COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

TDD
(213) 633-0901
TELEPHONE
(213) 974-1857
TELECOPIER
(213) 617-7182

June 2, 2004

Agenda No. 6
02/04/04

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Re: CONDITIONAL USE PERMIT NUMBER 01-267-(5)
FIFTH SUPERVISORIAL DISTRICT / THREE-VOTE MATTER

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced permit which proposes development of a 31,284 square foot industrial building with appurtenant parking and landscaping on 2.19 acres in the East San Gabriel Zoned District. At the conclusion of the hearing, you indicated an intent to approve the permit and instructed us to prepare the appropriate findings and conditions for approval. Enclosed are proposed findings and conditions for your consideration.

Very truly yours,

OFFICE OF THE COUNTY COUNSEL

By
PETER J. GUTIERREZ
Senior Deputy County Counsel
Public Works Division

APPROVED AND RELEASED:

RAYMOND G. FORTNER, JR.
Chief Deputy County Counsel

PJG:di
Enclosures

HOA.235706.1

FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
CONDITIONAL USE PERMIT NUMBER 01-267-(5)

1. The Board of Supervisors ("Board") of the County of Los Angeles conducted a duly noticed combined public hearing on proposed Conditional Use Permit Case No. 01-267-(5) and Zone Change Case No. 01-267-(5) on February 24, 2004. The Regional Planning Commission ("Commission") of the County of Los Angeles previously conducted its duly noticed combined public hearing on these proposals on May 14, 2003.

2. The applicant is requesting a conditional use permit to authorize the development of a 31,284 square foot industrial building with appurtenant parking and landscaping on 2.19 gross acres located at 5144 Walnut Grove Avenue, San Gabriel, in the East San Gabriel Zoned District.

3. The subject property is comprised of five Assessors' Parcels, Parcel Nos. 5388-038-039, 040, 041, 042, and 043. The subject property is flat and rectangular in shape. Access to the property is via two driveways from Walnut Grove Avenue to the west.

4. Current zoning on the five Assessor's Parcels which comprise the subject property is a mix of R-A and R-A-P (Residential – Agricultural and Residential-Agricultural-Parking). The majority of the five parcels comprising the subject property are zoned R-A; Assessor's Parcel No. 5388-038-042, located on the east side of the subject property, and a portion of Assessor's Parcel No. 5388-038-043, located on the south side of the subject property are zoned R-A-P. The applicant is concurrently requesting changes of zone from R-A/R-A-P to M-1-DP (Light Manufacturing, Development Program) on the entire 2.19 acres. The proposed use is not permitted in the R-A or R-A-P zones, but it would be permitted in the proposed M-1-DP zone, provided the use conforms to development plans approved as part of the rezoning and a conditional use permit is obtained with an approved development program in accordance with Section 22.40.030 of the Los Angeles County Code.

5. Surrounding zoning consists of R-A to the north, A-1 (Light Agricultural) to the east, R-1 (Single-Family Residential) to the west, and M-1 (Light Manufacturing) to the south.

6. The subject property is currently vacant except the northeastern portion which has been developed with a parking lot and low block walls.

7. The prevailing land use pattern in the surrounding area is single-family residential development. Surrounding land uses consist of:

North: Five single-family residences abut the project's north property line, and additional single-family residences are developed north of those. In addition, Roosevelt Elementary School, within the San Gabriel Unified School District, is located approximately 500 feet north of the subject property.

East: An approximately 60-foot wide strip adjacent to the project site is being used for truck parking associated with the light industrial use developed directly south of the subject property. On the east side of this truck parking area, a plant nursery has been developed, with Southern California Edison transmission lines running above the nursery. To the east of the nursery, within the unincorporated area of San Gabriel, single-family residences are developed.

South: A light industrial use is developed directly south of the subject property. Union Pacific Railroad has a rail line running approximately 500 feet south of the subject property.

West: Single-family residences are located west of the subject property.

8. A search for major projects pending in the area disclosed Tract Map No. 53623 and Oak Tree Permit No. 01-187-(5), proposed at 5553 Walnut Grove Avenue, San Gabriel, approximately one-half mile north of the subject property. Proposed Tract Map No. 53623 and associated Oak Tree Permit Case No. 01-187-(5) are a request for eight detached condominium units and the removal of one oak tree.

9. The subject property is classified within the Low Density Residential land use classification on the Countywide Land Use Policy Map of the County General Plan. Development or expansion of existing local commercial and industrial services is permitted within the Low Density Residential land use classification. Local industrial uses are defined as light industrial uses of a minor nature, as defined by the scale of the facility, number of employees, service area, and general compatibility within the community setting.

10. The proposed industrial use, a moving and storage company which is a local-serving business with clients in East Pasadena and adjoining communities such as Pasadena, San Gabriel, and San Marino, is consistent with the Low Density Residential land use classification. In addition, the conditions of the conditional use permit will require any uses proposed for the lease space within the subject industrial building to be local-serving to be consistent with the Low Density Residential land use category.

11. The proposed project is consistent with the goals and policies of the General Plan.

12. There are no previous zoning cases noted on the subject property.

13. As the applicant is requesting a change of zone to M-1-DP, the proposed industrial building shall comply with and is subject to the following required development standards of the M-1 zone pursuant to Section 22.32.080 of the Los Angeles County Code:

    a. Any property used for the outside storage or display of raw materials, equipment, or finished products shall comply with the requirements of Part 7 of Chapter 22.52;

    b. Parking shall be provided as required by Part 11 of Chapter 22.52. Section 22.52.1060.E of Part 11 requires that at least two percent of the gross area of the parking lot shall be landscaped; and

    c. Signs shall comply with the requirements of Part 10 of Chapter 22.52.

14. Pursuant to Section 22.40.050 of the Los Angeles County Code, an applicant seeking a conditional use permit to develop property in zone ( )- DP shall submit a proposed development program. Such development program shall consist of the following elements:

    a. A plot plan showing the location of all proposed structures; the alteration or demolition of any existing structures; development features, including grading, yards, walks, landscaping, height, bulk, arrangement of buildings and structures; signs; the color and appearance of buildings and structures; and other features as needed to make the development attractive, and adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area; and

b. A progress schedule, which shall include all phases of development and indicate the sequence and time period within which the improvements described will be made.

15. The Commission conducted a duly noticed public hearing on May 14, 2003, and received oral and written testimony.

16. The record before the Commission contained letters submitted by the Superintendent of the San Gabriel Unified School District dated January 28, 2003, and May 12, 2003, regarding this request. The letters stated concerns regarding potential traffic the industrial building would bring to the neighborhood, the uncertainty of what would be manufactured at the site, and opined that a full Environmental Impact Report should be prepared to adequately evaluate how the project will affect the health and safety of the children attending Roosevelt Elementary School.

17. The record also contained one letter in opposition to this request which was received from residents who live on Walnut Grove Avenue. The letter stated that the industrial use will negatively affect traffic on Walnut Grove Avenue and pose noise-related impacts.

18. At the close of its public hearing, after considering the evidence presented, the Commission indicated its intent to deny Conditional Use Permit No. 01-267-(5) and directed staff to prepare findings for denial. On August 20, 2003, the Commission took its final action to deny Conditional Use Permit No. 01-267-(5) and adopted a resolution recommending to the Board that Zone Change Case No. 01-267-(5) be denied and that no further action be taken in accordance with Section 22.16.200 of the Los Angeles County Code, unless a request for hearing was timely filed as provided therein.

19. The denial of Conditional Use Permit No. 01-267-(5) by the Commission was timely appealed to the Board by Christopher Sutton on behalf of the applicant and a request for hearing concerning Zone Change Case No. 01-267-(5) was timely filed by Christopher Sutton on behalf of the applicant.

20. At the hearing on February 24, 2004, the Board received oral and written testimony. The applicant testified in favor of the project. A local resident testified in opposition to the project citing concerns regarding commercial truck traffic and incompatibility of the proposed use with surrounding residential uses.

21. The Board considered evidence that the following design and operational restrictions will ensure compatibility with the surrounding area: a) restrictions on hours of operation; b) maintenance of a 20-foot landscaped berm along the northern perimeter of the property; c) restrictions in all tenant leases requiring all vehicles departing the facility to travel southbound away from residences and requiring all vehicles to arrive at the facility from the south, and d) required placement of the loading area on the southern side of the property away from residences.

22. The applicant's site plan, marked Exhibit "A," depicts the 2.19 acre subject property developed with a one-story 31,284-square-foot industrial building. Two 12 foot x 14 foot truck loading doors and one truck loading space are shown on the south side of the building. The north side of the building depicts two truck loading doors with two truck loading spaces. Fifty-eight parking spaces (54 standard and 4 accessible to disabled persons, one of which is van accessible) and 3 type B loading spaces are depicted, surrounding the building. Rolling gates to secure a portion of the parking lot are depicted on the south and east side of the building. A 20-foot wide landscaped berm is depicted on the north side of the property, six and seven foot landscaped strips are shown on the west side of the building (facing Walnut Grove Avenue), and additional landscaping is dispersed throughout the parking lot. Access to the site is via two driveways from Walnut Grove Avenue to the west.

23. The applicant's site plan is in compliance with the parking requirements of the M-1 Zone. The applicant's site plan indicates that two percent of the parking area, 869 square feet, will be landscaped.

24. The applicant is not proposing any outside storage.

25. As a condition of approval, the applicant will be required to submit a site plan depicting the loading area on the southern side of the property, away from residences.

26. As a condition of approval, the applicant will be required to submit scaled building elevations of the proposed industrial building.

27. The applicant has not provided any sign plans with this request. As a condition of approval of this grant, the applicant will be required to submit dimensioned sign elevations for any proposed freestanding or building mounted signs on the property in compliance with Part 10 of Chapter 22.52.

28. As a condition of approval, the applicant will be required to submit a development program, consisting of a site plan and progress schedule, which complies with the requirements of Section 22.40.050 of the Los Angeles County Code.

29. The applicant's hours of operation will be from 7:00 a.m. to 12:00 a.m. (midnight) Monday through Saturday (no Sunday hours) with approximately 35 employees working in two shifts. These operating hours will be enforced as a condition of this grant.

30. Approval of this conditional use permit is conditioned on the permittee's compliance with the attached conditions of approval.

31. The proposed project at the location proposed has been designed to be compatible with the surrounding area in terms of land use patterns, design, and established community character in that the scale of the facility, number of employees, and service area of the proposed businesses demonstrate that the use is minor in nature and local in character.

32. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.

33. An Initial Study was prepared for this project and circulated for public review in compliance with the California Environmental Quality Act ("CEQA") and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment. Based on the Initial Study, the Department of Regional Planning has prepared a Negative Declaration for this project.

34. The Board finds that the project is not *de minimus* in its effect on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.

35. The Board has reviewed and considered the information contained in the Negative Declaration together with any comments received during the public review process; finds, on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment; and finds that the Negative Declaration reflects the independent judgment and analysis of the Board.

36. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is 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 Russell Fricano, Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

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

B. That with the attached conditions and restrictions, the requested use at the proposed location would not adversely affect the health, peace, comfort, or welfare of persons residing in the surrounding area; would not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and would not jeopardize, endanger, or otherwise constitute a menace to the public's health, safety, or general welfare;

C. 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;

D. 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 Title 22 of the Los Angeles County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;

E. That the proposed project at the proposed location has been designed to be compatible with the surrounding area in terms of land use patterns, design, and established community character; and

F. That the development program submitted provides necessary safeguards to insure completion of the proposed development by the applicant, forestalling substitution of a lesser type of development contrary to the public convenience, welfare, or development needs of the area.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Adopts the Negative Declaration and certifies that it has been completed in compliance with CEQA and the State and County guidelines related thereto; and

2. Approves Conditional Use Permit Case No. 01-267-(5), subject to the attached conditions.

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NUMBER 01-267-(5)

1. This grant authorizes the construction and maintenance of a 31,284 square foot industrial building to be used for warehousing, manufacturing, and offices, as depicted on the approved Revised Exhibit "A," as described herein, and subject to all of the following conditions of approval.

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 Nos. 10 and 11. Further, this grant shall not be effective unless and until the Board of Supervisors has adopted Zone Change No. 01-267-(5) and an ordinance reflecting such change has become effective.

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 limitation period. The County shall notify the permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense.

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; and

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 shall be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code.

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 payment of the appropriate fee, at least six months 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 subject property during the term of this grant, the property owner shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.

9. This grant will terminate on February 24, 2024.

Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, a new conditional use permit application shall be filed with the Department of Regional Planning at least six months prior to the expiration of this permit, whether or not any modification of the use is requested at that time.

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. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of $3,000. These monies shall be placed in a performance fund that 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 fund provides for 20 annual inspections. Inspections of the project site 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 condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. 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 per inspection, or the amount equal to the then-current recovery cost at the time of payment, if that amount is different.

11. The permittee shall remit a $25 processing fee payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to section 711.4 of the Fish and Game Code. The current fee amount is $1,275.

12. 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, safety, or so as to be a nuisance.

13. Upon approval of this grant, 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. Any necessary facilities shall be provided to the satisfaction of, and within the time periods established by, said Department.

14. 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.

15. The subject property shall be developed and maintained in compliance with the requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.

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

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

18. In the event such extraneous markings occur, 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.

19. Within 60 days of approval of this grant, the permittee shall submit to the Director for review and approval three copies of a Revised Exhibit "A," similar to Exhibit "A," as presented at the public hearing but that fully depict, in compliance with Section 22.40.050.A of the Los Angeles County Code and consistent with these conditions, the location of all proposed structures, the alteration or demolition of any existing structures, and development features including grading, yards, walls, walks, landscaping, height, bulk, arrangement of buildings, structures, signs, the color and appearance of buildings and structures, and other features as may be needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area. The Revised Exhibit "A" shall also show the following: 1) the existing low walls on the subject property that are to be demolished; 2) the owner/user moving and storage space located on the north side of the industrial building; and 3) signs posted at both driveways which read "No Right Turn." The property

shall be developed and maintained in substantial conformance with the approved Revised Exhibit "A." All revised plot plans must be accompanied by the written authorization of the property owner.

20. Within 60 days of approval of this grant, the permittee shall submit to the Director for review and approval, a development progress schedule which shall include all phases of development and indicate the sequence and time period within which the improvements described will be made, as required by Section 22.040.050.B of the Los Angeles County Code.

21. Within 60 days of approval of this grant, the permittee shall submit to the Director for review and approval three copies of a landscape plan, which may be incorporated into the Revised Exhibit "A," described in Condition No. 19. The landscape plan shall show the size, type, location of all plants, trees, and watering facilities. The permittee shall, for the life of this grant, maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary. The landscape plan shall contain a 20-foot landscaped setback along the northern perimeter of the property.

22. Within 60 days of approval of this grant, the permittee shall submit to the Director for approval three copies of dimensioned building elevations. The property shall be developed and maintained in substantial conformance with the approved elevations.

23. Within 60 days of approval of this grant, the permittee shall submit to the Director for approval three copies of dimensioned sign elevations for all proposed freestanding or building mounted signs on the subject property. Proposed signs shall be developed in accordance with Part 10 of Chapter 22.52 of the Los Angeles County Code.

24. Except as otherwise specified as part of an approved development program:

    a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the development program shall be built, erected, or moved onto any part of the property;

    b. All improvements shall be completed prior to the occupancy of any structures; and

c. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.

25. The construction and maintenance of the industrial building shall be further subject to all of the following restrictions:

a. The permittee shall comply with all conditions and recommendations set forth by the County of Los Angeles Fire Department in it's letter dated April 2, 2002, on file at the Department of Regional Planning, or as otherwise modified by said Department;

b. The permittee shall comply with all conditions and recommendations set forth by the County of Los Angeles Environmental Hygiene section of the Department of Health Services in it's letter dated April 4, 2002, on file at the Department of Regional Planning, or as otherwise modified by said Department;

c. The permittee shall comply with all conditions and recommendations set forth by the County of Los Angeles Department of Public Works in it's memo dated January 6, 2003, on file at the Department of Regional Planning, or as otherwise modified by said Department;

d. The permittee shall comply with applicable NPDES requirements of the California Regional Water Quality Control Board and the Los Angeles County Department of Public Works;

e. All material graded should be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering should occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e. greater than 20 mph averaged over one hour) to prevent excessive amounts of dust. Any materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;

f. All perimeters of the subject property shall be secured with fencing at all times during construction;

g. All perimeters of the subject property shall be secured with gates and fencing after construction is completed and the property is occupied;

h. All exterior lighting shall be shielded and directed away from neighboring residences to prevent direct illumination and glare. All light standards visible to the general public shall be consistent with the overall architectural style of the project with respect to design, materials, color, and color of light. Security lighting fixtures shall not project above the fascia or roofline of the building on which they are mounted. Exterior lighting shall be turned off a maximum of 30 minutes after closing (12:30 a.m. at the latest). Security lighting on motion sensors may remain on throughout the night provided they are shielded and directed away from neighboring residences;

i. The permittee shall maintain a minimum of 58 on-site automobile parking spaces, four of which shall be handicapped accessible, one of which shall be a handicapped van-accessible parking space, and three Type B loading spaces. These spaces are to remain free and clear for use by employees and visitors, no supplies or materials may be stored in these spaces;

j. There shall be no outside storage or display on the subject property;

k. The permittee shall not store or use hazardous materials, hazardous waste or hazardous chemicals including pesticides or herbicides of any kind;

l. The permittee shall not store, test or use medical tissue, human fluids, human bodies or body parts.

m. The permittee shall not store, distribute, process, test, use, wholesale, display, or sell perishable food, meat, animal parts, animal feed, hay, straw, or animal by-products;

n. The permittee shall not store, distribute, process, test, use, wholesale, display, or sell fireworks, explosives, combustible gases, or flammable liquids (other than gasoline and oil and only as contained within fully licensed motor vehicles);

o. The permittee shall not store, distribute, process, test, use, wholesale, display, or sell alcoholic beverages or tobacco products;

p. There will be no keeping or display of live animals on the subject property;

q. No amplified sound system, or public address system audible from outside the building is permitted. No musical or theatrical performances or uses are permitted on the subject property;

r. There shall be no uses or activities which create vibrations that are perceptible outside the property boundaries of the subject property;

s. There shall be no uses or activities on the subject property which generate smoke, fumes, or odors (other than normally expected from fully licensed motor vehicles);

t. All trucks entering or leaving the subject property shall not use the portion of Walnut Grove Avenue north of the property where residences and Roosevelt Elementary School is located. A clause shall be incorporated into the lease(s) provided to all lessees within the building which prohibits all trucks entering or leaving the subject property from using that portion of Walnut Grove Avenue north of the property;

u. All trash enclosure areas shall be screened from public and private view corridors;

v. The permittee shall maintain all areas of the premises in a neat and orderly fashion, and free of litter and debris.

w. Operating hours are limited to 7:00 a.m. to 12:00 a.m., Monday through Saturday. No Sunday operating hours are permitted;

x. All uses within the subject industrial building, except for the permittee's moving and storage business as approved herein, shall require the approval of a Revised Exhibit "A," to ensure compliance with this development program for the M-1-DP zone. In addition, the proposed use shall be permitted only if it is determined by the Director of Planning to be a local-serving use;

y. The permittee shall maintain a current contact name, address, and phone number for the facility on file with the Department of Regional Planning at all times; and

z. The loading area shall be constructed on the southern side of the property away from the existing residences.