and Alameda Street frontage. The site will be used for scrap metal sorting which will consist of unloading of metals from small trucks into the drop area and subsequent loading of metals into shipping containers or end dump trailers for shipment.

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

December 9, 2009
A duly noticed public hearing was held on December 9, 2009. All Commissioners were present. Representatives of the applicant were sworn in and testified in favor of the project and answered questions posed by the Commission. Public testimony was received for and against the request. The public hearing was continued to February 10, 2010 to give the applicant additional time to provide a clear project description, to enable the Department of Public Works to conduct a field investigation to study feasible traffic mitigation measures, and to obtain clearance (adequate fire flow) from the Fire Department.

February 10, 2010
A duly noticed continued hearing was held on February 10, 2010. All Commissioners were present. Representatives of the applicant were sworn in and testified in favor of the project and answered questions posed by the Commission. Public testimony was received for and against the request. The public hearing was continued to April 14, 2010 to give the applicant additional time to provide a clear project description, to submit an Operations Plan and revised site plans, and to review the Phase I study regarding possible soil contamination on the site.

April 14, 2010
A duly noticed continued hearing was held on April 14, 2010. Commissioner Helsley was absent. Representatives of the applicant were sworn in and testified in favor of the project and answered questions posed by the Commission. Public testimony was received for and against the request. The Commission closed the public hearing and approved the project subject to conditions.

FINDINGS:

1. The subject property is located at 9113 South Alameda Street in the unincorporated community of Florence-Firestone within the Firestone Park Zone District.

2. The subject property is zoned M-2 (Heavy Manufacturing).

3. The applicant is requesting a Conditional Use Permit to establish a scrap metal processing yard in the M-2 (Heavy Manufacturing) Zone.

4. A scrap metal processing yard requires a conditional use permit in the M-2 Zone pursuant to Section 22.32.190(A)(1).

5. The subject parcel is rectangular and measures approximately 0.7 acres, with approximately 100-feet of frontage on Alameda St. and 320-feet of frontage on 92nd Ave. The parcel is flat and an existing office building measuring approximately 1,000 square feet is the only structure on-site.

6. The site plan depicts an office building (1,031 SF), a 60-ft scale, a drop area (3,750 SF), two appliance storage areas (150 SF and 129.40 SF), a ramp (208 SF), area for parking of Bobcat and CAT-320 equipment, landscaping strips (2-ft to 3-ft outside the 10-ft sheet metal exterior fence (along Alameda Street and 92nd Street), eight parking spaces (one accessible space), two sheds (100 SF), two trash containers, demarcated waiting (vehicle parking) areas, entrance and exit driveways, and a location designated for a "flag man."

7. The subject property is currently designated "I" (Major Industrial) in the Los Angeles County General Plan.

8. The surrounding property is zoned as follows:
   North: M-2 (Heavy Manufacturing)
   South: M-1 (Light Manufacturing) and M-2 (Heavy Manufacturing)
   East: M-2 (Heavy Manufacturing)
   West: M-2 (Heavy Manufacturing)

9. The subject property is currently vacant and surrounding land uses within 500 feet include:
   North: Power transmission lines and plant nursery
   South: Automobile dismantling yards
   East: Alameda Rail Corridor
   West: Scrap metal sorting yard

10. The subject property consists of two irregular shaped parcels totaling 0.7 acres. One parcel totals 28,000 sq. ft. and the second parcel totals 4,000 sq. ft. A

covenant is being required to maintain both parcels as one for the term of the Conditional Use Permit.

11. The permittee submitted an Operations Plan ("Plan") describing the scope and manner of operations on the subject site. The Plan served as the basis for reviewing the sufficiency of the storage and waiting areas marked on the site plans attached as the Exhibit "A". The vehicle circulation plan illustrates the vehicular circulation to support the activities outlined in the Plan.

12. To mitigate off-site traffic impact, vehicles will be required to enter the subject site from Alameda Street and exit onto the public right away using 92nd Street. Vehicles will be required to follow a clockwise circulation pattern as depicted on the Exhibit "A".

13. To allow for adequate turning radius for semi trucks on-site, the permittee shall maintain the central area of the property clear of materials. The area that may be used for the storage and sorting of materials is limited to the area designated on the Exhibit "A" as the "drop area" (it is shown with a total area of 3,750 SF). As depicted on the site plan, the permittee shall maintain a clockwise circulation pattern for vehicles. The permittee shall control the traffic flow on-site by directing vehicles to designated waiting areas while waiting to use the scale, unloading, and to receive payment.

14. The outer edge of the sorting area may be temporarily expanded to facilitate the loading and unloading of materials, but only if measures are taken to keep the expanded storage area from interfering with the vehicle circulation pattern as shown on the Exhibit "A".

15. Testimony and public comments were received regarding the potential traffic impacts on Alameda Street and 92nd Street caused by vehicles stopping in the public right of ways waiting to turn into the site. To mitigate the possibility of traffic congestion, the permittee is required to close the facility to additional vehicles to avoid exceeding on-site vehicle capacity. The permittee is required to maintain sufficient areas for vehicle circulation on-site, to monitor on-site vehicle capacity at all times, and to restrict access to the site from Alameda as an entrance only and to 92nd Street as an exit only.

16. Testimony and public comments were received from operators of scrap yards in the area related to concerns about the scope of operations proposed on the site. The testimony stated that certain items contain materials typically received at scrap metal yards require "special handling" and that the permittee should be required to designate areas on the site plan showing where on the property such items could be stored and properly dissembled. The permittee has agreed to refrain from accepting any items requiring "special handling" and will not be using the subject property for such processing. Based on those restrictions on operations, the site plans attached as Exhibit "A" do not show areas where such activities may be performed.

17. Due to the size of the property the storage and processing of certain types of materials is restricted. The site does not have sufficient areas to allow for the proper handling, processing and dismantling of items which contain materials which require special handling.

18. To prevent vehicles from stopping in the public right of way, the permittee shall implement a "flagman" procedure to regulate the number of incoming vehicles to prevent the site from exceeding capacity (20 small trucks and/or vehicles, excluding vehicles in designated parking spaces). The permittee shall continuously monitor the number of vehicles on site. In the event that the site is approaching full capacity, the permittee shall restrict any further vehicles from entering the site.

19. To prevent vehicles from stopping in the public right of way, the permittee shall abide by a "call ahead" requirement for trucks planning to visit the site to load materials. Prior to a truck arriving on site, the site shall be shut down to new vehicles and cleared of existing vehicles to allow a truck sufficient turning radius and parking area to be weighed, loaded and reweighed. The site shall continue to be shut down while an "end-dump" truck is on-site. The rear-loading container trucks may remain on-site while the permittee is receiving additional materials. However, the site must be cleared to provide sufficient turning radius for the semi-truck to be reweighed and to enable it to exit the site.

20. To minimize the impact of the operations on residential properties in the area, the hours of operation shall be restricted to 6:00 A.M. to 6:00 P.M. Monday through Saturday. The facility shall be closed on Sundays.

21. Due to the size of the subject property, the permittee shall not accept and store on-site materials that require "special handling" which includes, but is not limited to, radioactive materials, PCB (polychlorinated biphenyls) oils, capacitors and ballast containing PCB (polychlorinated biphenyls) oils, capacitors containing oil, transmissions containing oil, motor oils, anti-freeze, mercury switches, capsules containing mercury, CFC (chlorofluorocarbon), batteries and fuels.

22. Due to the size of the property the permittee shall not process materials described in Health and Safety Code §25211.2(b)) and described in California Assembly Bill No. 1447 (AB 1447) (2007) that are parts of "major appliances" as defined in California Public Resources Code §42166, which includes the following: washer or dryer, refrigerator or freezer, water and space heaters, furnace or boiler, air-conditioner or dehumidifier, trash compactor, oven, stove, or microwave (hereafter referred to as "Appliances"). In the event that the permittee accepts Appliances as part of mixed load, the permittee is not permitted to further process these items on-site. The permittee is required to have such items shipped off-site to a vendor for further processing.

23. Due to the size of the subject property the permittee shall not dismantle or process hazardous materials requiring special handling. The permittee may obtain licensure as a Certified Appliance Recycler ("CAR") pursuant to California Health and Safety Code §25211.4(7) for the purposes of accepting but not further processing appliances. The permittee may accept, store, and sell appliances as part of its regular metals shipments if those items have been processed by a Certified Appliance Recycler.

24. Due to the size of the subject property and because no area has designated for assembly and storage of vehicles on the Exhibit "A", the permittee is restricted from receiving complete automobiles that would require space for disassembly and/or for storage required to obtain a California Department of Motor Vehicles ("DMV") junk slip clearance. This restriction shall not include automobile parts or components legally dismantled.

25. To address any issues related to the off-site impacts caused by the operations of the facility, the permittee shall hold an annual meeting with members of the community for the purpose of identifying and informally resolving issues that are within the scope of this Conditional Use Permit and the County Zoning Ordinance (Title 22). Minutes of the meeting shall be submitted to the Zoning Enforcement Section of the Department of Regional Planning.

26. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses and to assure compliance of this grant, it is necessary to require annual monitoring inspections and to limit the term of the grant to ten (10) years.

27. To satisfy the burden of proof, the facility must be operated so as not to be detrimental to the public health, safety and general welfare of the community in which such use is located. The Commission finds that the scrap metal yard is compatible with the surrounding community, which contains other scrap metal yards, auto dismantling uses, and industrial sites.

28. Pursuant to the provisions of Section 22.60.174 and 22.60.175 of the Zoning Ordinance, the community was appropriately notified of the public hearing by mail, newspaper and property posting.

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

30. It has been determined that the project will not have a significant effect on the environment pursuant to CEQA reporting requirements and qualifies for a Negative Declaration.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. That the proposed use is consistent with the adopted general plan for the area; and

B. That 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; and

C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, loading facilities, landscaping and other development features prescribed in this Title 22.

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 by other public or private service facilities as are required; and

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

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission has considered the Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect of the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Commission, and **ADOPTS** the Negative Declaration.

2. In view of the findings of fact presented above, Conditional Use Permit No. 200800163 / Project R2008-01962-(2) with findings and conditions is **APPROVED** subject to the attached conditions.

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

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission finds that the project qualifies for a Negative Declaration under California Environmental Quality Act (CEQA) reporting requirements. After consideration of the Negative Declaration together with all comments received during the public review process, the Regional Planning

Commission finds on the basis of the whole record before the Regional Planning Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Regional Planning Commission, and adopt the Negative Declaration.

2. In view of the findings of fact and conclusions presented above, **Conditional Use Permit No. 200800163** is **APPROVED** subject to the attached conditions.

VOTE: 4-0

Concurring: Wayne Rew, Pat Modugno, Esther L. Valadez, Leslie G. Bellamy
Dissenting: None
Abstaining: None
Absent: Harold V. Helsley
Action Date: April 14, 2010

c: Each Commissioner, Zoning Enforcement, Building and Safety

This grant authorizes a conditional use permit to establish a scrap metal sorting yard as depicted on the approved revised Exhibit "A", subject to all of the following conditions of approval:

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

3. This grant shall not be effective for any purpose and cannot be used until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of 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. 2, and until all required fees have been paid pursuant to Condition Nos. 16 and 44. Notwithstanding the foregoing, this condition (No. 3), and Condition Nos. 4, 5 and 13 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. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

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.

c. The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

7. 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.

8. If there are any changes to the site plan within ninety (90) days of the approval date of this grant, the permittee shall submit to the Director for review and approval, three (3) copies of site plans, similar to Exhibit "A" as presented at the public hearing. The property shall be developed and maintained in substantial compliance with the plans marked 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. If changes to the site plan are required as a result of instruction given at the public hearing, a Revised Exhibit "A" shall be submitted to the Department of Regional Planning within sixty (60) days of the date of approval for the conditional use permit.

9. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.

10. 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.

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

12. All landscaped areas shall be continuously and properly maintained in good condition.

13. This grant shall expire unless used within two years from the date of final approval by the County. A single one-year time extension may be requested in writing and with the payment of the applicable fee no earlier than six months prior to such expiration date.

14. This grant shall terminate on **April 14, 2020**. The permittee shall submit a written application accompanied by all applicable fees no less than 6 months prior to the expiration date of the initial term. Upon the expiration of this grant, the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the expiration date of this grant, whether or not any modification to the use is requested at that time.

15. 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.

16. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **$2,000.00**. 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 ten (10) annual (once per year) inspections. Inspections shall be unannounced. The inspection fee shall be paid within **30 days** of approval. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently $200.00 per inspection).

17. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

18. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

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

20. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.

21. Any sign to be located on the subject property is subject to a separate sign review that shall be filed for review and approval to the Department of Regional Planning.

22. The placement of portable signs on sidewalks adjacent to the subject property and temporary signs on walls and poles is prohibited, with the exception of a temporary sign prohibiting stopping placed along the Alameda Street frontage.

23. Outside storage is proposed, therefore all operations and storage, including all equipment used in conducting such use, other than parking, shall be conducted within an enclosed building or within an area enclosed by a solid wall or solid fence.

24. All areas of the yard shall be paved with an asphalt surfacing.

25. Scrap metals shall not be placed or allowed to remain outside of the enclosed yard area.

26. Materials may be stored above the height of the fence or wall, provided such storage is not within ten feet of an exterior lot line.

27. Landscaping areas depicted on the approved Exhibit "A" shall comply with Section 22.52.770, part 20 and part 21 of chapter 22.52, and be continuously and properly maintained in good condition, neat, clean and healthful condition, including proper pruning, weeding, and removal of litter, fertilizing and replacement of plants. A permanent watering system with a smart irrigation controller shall be installed for the landscaped area, in compliance with Section 22.52.2130 C.2. A minimum of 75 percent of the total landscaped area shall contain plants from the drought-tolerant plant list maintained by the Department, in compliance with Section 22.52.2230 A.1.

28. Prior to the use of this grant, the property owner or permittee shall record a covenant in the office of the Los Angeles County Register-Recorder/County Clerk indicating that the owner of the subject project is aware of the drought-tolerant landscaping requirements of Part 21 of Chapter 22.52 of the County Code, and is also aware how said requirements apply to the owner's project.

29. Parking areas shall be conveniently accessible and permanently maintained as depicted on approved Exhibit "A", the site plan. (Including pavement, striping, wheel stops and landscaping). Parking spaces shall be developed pursuant to the requirements in Part 11 of Section 22.52.

30. Vehicular traffic circulation on-site shall be maintained in a clockwise circular pattern as depicted on the Exhibit "A".

31. Access to Alameda Street is restricted as an entrance and access to 92nd Street is restricted as an exit.

32. The sorting and storage area is restricted to the area marked on the Exhibit "A" as the "drop area". All sorting shall be done within this area unless the permittee is in the process of loading or unloading materials and the size of the area is being expanded temporarily in such a manner that the expanded area does not impede the circular traffic circulation depicted on the Exhibit "A".

33. The permittee shall control the traffic flow on-site by directing vehicles to designated waiting areas while waiting to use the scale, unloading, and to receive payment.

34. The permittee shall implement a "flagman" procedure to regulate the number of incoming vehicles to prevent the site from exceeding capacity (20 small trucks and/or vehicles, excluding vehicles in designated parking spaces). The permittee shall continuously monitor the number of vehicles on site. In the event that the site is approaching full capacity, the permittee shall restrict any further vehicles from entering the site. The permittee shall be required to close the entrance gate on Alameda Street or may keep the entrance gate open if an employee

designated as a "flagman" remains at the Alameda Street entrance whose responsibility will be to monitor site capacity and who may only permit additional vehicles as vehicles exit the site making waiting areas available. While no designated waiting areas are available, the flagman will signal away potential customers to continue to travel without stopping to turn into the site. If necessary, the "flagman" shall inform potential customers or post the property that no stopping is permitted outside of the facility.

35. Loading of "end-dump" container trucks shall occur only when the site is shut down to receiving traffic. The permittee shall abide by a "call ahead" provision whereby semi-trucks will be required to call ahead before arriving on-site to provide the permittee time to clear the site to allow semi-trucks to operate on-site. The rear-loading trucks can remain on-site simultaneously with the permittee is receiving additional traffic. However, the site must be cleared to allow semi-truck to be weighed and exit the site. If possible, the permittee shall conduct all loading from 4:00 P.M. to 6:00 P.M.

36. Hours of operation for the facility shall be restricted to 6:00 A.M. to 6:00 P.M. Monday through Saturday. The facility shall be closed on Sundays.

37. The permittee shall not receive materials that require "special handling" which includes, but is not limited to, radioactive materials, PCB (polychlorinated biphenyls) oils, capacitors and ballast containing PCB (polychlorinated biphenyls) oils, capacitors containing oil, transmissions containing oil, motor oils, anti-freeze, mercury switches, capsules containing mercury, CFC (chlorofluorocarbon), batteries and fuels.

38. The permittee shall not process materials described in Health and Safety Code §25211.2(b)) and described in California Assembly Bill No. 1447 (AB 1447) (2007) that are parts of "major appliances" as defined in California Public Resources Code §42166, which includes the following: washer or dryer, refrigerator or freezer, water and space heaters, furnace or boiler, air-conditioner or dehumidifier, trash compactor, oven, stove, or microwave (hereafter referred to as "Appliances"). In the event that the permittee accepts Appliances as part of mixed load, the permittee is not permitted to further process these items on-site. The permittee is required to have such items shipped off-site to a vendor for further processing. Such items shall be kept separate from the mixed metals pile and shall be placed in the designated "appliance area" within the larger "drop area" as shown on the Exhibit "A". The permittee shall schedule shipments of the Appliances on a regular basis to prevent the expansion of the appliance storage area.

39. The permittee may accept mixed loads containing Appliances (as defined in Condition No. 38), in which case will be placed in the "drop area" for sale as part

of a shipment, and the Appliances will be placed in the "appliance area" for shipment off-site for further processing. Permission to accept Appliances for temporary storage does not include permission to dismantle or further process these items. The permittee shall be licensed as a Certified Appliance Recycler ("CAR") pursuant to the Health and Safety Code §25211.4(7) for the purposes of temporarily storing appliances on-site. The permittee may, however, accept, store in the general metal pile, and ship Appliances as part of its regular shipments of metals, as long as those Appliances have been properly processed off-site by a Certified Appliance Recycler and the permittee has received a DTSC Form 1430 from transporter at the time of transaction.

40. The permittee shall not receive complete automobiles for processing into scrap. This restriction shall not include automobile parts or components legally dismantled.

41. The permittee shall schedule an annual meeting with members of the community for the purpose of identifying and resolving any issues related to the operation of the facility. The permittee shall coordinate with Zoning Enforcement staff in setting a date for the community meeting. The permittee shall mail notices to all property owners within 500 feet of the subject property (a current listing of owners may be obtained from the County Assessor's Office) at least 30 days prior to the community meeting. Before **April 14** of each year, the permittee shall submit to the Zoning Enforcement Section of the Department of Regional Planning minutes of the community meeting.

42. The permittee shall submit, within sixty (60) days of the approval date of this grant, the Phase I soils report to the Hazmat Division of the Los Angeles County Fire Department. The permittee shall comply with requests for information by Hazmat, and if determined to be necessary by Hazmat, to conduct any further testing or soil remediation. The permittee shall submit to the Department of Regional Planning a clearance stating that any tests and remediation, if any, has been performed to the satisfaction of Hazmat.

43. The permittee shall file and record, within sixty (60) days of the approval date of this grant, a covenant and agreement to hold the two parcels as one and submit a copy of the document to be recorded for review and approval. Upon recordation, an official copy of the recorded covenant and agreement shall be provided to the Director.

44. The permittee shall submit, within three (3) days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the

California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code, a fee of **$2,085.25** is required. No land use project subject to this requirement is final, vested or operative until the fee is paid.

45. Permittee shall comply with all conditions requested by the Los Angeles County Department of Public Works (DPW) as set out in letter dated April 14, 2010 and the Los Angeles County Fire Department as set out in a letters dated May 28, 2009.

Attachments:
Letter from County of Los Angeles, Department of Public Works, dated April 14, 2010.
Letter from County of Los Angeles, Fire Department, dated February 4, 2010.

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

April 14, 2010

IN REPLY PLEASE
REFER TO FILE: LD-1

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

Attention Andrew Svitek

FROM: Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) REVIEW AND COMMENT
PROJECT NO. R2008-01962
CUP NO. RCUPT 200801963
9113 ALAMEDA STREET
UNINCORPORATED WALNUT PARK AREA

☒ Public Works recommends approval of this CUP.

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

We reviewed the site plan for the CUP in the unincorporated County area of Walnut Park. The project site is located at the intersection of Alameda Street and 92nd Street. The project is for the construction of a scrap metal recycling and collection center with on-site parking.

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

1. Right of Way and Road Improvement Requirements

   1.1 Close any unused driveway with standard curb, gutter, and sidewalk along the property frontage on Alameda Street.

   1.2 Repair any displaced, broken, or damaged curb, gutter, sidewalk, driveway apron, and pavement along the property frontage on Alameda Street and 92nd Street to the satisfaction of Public Works.

1.3 Plant street trees along property frontage on Alameda Street and 92nd Street to the satisfaction of Public Works. Existing trees in dedicated or to be dedicated, right of way shall be removed and replaced if not acceptable as street trees.

1.4 Reconstruct the curb ramps, driveways, and the sidewalks to meet current Americans with Disabilities Act requirements along the property frontage on Alameda Street and 92nd Street.

1.5 Submit street improvement plans and acquire street plan approval or direct check status before obtaining grading permit.

1.6 The driveway located along Alameda Street shall be restricted to right-turn ingress only, and the driveway located along 92nd Street shall be restricted to right-turn egress only.

1.7 All driveway gates are to remain open during business hours.

1.8 Adhere to the site operational plan (traffic circulation, traffic control, and hours of operation) as stipulated by the Department of Regional Planning, based on the approved revised site plan.

1.9 Prior to grading/drainage/building permit, road improvements and detailed signing and striping plans shall be submitted to the Public Works' Land Development Division, Road and Grading Section to the satisfaction of Public Works.

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

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

2. Grading

2.1 Submit a grading plan for approval. The grading plan must show and call out the construction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, the Standard Urban Stormwater Mitigation Plan (SUSMP) devices (if applicable), and existing easements. The applicant is solely responsible for obtaining easement

holder approvals. Comply with all National Pollutant Discharge Elimination System requirements.

2.2 Submit a Health and Safety plan for disposal of any contaminated materials if determined necessary to the satisfaction of Public Works.

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

3 Drainage

3.1 Prior to issuance of a building permit, drainage plans must be approved to provide for the proper distribution of drainage and for contributory drainage from adjoining properties; the elimination of sheet overflow and ponding; and to comply with National Pollutant Discharge Elimination System, Stormwater Management Plan, and SUSMP requirements.

For questions regarding the drainage comment, please contact Amir Ibrahim at (626) 458-4921 or by e-mail at ibrahim@dpw.lacounty.gov.

4. Hazardous Waste

4.1 If any excavated soil is contaminated by or classified as hazardous waste by an appropriate agency, the soil must be managed and disposed in accordance with applicable Federal, State, and local laws and regulations.

For questions regarding the hazardous waste comment, please contact Corey Mayne at (626) 458-3524 or by e-mail at cmayne@dpw.lacounty.gov.

5. Underground Storage Tanks/Industrial Waste/Stormwater Comments

5.1 Should any operation within the subject project include the construction, installation, modification, or removal of underground storage tanks, industrial waste treatment or disposal facilities, and/or storm water treatment facilities, this Public Works' Environmental Programs Division must be contacted for required approvals and operating permits.

5.2 All development and redevelopment projects which fall into one of the SUSMP project types, characteristics, or activities, must obtain SUSMP approval by the appropriate agency.

For questions regarding the hazardous waste comment, please contact Corey Mayne at (626) 458-3524 or by e-mail at cmayne@dpw.lacounty.gov.

6. Traffic Studies

6.1 The project will not be required to submit a traffic impact analysis; however, the project shall be conditioned to restrict the two project driveways to right-turn ingress and egress and require the gates to remain open during business hours.

For questions regarding the hazardous waste comment, please contact Jeff Pletyak at (626) 300-4721 or by e-mail at jplety@dpw.lacounty.gov.

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

RC:ca
P:/LDPUB/SUBMGT/ R2008-01962_RCUP 20080163_9113 Alameda Str.doc

bc: Environmental Programs (Mayne)
Geotechnical and Materials Engineering (Goodman)
Traffic and Lighting (Traffic Studies)
Land Development (Narag)

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: February 4, 2010

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2008-01962

LOCATION: 9113 S. Alameda Street, Los Angeles

☐ The Fire Department Land Development Unit has no additional requirements for this permit.

☐ The required fire flow for this development is ____ gallons per minute for _ hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. __ 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 __ 6" X 4" X 2 1/2" fire hydrant, 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 IS CLEARED FOR PUBLIC HEARING BY THE FIRE DEPARTMENT.

☒ **Location:** The Fire Flow performed on 01-13-10 by Golden Sate Water Company is adequate.

☒ **Access:** Access is adequate as indicated on the Site Plan dated 05-28-09.

☒ **Special Requirements:** All fire apparatus entry gates shall comply with LACoFD Regulation 5.

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: *SCOTT JAEGGI*