



Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6462

PROJECT NUMBER R2009-01269-(4)
CONDITIONAL USE PERMIT NO. 200900087
ZONE CHANGE NO. 200900007

PUBLIC HEARING DATE
7/20/2011

AGENDA ITEM

RPC CONSENT DATE

CONTINUE TO

APPLICANT

St. Michael's Orthodox Church

OWNER

St. Michael's Orthodox Church

REPRESENTATIVE

David Hidalgo

PROJECT DESCRIPTION

Zone change from A-2-5 (Heavy Agriculture) to C-3-(DP) (Unlimited Commercial with Development Program) and conditional use permit to authorize the operation of a flower shop and bookstore at an existing 4,551 SF building on a 26,570 SF parcel.

REQUIRED ENTITLEMENTS

Zone change from A-2-5 (Heavy Agriculture) to C-3-(DP) (Unlimited Commercial with Development Program) and conditional use permit to authorize the operation of a flower shop and bookstore at an existing 4,551 SF building on a 26,570 SF parcel.

LOCATION/ADDRESS

3323 Workman Mill Road, Whittier CA 90601

SITE DESCRIPTION

The site plan depicts a 4,551 SF single-level building on a 26,570 SF site developed with 31 parking spaces, 2,000 SF of landscaping, with an additional 22 parking spaces are on leased property to the north. There are two driveways from Workman Mill Road.

ACCESS

Workman Mill Road

ZONED DISTRICT

Workman Mill

ASSESSORS PARCEL NUMBER

8125-017-013

COMMUNITY

Workman Mill

SIZE

0.6 Acres

COMMUNITY STANDARDS DISTRICT

N/A

EXISTING LAND USE

EXISTING ZONING

Project Site	existing building	A-2-5 (Heavy Agriculture with 5-acre minimum lot size)
North	Southern California Edison power transmission lines	A-2-5 (Heavy Agriculture with 5-acre minimum lot size)
East	Rio Hondo Community College	A-2-5 (Heavy Agriculture with 5-acre minimum lot size)
South	St. Michael's Orthodox Church	CPD (Commercial planned development)
West	industrial warehouses	A-2-5 (Heavy Agriculture with 5-acre minimum lot size)

GENERAL PLAN/COMMUNITY PLAN

Countywide General Plan

LAND USE DESIGNATION

Major Commercial

MAXIMUM DENSITY

n/a

ENVIRONMENTAL DETERMINATION

Categorical Exemption (Class 1 - Existing Facilities)

RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON: Andrew Svitek		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) 0 (F) 0	PETITIONS (O) 0 (F) 0	LETTERS (O) 0 (F) 0

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

STAFF ANALYSIS
PROJECT NO. R2009-01269-(4)
CONDITIONAL USE PERMIT NO. 200900087
ZONE CHANGE NO. 200900007

PROJECT DESCRIPTION

Zone change from A-2-5 (Heavy Agriculture) to C-3-(DP) (Unlimited Commercial with Development Program) and conditional use permit to establish the development program associated with Zone Change No. 200900007 by authorizing the operation and maintenance of a flower shop, bookstore, or any similar use permitted in the C-3 Zone, at an existing 4,551 SF building on a 26,570 SF parcel.

REQUIRED ENTITLEMENTS

The applicant is seeking a zone change from the A-2-5 Zone to the C-3-(DP) Zone to authorize the existing flower shop and bookstore, as well as any similar uses that are permitted in the C-3 Zone, within a building formerly approved as a religious education building. The property is currently designated as Major Commercial in the countywide General Plan. In order to allow for this change of use, the applicant is applying for the following entitlements:

Zone Change: Pursuant to Section 22.16.070 of Title 22 of the Los Angeles County Code, a request to change the zoning of a property from A-2-5 to C-3-(DP).

Conditional Use Permit: Pursuant to Section 22.56.010 of Title 22 of the Los Angeles County Code, a request to operate a florist shop, bookstore, or similar use, within the Development Program overlay.

LOCATION

The subject property is located at 3323 Workman Mill Road, Whittier, in the Workman Mill Zoned District.

EXISTING ZONING

Subject Property

The subject property is zoned A-2-5 (Heavy Agriculture with 5-acre minimum lot size).

Surrounding Properties

Surrounding properties are zoned as follows:

North: M-1.5-BE (Heavy Agriculture with 5-acre minimum lot size)
South: CPD (Commercial Planned Development) and M-1-DP (Light Manufacturing with Development Program)
East: A-2-5 (Heavy Agriculture with 5-acre minimum lot size)
West: A-2-5 (Heavy Agriculture with 5-acre minimum lot size)

EXISTING LAND USES

Subject Property

The subject property is developed with an existing commercial building currently being used as flower shop and bookstore. The site also has thirty-one parking spaces.

Surrounding Properties

Land uses within five hundred feet of the subject property consist of the following:

North: Southern California Edison power transmission lines, industrial warehouses (FedEx)
South: St. Michael's Orthodox Church, industrial warehouses
East: Los Angeles County Sherriff's Academy, Rio Hondo Community College, truck storage
West: Industrial warehouses, railroad right of way

SITE PLAN DESCRIPTION

The subject property is developed with a 4,551 SF single-level building on a 26,570 SF site developed with thirty-one parking spaces and approximately 2,000 SF of landscaping. An additional twenty-two parking spaces are on a leased property to the north. There are two driveways from Workman Mill Road.

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning has determined that a categorical exemption (Class 1 – Existing Facilities) is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and the Department of Regional Planning website posting.

PREVIOUS CASES/ZONING HISTORY

There were two previous zoning cases on the subject property:

- **Zoning Exception Case No. 9675** was approved on April 1, 1971 to authorize the construction of a religious institute with a modification of parking and wall standards.
- **Zoning Exception Case No. 9587** was approved on August 26, 1971 to authorize a religious college on less than required area.

STAFF EVALUATION

General Plan Consistency

The subject property is designated as Major Commercial in the countywide General Plan and a flower shop, bookstore, or similar uses are appropriate uses in a commercial area in the vicinity of a church, a college, and a cemetery.

Zoning Ordinance and Development Standards Compliance

The application satisfies the zoning ordinance and development standards for the C-3 (Unlimited Commercial) Zone pursuant to Section 22.28.220:

- **Maximum Lot Coverage - Section 22.28.220.A.** The C-3 Zone allows no more than 90% lot coverage by structures. The total lot area is 26,570 SF and the building area is 4,551 SF, which is 17% lot coverage. This requirement is satisfied.
- **Parking Facilities - Section 22.28.220.B.** The subject uses require one parking space for each 250 SF of building area. The required number of parking spaces is twenty-one. The site is developed with thirty-one spaces, or ten spaces more than is required.
- **Outside Display - Section 22.28.220.C.** The proposed uses are enclosed in a building and no outside display is being proposed.
- **Outside Storage - Section 22.28.220.D.** There is no outside storage being proposed. Two storage sheds measuring approximately one-hundred square feet are located at the rear of the property and are used in conjunction with the businesses.

Neighborhood Impact/Land Use Compatibility

The flower shop and bookstore have been in operation for a number of years without any issues with the surrounding area. Access is from Workman Mill Road near the conjunction with Peck Road. The surrounding area includes a church, power transmission lines, industrial and warehouse uses, truck

equipment storage, Los Angeles County Sheriff's Academy, Rio Hondo College, Puente Hills Landfill and Rose Hills Memorial Park. The retail uses generate minimal traffic trips and do not create noise.

ZONE CHANGE BURDEN OF PROOF

Pursuant to Los Angeles County Code Section 22.16.110, the applicant shall substantiate to the satisfaction of the Commission the following facts:

- A. That modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration; and
- B. That a need for the proposed zone classification exists within such area or district; and
- C. That the particular property under consideration is a proper location for said zone classification within such area or district; and
- D. That placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice.

In addition to making the findings that the applicant has substantiated these facts, the Commission must also consider the following as described in Section 22.16.150:

- E. That the proposed zone change is consistent with the adopted general plan for the area.

The parcel is adjacent to another parcel that is also zoned for commercial uses (CPD Zone). The parcel is currently designed in the countywide General Plan for commercial uses. The Commission should also take into consideration the following:

- The current church, flower shop, and bookstore have operated for approximately ten years without any problems or complaints.
- The current use for an educational building was authorized by a special permit in 1971. The change in zone will allow the use of the building for commercial uses that are in demand in the area due to the church, cemetery and university in the vicinity.
- The subject property is surrounded by industrial zones and a commercial zone will not adversely affect the industrial zones.
- The use is located adjacent to two major highways that can support a commercial zone. Services are provided for people traveling to adjacent uses: the community college and cemetery.

CONDITIONAL USE PERMIT BURDEN OF PROOF

Burden of Proof

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

- A. That the requested use at the location 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; and
- 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; and

- 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 Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

County Fire Department

The Department of Public Works has cleared the project for public hearing and their response is attached.

County Department of Public Works

The Department of Public Works has cleared the project for public hearing and their response is attached.

PUBLIC COMMENTS

No public comments received at the time of this staff report.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

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 of Conditional Use Permit No. 200900087, subject to the attached conditions. Staff also recommends that the Regional Planning Commission recommend approval of Zone Change No. 200900007 with the attached resolutions.

SUGGESTED APPROVAL MOTIONS

I move that the Regional Planning Commission close the public hearing and find the project categorically exempt under CEQA.

I move that the Regional Planning Commission **APPROVE** Conditional Use Permit No. 200900087 with the attached Findings and Conditions and recommend approval of Zone Change No. 200900007 to the Board of Supervisors for its consideration with the attached resolutions.

Prepared by Andrew Svitek, Regional Planning Assistant II
Reviewed by Mark Child, Assistant Administrator, Current Planning Division

Attachments:

Draft Findings for CUP No. 200900087
Draft Conditions of Approval for CUP No. 200900087
Draft Resolution for ZC No. 200900007
Applicant's Burden of Proof Statements
Site Photographs
Site Plan

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

**PROJECT NUMBER R2009-01269-(4)
CONDITIONAL USE PERMIT NUMBER 200800181**

REGIONAL PLANNING COMMISSION HEARING DATE: JULY 20, 2011

SYNOPSIS:

Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a conditional use permit to establish a development program in conjunction with a zone change from A-2-5 to C-3-(DP) authorizing the operation and maintenance of a flower shop, bookstore, or any similar use permitted in the C-3 Zone, within a C-3-(DP) (Unlimited Commercial with Development Program) Zone.

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

Findings

1. Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a conditional use permit to establish a development program in conjunction with a zone change from A-2-5 to C-3-(DP) authorizing the operation and maintenance of a flower shop, bookstore, or any similar use permitted in the C-3 Zone, within a C-3-(DP) (Unlimited Commercial with Development Program) Zone.
2. The subject property is located at 3323 Workman Mill Road, Whittier CA 90601 in the unincorporated community of Workman Mill within the Workman Mill Zoned District.
3. The granting of this conditional use permit established the development program for Zone Change No. 200900007 and is contingent upon the approval of the zone change by the Los Angeles County Board of Supervisors.
4. The subject property is developed with an existing commercial building currently being used as flower shop and bookstore. The site also has thirty-one parking spaces.
5. The subject property is currently zoned A-2-5 (Heavy Agriculture with 5-acre minimum lot size).
6. The subject property is proposed to be zoned C-3-(DP) (Unlimited Commercial with Development Program) Zone.
7. Surrounding properties are zoned as follows:
North: M-1.5-BE (Heavy Agriculture with 5-acre minimum lot size)
South: CPD (Commercial Planned Development) and M-1-DP (Light Manufacturing with Development Program)
East: A-2-5 (Heavy Agriculture with 5-acre minimum lot size)
West: A-2-5 (Heavy Agriculture with 5-acre minimum lot size)
8. Surrounding land uses within one thousand feet include:

North: Southern California Edison power transmission lines
South: St. Michael's Orthodox Church
East: Rio Hondo Community College
West: Industrial warehouses

9. There are two previous cases that were approved on the subject property. Zoning Exception Case No. 9675 was approved on April 1, 1971 to authorize the construction of a religious institute with a modification of parking and wall standards. Zoning Exception Case No. 9587 was approved on August 26, 1971 to authorize a religious college on less than required area.
10. The subject property is designated as Major Commercial. The purpose of this classification is to provide for a variety of small and large businesses. The establishment of a flower shop, bookstore, or similar use permitted in the C-3 Zone is consistent with this designation.
11. The Commission finds that the development program established by Conditional Use Permit No. 200900087 provides necessary safeguards to insure completion of the proposed development by the applicant forestalling substitution of a lesser type of development contrary to the public convenience, welfare or development needs of the area.
12. The project complies with the development standards of the C-3 (Unlimited Commercial) Zone as specified in Section 22.28.220. The C-3 Zone allows no more than 90% lot coverage by structures. The total lot area is 26,570 SF and the building area is 4,551 SF, which is 17% lot coverage. The subject uses require one parking space for each 250 SF of building area. The required number of parking spaces is twenty-one. The site is developed with thirty-one spaces, or ten spaces more than is required. The proposed uses are enclosed in a building and no outside display is being proposed. There is no outside storage being proposed. Two storage sheds measuring approximately one-hundred square feet are located at the rear of the property and are used in conjunction with the businesses.
13. The flower shop and bookstore have been in operation for approximately 10 years without any issues with the surrounding area. Access is from Workman Mill Road near the conjunction with Peck Road. The surrounding area includes a church, power transmission lines, industrial and warehouse uses, truck equipment storage, Los Angeles County Sheriff's Academy, Rio Hondo College, Puente Hills Landfill and Rose Hills Memorial Park. The retail uses generate minimal traffic trips and do not create noise.
14. The Department of Regional Planning has determined that the project is Categorically Exempt (under Class 1 for Existing Facilities) according to the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) ("CEQA"), and the State CEQA Guidelines, the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles.

15. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
16. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to 20 years.
17. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

REGIONAL PLANNING COMMISSION ACTION:

1. The Commission has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200900087 is **APPROVED** subject to the attached conditions.

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

c: Each Commissioner, Zoning Enforcement

**DRAFT CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. R200900087-(4)
CONDITIONAL USE PERMIT NO. 200900087**

PROJECT DESCRIPTION

The project is a zone change from A-2-5 (Heavy Agriculture) to C-3-(DP) (Unlimited Commercial with Development Program) and conditional use permit to establish the development program associated with Zone Change No. 200900007 authorizing the operation and maintenance of a flower shop, bookstore, or any similar use permitted in the C-3 Zone, at an existing 4,551 SF building on a 26,570 SF parcel, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("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. 7, and until all required monies have been paid pursuant to Condition Nos. 10, 12. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 9, and 12 shall be effective immediately upon final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
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 fully cooperate 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 make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses 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 \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Recorder ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on July 20, 2031.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the flower shop, bookstore, or a permitted use in the C-3 Zone and satisfaction of Condition No. 2 shall be considered use of this grant.
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. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,000.00**. The deposit shall be placed in a performance fund, which shall 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. The deposit provides for ten (10) biennial (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall

be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

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 ("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 or otherwise determined by County Code Section 22.60.350.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
13. All requirements of Title 22 of the County Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.
14. All development pursuant to this grant shall conform with the requirements of County Department of Public Works.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
16. 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 notification 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.
17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **four (4) copies of a modified Exhibit "A"** shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

PERMIT SPECIFIC CONDITIONS

18. Outside storage is permitted on the rear of the subject property when such storage is incidental to the permitted use and complies with Section 22.28.220 of the County Code.
19. Existing signage is permitted as depicted on the approved Revised Exhibit A. New signage or any modification to or replacement of the existing signage shall comply with all other applicable requirements of Chapter 22.52, Part 10 of the County Code.
20. The permittee shall maintain all landscaping in a neat, clean and healthy condition, including proper pruning, weeding, fertilizing and replacement of plants when necessary.
21. These parking spaces shall be left open and available for employees and customers, and no inoperable vehicles shall be parked or stored in the required parking spaces.



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

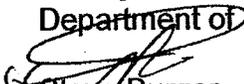
900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

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

IN REPLY PLEASE
REFER TO FILE: LD-1

December 30, 2010

TO: Mi Kim
Zoning Permits III Section
Department of Regional Planning

FROM:  Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 200900087
PROJECT NO. R2009-01269
3323 WORKMAN MILL ROAD
ASSESSOR'S MAP BOOK NO. 8125, PAGE 17, PARCEL 13
UNINCORPORATED AREA OF INDUSTRY

- Public Works recommends approval of this CUP.
- Public Works does **NOT** recommend approval of this CUP.

We reviewed the site plan for CUP No. 200900087, in the unincorporated Industry area, located at 3323 Workman Mill Road. The project is to legalize the operation of an existing flower shop and bookstore, and no new structures are being proposed.

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

1. Road
 - 1.1 Reconstruct the existing driveway approach north of the project site (driveway to the existing parking area for the flower shop/bookstore within Southern California Edison right of way) to comply with current Americans with Disabilities Act guidelines and to the satisfaction of Public Works. Relocate any affected utilities/catch basins. A construction letter to enter and reconstruct the existing driveway approach may need to be obtained from California Edison and be provided to Public Works prior to plan approval/permit issuance.

Mi Kim
December 30, 2010
Page 2

- 1.2 Repair any improvements damaged during construction to the satisfaction of Public Works.
- 1.3 Submit street improvement plans and acquire street plan approval prior to issuance of an encroachment permit to reconstruct the existing driveway.
- 1.4 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road conditions, please contact Mathew Dubiel at (626) 458-4921 or mdubiel@dpw.lacounty.gov.

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

RC:ca

P:\dpubl\SUBMGT\CUP\Project R2009-01269 CUP 2009000087 3323 Workman Mill Road legalize flower shop bookstore approved.docx



**COUNTY OF LOS ANGELES
FIRE DEPARTMENT**

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: December 15, 2010

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2009-01269

LOCATION: 3323 Workman Mill Road, Whittier (Co.)

- 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 and flow test __ 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 BY THE FIRE DEPARTMENT FOR PUBLIC HEARING.
- Water:** Fire flow test data provided by San Gabriel Valley Water Company dated 12-12-2010 is adequate.
- Access:** Fire apparatus access as depicted on the Site Plan dated 10-27-2010 is adequate.
- Special Requirements:** Any future building or uses on this property shall be in compliance with the County of Los Angeles Fire Department Regulation 27 (Regulations for Building Construction and Land Use Within or Adjacent to High Voltage Transmission Lines).

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***

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



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location 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 subject site does not create any offensive odors, noise, pollution, toxic waste or any conditions that jeopardize the health, peace, comfort or welfare of the residents or persons working on the surrounding areas.

The existing uses compliment the current uses and activities hosted at the neighboring properties. The general public benefits from the proposed goods and services offered at the subject project.

The existing uses enhance the needs, enjoyment and valuation of surrounding properties.

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.

The existing site & building development were approved under zoning case No. 9675 and 8587. Existing structures to remain.

The development meets the requirements of the proposed zone change from A-2-5 to C-3. The setbacks, yards, walls, fences, parking, loading, and landscaping are in compliance.

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 served by Workman Mill Road which is a major street with enough capacity to serve the existing and new traffic generated by the proposed uses. The existing flowers shop generates most of its traffic on weekends and holidays which is the time when normal city traffic is at its lowest point. The bookstore mostly serves students at adjacent Rio Hondo Community College.

The site is currently served with all public and private utilities as needed to run its proposed daily activities.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



ZONE CHANGE APPLICATION BURDEN OF PROOF

In addition to the information required on the application by Chapter 22.16, Part 2, the applicant for a Zone Change Application shall substantiate to the satisfaction of the Commission the following facts:

(Do not provide one word or Yes/No responses. If necessary, attach additional pages.)

A. That modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration; and

The current zone A-2-5 (Heavy Agriculture) is no longer valid because the site has not been used for agriculture purposes since 1970 when the existing building was approved under zoning case # 9587. For many years, the adjacent properties zoned A-2-5 have not shown any signs of hosting any agricultural practices or related activities.

The subject site is not large enough to engage in any profitable agricultural activities.

County wide general plan shows site as commercial Land Use (see attached exhibit C)

Community Plan show site as Neighborhood Commercial (see attached exhibit B)

B. That a need for the proposed zone classification exists within such area or district; and

The current zoning designation A-2-5 is no longer serving the purposes that it was originally intended for. The site is surrounded by an industrial property on the North (zoned M-1.5-BE), Rio Hondo College on East (zoned A-2-5), Saint Michael's Orthodox Church on the South (zoned CPD), Rose Hills Cemetery on the South (zoned A-1-5), and vacant property on the West (zoned M-1-DP); therefore, converting from A-2-5 zone to a C-3 zone would create a more compatible mixture of zones.

C. That the particular property under consideration is a proper location for said zone classification within such area or district; and

its proximity and compatibility with the neighboring properties. The subject building has previously used as a religious institute that directly served students at Rio Hondo Community College. The existing bookstore use also maintains a direct relationship with Rio Hondo students.

The existing flower shop has developed over the years a solid relationship with Rose Hills Cemetery and is a compliment to their daily activities. The existing flower shop serves Rose Hills Cemetery, Rio Hondo College and the every-day activities hosted at Saint Michael's Orthodox Church.

D. That placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice.

The existing uses are directly compatible with the land uses of the neighboring properties and complement the daily activities conducted in this particular community.

LOS ANGELES COUNTY LETTERGRAM

TO	File	FROM	Andrew Svitek Zoning Permits Section West
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**SUBJECT: ENVIRONMENTAL DETERMINATION
PROJECT NO. R2009-01269-(4)
CONDITIONAL USE PERMIT NO. 200900087
ZONE CHANGE No. 200900007**

DATE: March 8, 2011

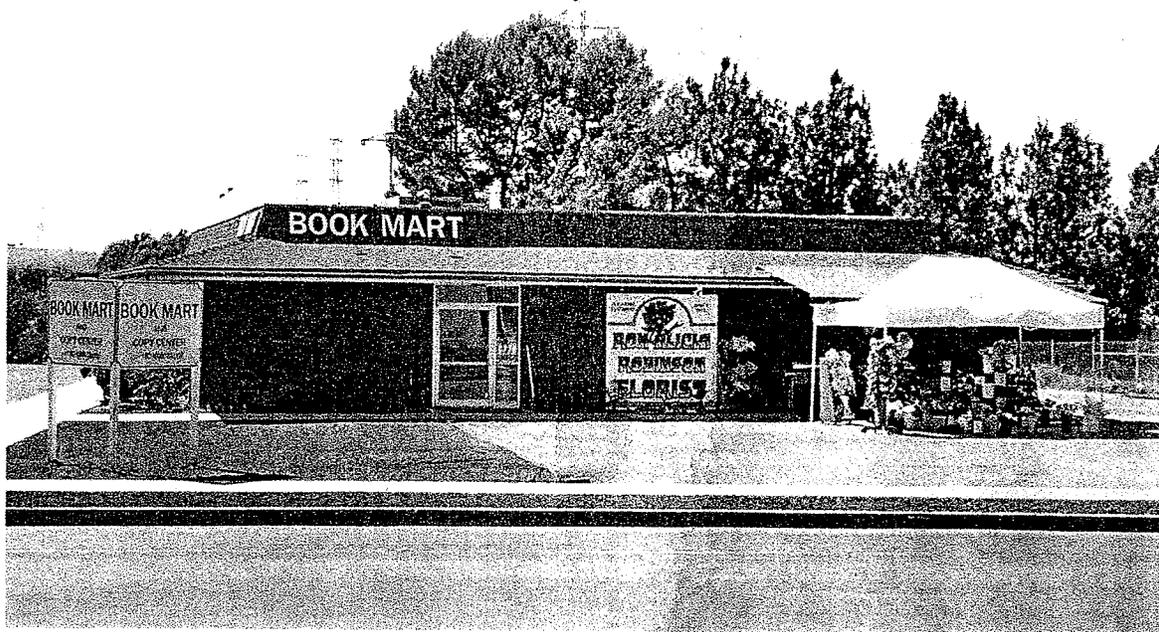
The applicant is requesting a Zone change from A-2-5 (Heavy Agriculture) to C-3-(DP) (Unlimited Commercial with Development Program) and conditional use permit to authorize a development program in conjunction with the zone change authorizing the operation and maintenance of a flower shop, bookstore, or any similar used permitted in the C-3 Zone, at an existing 4,551 SF building on a 26,570 SF parcel.

This project is categorically (Class 1 Exemption for existing facilities) under CEQA reporting requirements. This request is exempted from the California Environmental Quality Act based on Section 15303 (Chapter 3, Title 14, California Code of Regulations) because the proposed project is for the continued use of an existing facility; and as such, it meets the criteria set forth under Class 1 Categorical Exemption which exempts the continued use of existing facilities from the California Environmental Quality Act.

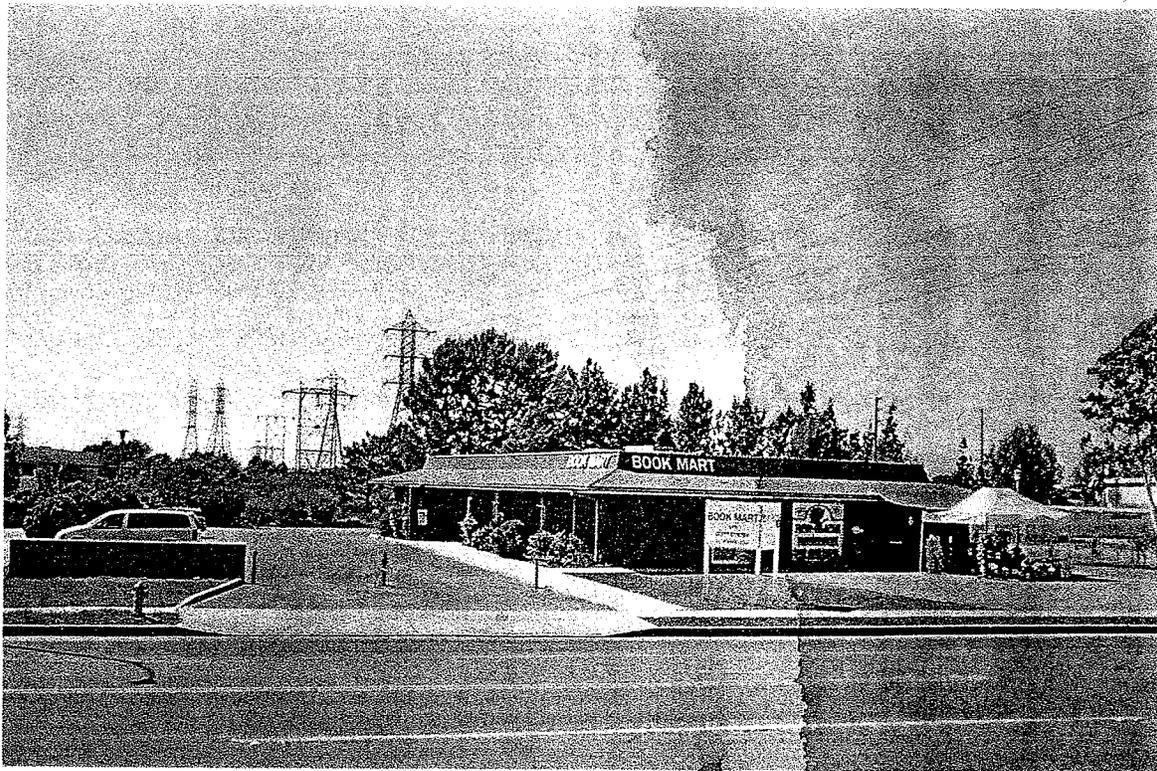
Section 15303 states that "the key consideration is whether project involves negligible or no expansion of an existing use." No new construction is being proposed and the only alteration is the change of use from offices to retail space.

If you have any questions regarding the above determination or the environmental document preparation, please contact Andrew Svitek of the Zoning Permit Section West at (213) 974-6462.

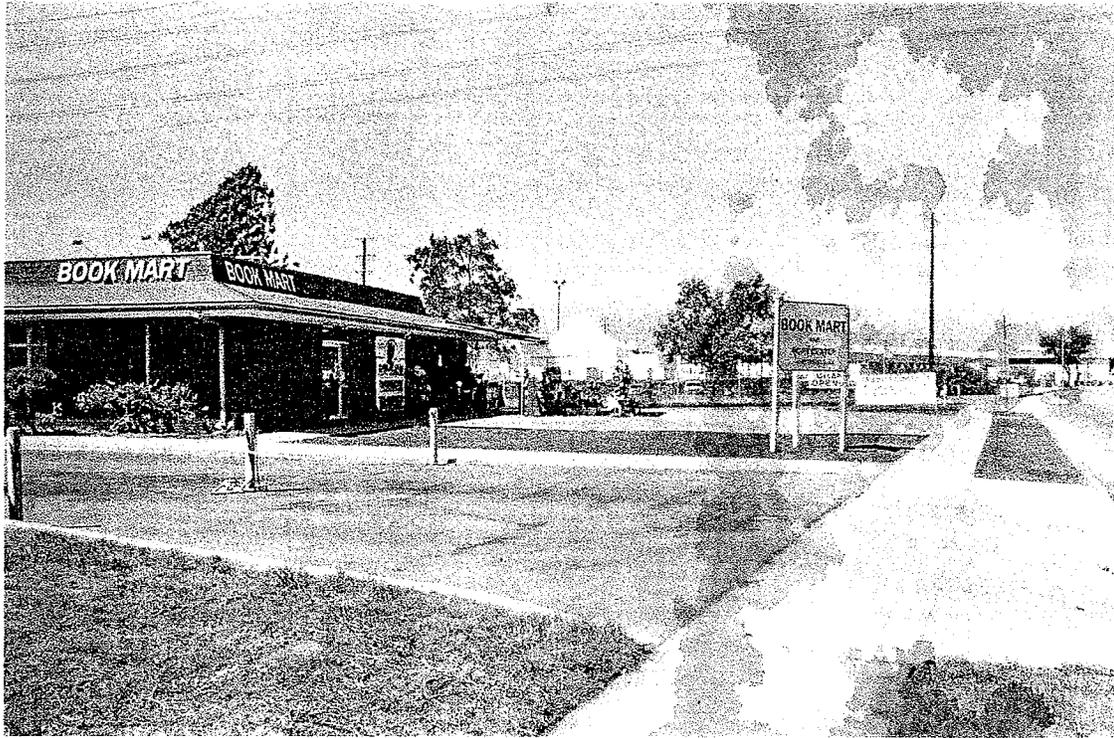
A NOTICE OF EXEMPTION MAY BE FILED WITH THE COUNTY CLERK UPON APPROVAL OF THIS PROJECT.



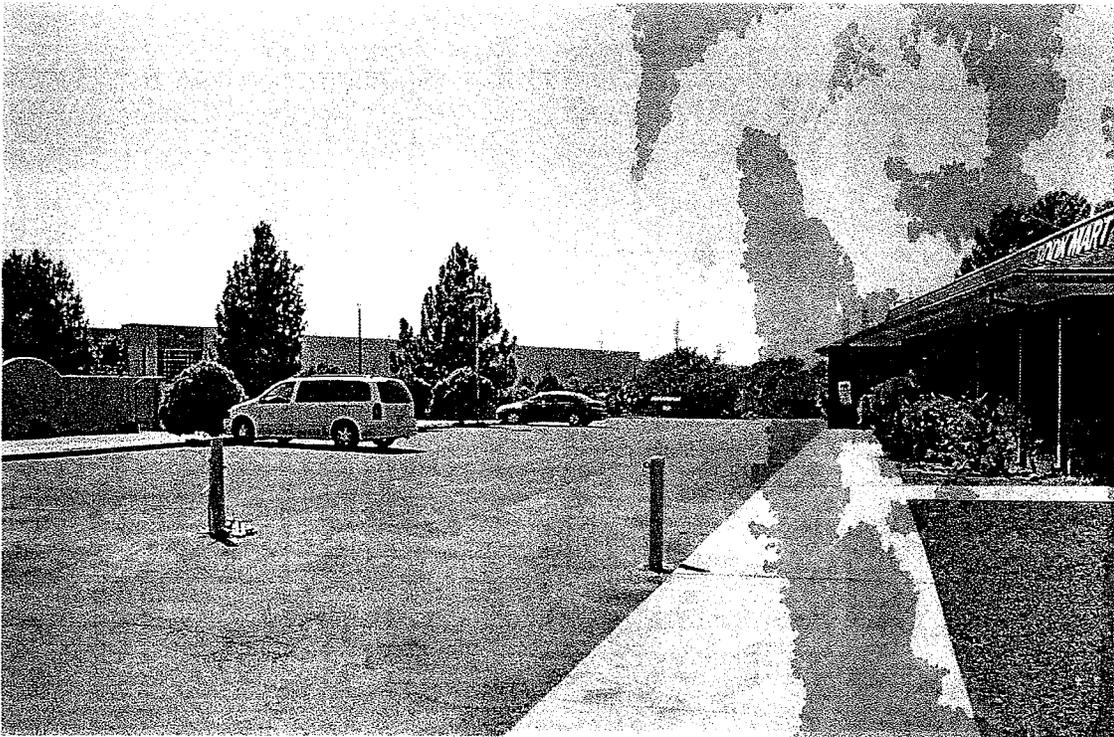
01 - BUILDING FRONT / STREET ELEVATION



02 - SITE & EXISTING BUILDING (FACING WORKMAN MILL ROAD)



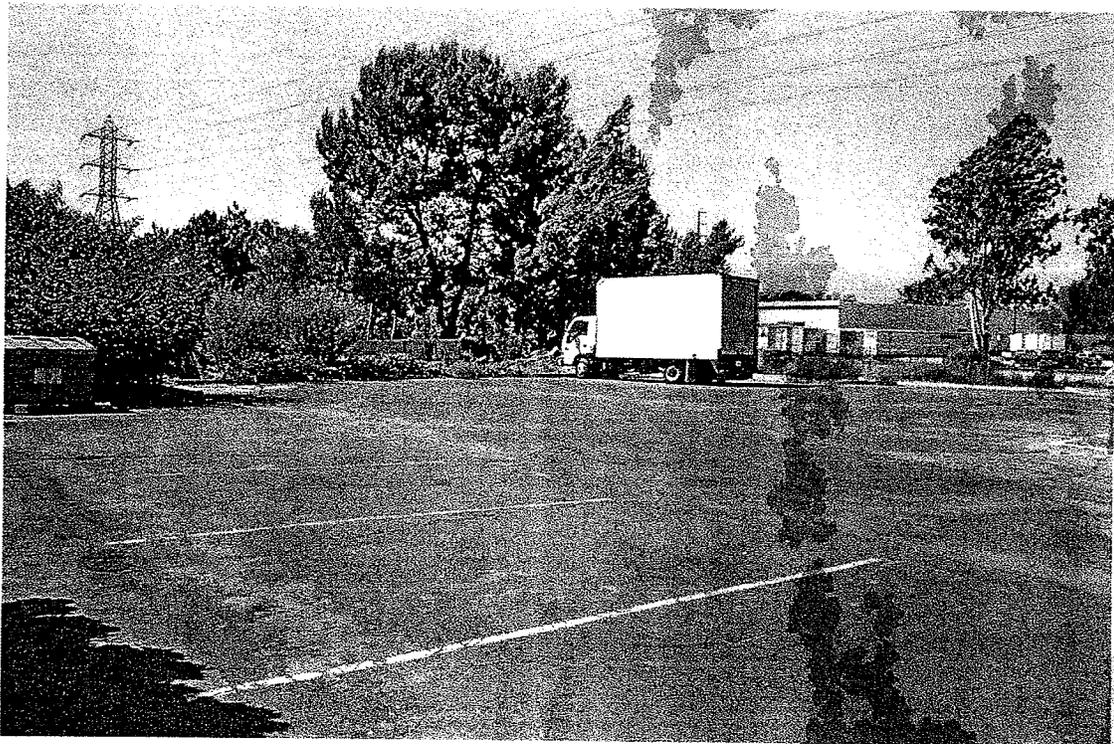
03 - FRONT YARD / STREET ELEVATION



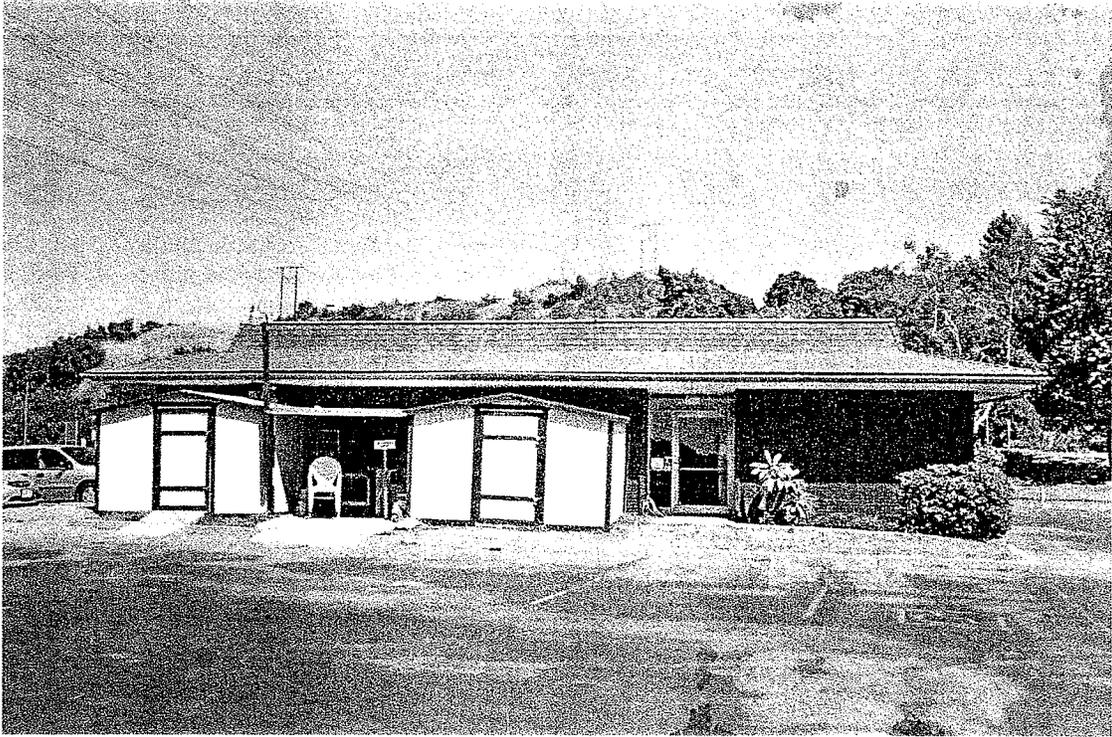
04 - EXISTING PARKING (ADJACENT TO CHURCH)



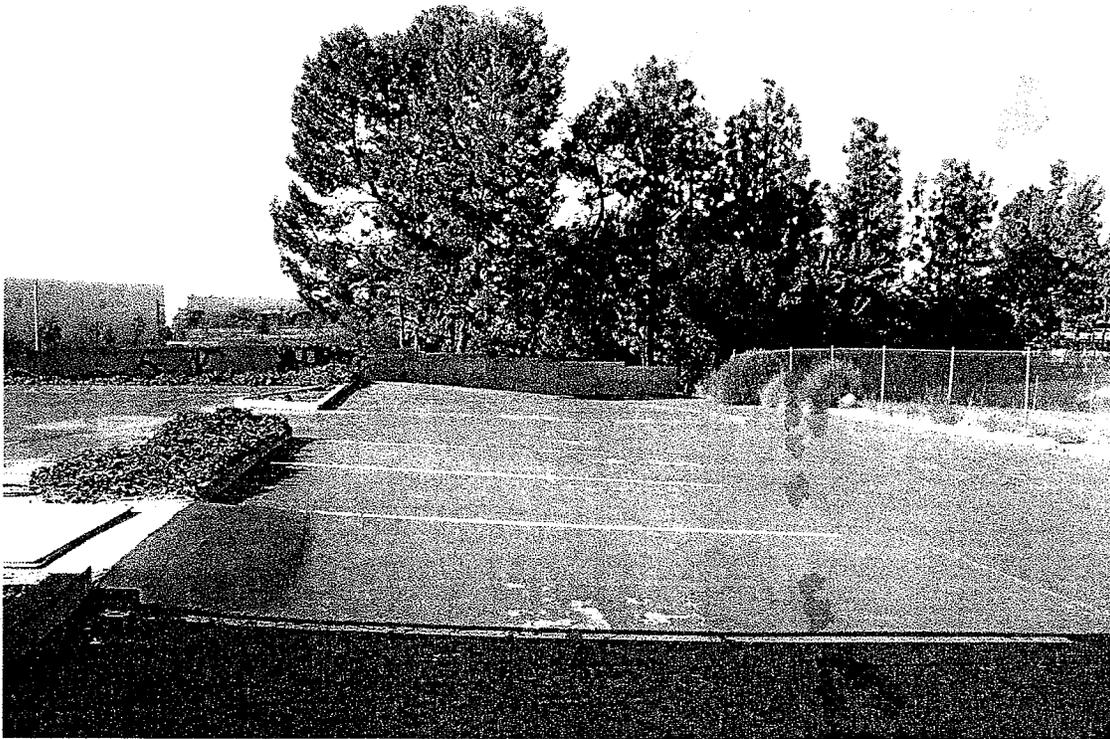
05 - SOUTH ELEVATION (FACING PARKING)



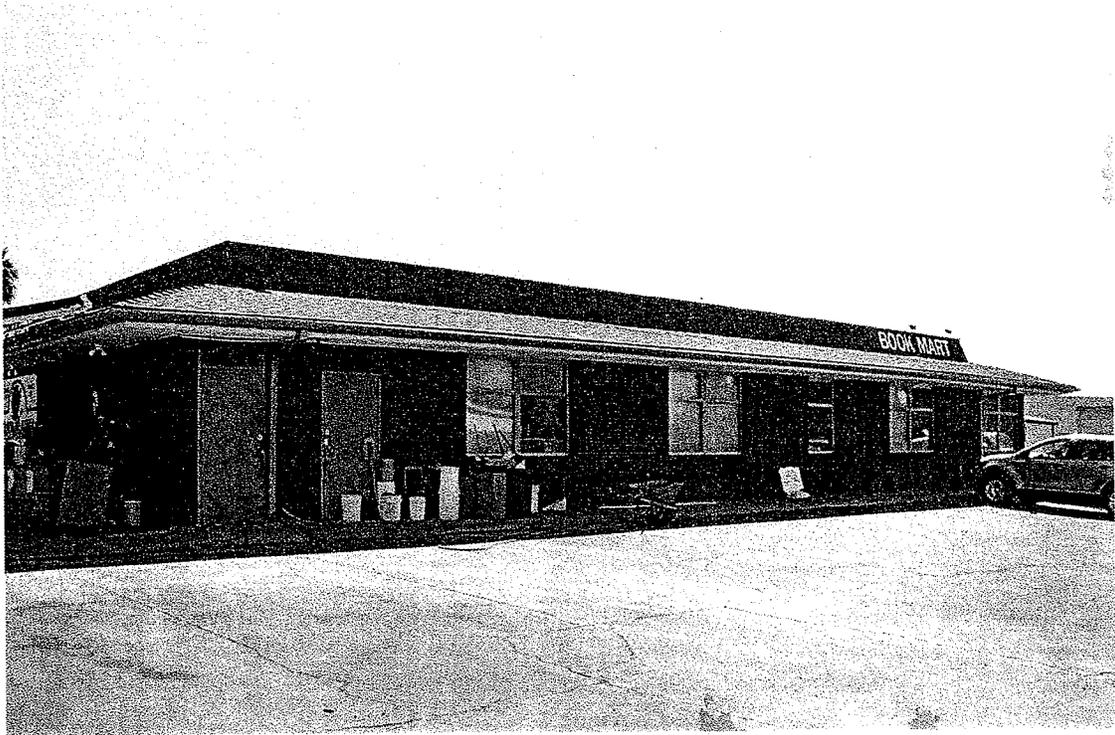
06 - EXISTING PARKING (REAR)



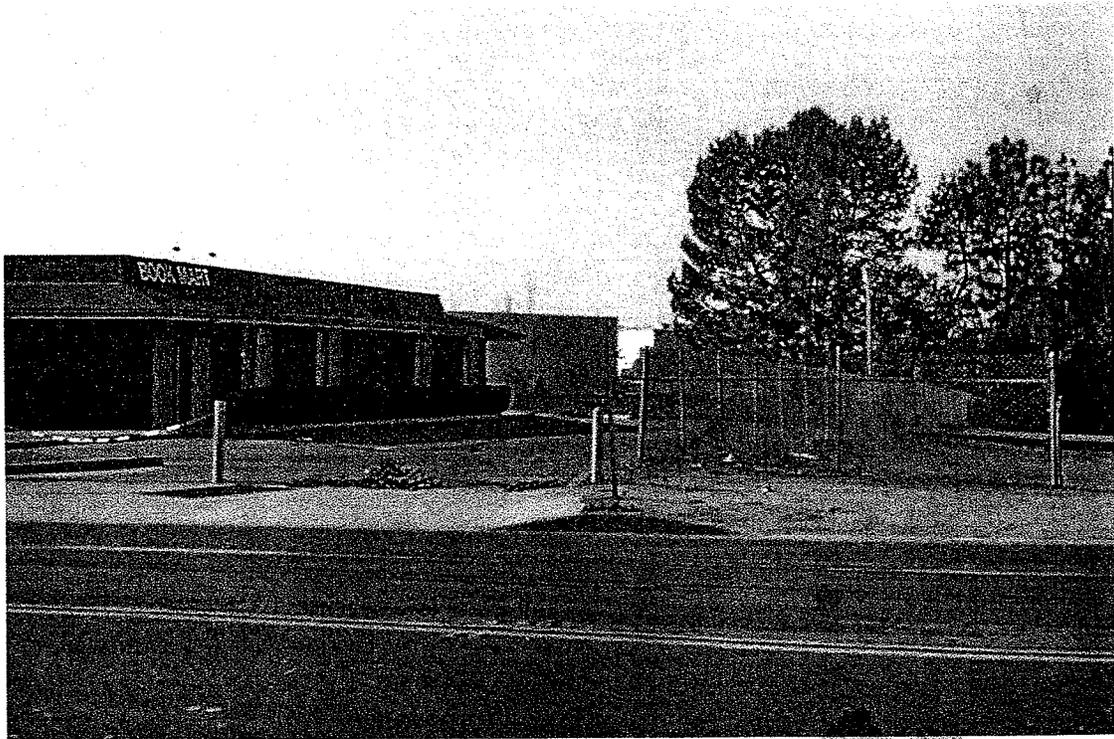
07 - WEST ELEVATION (BUILDING REAR)



08 - OFF-SITE PARKING (LEASED FROM SCE SINCE 1970)



09 - NORTH ELEVATION & OFF-SITE PARKING (LEASED FROM SCE)



10 - OFF-SITE PARKING (LEASED FROM SCE SINCE 1970)

**THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT R2009-01269-(4)
ZONE CHANGE CASE NO. 200900007**

WHEREAS, the Regional Planning Commission of the County of Los Angeles has conducted a public hearing in the matter of Zone Change Case No. **200900007** on July 20, 2011; and,

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of zone from A-2-5 (Heavy Agriculture with a 5-acre Minimum Lot Size) to C-3-DP (Unlimited Commercial with Development Program).
2. The subject property consists of approximately 0.6 acre, located at 3323 Workman Mill Road in the Workman Mill Zoned District.
3. The zone change request was heard concurrently with Conditional Use Permit No. 200900087 at the July 20, 2011 public hearing.
4. Conditional Use Permit No. 200900097 is a related request to authorize the operation and maintenance of a florist shop and a bookstore, or any similar use permitted in the C-3 Zone, within an existing 4,551 SF building.
5. The site plan for Conditional Use Permit No. 200900087 depicts a 4,551 SF single-level building on a 26,570 SF site developed with 31 parking spaces, approximately 2,000 SF of landscaping, with 22 parking spaces are on leased property to the north. There are two driveways from Workman Mill Road.
6. The subject property is currently zoned A-2-5 (Heavy Agriculture with a 5-acre Minimum Lot Size). The subject property is developed with a commercial building.
7. Modified conditions warrant a revision in the zoning of the subject property to foster implementation of planning goals and policies listed in Los Angeles County General Plan.
8. A need exists for the proposed zone change from A-2-5 to C-3-DP to achieve greater consistency between zoning and actual land use patterns in the surrounding community. The maintenance of the existing commercial building requires that the zoning be changed.
9. The subject property is a proper location for the proposed C-3-DP zoning classification and placement of the proposed zone at such location will be in the interest of public health, safety, and general welfare, and in conformity with good zoning practice. The subject property is located adjacent to two major highways and a commercial zone at location provides a commercial area that is compatible with the surrounding uses, including a church, cemetery, junior college, and industrial warehouses.

10. The proposed zone change from A-2-5 to C-3-DP is consistent with the goals and objectives of the Los Angeles County General Plan.
11. The Department of Regional Planning has determined that the project is Categorically Exempt (under Class 1 for Existing Facilities) according to the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) ("CEQA"), and the State CEQA Guidelines, the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles.
12. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
13. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Los Angeles County Department of Regional Planning.

THEREFORE, BE IT RESOLVED, THAT the Regional Planning Commission recommend to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board of Supervisors hold a public hearing to consider the recommended change of zone from A-2-5 to C-3-DP with development restrictions as provided by the related Conditional Use Permit No. 200900087; and
2. That the Board of Supervisors find that the project is categorically exempt according to the provisions of the California Environmental Quality Act; and
3. That the Board of Supervisors find the recommended zoning is consistent with the Los Angeles County General Plan; and
4. That the Board of Supervisors find that the public convenience, the general welfare and good zoning practice justify the recommended change of zone; and
5. That the Board of Supervisors hold a public hearing to consider the above recommended change of zone.

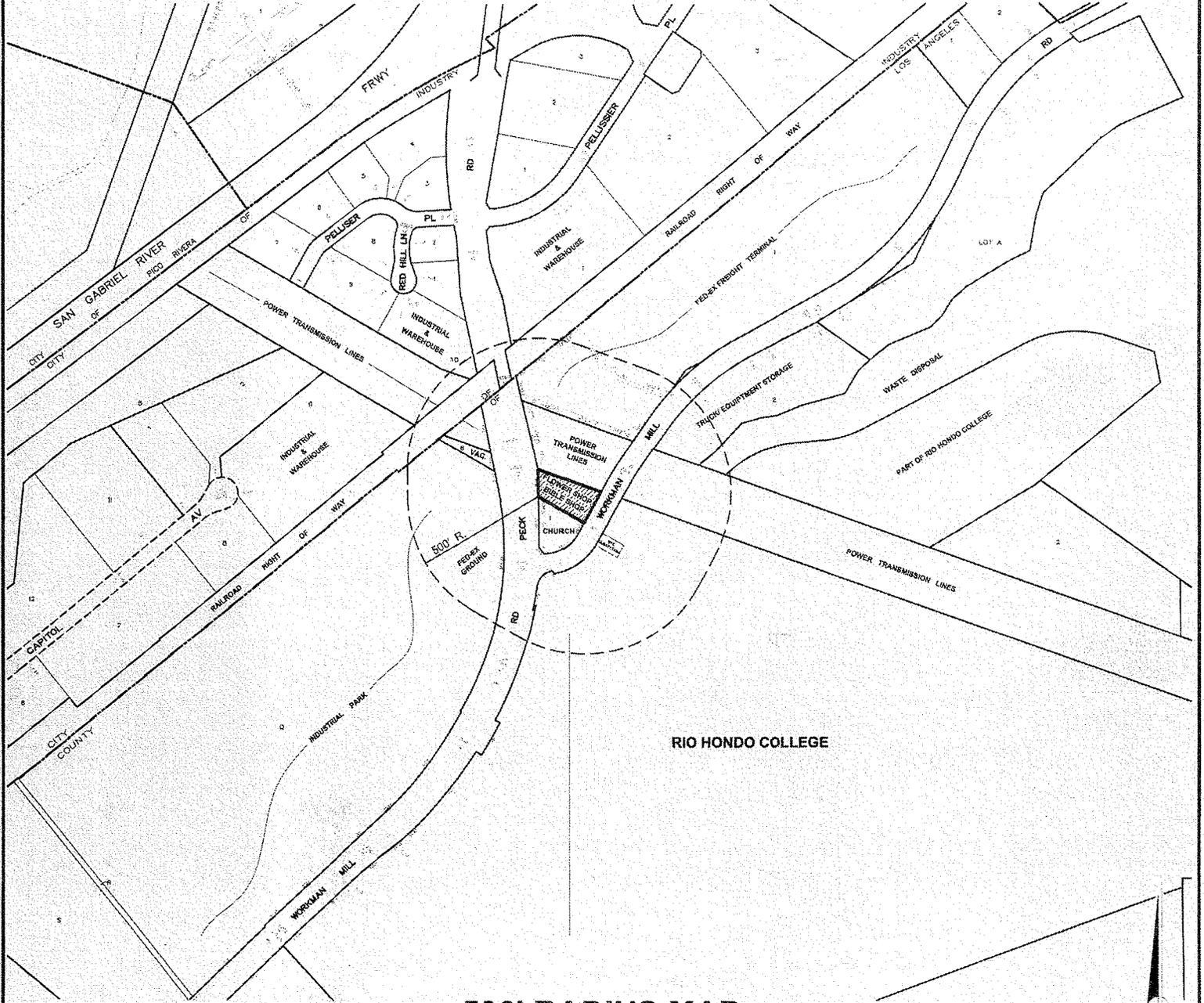
I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on July 20, 2011.

Rosie Ruiz, Secretary
Regional Planning Commission
County of Los Angeles



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COUNTY OF LOS ANGELES



500' RADIUS MAP

L.A. MAPPING SERVICE
1384 RANGETON DR.
WALNUT, CA 91789
(909) 595-0903

LEGEND

○ SINGLE-FAMILY RESIDENCE

ALL OTHER USES ARE AS SHOWN

CASE NO.

DATE: 3-03-09

SCALE: 1" = 200'

LAND USE MAP

