

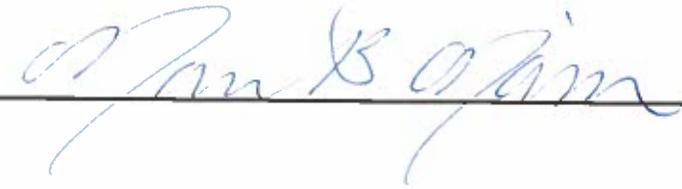
Hearing Officer Transmittal Checklist

Hearing Date
10/18/2016

Agenda Item No.
15

Project Number: R2014-01017-(4)
Case(s): Conditional Use Permit Case No. 201400047
Planner: Michele Bush

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions + Other department letters of recommended conditions
- Previous CUP Conditions of Approval
- Burden of Proof Statement
- 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
- Findings of Previous permits

Reviewed By: 



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

PROJECT NUMBER

R2014-01017-(4)

HEARING DATE

10/18/2016

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201400047

PROJECT SUMMARY

OWNER / APPLICANT

Catholic Rainbow Outreach

MAP/EXHIBIT DATE

04/14/2014

PROJECT OVERVIEW

The project is a request for a Conditional Use Permit to authorize the continued operation and maintenance of an existing Adult Residential Facility (ARF) of more than six (6) persons to a maximum of 27 persons (19 residents and 8 staff). The project was previously approved by CUP 03-164.

LOCATION

11419 Carmenita Road, South Whittier-Sunshine Acres

ACCESS

Via one driveway along Carmenita Road

ASSESSORS PARCEL NUMBER(S)

8026-008-006

SITE AREA

0.29 Acre

GENERAL PLAN / LOCAL PLAN

General Plan 2035

ZONED DISTRICT

Sunshine Acres

LAND USE DESIGNATION

H9 – Residential 9 (0-9 du/net ac)

ZONE

A-1 (Light Agricultural)

PROPOSED UNITS

1

MAX DENSITY/UNITS

2

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)
 - 22.24.110 (A-1 Zone Development Standards)

CASE PLANNER:

Michele Bush

PHONE NUMBER:

(213) 974 - 6435

E-MAIL ADDRESS:

mbush@planning.lacounty.gov



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Printed: Oct 05, 2016



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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) for the continued operation and maintenance of an existing Adult Residential Facility (ARF) of more than six (6) persons to a maximum of 19 persons, 19 persons currently reside on the site, in the A-1 (Light Agricultural) Zone pursuant to County Code Section 22.24.100.

PROJECT DESCRIPTION

The project is a request to authorize the continued operation and maintenance of an existing ARF. The applicant, Catholic Rainbow Outreach is requesting the Conditional Use Permit to continue the operation of the adult residential alcohol and drug recovery facility for more than six non-related male residents, to a maximum of 19 residents. The site plan for the Project depicts the primary residence, legally converted garage, and seven parking spaces. Ingress and egress to the Project Site is provided via one 17 foot-9 inch wide driveway off of Carmenita Road. The site plan also depicts an existing shed and three canopy covers, adjacent to the legally converted garage, at the rear of the property.

EXISTING ZONING

The subject property is zoned A-1.

Surrounding properties are zoned as follows:

North: A-1 and City of Santa Fe Springs

South: A-1 and City of Santa Fe Springs

East: R-1 (Single-Family Residence)

West: City of Santa Fe Springs, A-1 and C-3-BE (General Commercial-Billboard Exclusion)

EXISTING LAND USES

The subject property is developed with an existing single-family residence used as an adult residential facility.

Surrounding properties are developed as follows:

North: Multi-Family Residential and Elementary School

South: Single-Family Residential and Retail/Commercial

East: Single-Family Residential

West: Multi and Single-Family Residential and Commercial

PREVIOUS CASES/ZONING HISTORY

The Project was originally approved in April 1993 under CUP 92085, which authorized operation of an ARF including the conversion of the two-car garage to a residence for a maximum of 19 persons, this CUP expired on April 1, 2003. Conditional Use Permit 03-164-(4) was approved on January 6, 2004, authorizing the continued operation of an adult residential alcohol and drug recovery facility for more than six non-related male residents to a maximum of 19 residents. The permit expired on January 6, 2014.

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 involves the continued operation of an existing adult residential facility. 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 H9-Residential 9 (0-9 du/net ac) land use category of the General Plan 2035. This designation is intended for single-family residences. The adult residential facility is located within the existing single-family residence 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:

- *Encourage community-serving uses and land uses and that stimulate positive and productive human relations and foster the achievement of community goals.*

The ARF serves the community by providing rehabilitative programs that ultimately result in positive life changes in the residents of the facility, fostering positive and productive human relations.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.24.100 of the County Code, an adult residential facility, having seven or more persons, is permitted within the A-1 zone, provided a Conditional Use Permit has first been obtained.

Pursuant to Section 22.24.110 of the County Code, establishments in the A-1 Zone are subject to the following development standards:

- Each lot or parcel of land shall have a front yard of not less than 20 feet. The existing residence on the project site has a front yard setback of approximately 60 feet.
- Each lot or parcel of land shall have interior side yards of not less than five feet. The existing residence on the project site has side yard setbacks of more than five feet. The legally converted garage is located within the side and rear yard setback. Pursuant to Section 22.48.140 of the County Code, one-story detached garages may be used within a required interior side and rear yard. The subject structure meets the requirements of this Code Section and was approved by the Los Angeles County Department of Public Works, Building and Safety Division on October 18, 1993.
- Each lot or parcel of land shall have a rear yard of not less than 15 feet in depth. The existing residence on the project site has a rear yard setback of approximately 24 feet.

Pursuant to Section 22.52.1120 of the County Code, every adult residential facility shall have one automobile parking space for each staff member on the largest shift and one

parking space for each vehicle used directly in conducting such use. Currently, there are four staff members and three vehicles used directly in conducting the use. Seven spaces are required and seven spaces are provided. Residents are not allowed to maintain vehicles on-site while in residence.

Site Visit

Staff conducted a site visit on September 14, 2016. The project site appeared to be in substantial compliance with the project request.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 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.

Neighborhood Impact/Land Use Compatibility

The Project site has operated as an adult residential facility for more than 20 years. There is no expansion of the facility or use proposed. The property is located close to a commercial area, and compatible with residential uses to the north, south, east and west of the Project site.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Based on a letter from the County of Los Angeles Department of Public Works, dated March 23, 2016, that department has no conditions that need to be applied to the subject Project if ultimately approved by the advisory agency (Regional Planning).

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

The subject adult residential facility does not have State licensing for operation. Based on a (conversation) with staff of the Community Care Licensing Division, Adult and Senior Care Regional Office in Monterey Park, if the facility is not providing elementive care and supervision to the residents, and is operating as an independent living facility, a State license is not required to operate the facility.

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 has not received any comments from the public at this time.

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 R2014-01017-(4), Conditional Use Permit Number 201400047, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PERMIT NUMBER 201400047 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Michele Bush, Principal Planner, Zoning Permits East Section
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

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

MM:MRB
10/18/16

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01017-(4)
CONDITIONAL USE PERMIT NO. 201400047**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400047 ("CUP") on October 18, 2016.
2. The permittee, Catholic Rainbow Outreach ("permittee"), requests the CUP to authorize the continued operation and maintenance of an existing Adult Residential Facility (ARF) of more than six (6) persons to a maximum of 19 persons ("Project") on a property located at 11419 Carmenita Road in the unincorporated community of South Whittier-Sunshine Acres ("Project Site") in the A-1 (Light Agricultural) zone pursuant to Los Angeles County Code ("County Code") section 22.24.100. The project was previously approved under CUP 03-164.
3. The Project Site is 0.29 acre in size and consists of one lot. The Project Site is rectangular in shape with relatively flat topography and is developed with the existing ARF.
4. The Project Site is located in the Sunshine Acres Zoned District and is currently zoned A-1.
5. The Project Site is located within the H9-Residential 9 (0-9 du/net ac) land use category of the General Plan 2035 Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: A-1 and City of Santa Fe Springs
 - South: A-1 and City of Santa Fe Springs
 - East: R-1 (Single-Family Residence)
 - West: City of Santa Fe Springs, A-1 and C-3-BE (General Commercial-Billboard Exclusion)
7. Surrounding land uses within a 500-foot radius include:
 - North: Multi-Family Residential and Elementary School
 - South: Single-Family Residential and Retail/Commercial
 - East: Single-Family Residential
 - West: Multi and Single-Family Residential and Commercial
8. The Project was originally approved in April 1993 under CUP 92085, which authorized operation of an ARF including the conversion of the two-car garage to a residence for a maximum of 19 persons, this CUP expired on April 1, 2003. Conditional Use Permit 03-164-(4) was approved on January 6, 2004, authorizing the continued operation of an adult residential alcohol and drug recovery facility for

- more than six non-related male residents to a maximum of 19 residents and. The permit expired on January 6, 2014.
9. The site plan for the Project depicts the primary residence, legally converted garage, and seven parking spaces. Ingress and egress to the Project Site is provided via one 17 foot-9 inch wide driveway off of Carmenita Road. The site plan also depicts an existing shed and three canopy covers, adjacent to the legally converted garage, at the rear of the property.
 10. Based on a letter from the County of Los Angeles Department of Public Works, dated March 23, 2016, that department has no conditions that need to be applied to the subject Project if ultimately approved by the advisory agency (Regional Planning).
 11. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the continued operation and maintenance of an existing adult residential facility.
 12. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
 13. No comments have been received from the public at this time.
 14. *To be inserted after the public hearing to reflect hearing proceedings.*
 15. The Hearing Officer finds that the Project site is located within the H9-Residential 9 (0-9 du/net ac) land use designation of the General Plan 2035. This designation is intended for single-family residences. The requested adult residential facility is located within a single-family residence and is therefore in compliance with the General Plan designation.
 16. The Hearing Officer finds that the Project site is located within the A-1 (Light Agricultural) zone. Adult residential facilities, having seven or more persons, are permitted within the A-1 zone, provided a Conditional Use Permit has first been obtained.
 17. The Hearing Officer finds that the subject adult residential facility does not have State licensing for operation. Based on a (conversation) with staff of the Community Care Licensing Division, Adult and Senior Care Regional Office in Monterey Park, if the facility is not providing elementive care and supervision to the residents, and is operating as an independent living facility, a State license is not required to operate the facility.

18. The Hearing Officer finds that the requested use at the location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. The Project site has operated as an adult residential facility for more than 20 years. There is no expansion of the facility or use proposed and no hazardous materials are stored on-site. The property is located close to a commercial area, and there are residential uses to the north, south, east and west of the Project site.
19. The Hearing Officer finds 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 current facility's size, landscaping and parking have been designed to meet the requirements of Title 22 of the Los Angeles County Zoning Code.
20. The Hearing Officer finds 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. The property is located on Carmenita Road which has four lanes with a median between. There is easy access to and from the subject property via the existing driveway. The Project site is also located within close proximity to local freeways.
21. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to 15 years.
22. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at a library located in the vicinity of the South Whittier community. On September 8, 2016, a total of 108 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as two notices to those on the courtesy mailing list for the Sunshine Acres Zoned District and to any additional interested parties.
23. 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, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. 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 HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
- 2. Approves Conditional Use Permit 201400047, subject to the attached conditions.

ACTION DATE: October 18, 2016

MM:MRB
10/05/16

c: Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-01017-(4)
CONDITIONAL USE PERMIT NO. 201400047**

PROJECT DESCRIPTION

The project is a request for a Conditional Use Permit to authorize the continued operation and maintenance of an existing Adult Residential Facility of more than six (6) persons to a maximum of 19 persons 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 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 October 18, 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 adult residential facility 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 \$1,600.00. 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 eight (8) (one the first year and seven (7) 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 to the satisfaction of the County Fire 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 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 conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" 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 by **December 19, 2016**.
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 substantially conform to the originally approved Exhibit "A". 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 operation and maintenance of an existing adult residential facility.
20. No outside storage shall be allowed.
21. Storage of trailers, inoperable cars and/or household equipment shall be prohibited.
22. Fully operational household equipment, such as refrigerators, freezers and washer and dryer units shall be allowed on the project site, provided they are not located within any required yard areas.
23. The rear residence (legally converted garage) shall only be occupied by staff members and family, no resident clients shall occupy that residence.
24. A maximum of 19 resident clients including family are permitted to reside on the subject property.
25. Resident clients shall not keep personal vehicles on the property while in residence.
26. The facility shall not be used as a place of public assembly or for offices or other purposes not accessory to the adult residential facility use.
27. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of one automobile parking space for each staff member on the largest shift and one parking space for each vehicle used directly in conducting the adult residential facility.

28. No outside speakers, public address systems, bells and recorded or live music shall be permitted outside.
29. Only the existing 12 square-foot sign is permitted on the property. No posters or banners are allowed.
30. A 3½ foot fence and gate shall be maintained across the front of the property.
31. Resident clients and staff of the adult residential facility shall not loiter in the front yard or parking lot.

Attachments:

Public Works Department Letter dated March 23, 2016



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

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

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

March 23, 2016

IN REPLY PLEASE
REFER TO FILE: LD-2

TO: Maria Masis
Zoning Permits East Section
Department of Regional Planning

Attention Michele Bush

FROM: Art Vander Vis 
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201400047
PROJECT NO. R2014-01017
11419 CARMENITA ROAD
ASSESSOR'S MAP BOOK NO. 8026, PAGE NO. 8, PARCEL NOS. 6
UNINCORPORATED COUNTY AREA OF WHITTIER

Thank you for the opportunity to review the CUP for the project located at 11419 Carmenita Road in the unincorporated County area of Whittier. The project is to authorize the continued operation of an existing Adult Residential Facility with a maximum of 19 residents and 4 staff members. The project was previously approved under CUP No. 03-164.

- Public Works has no conditions that need to be applied to this project if ultimately approved by the advisory agency.
- Public Works has comments on the submitted documents, and therefore, a Public Hearing shall **NOT** be scheduled until the following comments have been addressed:

If you have any other questions or require additional information, please contact Max Rodriguez of Public Works' Land Development Division at (626) 458-6967 or mrodrigue@dpw.lacounty.gov.

MR:tb

P:\dpub\SUBPCHECK\Plan\CUP\CUP 201400047-11419 CARMENITA RD\TCUP 201400047\2016-02-18 TCUP 201400047 SUBMITTAL\docx

1. This grant authorizes the use of the subject property for continued operation of an adult residential alcohol and drug recovery facility for men, subject to all of the following conditions:
 - a. No outside storage shall be allowed;
 - b. Storage of trailers, old cars and/or household equipment, such as refrigerators, stoves, freezers, etc. in all required yard areas shall be prohibited;
 - c. The applicant shall provide landscaping along the chain link fence in Carmenita Road.
 - d. The property, as well as sidewalk areas directly in the front or alleys in the rear of the property, shall remain free of trash, litter, and other debris.
 - e. The rear residence (converted garage) will only be occupied by staff members and family and not resident clients;
 - f. A maximum of 19 resident clients and a total of 8 staff including family are permitted on the property: 10 house / 15-20 total people / broken up to 30 people
 - g. Resident clients may not keep personal vehicles on the property while in residence;
 - h. The facility may not be used as a place of public assembly or for offices or other purposes not accessory to the group home;
 - i. No storage buildings, vehicle repairs, disabled vehicles, garbage cans, posters, junk or debris can be kept in the front yard;
 - j. No junk, debris disabled vehicles, or miscellaneous materials or storage can be kept in the rear yard at anytime. No vehicles will be repaired in the rear yard;
 - k. The property, buildings, yards and landscaping will be maintained to the highest level possible, this includes painting, gardening, watering, repairs and maintenance. The residence exterior paint color will remain an off white and will be kept in good condition;
 - l. No outside speakers, public address systems, bells and recorded or live music is permitted outside. All fund raising activities must be done from inside the main residence;

- m. Only the existing 12 square foot sign is permitted on the property. No posters or banners are allowed;
 - n. A 3 ½ foot fence and gate will remain locked at night and will be maintained across the front of the property;
 - o. Group home residents and staff shall not litter in the front yard or parking lot;
 - p. All structures, walls, and fences open to public view shall remain free of graffiti;
 - q. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 72 hours of such occurrence, weather permitting. Paint used in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces;
 - r. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A;" and
 - s. Any modifications to the property must be accompanied by an approved revised plot plan (Revised Exhibit "A").
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
 3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of 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. 8, and until all required monies have been paid pursuant to Condition No. 9.
 4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

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

6. This grant will expire unless used within two years from the date of approval. A one-year time extension may be requested in writing with the appropriate fee before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. 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. The permittee shall deposit with the County of Los Angeles the sum of \$750. The deposit shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for five (5) biennial inspections.

Inspections shall be unannounced. The inspection fees shall be paid within 90 days of the grant approval.

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 the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.

10. This grant will terminate on January 6, 2014, Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. At least six (6) months prior to the expiration of this permit and in the event that the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning. The application shall be a request for continuance of the use permitted under this grant, whether including or not including modification to the use at that time.
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 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.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.

Attachment
CUP 92085 Conditions of Approval

KC:np
1/12/04

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.
3. 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 65907. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. This grant will terminate April 1, 2003.

Entitlement to use of the property thereafter shall be subject to the regulations then in effect.
5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. 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. The permittee shall deposit with the County of Los Angeles the sum of \$500.00. The fee shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fee provides for 5 biennial inspections.

If any future 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 the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

7. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health of safety or so as to be a nuisance.
8. This grant allows an adult residential facility including the conversion of the 2 car garage to a residence for a maximum of 27 persons (residents and staff) subject to the following restrictions as to use:
 - a. The permittee will obtain a building permit from Building and Safety in order to convert the garage into a residence. The applicant is required to use a state licensed contractor to complete the work;
 - b. The permittee will begin the conversion of the garage within 60 days of the approval or by no later than June 15, 1993;
 - c. Provide the Department of Regional Planning a "Certificate of Occupancy" for the garage conversion by no later than September 1, 1993;
 - d. The rear residence will only be occupied by staff members and family and not resident clients;
 - e. A maximum of 19 resident clients are permitted on the property and a total of 8 staff including family are permitted;
 - f. Resident clients may not keep personal vehicles on the property while in residence;
 - g. The facility may not be used as a place of public assembly or for offices or other purposes not accessory to the group home;

- h. No storage buildings, vehicle repairs, disabled vehicles, garbage cans, posters, junk or debris can be kept in the front yard;
 - i. No junk, debris disabled vehicles, or miscellaneous materials or storage can be kept in the rear yard at anytime. No vehicles will be repaired in the rear yard;
 - j. The property, buildings, yards and landscaping will be maintained to the highest level possible, this includes painting, gardening, watering, repairs and maintenance. The residence exterior paint color will remain an off white and will be kept in good condition;
 - k. No outside speakers, public address systems, bells, no recorded or live music is permitted outside. All fund raising activities must be done from inside the main residence;
 - l. All group home vehicles will only be kept in the driveway allowing for guests and visitors to use the parking lot;
 - m. Only the existing 12 square foot sign is permitted on the property. No posters or banners are allowed;
 - n. A 3 1/2 foot fence and gate will remain locked at night and will be maintained across the front of the property;
 - o. Group home residents and staff shall not loiter in the front yard or parking lot; and
 - p. The permittee will contact the condominium management (to the west) quarterly (4 times a year) to work out any problems created by the group home.
9. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent revised plans are submitted the written authorization of the property owner is necessary.

10. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the provided plans.
11. Upon receipt of these conditions, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Water mains, fire hydrants, and fire flow shall be provided as may be required by said Department.
12. Dedicate to the County of Los Angeles the right to restrict vehicular access to Carmenita Road.
13. The permittee shall install fill-in sidewalks, streetlights and street tree improvements along the frontage of the subject property on Carmenita Road to the satisfaction of the Los Angeles County Department of Public Works.
14. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



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.)

<p>A. That the requested use at the location will not:</p> <ol style="list-style-type: none"> 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.
<p>There are no buildings to be built or noise to be made or any dangerous materials to be stored here. We are located close to a business area. there are two houses to the south of us and one house located to the north of us. there are duplexes to the the west and carmenita rd. to the east of us. the residents residing on the property have proved to be an asset to the community.</p>
<p>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.</p>
<p>The site is square in shape and the front yard measures 60 by 90. There is adequate parking parking on a cement slab and the driveway is conveniently located to permit vehicles to enter and leave without obstructing traffic in any way. there is a cinder block wall on the north, wire fence on the east @ west and cinderblock and rodiron on the front (south).</p>
<p>C. That the proposed site is adequately served:</p> <ol style="list-style-type: none"> 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.
<p>the property is located on carmenita road which has four lanes, two going and two going south with an island in between. there is easy access to the santa ana freeway to the north about three miles, there are several major streets that lead to the 605 freeway which is west about 5 miles.</p>



Front Gate, left side of property



Back Wall left side of property



Parking Spaces front of property



Left side of Property from back to the front



Back Right side of property;
With Existing dwelling



Back of property from left to right



Front of Property from left to right with parking space



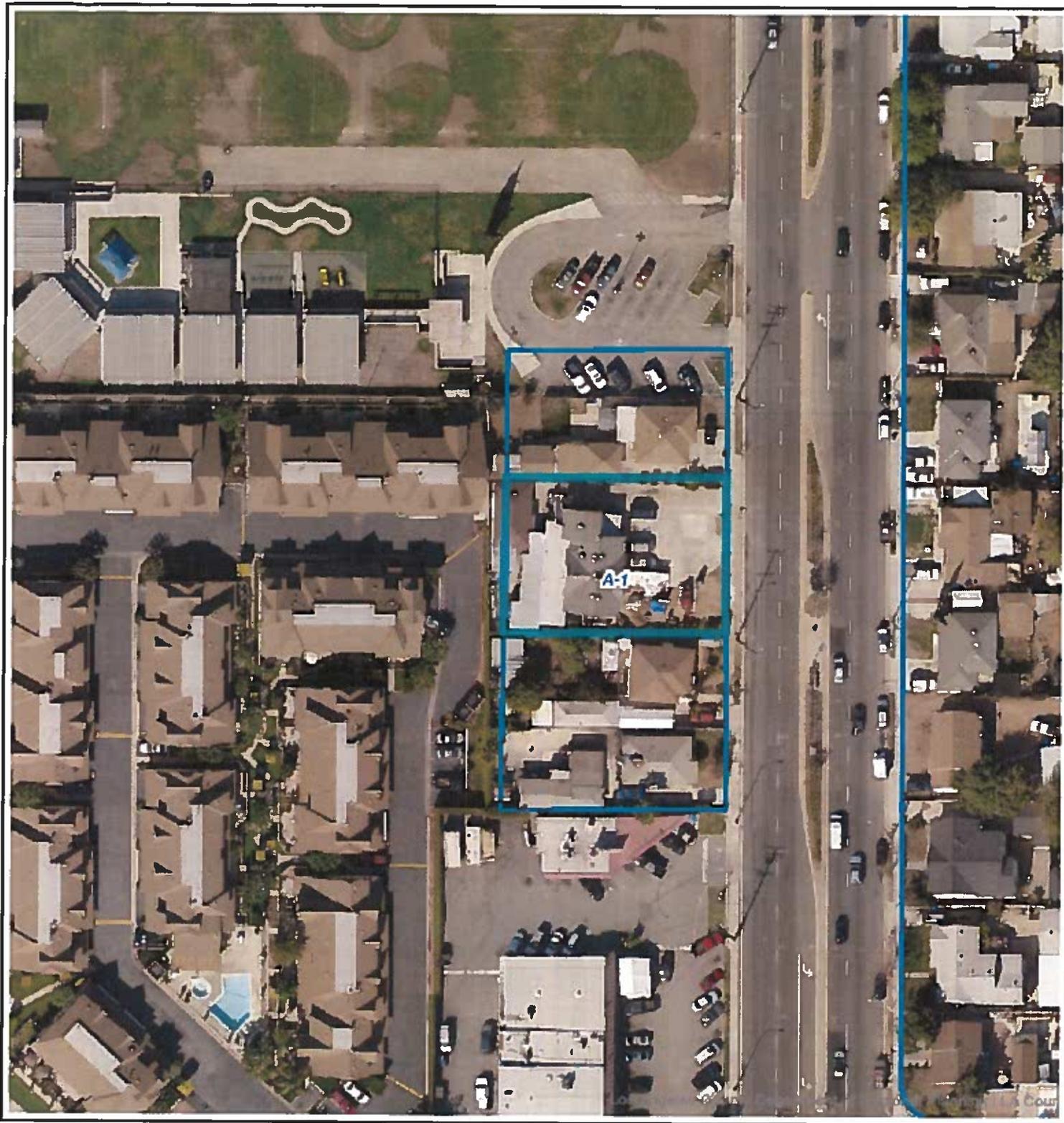
Back of property with Existing dwelling from right to left



Left side of property from front to back



Right side of property from front to back



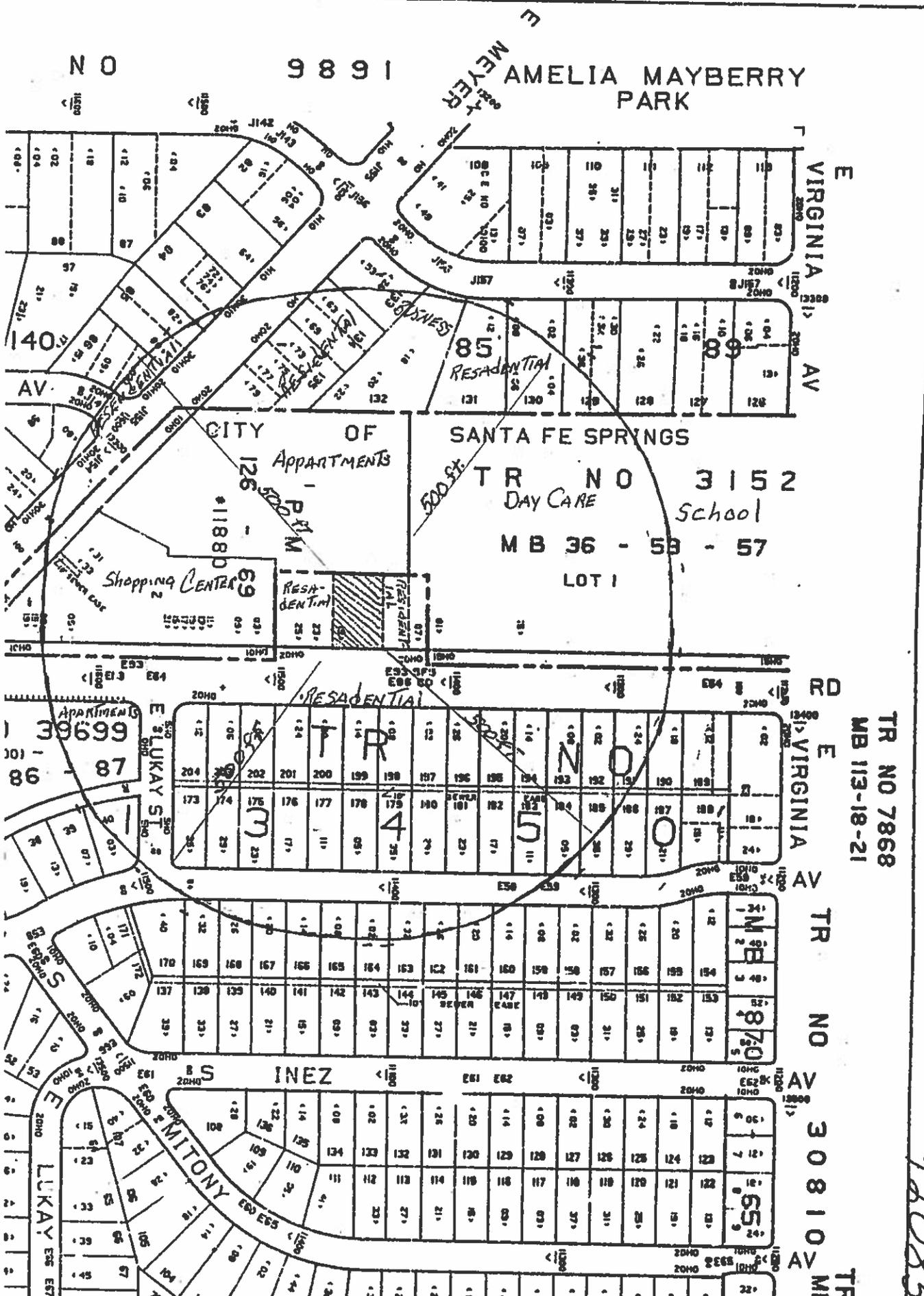
Created in GIS-NET3

Printed: Oct 04, 2016



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VICINITY MAP
 92085-11

CATHOLIC RAINBOW OUTREACH
 11419 CARMENITA RD
 Whittier, Calif 90605

TR NO 7868
 MB 113-18-21

TR NO 30810
 MB

VICIN
 92085



Original CUP

Los Angeles County
Department of Regional Planning

Director of Planning, James E. Hartl, AICP



RE: **CONDITIONAL USE PERMIT NO. 92085-(1)**
TO ESTABLISH AND OPERATE AN ADULT RESIDENTIAL FACILITY
11419 CARMENITA, WHITTIER

Mailing Date: April 19, 1993

**CERTIFIED - RECEIPT
REQUESTED**

TO: Catholic Rainbow Outreach
c/o Benjamin Read
11510 Mina Avenue
Whittier, CA 90605

The Regional Planning Commission APPROVED the above described grant on April 14, 1993.

Enclosed are the Commission's findings, order and conditions.
CAREFULLY REVIEW EACH CONDITION.

Condition 2 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Commission's decision to the Board of Supervisors at the office of Mr. Larry J. Monteilh, Executive Officer, Room 383, Hall of Administration, 500 West Temple Street, Los Angeles, California 90012, telephone (213) 974-1432. The appeal must be postmarked or delivered in person within 15 days after the applicant receives this notice. The Board of Supervisors may also call the Commission's decision up for review during the appeal period. This grant will not become effective until and unless this period has passed without an appeal or call for review.

For further information on appeal procedures, compliance with conditions or any other matter pertaining to this grant, please contact the Zoning Permits Section at (213) 974-6443.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

John Schwarze, Administrator
Current Planning Branch

JS:DCC:tc

Enclosure: Affidavit; Findings, Order and Conditions
cc: Board of Supervisors; Building and Safety; Zoning Enforcement;

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

CONDITIONAL USE PERMIT CASE NO. 92085 - (1)

COMMISSION HEARING DATES: NOVEMBER 18, 1992, JANUARY 13, 1993 AND
MARCH 17, 1993

SYNOPSIS:

The applicant applied for a conditional use permit to allow an adult residential facility for more than 6 non-related guests to a maximum of 27 residents and staff on property located at 11419 Carmenita Road between Lakeland Road and Meyer Road in the unincorporated area of Whittier and within the Sunshine Acres Zoned District.

PROCEDURE BEFORE THE COMMISSION:

Hearing of November 18, 1992: Two persons, representing the applicant, testified in favor of the facility and responded to questions from the Commission. An adjacent condominium resident to the west noted that he was opposed and brought along a petition of his neighbors. He added they had concerns over the appearance of the applicants property; such as the junk, debris, the barking dogs, the unfinished garage and the early morning singing.

The Commission was concerned about the condition of the main residence and the garage conversion.

The Commission continued the public hearing to afford the applicant an opportunity to invite Building and Safety out to inspect the premises and to prepare building elevations and an estimate on the cost of the garage conversion to be brought up code.

Hearing of January 13, 1993. The applicant provided the Commission with Building and Safety's inspection findings on what was needed to bring the residence up to code but did not provide any information or plans for the garage conversion. The Commission again continued the public hearings to allow the applicant to correct the deficiencies in the main residence with proper permits and licensed constructors. In addition the Commission again demanded building elevations and conversion costs to make the garage a residence.

Hearing of March 17, 1993. Two persons, the applicant and his resident manager were present and addressed the Commission stating that they had taken out the necessary building permits and paid

licensed contractors to bring the main residence up to code. The Commission was also made aware that Buildings and Safety had reinspected the premise making sure all corrections had been made. Mr. Reed stated that an architect had done the elevations for the proposed garage conversion and it would cost \$5,500.00 which they could afford and that a license contractors estimate was included with the drawings submitted to Staff.

The Commission then reviewed the proposed elevations, estimate and questioned the maximum number of residents and staff. The applicant stated that there are 19 residents and a maximum of 8 staff and children on the property. (The children are the resident managers and they reside in the converted garage).

There was no opposition present.

There being no further testimony, the Commission closed the public hearing and, by a vote of 3-0 (Mr. Santiago being absent), instructed staff to prepare findings and conditions for approval.

FINDINGS:

1. The property is located at 11419 Carmenita Road, between Lakeland Road and Meyer Road in the unincorporated area of Whittier and within the Sunshine Acres Zoned District.
2. The property has been converted to an adult residential facility with parking for six cars in the front yard. The two car garage has also been illegally converted to residential uses.
3. The applicant houses 19 residents, some ex-alcoholics, ex-prisoners, and ex-drug addicts that have been released from various institutions and are attempting to rebuild their lives.
4. The subject property is zoned A-1 (Light Agriculture - 5000 square foot minimum lot size). This parcel has 12,100 square feet. A conditional use permit is required for more than 6 non-related guests residing in a residence and to permit the conversion of a garage without the replacement of 2 car garage or carport.
5. The subject property is located within an area designated "Low Residential Density" (1-6 du/ac) on the Countywide General Plan property so designated may accommodate an adult residential facility with an approved conditional use permit.

6. The project site is bounded by condominiums to the west, single family residents to the east and south and to the north is a single family residence and the school playground. The rear of the property is the boundary line for the City of Santa Fe Springs.
7. The architecture is contemporary and the elevation drawings of the finished garage conversion will be compatible. A low chain link fence crosses the front of the property.
8. The 6 parking spaces are paved and striped and will be maintained. All necessary utilities are provided.
9. Carmenita Road is a County maintained major highway.
10. The project is categorically exempt (Class 3) from environmental impact reporting requirements in that it will require the conversion of an existing small structure from one use to another with only minor modifications to the interior and exterior.

BASED ON THE FOREGOING, THE COMMISSION CONCLUDES:

- A. The requested use is consistent with the adopted general plan.
- B. With the attached restrictions and conditions, the requested use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The site is adequate in size and shape to accommodate the development features prescribed in the Zoning Ordinance and otherwise required to integrate the use requested with the uses in the surrounding area.
- D. The site has adequate traffic access and is adequately served by other public or private facilities which it requires.

COMMISSION ACTION:

1. The Regional Planning Commission finds that the project is categorically exempt (Class 3) from the requirements of the California Environmental Quality Act and that the project will not have a significant effect on the environment.

2. In view of the findings of fact presented above, Conditional Use Permit Case No. 92085 - (1) is GRANTED with the attached conditions.

VOTE: 5-0

Concurring: Commissioners Wulliger, Russell, Clark, Ryan and Santiago

Dissenting: None

Abstaining: None

Absent: None

Date of Action: April 14, 1993



Los Angeles County Department of Regional Planning
 320 West Temple Street, Los Angeles, California 90012
 Telephone (213) 974-8448

PROJECT No. 92085 (1)
Case Conditional Use Permit

RPC/HO MEETING DATE	CONTINUE TO
AGENDA ITEM 12	
PUBLIC HEARING DATE November 18, 1992	1/13/93 3/17/93
REPRESENTATIVE	Benjamin Read

APPLICANT Catholic Rainbow Outreach		OWNER Same	REPRESENTATIVE Benjamin Read	
REQUEST A request to permit an adult residential facility for a maximum of 27 people plus staff				
LOCATION/ADDRESS 11419 Carmentia Road, Whittier Between Lakeland Road and Meyer Road			ZONED DISTRICT Sunshine Acres	
ACCESS Carmentia Road			COMMUNITY Whittier	
EXISTING ZONING A-1			TOPOGRAPHY Level	
SIZE 12,100 Sq.Ft.	EXISTING LAND USE Group Home	SHAPE Retangular		
SURROUNDING LAND USES & ZONING North: Single Family Residences		East: Single Family Residences		
South: Single Family Residences		West: Single Family Residences		
GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY	
COUNTYWIDE	Low Residential Density	1-6 Du/Ac.	To be determined	
AREA/COMMUNITY				
ENVIRONMENTAL STATUS Categorical Exemption				
DESCRIPTION OF SITE PLAN A two story residence is located in the middle of the parcel. A garage has been converted to a residence for the manager and his family. Six parking spaces are provided in the front yard.				DENSITY
KEY ISSUES - Adequacy of parking - Condition of buildings - No public opposition received Recommendation: Approve with conditions				

(If more space is required, use opposite side)

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

STAFF CONTACT PERSON		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS*	PETITIONS	LETTERS

ISSUES AND ANALYSIS

CONDITIONAL USE PERMIT 92085

Request. The use requested is an "alcoholism or drug abuse" facility. State regulations pertaining to such a facility are attached. Briefly, such facilities having six or fewer persons are exempt from local zoning regulations. The six persons does not include the licensee's family or persons employed as staff. In Zone A-1 (which is applicable to the subject property) a conditional use permit is required for a greater number of residents.

The applicant indicates that there are currently 16 residents plus 3 resident staff and one family member at the facility. The applicant proposes to increase to 27 residents plus staff in seven dorm rooms in the main buildings and in two additional bedrooms in a converted garage and storage building in the rear yard. The maximum number of resident and daytime staff is not given. However, the number would be limited by the available parking as described below. Further details on the operations are contained in the attached statements from the applicants.

Parking. The minimum parking requirement for a group residential facility is one space for each staff member in the largest shift plus one space for each vehicle used directly in conducting the use. At the time of the staff visit there were two vans, a bus, and two private vehicles parked in the parking lot at the front of the property. The lot has room for 7 vehicles.

According to the applicant, residents may be allowed to keep their personal vehicles while in residence, but few have actually kept vehicles.

Building Conditions. An inspection by the Division of Building and Safety discloses a need for corrections to deficiencies in both structures, but especially the converted garage. A copy of the report is attached.

Other Issues. At the site visit, there were debris and storage structures in the front yard which should be removed. A sign on the front of the main building conforms to permitted 12 square feet of maximum sign area in Zone A-1.

Public Comment. As of November 12, no opposition had been received.

Public Works Report. The Department of Public Works recommends sidewalk infill and street lights along the frontage of the subject property.

ISSUES AND ANALYSIS

CONDITIONAL USE PERMIT 92085

PAGE 2

Recommendation: (Subject to change based upon the public hearing)

Approve, subject to the following:

- Consider fixing the maximum number of persons residing on the property, including clients, resident staff and related persons, at 30; less if testimony concerning staffing indicates;
- Provide that resident clients may not keep personal vehicles while in residence;
- Provide that the facility may not be used as a place of public assembly or for offices or other purposes not accessory to the group home;
- Require correction of Building and Safety Code deficiencies; and
- Require that permittee remove storage buildings and debris from front yard.

Attachments:

State Regulations
Applicant's statement
Building and Safety inspection
Public Works Report



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

January 12, 2004

James E. Hartl, AICP
Director of Planning

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Benjamin Read
11510 Mina Avenue
Whittier, California 90605

RE: **CONDITIONAL USE PERMIT CASE NO. 03-164-⁽⁴⁾**
To authorize continued operation of an adult residential alcohol and drug recovery facility for more than six non-related male residents to a maximum of 27 residents and staff.

Dear Applicant:

PLEASE NOTE: This document contains the Hearing Officer's findings and order and conditions relating to **APPROVAL** of the above referenced case. **CAREFULLY REVIEW EACH CONDITION.**

Condition three requires that the permittee must file an affidavit accepting the conditions before these grants become effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Hearing Officer's decision to the Regional Planning Commission at the office of the commission's secretary, Room 170, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Contact the commission's secretary for the necessary forms and the amount of the appeal fee at (213) 974-6409. The appeal must be postmarked within 15 calendar days after this notice is received by the applicant. The appeal may also be called up for review by the Regional Planning Commission during the appeal period.

For further information on appeal procedures or approvals, please contact Nooshin Paidar in the Zoning Department at (213) 974-6435.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7545 9972 0000 0752 7002

CONDITIONAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total		

Sinalotte
mailed
1-15-03
M&M

Sent To: Benjamin Read
11510 Mina Avenue
Whittier, CA 90605

Street, or PO Box
City, State

PS Form 3800 January 2001 See Reverse for Instructions

HEARING OFFICER'S FINDINGS AND ORDER:

REQUEST: To authorize continued operation of an adult residential alcohol and drug recovery facility for more than six non-related male residents to a maximum of 27 residents and staff.

PROCEEDINGS BEFORE THE HEARING OFFICER:

January 6, 2004 Public Hearing

A duly noticed public hearing was held on January 6, 2004. The applicant was sworn in and testified in favor of the project. The applicant confirmed that he had reviewed the conditions recommended by staff and concurred with all conditions of approval except for condition number 1b, which prohibits storage of trailers in all required yard areas. The applicant contended that the existing trailer has been parked at the front yard of the property for over 20 years and was present at the time of the original CUP in 1993. The Hearing Officer responded that staff could not find any discussion about the trailer on the original CUP findings and conditions and therefore the existence of the trailer on the front yard is considered illegal. Additionally, Section 22.24.035 of the Zoning Ordinance clearly prohibits parking of trailers on a yard area.

There being no further testimony, the Hearing Officer closed the public hearing and approved the continued operation of the subject adult facility, subject to the conditions recommended by staff, and directed staff to prepare the findings and conditions for approval.

Findings

1. The applicant, Catholic Rainbow Outreach, requests authorization for continued operation of an adult residential alcohol and drug recovery facility for men located within the unincorporated community of South Whittier-Sunshine Acres. The project was originally approved in April 1993 under Conditional Use Permit 92085, which authorized operation of an adult residential facility including the conversion of the two-car garage to a residence for a maximum of 27 persons (19 residents and 8 staff) subject to conditions. Currently, a maximum number of 18 residents reside on the property at any given time.
2. The location of the subject parcel is 11419 Carmenita Road within the South Whittier-Sunshine Acres community and Sunshine Acres Zoned District.
3. The Rectangular -shaped parcel is 12,420 square feet in size and is located within an urbanized community.
4. Zoning on the subject property is A-1 (Light Agriculture).
5. Surrounding properties are zoned: City of Santa Fe Springs to the north, R-1 (Single-Family Residence) to the east, City of Santa Fe Springs, C-3-BE (Unlimited

- Commercial-two acre minimum lot-billboard exclusion) to the south, and City of Santa Fe Springs, C-3-BE (Unlimited Commercial-two acre minimum lot-billboard exclusion) to the west.
6. Other land uses bounding the property include single-family residence and school to the north, single-family residences to the east, single-family homes, commercial to the south, and duplex homes, single-family residences to the west.
 7. The project was originally approved in April 1993 under Conditional Use Permit 92085, which authorized operation of an adult residential facility including the conversion of the two-car garage to a residence for a maximum of 27 persons (19 residents and 8 staff) subject to conditions. CUP 92085 was expired on April 1, 2003.
 8. The subject property is designated Low Density Residential in the County of Los Angeles General Plan. Properties in areas with this designation may be used for residential development at densities ranging from one to six units per gross acre. The subject property is a 12,420 square foot parcel situated within a low density residential neighborhood. The project will not affect the density of the property.
 9. The site plan depicts the main house where the adult residents stay and the converted garage which is occupied by the staff and the family. There are five parking spaces located at the front of the house and the driveway can accommodate two more cars.
 10. The property contains two existing structures, which are in compliance with Zone A-1 development standards. Per Section 22.52.1120, every adult residential facility and group home for children shall have one automobile parking space for each staff member on the largest shift and one parking space for each vehicle used directly in conducting such use. Currently, there are three staff members and seven parking spaces on the property and therefore the project complies with parking requirements.
 11. The Department of Regional Planning has determined that the project qualifies for a Class 1 Categorical Exemption—Existing Facilities—under CEQA reporting requirements.
 12. At the time of this report, staff has not received any public comments.
 13. The subject establishment does not have a State license for its operation. Per staff's telephone conversation with California Department of Social Services Community Care Licensing Division, establishments which require residents to attend various classes are subject to licensing. Class attendance is not a requirement for admission to the subject establishment and therefore this residential facility can operate without a State license. Most residents, however, receive general relief assistance from LA County and consequently are required to attend various classes as part of the agreement.

During a site investigation on December 22, 2003, staff observed cardboards stored at the front of the existing house along Carmenita Road. The cardboards are boxes from the food items used for the residential facility and are removed from the property and sold every two weeks. A trailer was also parked at the front yard concealing the stacks of cardboards. The applicant explained that the trailer has been located on the property since the original CUP in 1993. Staff, however, was not able to find any mention of the trailer on the findings and conditions of approval for the original CUP.

The only landscaping located on the site are two trees and a short stretch of hedges behind a chain link fence along Carmenita Road. Landscaping along the chain link fence at the front yard could improve the appearance of the property.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and 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 and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private 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 Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer finds that the project qualifies for a Categorical Exemption and approves the Categorical Exemption.
2. In view of the findings of fact presented above, Conditional Use Permit Case No. 03-164(1) is **APPROVED**, subject to the attached conditions.

BY:  DATE: 1-13-08
ANDY MALAKATES, HEARING OFFICER
Department of Regional Planning
County of Los Angeles

Attachments: Conditions
Affidavit

c: Each Commissioner, Zoning Enforcement, Building and Safety