



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 5, 2014

Ms. Chun Yi An
4518 Lashheart Dr.
La Canada, CA 91001

**REGARDING: PROJECT NO. R2008-00099-(2)
CONDITIONAL USE PERMIT NO. 200800010
1522 N. INDIANA ST., CITY TERRACE (5224-009-008)**

The Regional Planning Commission, by its action of **February 5, 2014**, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **February 19, 2014**. **Appeals must be delivered in person.**

Appeals:

To file an appeal, please contact:
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Andrew Svitek of the Zoning Permits West Section at (213) 974-6462, or by email at asvitek@planning.lacounty.gov. 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


Mi Kim, Supervising Regional Planner
Zoning Permits West Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)
c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement
MKK:AS

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 2008-00099-(1)
CONDITIONAL USE PERMIT NO. 200800010**

1. **ENTITLEMENT REQUESTED.** The applicant, Chun Yi An, is requesting a Conditional Use Permit (CUP) to authorize a recycling collection center for CRV (California Redemption Value) Materials (classified as a "junk and salvage yard") in the M-2 (Heavy Manufacturing) Zone of the East Los Angeles Community Standards District pursuant to County Code Section 22.32.190.
2. **HEARING DATES.** November 13, 2013 and February 5, 2014
3. **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION**

November 13, 2013

A duly noticed public hearing was held on November 13, 2013, before the Regional Planning Commission. Commissioners Valadez, Louie, Helsley, Pedersen and Modugno were present. The applicant was also present at the public hearing. The Commission expressed concerns related to aesthetics of the street frontage, on-site circulation, and the cleanliness of the facility and requested modifications to the site plan to indicate screening, landscaping and pedestrian walkways. The Commission continued the public hearing to February 5, 2014.

February 5, 2014

A continued public hearing was held on February 5, 2014. Commissioners Valadez, Louie, Shell, Pedersen and Modugno were present. Staff presented the revised site plan. The revised site plan to shows an expanded 5-foot wide and 50-foot long landscaped area along the exterior of the fence along the Indiana Street frontage. The proposed elevations show a solid fence with new solid gates that will provide screening of the interior of the property. The revised site plan shows a designated pedestrian walkway from the store to the parking area in the rear of the property and from the front of the property and the recycling center. The circulation plan showed adequate space for a truck to park in order to drop off a roll off container without impeding vehicle access to the parking area. The site plan showed a hose bib in the recycling center area to be available for cleaning purposes. The conditions of approval were modified to add a requirement for a periodic pest and vermin control program. There being no further testimony, the Commission closed the public hearing and approved the project subject to the conditions recommended by staff.

4. **PROJECT DESCRIPTION.** The project is the operation and maintenance of a recycling collection center on a 0.6-acre industrial parcel with a 6,080 industrial building currently being used as a neighborhood market and a car repair/towing business. The collection center will be located underneath an existing metal canopy in a 1,000 square foot area within the northeast corner of the property and will consist of two roll off containers (measuring 8 feet by 20 feet, 8 feet high) and a

portable scale. The site shows a 6,080 Square foot building, 25 parking spaces, 100 square feet of landscaping, perimeter fences ranging from 6-feet to 9-feet in height and a 20-foot high metal canopy to be used for the recycling center.

The center will be staffed by an attendant who will control the materials that are accepted and make payment to customers. Only CRV materials will be received from customers and all other materials will be required to be hauled away by customers. The attendant will weigh the materials on a portable floor scale and prepare a receipt to pay the customers the value of the CRV materials based on weight or quantity. The attendant will ensure that the materials are placed in the appropriate receptacles of the two containers, which are divided into separate compartments for the storage of aluminum cans, glass bottles, and plastic beverage containers. When a container is filled to capacity, a pickup will be scheduled. A flatbed truck will deliver a new container and a fork lift will load and unload the container, switching out the filled container with an empty container of the same type. There will be one employee per shift and one shift per day. The hours of operation will be Monday through Saturday from 8:00 am to 5:00 pm and on Sunday from 8:00 am to 4:00 pm. Approximately 2-3 customers are expected per hour, or approximately 22 customer deliveries per day, approximately 75% of which are expected to be vehicle deliveries and 25% will be customer walk-ins from the residential area immediately to the west.

5. **LOCATION.** 1522 N. Indiana Street in the City Terrace Zoned District
6. **EXISTING ZONING.** The subject property is zoned M-2 (Heavy Manufacturing) within the East Los Angeles Community Standards District ("East Los Angeles CSD"). Surrounding properties are zoned as follows:
 - North: M-2
 - South: M-2
 - East: M-2
 - West: City of Los Angeles
7. **EXISTING LAND USES.** The subject property is developed with an industrial warehouse that is divided with one portion being maintained as a convenience market and the other portion being maintained for the parking of tow trucks. Surrounding properties are developed as follows:
 - North: industrial buildings
 - South: industrial buildings
 - East: industrial buildings
 - West: Ramona Gardens – Los Angeles Housing Authority
8. **PREVIOUS CASES/ZONING HISTORY.**
 - Plot Plan No. 2007-1057 (approved July 6, 2007) for a change of use of a 6,168 square foot industrial building to an auto repair shop.
 - Plot Plan No. 2008-01422 (approved July 3, 2008) for a conversion a portion of an existing warehouse into retail space (3,000 square feet).

9. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The project site is located within the Major Industrial land use category of the General Plan. This designation is intended for "major industrial uses including manufacturing of all types, mineral extraction sites, refineries, warehousing and storage, and product research and development." The recycling collection center is consistent with the Major Industrial land use category as it involves the collection, storage and transport of specific types of materials (CRV beverage containers) and is therefore consistent with the permitted uses of the underlying land use category. The following policies of the General Plan are applicable to the proposed project:

- Promote, where appropriate more intensive use of industrial sites, especially in areas requiring revitalization (Land Use Policy No. 5) - The recycling collection center will intensify the use of the industrial parcel by utilizing currently vacant space for the collection and sorting of CRV materials.
- Promote planned industrial development in order to avoid land use conflicts with neighboring activities (Land Use Policy No. 11) - The recycling collection center will be small in scale because containers will need to be emptied regularly, and the recycling center will be located in the rear of the property and screened such that it will not adversely affect neighboring activities.

The following policy of the Community Plan is applicable to the proposed project:

- Encourage industrial development in the Union Pacific area and in the area north of the San Bernardino freeway where industrial use is designated on the Land Use Plan map, where transportation and other municipal services can support industrial development – The recycling collection center will have street access from Indiana Avenue and the property has existing utilities, such as electricity and water.

10. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** The proposed project complies with the development standards of the M-2 Zone:

- Outside storage (Section 22.32.200A) – the site complies with the outside storage provisions as described below.
- Parking (Section 22.32.220B) - The site provides the required two parking spaces for the recycling collection center. A total of 25 parking spaces are provided and will be shared between an auto repair shop, a neighborhood market, and the proposed recycling center. The parking space requirement of 2 spaces are requirement is calculated based on one space for the single employee who will oversee the center (Section 22.52.1140) and the minimum of one space that will be used for customers (the area of the collection center is 1,000 square feet and one space is required for each 7,000 square feet, or a fraction thereof, of a "junk and salvage" use per Section 22.52.1205).

- Signs (Section 22.32.220C) - The applicant is required to comply with the approve sign plan.

The recycling collection is center complies with the outside storage provisions as stated in Part 7 of Chapter 22.52.

- Fences (Section 22.52.610) – No storage shall be open to view from the exterior boundary of the lot. The CRV materials are storage inside the portable rolloff containers. The northern portion of the exterior fence is see-through chain-link fencing and the southern portion is solid fencing. Because the containers are in the rear of the property, the property frontage is not required to be screened by a solid fence. This requirement can be modified by 22.52.560 where adjacent properties are also industrial properties and where a building serves to screen the storage area.
- Landscaped areas (Section 22.52.560) – The site plan shows a planting strip of 3-foot width along 30 feet of street frontage out of the 100 feet of street frontage. There are two 26-foot wide driveways that are not landscaped.
- Storage restrictions (Section 22.52.640) – The CRV materials will be stored only in the roll off containers. No materials will be stored above the height of the fence and will be in the rear of the property which has a perimeter fence.

The subject property complies with the development standards contained in the East Los Angeles Community Standards District:

- Height (Section 22.44.118D.10a) - The heights of the existing building and the canopy structure are 20 feet, and both structures comply with the 35-foot height limitation.
- Lot Size (Section 22.44.118D.8b) – The subject property is an existing 0.8 acre parcel which complies with the required 7,500-square feet of minimum lot area.
- Setbacks (Section 22.44.118D.8c) – The parcel is not immediately adjacent to a residential area. A residential area is located directly to the west of the property on the opposite side of Beach Street. The existing building has a 38 feet front yard setback and exceeds the minimum 10 foot required setback.
- Solid Masonry Wall (Section 22.44.118D.8d) – The property does not have an adjoining property line with a residential area.
- Landscaping and Buffering (Section 22.44.118D.8e) – A landscaped buffer strip will not be required along the property line where the parking area is located in the rear of the property as the property is surrounded by other large industrial parcels with solid fences and large warehouse type buildings such that a landscape buffer in the rear would have minimal visibility. A solid masonry wall will not be required along the side and rear property lines, as the property has an existing solid metal perimeter fence that sufficiently screens the property.

The landscaping requirements can be modified provided that alternate means of landscaping is provided, which is found to have been provided along the street frontage of the property

11. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The 0.8-acre property is large enough to accommodate the proposed 1,000 square foot recycling collection center. There is adequate space to accommodate the storage roll off containers and adequate space for vehicles to unload and circulate on-site. The recycling center will be located in the rear of the property where is largely screened by the existing industrial building from the residential area. The collection center serves the residential area to the west of the industrial area and is compatible with the surrounding industrial area. The facility will have limited hours of operations to ensure compatibility with the adjacent area.
12. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** Project materials were provided to the Fire Department, Department of Public Works, and Department of Public Health, and each Department cleared the project for public hearing without providing any specific recommendations regarding the proposed project.
13. **OTHER AGENCY COMMENTS AND RECOMMENDATIONS.** No other agencies had any comments or recommendations.
14. **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 and property posting.
15. **PUBLIC COMMENTS.** No public comments were received.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

16. The Countywide General Plan designates this area as Major Industrial, which allows for industrial and other intensive uses. A CRV-only recycling collection center is the type of use that could be maintained in an industrial area and not impact the other industrial uses. Therefore, the proposed use is consistent with the adopted general plan for the area.
17. The CRV-only recycling collection center is to be located in the rear of a property that is surrounded by other large industrial buildings. The proposed recycling collection center at this location when operated in compliance with the conditions of approval will be compatible with the other uses in the area. Therefore, the requested use at the location proposed 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.

18. The CRV-only recycling collection center is to be located within a less than 1,000-square foot lease area on a 0.8-acre parcel that is developed with a industrial building. The project is not displacing any required parking spaces and will not interfere with on-site vehicle circulation of the site. The recycling collection center meets the applicable development standards and will integrate with the other uses in the area, including freeway-oriented billboards. Therefore, 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, of as is otherwise required in order to integrate said use with the uses in the surrounding area.
19. The proposed location has access from Indiana Street. The traffic generated by the CRV-only recycling collection center as it will have limited storage capacity due to having only two roll-off containers. The customers of the recycling center will include customers of the existing neighborhood market, which residents from the nearby residential area. Therefore, 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.

ENVIRONMENTAL DETERMINATION

20. The project is a request to operate and maintain a CRV-only recycling collection center using two portable roll off containers in a manufacturing zone which will not involve the construction of any new structures. Therefore, the project qualifies as a Categorical Exemption and 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.
21. **TERM LIMIT.** 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 ten (10) years.
22. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning 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:

- A. That the proposed use is consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not: (a) Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or (b) Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or (c) 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 and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served: (a) By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and (b) by other public or private service facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing/meeting 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 determines that the project is exempt from the California Environmental Quality Act pursuant to the Class 1 – Existing Facilities categorical exemption.
- 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200800010 is approved subject to the attached conditions.

VOTE: 4:0:1:0

Concurring: Valadez, Louie, Pedersen, Modugno

Dissenting: 0

Abstaining: Shell

Absent: 0

MKK:AS
2/5/14

c: Each Commissioner, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. 2008-00099-(2)
CONDITIONAL USE PERMIT NO. 200800010**

PROJECT DESCRIPTION

The project is a CRV-only recycling collection center 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 No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5 and 9 and 12 shall be effective immediately upon the date of 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 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably 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 Regional Planning'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 Registrar-Recorder/County Clerk ("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 February 5, 2024.** 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 two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
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 fund provides for **ten (10) annual** 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 as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. 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.

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, **three (3) copies of** a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
18. In the event that subsequent revisions to the approved Exhibit "A" 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(s) and applicable fee for such revision.

PROJECT SITE SPECIFIC CONDITIONS

19. This grant shall authorize the CRV-only (beverage container) recycling collection center. No other materials will be accepted at the recycling collection center.
20. The hours of operation shall be limited to seven days per week between 8:00 A.M. and 5:00 P.M.
21. The recycling collection center shall have a full-time attendant who will ensure that the facility only accepts CRV materials and will maintain the site in a neat and orderly fashion, free of litter.
22. The attendant shall direct customers to park in designated vehicle parking spaces. Customers of the recycling center shall be directed to park in the eastern portion of the parking lot.
23. The permittee shall be certified or registered with CalRecycle and shall operate in compliance with the applicable regulations.
24. The recycling center shall be limited to the 1,000 square foot area.
25. A maximum of 2 roll off containers are permitted.
26. The permittee should maintain a regular program of pest and vermin control. Records of service shall be maintained for inspection.