Hearing Officer Transmittal Checklist

Hearing Date
11/20/2012
Agenda Item No.
5

Project Number: R2012-00503-(4)

Case(s): Conditional Use Permit No. 201200043
Environmental Assessment No. 201200070

Planner: Maral Tashjian

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☐ Correspondence
- ☒ Photographs
- ☒ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans

Reviewed By: _____

Department *of* Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER
R2012-00503-(4)

HEARING DATE
11/20/2012

REQUESTED ENTITLEMENTS
Conditional Use Permit No. 201200043
Environmental Assessment No. 201200070

PROJECT SUMMARY

OWNER / APPLICANT
Lowell Joint School District / Andrea Reynolds

MAP/EXHIBIT DATE
7/31/2012

PROJECT OVERVIEW
To authorize the continued use of an existing school site for maintenance and operations facilities, storage, office space, and three (3) proposed temporary portable office buildings.

LOCATION
11537 Grovedale Drive, South Whittier-Sunshine Acres

ACCESS
Grovedale Drive

ASSESSORS PARCEL NUMBER(S)
8039-014-901

SITE AREA
2.93 Acres

GENERAL PLAN / LOCAL PLAN
Countywide General Plan

ZONED DISTRICT
Southeast Whittier

LAND USE DESIGNATION
P (Public Facilities)

ZONE
R-A-6,000 (Residential/Agricultural, 6,000 Square Foot Minimum Lot Size)

PROPOSED UNITS
N/A

MAX DENSITY/UNITS
N/A

COMMUNITY STANDARDS DISTRICT
N/A

ENVIRONMENTAL DETERMINATION (CEQA)
Class 1 Categorical Exemption – Existing Facilities

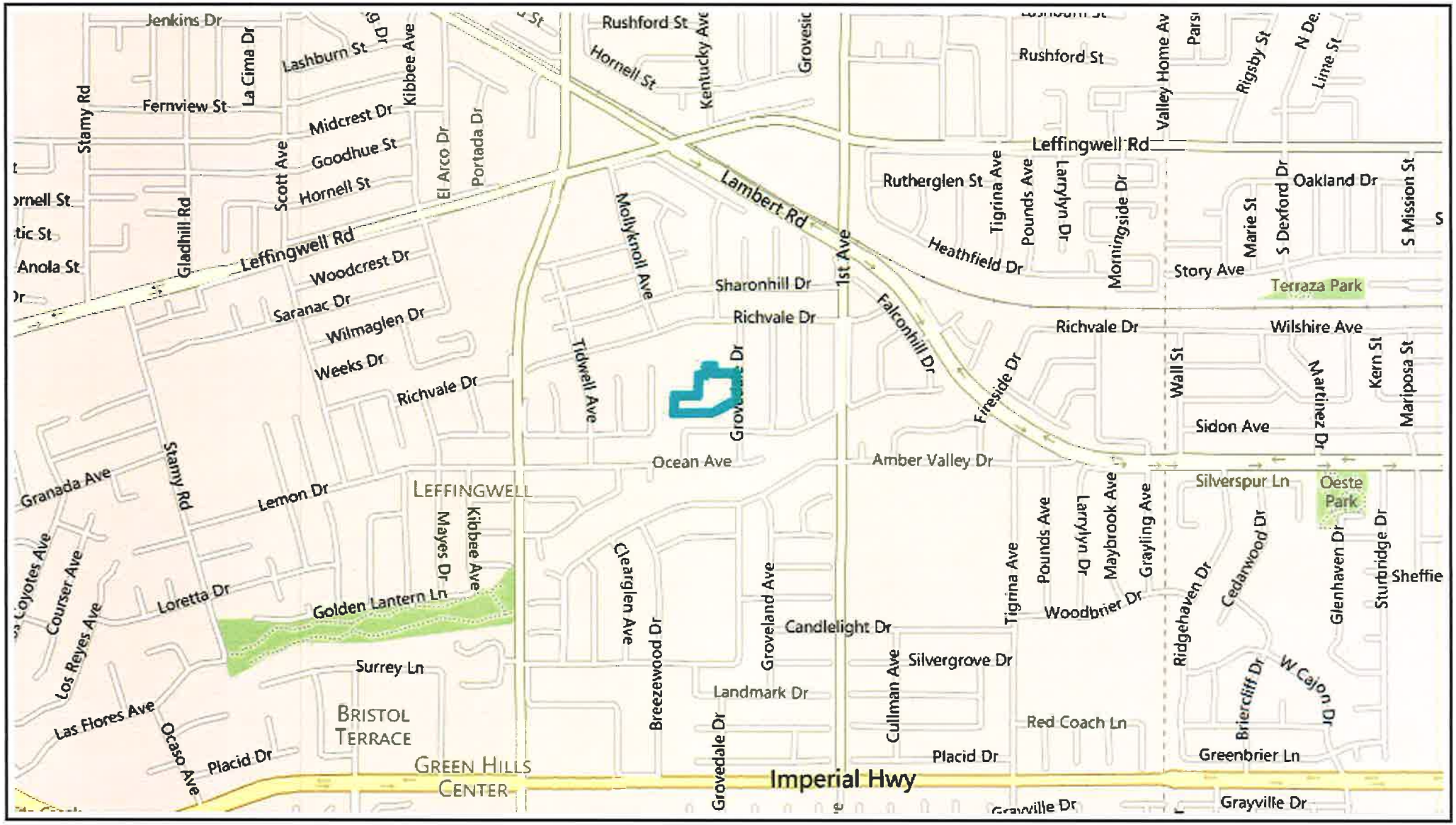
KEY ISSUES
- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.20.450 (R-A Zone Development Standards)

STAFF RECOMMENDATION
Approval

CASE PLANNER:
Maral Tashjian

PHONE NUMBER:
(213) 974 - 6435

E-MAIL ADDRESS:
mtashjian@planning.lacounty.gov



Department of Regional Planning

11537 Grovedale Drive, South Whittier – Sunshine Acres

Printed: Sep 11, 2012

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ENTITLEMENTS REQUESTED

Conditional Use Permit (CUP) for existing and proposed school facilities in the R-A-6,000 (Residential/Agricultural, 6,000 Square Foot Minimum Lot Size) Zone pursuant to the County Code Section 22.20.440.

PROJECT DESCRIPTION

The applicant, Lowell Joint School District, is requesting to authorize the continued use of an existing school site for maintenance and operations facilities, storage, and office space. The school district has owned and operated the site since 1963. No student instruction is proposed at the site. The operating hours are from 6 a.m. to 6 p.m. Monday through Friday, and occasionally Saturday. There are approximately twelve (12) employees and twelve (12) parking spaces provided on-site.

The applicant is also proposing three (3) portable buildings which would function as temporary construction management offices. These buildings would be installed if the school district is able to successfully pass general obligation bonds to perform facility modernization at its six school sites, district office, and maintenance facility. The length of time each portable building would remain at the site is approximately three (3) years for each general obligation bond. The installation of these temporary buildings would not result in an increase in employees, as these buildings would be used by construction management consultants.

SITE PLAN DESCRIPTION

The site plan depicts an irregularly shaped 2.93 acre parcel, accessed from Grovedale Drive. The site is developed with five (5) buildings, a portable classroom, and some ancillary equipment structures (freezers, storage sheds, etc.) which are located on the eastern portion of the property. The existing five (5) buildings have an approximate combined area of 16,248 square feet and are predominantly used for storage and some office space. The 920 square foot portable classroom is used as a break room and employee meeting/training space and is not used for student instruction.

The proposed structures would be located along the southwestern portion of the property and would be approximately 960 square feet in size per portable building.

EXISTING ZONING

The subject property is zoned R-A-6,000 (Residential/Agricultural, 6,000 Square Foot Minimum Lot Size).

Surrounding properties are zoned as follows:
North: R-A-6,000
South: R-A-6,000
East: R-A-6,000
West: R-A-6,000

EXISTING LAND USES

The subject property is developed with a school maintenance yard and facilities.
Surrounding properties are developed as follows:

North: Private School (Carden School of Whittier)
South: Single-Family Residences
East: Single-Family Residences
West: Single-Family Residences

PREVIOUS CASES/ZONING HISTORY

- Tentative Parcel Map No. 070450 to create two parcels with an existing public school maintenance facility to remain on one parcel and existing private school to remain on the other parcel. This project was withdrawn on March 2, 2009, as it was determined a parcel map was not the appropriate entitlement for this case.

- Certificate of Compliance No. 201000085 to authorize the new parcel resulting from the sale of the school facility to Carden School of Whittier was approved by Regional Planning staff on July 12, 2010.

- Conditional Use Permit No. 200900084 to authorize the operation of a private school (Carden School of Whittier) serving pre-school through 8th grade with a maximum capacity of 550 students was approved by the Hearing Officer on April 17, 2012.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project entails the continued use of existing facilities with the potential future addition of three temporary, portable buildings. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the P (Public and Semi-Public Facilities) land use category of the Countywide General Plan. This designation is intended for major existing and proposed public and semi-public uses including airports and other major transportation facilities, solid and liquid waste disposal sites, utilities, public buildings, *public and private educational institutions*, religious institutions, hospitals, detention facilities and fairgrounds. The continued use of the project site as a school related facility is therefore consistent with the permitted uses of the underlying land use category.

Zoning Ordinance and Development Standards Compliance

Schools, including appurtenant facilities are permitted in the R-A-Zone provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit, pursuant to Section 22.20.440.

For uses where the parking requirements are not specified in the Zoning Code, Section 22.52.1220 authorizes the director to impose an amount of parking spaces that he finds adequate to prevent traffic congestion and excessive on-street parking. Whenever practical, such determination shall be based upon the requirements for the most comparable use specified in chapter 22.52, Part 11.

There are no parking standards specified in the Zoning Code for the existing/proposed use. The maintenance yard employs twelve (12) persons daily. The property has operated with twelve (12) parking spaces for many years, with no record of zoning-related complaints from the surrounding community related to parking nuisances. Therefore staff is of the opinion that the parking provided on-site is adequate for the existing use.

In the event that the applicant installs the three (3) proposed portable buildings for temporary construction management offices in the future, there is ample space on the 2.93 acre subject property for additional on-site parking as needed.

Neighborhood Impact/Land Use Compatibility

The project site is located within the unincorporated community of South Whittier-Sunshine Acres and is surrounded by single-family residences. The school facility has co-existed with the surrounding community at this location since 1963 with no record of zoning-related complaints.

Based on observations from two site visits, staff noted that the operations of the maintenance yard generate very little noise, and would not create a nuisance to nearby residences. A fenced earth bank, which is approximately thirty feet wide, exists along a portion of the southern boundary of the subject property. This negative space provides a buffer between the school facility uses on the property and the adjacent residences to the south. Parking for the use is provided entirely on-site and does not generate any issues related to on-street parking.

Staff is of the opinion that the project, as conditioned, is compatible with the surrounding uses and would not be detrimental to the health, safety and welfare of the surrounding community.

Burden of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

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 DRP website posting.

PUBLIC COMMENTS

Staff received one phone call from a neighboring resident. The resident raised a concern regarding the potential for future noise generated from activities at the site and also that one of the existing buildings (portable classroom) on the property poses a visual eyesore from his property. The resident claims that the building initially was screened from his residence by vegetation, however the vegetation either died or was removed.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

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 Project Number R2012-00503-(4), Conditional Use Permit Number 201200043, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201200043 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Maral Tashjian, Regional Planning Assistant II, Zoning Permits East
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East

Attachments:
Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Correspondence
Site Photographs, Photo Simulations, Aerial Image
Site Plan, Land Use Map

MM:mt
11/07/12

DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2012-00503-(4)
CONDITIONAL USE PERMIT NO. 201200043

1. **ENTITLEMENT REQUESTED.** The applicant, Lowell Joint School District, is requesting a Conditional Use Permit (CUP) to authorize the continued use of an existing school site for maintenance and operations facilities, storage, and office space and proposed temporary portable office buildings in the R-A-6,000 (Residential/Agricultural, 6,000 Square Foot Minimum Lot Size) Zone pursuant to the County Code Section 22.20.440.

2. **HEARING DATE.** November 20, 2012

3. **PROCEEDINGS BEFORE THE HEARING OFFICER.** *To be inserted after public hearing to reflect hearing proceedings.*

4. **PROJECT DESCRIPTION.** The applicant is requesting to authorize the continued use of an existing school site for maintenance and operations facilities, storage, and office space. The school district has owned and operated the site since 1963. No student instruction is proposed at the site. The operating hours are from 6 a.m. to 6 p.m. Monday through Friday, and occasionally Saturday. There are approximately twelve (12) employees and twelve (12) parking spaces provided on-site.

   The applicant is also proposing three (3) portable buildings which would function as temporary construction management offices. These buildings would be installed if the school district is able to successfully pass general obligation bonds to perform facility modernization at its six school sites, district office, and maintenance facility. The length of time each portable building would remain at the site is approximately three (3) years for each general obligation bond. The installation of these temporary buildings would not result in an increase in employees, as these buildings would be used by construction management consultants.

5. **LOCATION.** 11537 Grovedale Drive, South Whittier-Sunshine Acres (APN No. 8039-014-901)

6. **SITE PLAN DESCRIPTION.** The site plan depicts an irregularly shaped 2.93 acre parcel, accessed from Grovedale Drive. The site is developed with five (5) buildings, a portable classroom, and some ancillary equipment structures (freezers, storage sheds, etc.) which are located on the eastern portion of the property. The existing five (5) buildings have an approximate combined area of 16,248 square feet and are predominantly used for storage and some office space. The 920 square foot portable classroom is used as a break room and employee meeting/training space and is not used for student instruction.

The proposed structures would be located along the southwestern portion of the property and would be approximately 960 square feet in size per portable building.

7. **EXISTING ZONING.** The subject property is zoned R-A-6,000 (Residential/Agricultural, 6,000 Square Foot Minimum Lot Size).

   Surrounding properties are zoned as follows:
   North: R-A-6,000
   South: R-A-6,000
   East: R-A-6,000
   West: R-A-6,000

8. **EXISTING LAND USES.** The subject property is developed with a school maintenance yard and facilities.

   Surrounding properties are developed as follows:
   North: Private School (Carden School of Whittier)
   South: Single-Family Residences
   East: Single-Family Residences
   West: Single-Family Residences

9. **PREVIOUS CASES/ZONING HISTORY.**

   • Tentative Parcel Map No. 070450 to create two parcels with an existing public school maintenance facility to remain on one parcel and existing private school to remain on the other parcel. This project was withdrawn on March 2, 2009, as it was determined a parcel map was not the appropriate entitlement for this case.

   • Certificate of Compliance No. 201000085 to authorize the new parcel resulting from the sale of the school facility to Carden School of Whittier was approved by Regional Planning staff on July 12, 2010.

   • Conditional Use Permit No. 200900084 to authorize the operation of a private school (Carden School of Whittier) serving pre-school through 8th grade with a maximum capacity of 550 students was approved by the Hearing Officer on April 17, 2012.

10. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The project site is located within the P (Public and Semi-Public Facilities) land use category of the Countywide General Plan. This designation is intended for major existing and proposed public and semi-public uses including airports and other major transportation facilities, solid and liquid waste disposal sites, utilities, public buildings, public and private educational institutions, religious institutions, hospitals, detention facilities and fairgrounds. The continued use of the project site as a school related facility is therefore consistent with the permitted uses of the underlying land use category.

11. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** Schools, including appurtenant facilities are permitted in the R-A-Zone provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit, pursuant to Section 22.20.440.

    For uses where the parking requirements are not specified in the Zoning Code, Section 22.52.1220 authorizes the director to impose an amount of parking spaces that he finds adequate to prevent traffic congestion and excessive on-street parking. Whenever practical, such determination shall be based upon the requirements for the most comparable use specified in chapter 22.52, Part 11.

    There are no parking standards specified in the Zoning Code for the existing/proposed use. The maintenance yard employs twelve (12) persons daily. The property has operated with twelve (12) parking spaces for many years, with no record of zoning-related complaints from the surrounding community related to parking nuisances. Therefore the parking provided on-site should be adequate for the existing use.

    In the event that the applicant installs the three (3) proposed portable buildings for temporary construction management offices in the future, there is ample space on the 2.93 acre subject property for additional on-site parking as needed.

12. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The project site is located within the unincorporated community of South Whittier-Sunshine Acres and is surrounded by single-family residences. The school facility has co-existed with the surrounding community at this location since 1963 with no record of zoning-related complaints.

    Based on observations from two site visits, it was noted that the operations of the maintenance yard generate very little noise, and should not create a nuisance to nearby residences. A fenced earth bank, which is approximately thirty feet wide, exists along a portion of the southern boundary of the subject property. This negative space provides a buffer between the school facility uses on the property and the adjacent residences to the south. Parking for the use is provided entirely on-site and does not generate any issues related to on-street parking.

    As conditioned, the project should continue to be compatible with the surrounding uses and would not be detrimental to the health, safety and welfare of the surrounding community.

13. **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.

14. **PUBLIC COMMENTS.** One phone call was received from a neighboring resident. The resident raised a concern regarding the potential for future noise generated from activities at the site and also that one of the existing buildings (portable classroom) on the property poses a visual eyesore from his property. The resident claims that the building initially was screened from his residence by vegetation, however the vegetation either died or was removed.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

15. The project site is located within the P (Public and Semi-Public Facilities) land use category of the Countywide General Plan which, among other uses, is intended for public and private educational institutions.

    Therefore, the proposed use will be consistent with the adopted general plan for the area.

16. The project site is located within the unincorporated community of South Whittier-Sunshine Acres and is surrounded by single-family residences. The school facility has co-existed with the surrounding community at this location since 1963 with no record of zoning-related complaints. Based on observations from two site visits, it was noted that the operations of the maintenance yard generate very little noise, and should not create a nuisance to nearby residences. A fenced earth bank, which is approximately thirty feet wide, exists along a portion of the southern boundary of the subject property. This negative space provides a buffer between the school facility uses on the property and the adjacent residences to the south. Parking for the use is provided entirely on-site and does not generate any issues related to on-street parking.

    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.

17. The existing commercial center was constructed in compliance of the development standards in the County Zoning Code.

    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.

18. The site is served by Grovedale Drive, a fully improved collector street.

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

19. The project entails the continued use of existing facilities with the potential future addition of three temporary, portable buildings.

    Therefore, the project qualifies as a Categorical Exemption (Class 1 Exemption, Existing Facilities) 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.

20. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer'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 East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

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

B. That 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; 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 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and

D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

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 of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer 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. 201200043 is Approved subject to the attached conditions.

MM:mt
11/6/12

DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2012-00503-(4)
CONDITIONAL USE PERMIT NO. 201200043

PROJECT DESCRIPTION

The project is to continue the use of an existing school site for maintenance and operations facilities, storage, and office space, and to allow the installation of three (3) proposed temporary portable office buildings, 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 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 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 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. 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 school maintenance yard 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 **$1,000.00**. 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 **five (5) 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 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.

13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works.

14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the 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 continued use of an existing school site for maintenance and operations facilities, storage, and office space, and to allow the future installation of up to three (3) proposed temporary portable office buildings.

20. A Revised Exhibit "A" shall be filed for review and approval by Regional Planning prior to the installation of the three (3) proposed temporary portable office buildings.

21. Noise generated at the site which can be heard from the nearest residence shall be limited to the hours of 7:30 a.m. and 6:00 p.m. on weekdays, and shall be prohibited on Saturdays.

22. The permittee shall maintain a minimum of twelve (12) on-site parking spaces.

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 District currently uses the site for school district purposes including some classroom use and maintenance and operations storage and office space and it will continue to use the site for the same purposes, which have not caused harm or detriment to the surrounding areas since the uses began and none of the uses are harmful to the surrounding community or affect the value of surrounding properties.

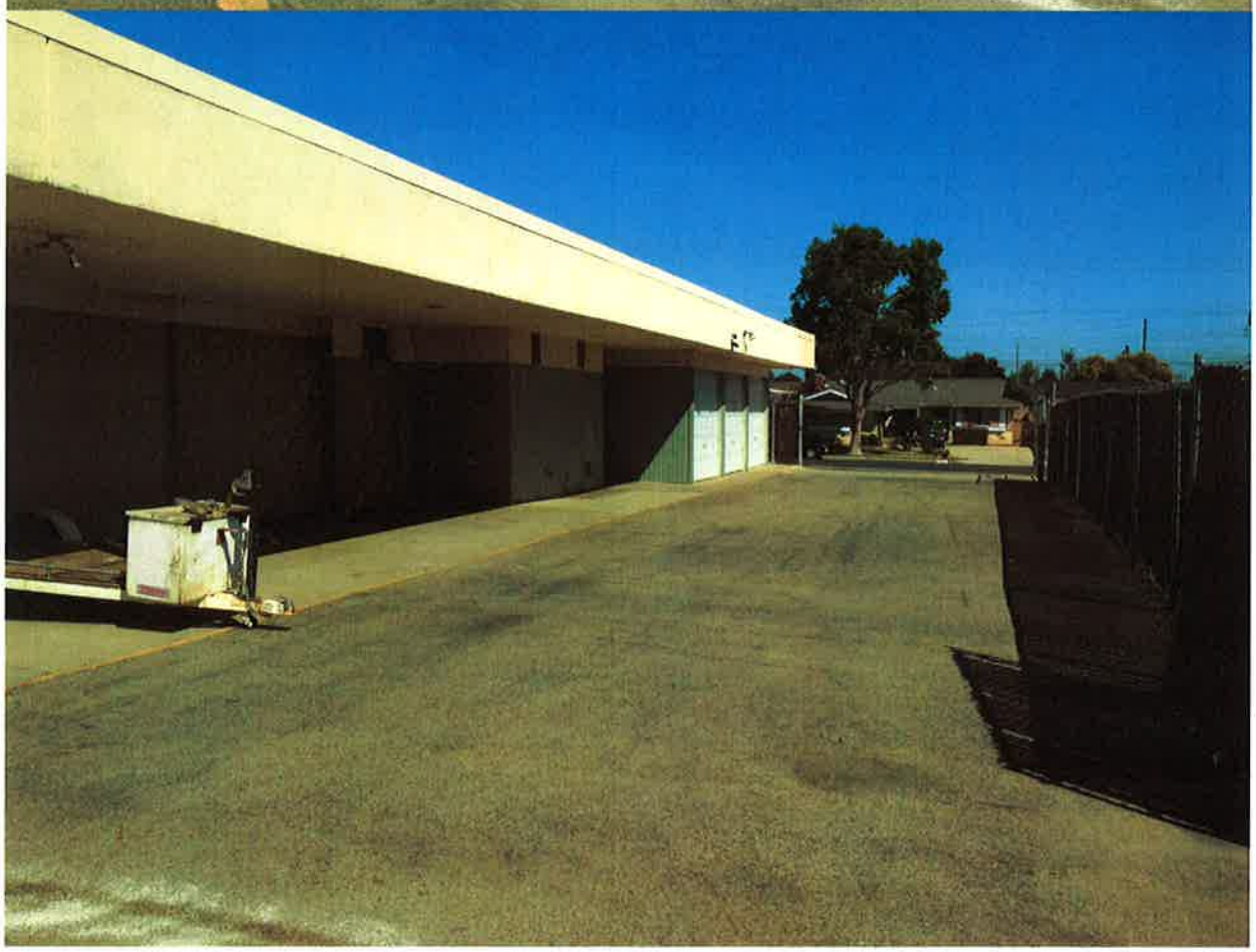
B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

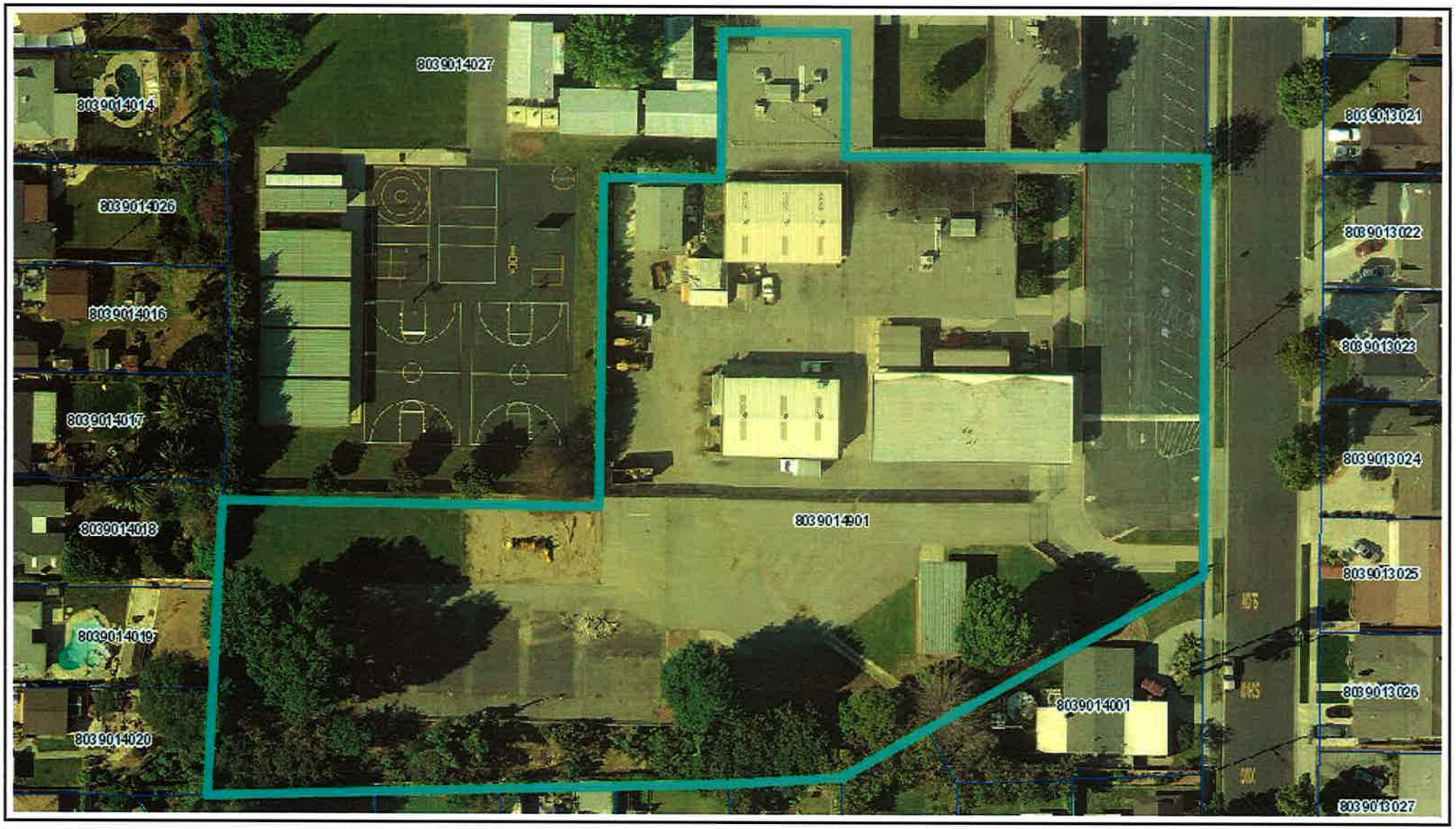
As noted above, the use of the site will not change from its current use. The site has been adequate to accommodate the current use for many years and the District is not changing the use or making any additional improvements to the site.

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.

As noted above, the use of the site will not change from its current use. The highways and streets have been sufficient to accommodate the traffic to and from the site. Existing public facilities have served the site in its current state and have been sufficient.

NO
PARKING
ANY
TIME





Department of Regional Planning

11537 Grovedale Drive, South Whittier – Sunshine Acres

Printed: Sep 11, 2012

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Feet

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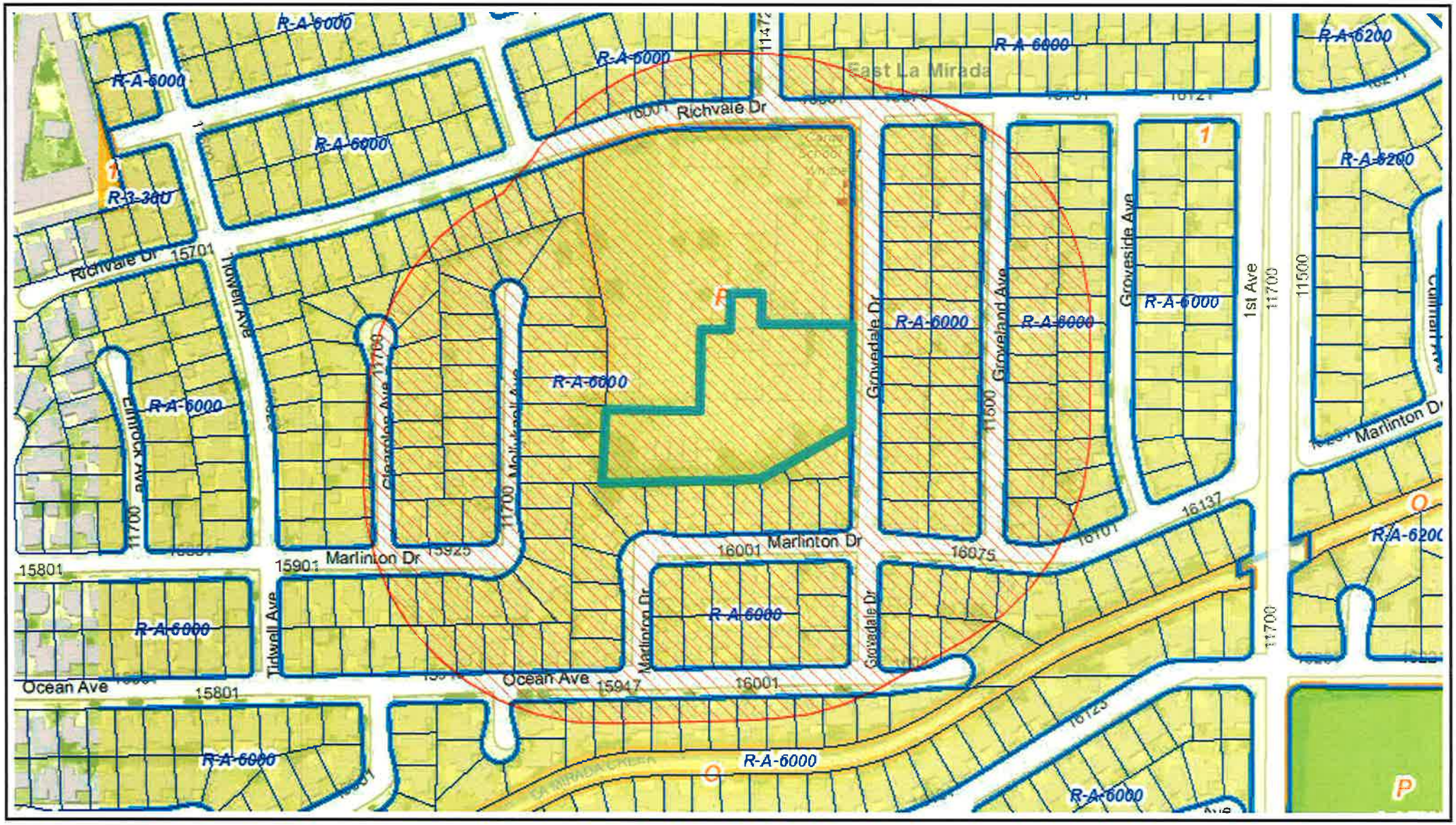

Department of Regional Planning

Land Use & Zoning (500 Foot Buffer)

Printed: Sep 11, 2012

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