



Los Angeles County  
Department of Regional Planning



*Planning for the Challenges Ahead*

James E. Hartl, AICP  
Director of Planning

April 14, 2005

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Yuan Yung Buddhist Temple  
6310 E. Olympic Blvd.  
Los Angeles, CA 90022

RE: **CONDITIONAL USE PERMIT CASE NO. 98-044-(4)**  
A request to authorize establishment and use of a Buddhist Temple and retreat center facility at 2740 – 76 Fullerton Road, Rowland Heights.

Dear Applicant:

PLEASE NOTE: This document contains the Regional Planning Commission's findings relating to **APPROVAL** of the above referenced case.

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Regional Planning Commission's decision to the Board of Supervisors through the office of Violet Varona-Lukens, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California, 90012. Contact the Executive Office for the necessary forms and the amount of the appeal fee at (213) 974-1426. The appeal must be post marked or delivered in person within fifteen days after this notice is received by the applicant.

If no appeal is made during this fifteen-day period, the Regional Planning Commission action is final. If you have any questions regarding this matter, please contact the Zoning Permits Section at (213) 974-6443.

Very truly yours,

Department of Regional Planning  
James E. Hartl, AICP  
Director of Planning

Russell J. Fricano, Ph.D., AICP  
Section Head  
Zoning Permits Section

RJF:KJ

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion).

c: Board of Supervisors; Department of Public Works (Building and Safety); Department of Public Works (Subdivision Mapping); Zoning Enforcement; Owen Menard, Mike Lewis, Johnny Yeh, Rowland Heights Community Coordinating Council, Charles Liu, Mona Fang, James Sun

**CONDITIONAL USE PERMIT NO. 98-044-(4)  
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES**

**REGIONAL PLANNING COMMISSION HEARING DATES: July 14, 2004,  
September 29, 2004**

**SYNOPSIS:**

The applicant is requesting a Conditional Use Permit to authorize establishment and use of a Buddhist Temple and retreat center facility at 2740 – 76 Fullerton Road, Rowland Heights.

**PROCEEDINGS BEFORE THE COMMISSION:**

July 14, 2004 Public Hearing

A duly noticed public hearing was held on July 14, 2004 before the Regional Planning Commission. Commissioners Valadez, Bellamy, Helsley, Rew and Modugno were present. A total of forty people testified: five representing the applicant, 14 in support of the project and 21 in opposition to the project.

Testimony was received from opponents regarding traffic impacts, general plan consistency, fire access and visual impacts. Subsequent to testimony, the Commission expressed concern regarding traffic safety and requested that the Department of Public Works conduct a traffic safety study to evaluate traffic safety of Fullerton Road and Pathfinder Road as it relates to the proposed use. The Commission continued the public hearing to allow time for preparation of this study and to allow for additional public testimony.

September 29, 2004 Public Hearing

A continued public hearing was held on September 29, 2004 before the Regional Planning Commission. Commissioners Bellamy, Helsley and Rew were present. A total of 28 people testified: two representing the applicant, 11 in support of the project and 15 in opposition to the project.

Testimony was received from opponents regarding consistency with the Rowland Heights Community General Plan, potential traffic volume and safety impacts associated with the proposed project. Testimony was also received from supporters regarding the existing facility in East Los Angeles and the differences between the proposed temple and the existing temple in Hacienda Heights. Subsequent to testimony and staff's response to issues raised by those opposed to the project, the Commission's discussion indicated that the issues raised had been adequately addressed by the applicant.

There being no further testimony, the Regional Planning Commission closed the public hearing, indicated its intent to approve the permit, and directed staff to prepare the final environmental documentation and findings and conditions for

approval, including changes to the conditions as discussed and as agreed to by the applicant.

### Findings

1. The applicant is requesting a Conditional Use Permit to authorize establishment and use of a Buddhist Temple and retreat center facility. The proposed facility consists of fourteen (14) buildings with a total floor area of 57,433 square feet, including a "front building;" a chapel; a Sunday school building; a general office building; a prayer hall; a meditation hall; a building used for storage, utility and a meditation training hall; a dining hall, four (4) dormitory buildings containing a total of 29 dormitory units, each with a capacity of two persons; one residential dwelling unit ("Master's Quarters"); and one living quarters for an employee of the facility (this unit does not have a kitchen). The site is located at 2740 – 76 Fullerton Road, Rowland Heights, in the Puente Zoned District.
2. To supplement the information regarding facility operations listed in the DEIR, the applicant has provided a supplemental detailed description of the anticipated daily use of the facility. To summarize, the facility would be open daily from 8 am to 5 pm for individuals to come of their own volition to worship. A "Dharma Assembly" would be conducted every other Sunday between 9:30 am and 12:00 pm, with concurrent classes held for children. Retreats lasting between 3 and 7 days would be held quarterly; a maximum of 32 people could be accommodated in the proposed dormitories for the duration of the retreat, in addition to the maximum of 26 nuns that could also be accommodated in the dormitories. Other retreat participants not living in the local area would stay at a local hotel and the facility would provide transportation for these participants to and from the facility. Normal operations of the facility would not cease during a retreat.

Weddings, workshops, seminars and other ancillary activities would be periodically conducted on the site and several annual events would take place including celebrations for Chinese New Year (3-day event), Buddha's Birthday and Mother's Day. Again, normal activities would cease during these special events, which would be open to the public.

3. Zoning on the site is A-1-1 (Light Agricultural, one acre minimum lot size). Pursuant to Section 22.24.100 of the Los Angeles County Code, churches, temples or other places used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith, are permitted in the A-1 zone, provided a conditional use permit is obtained.
4. The surrounding properties are zoned as follows:

North: A-1-1 (Light Agricultural, one acre minimum lot size), R-1-10,000 (Single Family Residence, 10,000 square foot minimum lot size)

South: O-S (Open Space), RPD-1-3U (Residential Planned Development, 3 units per acre maximum density)

East: A-1-1 (Light Agricultural, one acre minimum lot size)

West: A-1-1 (Light Agricultural, one acre minimum lot size), R-1-10,000 (Single Family Residence, 10,000 square foot minimum lot size)

5. The subject property currently contains one single family residence.

6. Surrounding properties contain the following uses:

North: Single Family Residences

South: Public Park

East: Single Family Residences

West: Church, Single Family Residences, Vacant Land

7. The subject property is designated Non Urban 2 in the Rowland Heights Community General Plan. This designation allows residential uses between 0.3 and 1 unit per acre and "rural or agricultural" type uses. Based on the authority and scope of a general plan as set forth in the Government Code, the General Plan is not intended to fully detail all of the uses that would be permitted, conditionally permitted or prohibited in a particular land use category, but, rather, is intended to designate the general distribution of land for different land use categories and establish broad goals and policies to guide development. The exclusion of a particular use from the discussion of a particular land use category, therefore, does not indicate that the use would be excluded from that category. There are no other plan policies that apply to the proposed project.

8. The site plan depicts the majority of the proposed buildings located to the south and east of the site, with the 4,728 square foot "front building" (Building A) being set back 260 feet from Fullerton Road and the area between Fullerton Road and the "front building" being utilized for parking and landscaping. Additional parking is depicted at the southern, southwestern and southeastern portions of the site, with a total of 230 parking spaces proposed.

Easterly of the "front building," the site plan depicts an open courtyard with a 4,488 square foot general office building (Building D) north of the courtyard, a 4,488 square foot Sunday school building (Building C) to the south of the

courtyard, and a 6,440 square foot main chapel (Building B) located to the east of the courtyard. A 2,748 square foot prayer hall (Building E) is depicted to the north of the main chapel, east of the office building, and a 2,748 square foot meditation hall (Building F) is depicted to the south of the main chapel, east of the Sunday school building. To the east of these structures is depicted a two-story storage/utility and meditation training hall building (Building G/H), and east of this building are a 1,078 square foot guest quarters building consisting of four dormitories (Building N), a 1,076 square foot masters quarters structure (Building M), a 1,170 square foot consultant's quarters building consisting of four dormitories (Building L), and a 2,442 square foot in-house dormitory building consisting of seven dormitories (Building J). To the south of these structures are depicted three interconnected buildings to be used as meditation dormitories and consisting of 14 dormitories (Building K) and to the south of these dormitories is depicted a 925 square foot service quarters structure (Building O). To the west of the service quarters and meditation dormitories is depicted a 8,118 square foot dining hall (Building I).

A 28-foot driveway is depicted surrounding the site and a 5-foot landscaping strip is depicted along the entire outer perimeter of the site. Additional landscaped areas depicted include two 20-foot wide strips adjacent to Fullerton Road, two large triangular shaped areas along Pathfinder Road at the southwest and southeast corners of the site, a courtyard in the center of the site, and dispersed throughout the parking area and between proposed buildings. A 42-inch concrete block wall is depicted along the property's Fullerton Road frontage with the exception of the access driveway and a 6-foot concrete block wall is depicted along the entire remaining portion of the site. A second access point, for emergency purposes only, is shown on the southern end of the property, providing a secondary access to Fullerton Road via an access easement over the adjacent southerly property.

Floor plans of each building have been submitted as well as elevation drawings. The elevation drawings depict the maximum height of the main chapel at 50 feet, the two-story storage/utility and meditation training hall building at 40 feet and all other buildings being below 35 feet in height.

9. The proposed use complies with all applicable development standards of the A-1 zone, as provided in Section 22.24.110 of the County Code, as follows:
  - a. Section 22.20.120 of the County Code requires 20-foot front yards, 5-foot side yards and 15-foot rear yards for the R-1 zone. Based on the site plan, these yards have been adequately provided.
  - b. The 7.5-acre site meets the one-acre area requirement.

10. The primary use of the site consists of religious temple uses, with general assembly uses, office uses, dormitories and individual single family residences being accessory uses to the temple. Section 22.52.1095 of the County Code, requires that church uses provide parking based on the occupancy load of the largest assembly area at a ratio of one space per five occupants. Churches generally include office space, small gift shops, storage areas and Sunday school classrooms for which additional parking would not be required. Given that the assembly buildings on the site could be used concurrently for different groups of people, parking shall be required based on the total occupancy load of each of the assembly buildings on the site with the exception of the Dining Hall which will not be used for separate assemblies. Buildings B, E, F and J may be used concurrently and have a total occupancy load of 640 persons. Based on the requirement of one space per five occupants, 128 spaces would be required. In addition, the applicant has indicated that the facility will own a total of five vehicles to be used in transporting nuns and retreat center guests; therefore, an additional five spaces will be required, for a total of 133 spaces required for the facility with a minimum of six handicapped spaces, one of which must be van accessible. A maximum of 53 of the required spaces may be compact spaces.

The site plan depicts provision of 230 total spaces, 8 of which are handicapped spaces (2 van accessible) and 65 of which are compact; therefore, the site plan depicts the facility providing substantially more parking than would be required to accommodate the use.

Parking is not required for the dormitories as these will be occupied by resident nuns who will not own cars and retreat guests who will be transported to the facility by vehicles owned by the facility; however, due to the number of spaces that the applicant has provided, sufficient space is available to allow nuns and retreat center guests to park their vehicles on the site.

Conditions will be imposed prohibiting off-site parking unless approved for an event in a Temporary Use Permit, and prohibiting retreat guests not residing in the on-site dormitories from parking personal vehicles on the site unless normal activities cease for the duration of the retreat.

11. The proposed use complies with all applicable development standards of the Rowland Heights Community Standards District, as provided in Section 22.44.132 of the County Code, as follows:
  - a. A condition has been included requiring the subject property to be neatly maintained, and that yard areas that are visible from the street be free of debris, trash, lumber, overgrown or dead

vegetation, broken or discarded furniture, and household equipment such as refrigerators, stoves, and freezers.

- b. A minimum of 50 percent of the required front yard area shall contain landscaping consisting of grass, shrubs, trees, and other similar plant materials. Paved or all-gravel surfaces may not be included as part of the required landscaped area. The front yard area is 6,000 square feet in size; therefore, 3,000 square feet of landscaping is required in this area. Based on the site plan, approximately 4,500 square feet of landscaping will be provided in the front yard, in compliance with this requirement.
  - c. A condition has been included requiring trash containers and dumpsters stored in the front or side yard areas to be screened from view from streets, walkways, and adjacent residences.
12. A traffic safety study was conducted by the Department of Public Works, at the request of the Regional Planning Commission. The following are the conclusions of the study:
- a. There is sufficient sight distance for full access at the proposed driveway based on the prevailing speed of 55 miles per hour (no need for a right-turn only limitation).
  - b. There is sufficient space within the Fullerton Road right-of-way to accommodate left and right turn deceleration lanes into the project but not acceleration lanes.
  - c. A change in the speed limit on Fullerton Road is not recommended based on a speed check conducted on August 25, 2004.
  - d. The accident rate at the intersection of Fullerton Road and Pathfinder Road between January 1, 1999 and December 31, 2003 was below the county expected accident rate for similarly-designed intersections.
  - e. The mitigation measure proposed to mitigate the proposed project's impact on the intersection of Fullerton Road and Colima Road (video detection and monitoring system) is a component of the Pomona Valley Intelligent Transportation System Project. This measure has been determined to be sufficient to reduce the impacts related to this project on this intersection to a level of no significance. The mitigation measure will not improve the overall level of service at the intersection from its current "F" rating.

13. An Environmental Impact Report ("EIR") has been prepared for this project and circulated for public review in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Environmental Impact Report identified no significant effects that cannot be avoided or mitigated. All potentially significant environmental impacts, including traffic/access, noise, aesthetic and visual qualities and geotechnical hazards, can be mitigated to a less than significant level through implementation of the mitigation measures identified in the EIR.
14. The Mitigation Monitoring Program contained in the final Environmental Impact Report identifies in detail the manner in which the measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured. Mitigation Measures include several engineering and site preparation measures related to geotechnical impacts, prohibition of outdoor address systems, prohibition of evening operations, full funding of installation of a video detector and monitoring system at the intersection of Fullerton Road and Colima Road and specifications for outdoor lighting.
15. Comments on the draft Environmental Impact Report were received from 16 individuals/agencies. Responses to these comments are included in the Final Environmental Impact Report.
16. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.
17. Staff has received approximately 8,000 written public comments in support of this request.
18. Staff received approximately 900 written public comments in opposition to this request. The concerns expressed in the comments from the opposition include traffic impacts, visual impacts due to the proposed height of the main temple building, impacts to rural character of the area, impacts to environmental resources, air quality impacts, noise, decreased property values, oversaturation of churches in the area, the need for equestrian trails in the vicinity, the residential/retreat aspect of the project, and the adequacy of the proposed traffic mitigation.
19. Air quality and biological impacts were not identified during the environmental review of the project. Conditions have been proposed to

reduce the emanation of dust during the construction phase. Potential traffic and visual impacts were identified during the environmental review and mitigation has been proposed to reduce these impacts to a level of no significance.

20. The design of the facility, with large setbacks from adjacent properties and extensive landscaping, will ensure compatibility with the surrounding area, especially the larger residential lots to the east of the property.
21. The proposed use is compatible with adjacent residential uses.
22. The proposed use is consistent with the Rowland Heights Community General Plan and the zoning designation of the property.
23. The proposed facility meets spiritual and cultural needs of the community.
24. The proposed conditions and mitigation measures will ensure that the facility will not pose adverse impacts to the surrounding community.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION 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 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 development features prescribed in Title 22 of the County Code, or as otherwise required in order to integrate said uses 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.

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a conditional use permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission has considered the Environmental Impact Report together with any comments received during the public review process, finds on the basis of the whole record before the Regional Planning Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Environmental Impact Report reflects the independent judgment and analysis of the Commission, and adopts the Environmental Impact Report.
2. In view of the findings of fact presented above, Conditional Use Permit Case No. 98-044-(4) is **APPROVED** subject to the attached conditions.

**VOTE**                    **4-0**

**Concurring:**            **Valdez, Bellamy, Helsley, Rew**

**Dissenting:**            **0**

**Abstaining:**            **Modugno**

**Absent:**                 **0**

**Action Date:**         **4/13/05**

**FINDINGS OF FACT  
REGARDING THE  
FINAL ENVIRONMENTAL IMPACT REPORT  
FOR**

**CALIFORNIA YUAN YUNG RETREAT CENTER**

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**STATE CLEARINGHOUSE NUMBER: 2001091113  
CONDITIONAL USE PERMIT NUMBER: 98-044-(4)**

**COUNTY OF LOS ANGELES  
DEPARTMENT OF REGIONAL PLANNING  
320 WEST TEMPLE STREET  
LOS ANGELES, CA 90012**

**APRIL 13, 2005**

## I. INTRODUCTION

The Regional Planning Commission (the "Commission") of the County of Los Angeles (the "County") hereby certifies the Final Environmental Impact Report ("FEIR") for Conditional Use Permit Number 98-044-(4) State Clearinghouse Number 2001091113, which consists of the Draft EIR ("DEIR"), the Final Environmental Impact Report ("FEIR"), the Response to Comments and other supporting documents, and finds that it represents the independent judgment of the Lead Agency and has been completed in compliance with the California Environmental Quality Act (Public Resources Code Sections 21000-21178) ("CEQA"), the Los Angeles County Environmental Document Reporting Procedures and Guidelines, and the State CEQA Guidelines (California Code of Regulations Sections 15000-15387), and that the Commission has received, reviewed, and considered the information contained in the Final Environmental Impact Report, the FEIR, the application for project, as defined above, all hearings and submissions of testimony from officials and departments of the County, the Applicant, the public and other municipalities and agencies.

Having received, reviewed, and considered the foregoing information, as well as any and all other information in the record, the Commission hereby makes findings pursuant to, and in accordance with Section 21081 of the Public Resources Code and Section 15091 of State CEQA Guidelines.

Section II of these findings discusses those environmental effects that the initial study found not to be potentially significant and therefore did not need to be discussed by the FEIR. Section III of these findings discusses those potential environmental effects of the proposed project that are not significant or have been mitigated to a level of insignificance. Section IV contains findings regarding growth inducing impacts. Section V contains findings regarding Alternatives. Section VI contains findings regarding the Mitigation Monitoring Program. Section VII contains findings regarding CEQA Guidelines Sections 15091 and 15092. Section VIII contains findings regarding CEQA Section 21082.1(c). The findings set forth in each section are supported by substantial evidence in the administrative record of the proposed project.

### **Background**

The California Yuan Yung Retreat Center (the "Applicant") is proposing to construct a new retreat center within a 7.5-acre parcel. The proposed project will consist of a complex of 15 interconnected buildings with a total floor area of 57,433 square feet.

The proposed project is located at 2740 and 2776 Fullerton Road, Rowland Heights, an unincorporated area of Los Angeles County. The Pomona Freeway provides regional access to the project and is located to the north of the site approximately 3 miles.

An Environmental Impact Report (EIR) has been prepared to evaluate project specific, environmental impact information associated with the project. It is anticipated that the

proposed project would have no significant impacts on the environment that cannot be mitigated.

### **The Environmental Impact Report**

After determining that an EIR was required, the County of Los Angeles distributed a Notice of Preparation (NOP) in September 2001 to public agencies for a required 30-day review. The NOP notified local agencies and the public that an EIR was being prepared and solicited their comments regarding any environmental concerns they had with the project. Impact areas identified as being potentially significant by the comments received on the project NOP included:

- Geotechnical Hazards
- Noise
- Traffic
- Visual Quality

The DEIR for the Project was prepared in accordance with CEQA, as amended, and State and County Guidelines for the implementation of CEQA. The Department of Regional Planning, acting as Lead Agency for the County, reviewed and edited the DEIR to reflect its own independent judgment to the extent of its ability, including reliance on technical personnel from other County departments.

The Draft EIR was completed and circulated from May 24 to July 7, 2004 for a period of 45 days. A total of 16 letters were received by the Los Angeles County Department of Regional Planning from responsible agencies and an interested individual. The Final EIR contains responses to comments received on the Draft EIR during the public review period.

### **Proceedings Before the Regional Planning Commission**

1. A duly noticed public hearing was held on July 14, 2004 before the Regional Planning Commission. Commissioners Valadez, Bellamy, Helsley, Rew and Modugno were present. A total of forty people testified: five representing the applicant, 14 in support of the project and 21 in opposition to the project.
2. Testimony was received from opponents regarding traffic impacts, general plan consistency, fire access and visual impacts.
3. The Commission expressed concern regarding traffic safety and requested that the Department of Public Works conduct a traffic safety study to determine the safety of Fullerton Road and Pathfinder Road as it relates to the proposed use.

The Commission continued the public hearing to September 29, 2004 to allow time for preparation of this study and to allow for additional public testimony.

4. A continued public hearing was held on September 29, 2004 before the Regional Planning Commission. Commissioners Bellamy, Helsley and Rew were present. A total of 28 people testified: two representing the applicant, 11 in support of the project and 15 in opposition to the project.
5. Testimony was received from opponents regarding consistency with the Rowland Heights Community General Plan, potential traffic volume and safety impacts associated with the proposed project.
6. Testimony was received from supporters regarding the existing facility in East Los Angeles and the differences between the proposed temple and an existing, but unaffiliated temple in Hacienda Heights.
7. Subsequent to testimony and staff's clarification of issues raised by those opposed to the project, the Commission's discussion indicated that the issues raised had been adequately addressed by the applicant.
8. On September 29, 2004, the Commission closed the public hearing, indicated its intent to approve the project and directed staff to prepare the final environmental document and findings and conditions for approval, including changes to the conditions as discussed and as agreed to by the applicant.

On April 13, 2005, the Commission approved the Project, including project and environmental findings and conditions, and certified the FEIR.

## **II. ENVIRONMENTAL EFFECTS THE INITIAL STUDY FOUND NOT TO BE POTENTIALLY SIGNIFICANT**

### **2.1 FLOOD HAZARDS**

#### Potential Effects:

There are no potential significant effects to flood hazards because drainage concept will be part of the project implementation.

#### Findings:

No significant impact will occur and no mitigation measures are required.

#### Facts in Support of Findings:

The project's potential impacts on flood hazards are discussed on page 6 of the Initial Study. The project site contains no drainage course, floodway, floodplain or designated

flood hazard zone. Neither is it subject to high mudflow conditions, high erosion and debris deposition from run-off. Although the development of the project would alter existing drainage pattern of the site, the Department of Public Works will require a drainage concept for review and approval prior to issuance of any grading permit(s) as part of the standard plan check requirements.

## **2.2 FIRE HAZARDS**

### Potential Effects:

There are no potential significant effects to fire hazards.

### Findings:

No mitigation measures are required.

### Facts in Support of Findings:

The project's potential impacts on fire hazards are discussed on page 7 of the Initial Study. The project site is not located in a very high fire hazard severity zone as defined in County Fire Code. It is served by adequate site access via Fullerton Road. A 26-foot wide emergency access is also provided. The project is located within an area having adequate water and pressure to meet fire flow standards. No potential fire hazard conditions or uses exist in the immediately vicinity.

## **2.3 WATER QUALITY**

### Potential Effects:

There are no potential significant effects to water quality.

### Findings:

No significant impact will occur and no mitigation measures are required.

### Facts in Support of Findings:

The project's potential impacts on water quality are discussed on page 9 of the Initial Study. The project site is served by public water and sewer and would not use individual water wells or septic system. The project's associated construction activities, with the compliance of National Pollutant Discharge Elimination System (NPDES), will not significantly impact the quality of groundwater and/or stormwater runoff to the stormwater conveyance system and receiving water bodies. The project's post-construction activities will not degrade the quality of stormwater runoff to the stormwater conveyance system and receiving water bodies.

## **2.4 AIR QUALITY**

### Potential Effects:

There are no potential significant effects to air quality.

Findings:

No significant impact will occur and no mitigation measures are required.

Facts in Support of Findings:

The project's potential impacts on air quality are discussed on page 10 of the Initial Study. The proposed project is not considered a sensitive use and there are no sensitive uses located within the immediate vicinity. The project contains no parking structure although it provides sufficient surface parking space. The increased traffic will not result in exceeding AQMD thresholds of potential significance. The project is not in close proximity to sources that create obnoxious odors, dust, and hazardous emissions. The project operation does not involve the burning of paper money but may use incense indoors from time to time.

## **2.5 BIOTA**

Potential Effects:

There are no potential significant effects to biota.

Findings:

No significant impact will occur and no mitigation measures are required.

Facts in Support of Findings:

The project's potential impacts on biota are discussed on page 11 of the Initial Study. The project site is not located within a Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource Area. The site currently has a single family residence and is largely disturbed. It does not contain any sensitive habitats for any known sensitive species and has no oak trees. The site does not serve as a linkage to the adjacent open space in the communities of Whittier, Hacienda Heights, and La Habra Heights, which extends from Harbor Boulevard on the east to the Interstate 605 on the west.

## **2.6 CULTURAL RESOURCES**

Potential Effects:

There are no potential significant effects to cultural resources.

Findings:

No significant impact will occur and no mitigation measures are required.

Facts in Support of Findings:

The project's potential impacts on cultural resources are discussed on page 12 of the Initial Study. The project site is not in or near an area containing known archaeological resources or features indicating potential archaeology sensitivity. It also does not contain any rock formations indicating potential palaeontological resources. The site currently has one single family residence which is not registered as a historical structure.

## **2.7 MINERAL RESOURCES**

### Potential Effects:

There are no potential significant effects to mineral resources.

### Findings:

No significant impact will occur and no mitigation measures are required.

### Facts in Support of Findings:

The project's potential impacts on mineral resources are discussed on page 13 of the Initial Study. There is no known mineral resource existing on site that would be of value to region and the residents of the state.

## **2.8 AGRICULTURAL RESOURCES**

### Potential Effects:

There are no potential significant effects to agricultural resources.

### Findings:

No significant impact will occur and no mitigation measures are required.

### Facts in Support of Findings:

The project's potential impacts on agricultural resources are discussed on page 14 of the Initial Study. The project site is not considered a Prime Farmland, Unique Farmland, or Farmland of Statewide Importance according to Los Angeles County Important Farmland map. Although the site is zoned Light Agricultural (A-1-1), it is currently not used for agricultural purposes but is the location of a single family residence.

## **2.9 SEWAGE DISPOSAL**

### Potential Effects:

There are no potential significant effects to sewage disposal.

### Findings:

No significant impact will occur and no mitigation measures are required.

Facts in Support of Findings:

The project's potential impacts on sewage disposal are discussed on page 17 of the Initial Study. The project site is located within the jurisdiction of District No.21. The expected average wastewater flow from the project site is 2,872 gallons per day. The wastewater flow generated from the project will discharge to a local sewer line, which is not maintained by Sanitation Districts, for conveyance to the Districts' Joint Outfall "H" Unit 7C Trunk Sewer, located in a right of way on the north side of San Jose Avenue west of Charlie Road. This 33-inch diameter trunk sewer has a design capacity of 23.5 million gallons per day (mgd) and conveyed a peak flow of 11 million gallons per day (mgd) when last measured in 2001. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry. The San Jose Creek WRP has a design capacity of 100 mgd and currently processes an average flow of 86.3 mgd. Wastewater flows that exceed the capacity of the San Jose Creek WRP, and all sludge, are diverted to and treated at the Joint Water Pollution Control Plant located in the City of Carson.

**2.10 EDUCATION**

Potential Effects:

There are no potential significant effects to education.

Findings:

No significant impact will occur and no mitigation measures are required.

Facts in Support of Findings:

The project's potential impacts on education are discussed on page 18 of the Initial Study. The project is a religious institution. Future residents of the center will be nuns who are unmarried or short-term visitors who establish no permanent residency.

**2.11 FIRE/SHERIFF SERVICES**

Potential Effects:

There are no potential significant effects to fire/sheriff services.

Findings:

No significant impact will occur and no mitigation measures are required.

Facts in Support of Findings:

The project's potential impacts on fire and sheriff services are discussed on page 19 of the Initial Study. Fire Department Battalion 12 is located at 1525 South Nogales

Avenue, Rowland Heights, which is approximately 2.5 miles or 5 minutes from the project site. The closest County Sheriff station is located at 150 North Hudson Avenue, City of Industry, which is about 6.8 miles or 10 minutes from the site.

## **2.12 UTILITIES**

### Potential Effects:

There are no potential significant effects to utilities.

### Findings:

No significant impact will occur and no mitigation measures are required.

### Facts in Support of Findings:

The project's potential impacts on utilities are discussed on page 20 of the Initial Study. The project has adequate public water supply from the Rowland Water District and will meet all fire fighting needs. The project will not create problems with utility services: electricity is and will be provided Southern California Edison and gas by Southern California Gas Company. The project site will continue to be serviced by the Waste Management of San Gabriel Company which provides solid waste services.

## **2.13 GENERAL**

### Potential Effects:

There are no potential general impacts.

### Findings:

No significant impact will occur and no mitigation measures are required.

### Facts in Support of Findings:

The project's potential impacts on general factors are discussed on page 21 of the Initial Study. The project will not result in inefficient use of energy resources

## **2.14 ENVIRONMENTAL SAFETY**

### Potential Effects:

There are no potential significant effects to environmental safety.

### Findings:

No significant impact will occur and no mitigation measures are required.

### Facts in Support of Findings:

The project's potential impacts on environmental safety are discussed on page 22 of the Initial Study. The project does not use, store, transport, produce, handle, or store any hazardous materials. No hazardous wastes are or will be stored on-site. There is no propane tank on-site and the proposed project will not utilize propane tanks. There is no known record indicating soil toxicity of the site and the site is not located within two miles downstream of known groundwater contamination source within the same watershed. No airports or airparks are located within two miles of the project site.

## **2.15 LAND USE**

### Potential Effects:

There are no potential significant effects to land use.

### Findings:

No significant impact will occur and no mitigation measures are required.

### Facts in Support of Findings:

The project's potential impacts on land use are discussed on page 23 of the Initial Study. The project is consistent with Los Angeles County General Plan, Rowland Heights Community General Plan, and Zoning Ordinance.

## **2.16 POPULATION/HOUSING/EMPLOYMENT/RECREATION**

### Potential Effects:

There are no potential significant effects to population/housing/employment/recreation.

### Findings:

No significant impact will occur and no mitigation measures are required.

### Facts in Support of Findings:

The project's potential impacts on population/housing/employment/recreation are discussed on page 24 of the Initial Study. The project is a religious institution and dormitory uses are incidental. Future residents will be nuns who are unmarried or short-term visitors who establish no permanent residency. The project will not exceed official regional or local population projections although members of California Yuan Yung Retreat Center may choose to relocate and live close to the facility.

The project site is located within a well-developed suburban area served by existing urban infrastructure.

The existing single family (caretaker) residence on-site will be demolished and the caretaker will reside in one of the living quarters proposed in the project once the project construction is complete.

### III. POTENTIAL ENVIRONMENTAL EFFECTS THAT ARE NOT SIGNIFICANT OR HAVE BEEN MITIGATED TO A LEVEL OF INSIGNIFICANCE

#### 3.1 GEOTECHNICAL HAZARDS

##### Potential Effects:

Impacts on geotechnical hazards are discussed in Section 3.2 of the Draft EIR. The 7.5-acre site may be subject to moderate to strong ground shaking from the surrounding faults in the region: the Whittier Fault is a right-lateral strike slip fault with a slip rate of between 2-3 millimeters/year (mm/year) and considered active. It is approximately one mile south of the site.

According to the State of California Seismic Hazard Zones Map-La Habra Quadrangle, the site is also located within a potential liquefaction zone. Liquefaction occurs when seismicly induced ground shaking causes water-laden, cohesion-less soils to form a quicksand-like soil condition below the ground surface. As a result, structural damage may occur when building foundations lose ground support.

##### Findings:

There are no active faults present or near the site. Prior to issuance of grading permits by the Los Angeles County Department of Public Works, the detailed grading plans including erosion control plan shall be reviewed and approved. The plans will include the recommendations contained in the geotechnical report of T.K. Engineering Corp., June 12, 2001. During construction, all grading shall be carefully observed, mapped and tested by the licensed engineering geologist and/or soils engineer. All grading shall be performed under the applicable provisions of the Los Angeles County Grading Ordinance, and to the satisfaction of the Los Angeles County Department of Public Works. Implementation of the following proposed mitigation measures will reduce project-related geotechnical hazards impacts to less than a significant level.

##### Fact:

The above finding is made in that the following measures will mitigate project-related geotechnical hazards impacts to a less than significant level.

1. Un-surcharged temporary excavations may be cut vertically up to 5 feet and sloped back at a ratio of 1:1. Tops of the excavation should be barricaded at least 5 feet from the cut to prevent any storage or equipment loads. It is also recommended that the current standards delineated in CAL-OSHA for safe working conditions be followed during construction.
2. Any concrete slab placed on grade must be at least 4 inches thick and reinforced with at least rebar #4, 18 inches on center, both ways, placed at slab mid-height. Where upward capillary moisture is not desired, a moisture barrier, such as a vinyl membrane with a minimum thickness of 6 mils, should

be placed beneath the slabs-on-grade. The membrane should be covered by 2 inches of sand to aid in the uniform curing of the concrete.

3. Due to the expansive soil conditions, a minimum of 4 inches of sand or gravel placed beneath the concrete slab is also recommended. To reduce the adverse effects of expansive soils to the concrete slab, the outer edges of the exterior concrete slab on-grade should be thickened to at least 18 inches. Prior to the placement of concrete, the subgrade should be pre-saturated to at least 12 inches.
4. Concrete pavement is not recommended. However, if a concrete driveway is constructed; the concrete slab shall be at least 5 inches thick and be reinforced with rebar #4, 18 inches on centers, both ways placed at slab mid-height.
5. Trenches should be located so as not to impair the bearing capacity or settlement under foundations. As a guide, trenches parallel to foundations should be clear of a 45-degree plane extending outward and downward from the edge of the foundations. All utility trench backfills within the proposed building and concrete slab on-grade areas shall be compacted to at least 90% relative compaction.
6. Adequate drainage system should be provided and designed by a civil engineer. In no case shall water be allowed to pond within the site or on any paved surface area. All drainage should be directed away from the foundation areas toward the approved drainage devices.
7. Site preparation measures should include the complete removal of all organic materials, existing buildings, underground, utilities lines, pavement, surface vegetation, and trees within the proposed building areas. The removal of trees should include their root balls, and resultant cavities should be cleaned of loose soils and compacted/rolled to a firm, unyielding surface prior to backfilling.
8. Any fill encountered during site preparation should be removed and replaced by engineered fill. The depth of fill encountered in the test borings is approximately 5 feet below the existing surface. However, fill deeper than 5 feet should be anticipated within the site.
9. Within the proposed building areas where no fill was encountered or where the depth of fill is less than 5 feet, the fill and upper loose soils shall be removed and recompacted as engineered fill. The removal of existing soil should extend to a minimum depth of four feet below the existing grade, or three feet below the bottom of footings, whichever is greater. However, if the fill is encountered, they should be removed and recompacted to at least a 90% relative compaction.

10. Where the building pad will straddle from cut to fill, the removal and re-compaction should extend at least 3 feet below the bottom of footing.
11. The depth of removal and re-compaction may be modified or revised upon the review of proposed grading plans.
12. The bottom of any excavation shall be observed by the soil engineer, or his representative, prior to bottom processing and placement of any compacted fill. The removal and re-compaction should extend at least 5 feet beyond the outer footing edges. Deeper removal and re-compaction may be required if local fill, soft or loose soils, and saturated soil condition are encountered.
13. The excavated on-site soils may be reused as engineered fill provided they are free of organic, deleterious substances. Soils imported from off-site sources should be non-expansive or similar to the on-site soils and be approved by the soil engineer or his representative prior to placement.
14. The upper 6 inches of the bottom excavation should be scarified, brought to near optimum moisture content, and properly compacted to 90% of relative compaction. Placement of compacted fill should be performed under the observation and testing of the soil engineer.
15. All site grading should comply with the applicable portion of the Los Angeles County grading code and the General Specification (attached in Appendix B of the geotechnical report) provided herein as Appendix B.
16. Due to the high expansive soil conditions, all exterior footings should be continuous. All continuous footings should be placed into the compacted fill to a minimum depth of 18 inches, and should be reinforced with a minimum of four #4 bar, placed two near the top and two near the bottom.
17. For design purpose, a bearing value of 1,500 pounds per square foot may be used for footing design. The bearing value may be increased by 33% for wind or seismic loads.
18. The settlement of the footings should be placed as recommended and subject to no more than the allowable loads. The settlement should not exceed one-inch. Differential settlement between adjacent columns is not anticipated to exceed 1/2 inch.
19. The resistance to lateral loads may be provided by friction acting on the base of footings and by passive earth pressure. The coefficient of friction between the base of footings and the competent natural soils or compacted fill may be assumed as 0.35. An allowable lateral bearing value against the sides of footings is recommended to be 250 pounds per square foot per foot of depth to a maximum of 2,500 pounds per square foot.

20. The results of the soil corrosivity tests are presented in Appendix A. Results of the tests indicate that the on-site soils are severely corrosive to ferrous metals. Based on the soluble sulfate content, Type I or II Portland Cement<sup>®</sup> may be used for concrete.
21. It is recommended that all underground steel utilities and cast iron pipes be provided a high quality of protective coating, or encased in an 8 mil polyethylene tube or wrapped with 20 mil plastic tape covered by primer or hot applied coal tar enamel. If the pipes are placed against barren soils, reinforcing steel should have a concrete cover that is at least 3 inches thick.

### **3.2 NOISE**

#### Potential Effects:

Impacts on noise are discussed in Section 3.3 of the Draft EIR. Project construction and operation may result in noise impacts to residential uses adjacent to the project site. The project site abuts Fullerton Road and Pathfinder road and traffic on which contribute to relatively high ambient noise levels that are measured to be between 69 and 70 dBA. Project traffic's contribution to the ambient noise level is approximately 0.02-0.04 dBA.

#### Findings:

Implementation of the following proposed mitigation measures will ensure that project-related noise impacts will be kept to less than a significant level.

#### Fact:

The above finding is made in that the following measures will ensure that project-related noise impacts will remain below a less than significant level:

1. Construction equipment staging areas shall be located in those areas located away from the residences located to the east of the proposed project site. Construction activities will be limited pursuant to the requirements of Title 12, the Los Angeles County Noise Ordinance.
2. The proposed project must adhere to the requirements of the Los Angeles County Noise Control Ordinance (Title 12).
3. No outdoor public address systems will be permitted within the proposed project.
4. All regularly scheduled and special events that occur outdoors are limited to the day-time periods. All outdoor activities must conform to the Los Angeles County Noise Ordinance.

### 3.3 TRAFFIC

#### Potential Effects:

Impacts on traffic/access are discussed in Section 3.4 of the Draft EIR. The project site is bounded by Fullerton and Pathfinder Roads with both the main and emergency access on Fullerton Road. Based on the square footage of the facility, the project would generate approximately 516 daily trips during weekdays and 1,234 daily trips during Sundays (Final EIR Section 2). The trips generated by the project will have significant impacts on the following intersection: Fullerton Road at Colima Road, which already has an existing Level of Service (LOS) F. Parking capacity of the project is a total of 230 spaces and meets County requirements.

#### Findings:

The Department of Public Works has determined that the project will pay for the entire cost to install a video detector and monitoring system at the intersection of Fullerton Road and Colima Road to improve traffic conditions at this intersection. Sufficient sight distance will be provided with improvements along property frontage on Fullerton Road as required by the Department of Public Works. Implementation of the following proposed mitigation measures will reduce project's traffic impacts to a less than significant level.

#### Facts:

The above finding is made in that the following measures will mitigate the identified water quality impacts to a less than significant level:

1. The developer shall enter into a secured agreement with the Public Works Department to pay for the entire cost for the installation of a video detector and monitoring system at the intersection of Fullerton Road/Colima Road. The system cost is estimated to be \$32,000. The system will provide real-time monitoring and information for future of traffic condition and incident detection and detection modifications to improve the intersection's level of service.
2. Sight distance at the project access points shall be reviewed with respect to the standard CALTRANS/Los Angeles County sight distance standards at the time of preparation of the final grading, landscaping, and street improvement plans.
3. The Applicant shall submit a detailed traffic signing/stripping plan to the Public Works Department for review and approval prior to the issuance of a grading permit.
4. Adequate on-site parking shall be provided pursuant to Los Angeles County requirements.

### 3.4 VISUAL QUALITIES

#### Potential Effects:

Impacts on visual quality are discussed in Section 3.5 of the Draft EIR. The maximum building height is 50 feet for the proposed main chapel. The 7.5-acre project site currently has one single family residence and is surrounded by single-family residential uses to the east, west, north and an existing church. However, these residential properties are located on a higher elevation.

#### Findings:

Implementation of all of the following proposed mitigation measures will ensure that project related visual impacts will be at a less than significant level.

#### Facts:

The above finding is made in that the following measures will ensure that the identified impacts will remain below a less than significant level:

1. Onsite parking lot lights will be directed onsite to minimize lighting spillover to offsite areas. Lights will utilize shielding that will direct lighting downward and away from offsite receptors. A lighting plan shall be reviewed and approved by the DRP prior to the issuance of any grading permit.
2. Parking area lighting will utilize automatic shut-offs that will be connected to a timer. When the facility is closed, lighting will be kept to a minimum.
3. No floodlights will be permitted and all lighting must be directed on-site. All security lighting must be connected to motion-detectors.
4. Landscaping must be installed and maintained along the northerly and easterly site perimeter as a means to eliminate light trespass or glare. A landscape plan shall be submitted to the DRP for review and approval prior to the issuance of a grading permit.

## IV. GROWTH INDUCING IMPACTS OF THE PROJECT

Section 15126.2 (d) of the CEQA Guidelines requires consideration of the ways that a proposed project could be considered growth-inducing. A project is growth-inducing if it fosters economic or population growth, or the construction of additional housing in the surrounding environment. Growth-inducing impacts are evaluated according to criteria set forth in the Guidelines that evaluate whether projects will: remove obstacles to population growth, increase population so as to further tax community serving facilities, or encourage and facilitate other services that would significantly affect the environment.

#### **4.1 REMOVAL OF AN IMPEDIMENT TO GROWTH**

Development of the site does not require extension of roadways and other transportation facilities. The project and the Rowland Heights area in general have been adequately served by existing urban infrastructures. Improvements as part of the projects or required by the County of Los Angeles will serve only the project site and therefore not considered growth inducing.

#### **4.2 URBANIZATION OF LAND IN REMOTE LOCATIONS**

The project is located within a well-developed area and has one single family residence for the caretaker(s) of the property. The caretaker(s) will be temporarily relocated during the project construction when the single family residence will be demolished. The relocation is temporary and will not facilitate new housing development elsewhere in remote locations.

### **V. FINDINGS REGARDING ALTERNATIVES**

Alternatives to the proposed project described in the Draft EIR were analyzed and considered. The alternatives discussed in the Draft EIR constitute a reasonable range of alternative necessary to permit a reasoned choice. The Draft EIR concluded that the Residential Land Use Alternative was the environmentally superior alternative. Section 2.3 of the Draft EIR sets forth the Project Objectives.

For the reasons set forth below, it is determined that these alternatives are infeasible and would not achieve the Project Objectives.

#### **5.1 ALTERNATIVE 1 – NO PROJECT ALTERNATIVE**

Under the No Project Alternative, the proposed project would not be constructed and the Project site would remain for one single family uses. An analysis of this alternative is required by the CEQA Guidelines Section 15126.6(e). This Alternative is analyzed in the Draft EIR pages 69-70. Based on the analysis, it is determined that the “no project” is the environmentally superior alternative.

#### **5.2 ALTERNATIVE 2 – RESIDENTIAL LAND USE ALTERNATIVE**

##### Description of Alternative:

The Residential Land Use Alternative would develop up to 7 single-family units consistent with density allowed in A-1-1 Zone.

##### Comparison of Effects:

The Residential Land Use Alternative would result in impacts lesser than the proposed project in the areas of geotechnical, noise, visual, and traffic.

### Feasibility Findings:

The Residential Land Use Alternative is not preferred because this Alternative fails to meet all objectives identified in the Draft EIR Section 2.3. Pursuant to CEQA Section 15126.6(e) (2), if the environmentally superior alternative is the “no project” alternative, the Draft EIR shall identify the environmentally superior alternative among the other projects. Thus, the Draft EIR concludes that the environmentally superior alternative is the “residential land use” alternative.

### Facts in Support of Findings:

The Residential Land Use Alternative is analyzed in the Draft EIR pages 70-72. It would not provide a place of worship and mediation to serve the members of the California Yuan Yung Retreat Center. The center currently has approximately 1,000 registered members and about 200 to 300 members are active participants. This Alternative would not be able to accommodate the existing and future demand of the center members when the existing 15,000 square-foot facility located at 6310 east Olympic Boulevard within unincorporated area of East Los Angeles. Residential property development is not consistent with the mission of the Applicant.

## **5.3 ALTERNATIVE 3- LESS INTENSIVE DEVELOPMENT ALTERNATIVE**

### Description of Alternative:

The Less Intensive Development Alternative would develop a smaller complex consisting of 49,836 square feet of floor plan. This Alternative eliminates dormitory buildings and three living units of the proposed project.

### Comparison of Effects:

The Less Intensive Development Alternative would result in impacts lesser than the proposed project in the areas of geotechnical, noise, visual, and traffic.

### Feasibility Findings:

The Less Intensive Development Alternative is not preferred because this Alternative will not allow any nuns living on-site and therefore does not meet demand of the California Yuan Yung Retreat Center members as indicated in the Draft EIR.

### Facts in Support of Findings:

The Less Intensive Development Alternative is analyzed in the Draft EIR pages 71-73. First, the live-in nuns are an integral component of the retreat center operation. Elimination of the dormitory component of the project would not be feasible to the retreat center’s operational and community service function.

## **VI. FINDINGS REGARDING MONITORING PROGRAM**

Section 21081.6 of the Public Resources Code requires that when a public agency is making the findings required by State CEQA Guidelines Section 15091(a) (1), codified as Section 21081(a) of the Public Resources Code, the public agency shall adopt a reporting or monitoring program for the changes to the proposed project when it has adopted or made a condition of approval, in order to mitigate or avoid significant effects on the environment.

The County hereby finds that the Mitigation Monitoring Program, which is presented as a separate document, meets the requirements of Section 21081.6 of the Public Resources Code by providing for the implementation and monitoring of Project conditions intended to mitigate potential environmental effects.

## **VII. CEQA GUIDELINES SECTION 15091 AND SECTION 15092 FINDINGS**

Based on the foregoing findings and information contained in the record, the Commission has made one or more of the following findings with respect to the significant effects of the project:

1. Changes of alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effects as identified in the Final EIR.
2. Some changes or alternations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such other agency, or can and should be adopted by such other agency.

Based on the foregoing findings and the information contained in the record, and as conditioned by the foregoing findings, the Commission concludes that significant effects on the environment due to the selected project have been eliminated or substantially lessened where feasible. The location and custodian of the documents or other materials, which constitute the record of proceedings upon which the County's decision is based, is the Los Angeles County Department of Regional Planning, 320 West Temple Street, Los Angeles, California 90012.

## **VIII. CEQA SECTION 21082.1(C) FINDINGS.**

Pursuant to Public Resources Code Section 21082.1(c), the Commission hereby finds that the lead agency has independently reviewed and analyzed the Final EIR and the Final EIR reflects the independent judgment of the lead agency.

1. This grant authorizes the use of the subject property for a Buddhist Temple, convent and retreat center, including one dwelling unit and one detached living quarters for staff of the facility, as depicted on the approved revised Exhibit "A", 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 Conditions No. 10 and 11.
  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 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.
    - 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 2 years from the date of approval. A one-year time extension may be requested, in writing and with payment of the applicable 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 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. **This grant will terminate on April 13, 2035.** 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. The permittee shall deposit with the County of Los Angeles the sum of **\$4,500.00**. These monies 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 fund provides for **30 annual inspections**. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any 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 \$150.00 per inspection, or the amount equal to the current recovery cost at the time of payment, if that amount is different.

11. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees 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 \$875.00.

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 or 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. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
16. 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.  
  
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.
17. The subject facility shall be developed and maintained in compliance with requirements of Los Angeles County Department of Health Services. Adequate water and sewage disposal facilities shall be provided to the satisfaction of said Department.
18. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three (3) copies of a revised Exhibit "A", similar to that presented at the public hearing, that depicts all required project changes, including depiction of the proposed access driveway to Pathfinder Road traversing adjacent property, all proposed trash enclosures and required screening, and addition of landscaping in the front yard in compliance with condition 19. The subject property shall be developed and maintained in substantial compliance with the approved revised Exhibit "A." All revised plot plans must be accompanied by the written authorization of the property owner.

19. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three (3) copies of landscaping plans, which may be incorporated into the Exhibit "A," depicting the size, type and location of all proposed landscaping on the site as well as all proposed irrigation. At least 50% of the required front yard shall contain landscaping consisting of grass, shrubs, trees, and other similar plant materials. The permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation in all areas except where there is turf or other groundcover. Irrigation shall only be used until the plants are well established and, thereafter, only as necessary to maintain the health of the plants. The landscaping shall provide an erosion preventative function and shall consist of locally indigenous plants. The permittee shall not utilize any self-propagating invasive species in the proposed landscaped areas.
20. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval a parking program that generally outlines how parking will be handled during special events and retreats. Each event will require a Temporary Use Permit to establish the parking requirements for the particular event.
21. Prior to obtaining building permits for the project, the permittee shall submit to the Director proof of adequate water supply and sewer capacity.
22. 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 under the permittee's control. Yard areas that are visible from the street shall be free of debris, trash, lumber, overgrown or dead vegetation, broken or discarded furniture, and household equipment such as refrigerators, stoves, and freezers.
23. There shall be no bells, chimes or other sound amplification or similar acoustical devices audible beyond the property boundaries.
24. Outdoor storage and display are prohibited on the property.
25. The use of the facility for bingo, lotteries or yard sales is prohibited. Use of the exterior areas for fundraisers or fairs intended to attract the general public is prohibited unless authorized by a Temporary Use Permit.
26. All outdoor trash containers shall be screened from view from public streets and adjacent properties.
27. Occupancy of the assembly areas on the site, including buildings B, E, F, H & I shall be limited to the occupancy load determination from the Department of Public Works dated May 4, 2001.

28. A minimum of 133 automobile parking spaces shall be provided onsite at all times and shall be developed according to the requirements of Section 22.52.1060 of the County Code. Six of these spaces must be accessible to, designated and reserved for disabled persons with one of these spaces being van-accessible. A maximum of 53 of the required spaces may be compact spaces. The required parking spaces are to remain clear and free for use by employees and visitors; no supplies or materials may be stored in these spaces. Recreational vehicle parking, storage of inoperable vehicles and vehicle repair are prohibited on the site.
29. The facility shall not own more than five vehicles that would be used directly in the conducting of the temple and retreat center use. Should the facility obtain additional vehicles, one additional parking space shall be provided for each additional vehicle obtained and a revised Exhibit "A" shall be required to depict the location of such parking on the site plan.
30. All vehicle parking for the subject facility shall be located on site. The permittee shall ensure that uses occurring on the subject property are not operated in such a manner that would result in off-site parking in areas surrounding the facility, unless off-site event parking is approved in a Temporary Use Permit.
31. Hours of operation for programs and activities occurring on site shall be limited to the hours between 8:00 am and 5:00 pm, Monday through Friday and between 8:00 am and 10:00 pm Saturday and Sunday.
32. The dormitories shall be limited to a maximum of two persons per room, for a total maximum occupancy of 58 persons. Buildings J, K, L and N, as identified on the site plan marked Exhibit "A," shall be considered dormitories. A maximum of 28 permanent residents (26 nuns, one staff member and the master) shall be permitted on the site. The remaining dormitories shall not be rented to individual guests but shall be utilized temporarily for a maximum of 30 quarterly retreat participants only.
33. Retreat guests not residing in the on-site dormitories shall not be permitted to park personal vehicles on the site unless use of the temple facilities for normal activities is ceased for the duration of the retreat. In the event of continuation of normal activities during a retreat, such guests shall be required to park their vehicles where they are residing and shall be transported to the subject facility in vehicles owned by the facility.
34. The permittee shall maintain a log of visitor staying in the dormitories, noting the name, date and duration of the stay. Said log shall be available for inspection by the county zoning enforcement officer.
35. The Dining Hall shall not be used for separate assemblies and shall be limited to providing food and beverage service to residents and visitors attending assemblies elsewhere on the property.

36. A Temporary Use Permit (TUP), as provided in Part 14 of Chapter 22.56 of the Los Angeles County Code, shall be obtained for all temporary uses, as defined in Section 22.56.1835 of the County Code, including, but not limited to, carnivals, fairs and religious observances. This Conditional Use Permit shall not authorize any changes to the TUP procedure or any additional events than are permitted in the County Code.
37. The facility shall be operated in substantial conformance with the project description in the Final Environmental Impact Report and the attached supplemental project description. Should the facility propose any change to the project description that would result in additional activities being conducted on the site, a Minor Modification or new Conditional Use Permit may be required, at the discretion of the Director.
38. The permittee shall post a sign on the subject property in English and the predominant second language in the community with contact telephone numbers for the facility manager and the Los Angeles County Department of Regional Planning Zoning Enforcement Section (213-974-6453) for reporting any complaints related to the operation of the facility.
39. The permittee shall provide and continuously have on file with the Department of Regional Planning a contact name and phone number.
40. The permittee shall comply with all recommended conditions set forth in the attached correspondence from the Department of Public Works dated June 24, 2004.
41. The permittee shall comply with all recommended conditions set forth in the attached correspondence from the Fire Department dated September 1, 2004. Any secondary access point established to satisfy the Fire Department's requirements shall be utilized for emergency access only.
42. The following conditions shall apply to project construction activities:
  - a. 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.
  - b. Project construction activity shall be limited to those hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 8:00 a.m. and 5:00 p.m. Saturday. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby offices, residences and neighborhoods. Generators and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences. Parking of construction worker

vehicles shall be on-site and restricted to areas buffered from residences located to the north and west of the subject property, as approved by the Director.

- c. During demolition and construction, the permittee and his contractor shall comply with Sections 12.12.010 – 12.12.100 of the Los Angeles County Code regarding building construction noise.
- d. The permittee shall provide adjacent owners and tenants with a pile driving schedule 10 days in advance of such activities, and a three-day notice of any re-tapping activities that may occur. The permittee shall submit a copy of the schedule and mailing list to the Director and the County Department of Public Works prior to the initiation of construction activities.

#### MITIGATION MONITORING REQUIREMENTS

43. The permittee shall implement in a timely manner all mitigation measures set forth in the Final Environmental Impact Report in accordance with the attached approved Mitigation Monitoring Program. As a means of ensuring the effectiveness of the mitigation measures, which are conditions of approval, the permittee shall submit mitigation monitoring reports to the Department as follows:
  - a. One year after the approval date of this grant, including verification of payment of applicable fees.
  - b. Annually; and
  - c. Additional reports as deemed necessary by the Director.
44. At the time of submittal of the first report noted above, the permittee shall deposit the sum of \$5,000 with the Department to defray the cost of reviewing and verifying the information contained in the reports required by this condition.

#### Attachments:

Mitigation Monitoring Program  
Department of Public Works letter dated June 24, 2004  
Fire Department letter dated September 1, 2004  
Supplemental Project Description

RJF:KJ  
4/13/05

MITIGATION MONITORING AND REPORTING PROGRAM  
PROJECT NO. 98-044 CALIFORNIA YUAN YUNG RETREAT CENTER

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p><b>Geotechnical</b></p> <p>Measure 1: Unsurcharged temporary excavations may be cut vertically up to 5 feet and sloped back at a ratio of 1:1. Tops of the excavation should be barricaded at least 5 feet from the cut to prevent any storage or equipment loads. It is also recommended that the current standards delineated in CAL-OSHA for safe working conditions be followed during construction.</p> <p>Measure 2: Any concrete slab placed on grade must be at least 4 inches thick and reinforced with at least rebar #4, 18 inches on center, both ways, placed at slab mid-height. Where upward capillary moisture is not desired, a moisture barrier, such as a vinyl membrane with a minimum thickness of 6 mils, should be placed beneath the slabs-on-grade. The membrane should be covered by 2 inches of sand to aid in the uniform curing of the concrete.</p> <p>Measure 3: Due to the expansive soil conditions, a minimum of 4 inches of sand or gravel placed beneath the concrete slab is also recommended. To reduce the adverse effects of expansive soils to the concrete slab, the outer edges of the exterior concrete slab on-grade should be thickened to at least 18</p>	<p>Regular plan check</p>	<p>During project construction</p>	<p>Applicant/Construction Manager</p>	<p>Public Works</p>
<p>Regular plan check</p>	<p>Regular plan check</p>	<p>During project construction</p>	<p>Applicant/Construction Manager</p>	<p>Public Works</p>
<p>Submittal and approval of grading plan</p>	<p>Submittal and approval of grading plan</p>	<p>Prior to issuance of grading permit</p>	<p>Applicant/Construction Manager</p>	<p>Public Works</p>

MITIGATION MONITORING AND REPORTING PROGRAM  
PROJECT NO. 98-044 CALIFORNIA YUAN YUNG RETREAT CENTER

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>ches. Prior to the placement of concrete, the subgrade should be pre-saturated to at least 12 inches.</p> <p>Measure 4: Concrete pavement not recommended. However, a concrete driveway is constructed, the concrete slab shall be at least 5 inches thick and be reinforced with rebar #4, 8 inches on centers, both ways placed at slab mid-height.</p>	<p>Submittal and approval of building plan</p>	<p>Prior to issuance of building permit</p>	<p>Applicant</p>	<p>Public Works</p>
<p>Measure 5: Trenches should be located so as not to impair the bearing capacity or settlement under foundations. As a guide, trenches parallel to foundations should be clear of a 45-degree lane extending outward and downward from the edge of the foundations. All utility trench backfills within the proposed building and concrete slab on-grade areas shall be compacted to at least 90% relative compaction.</p>	<p>Submittal and approval of grading plan</p>	<p>During project construction</p>	<p>Applicant</p>	<p>Public Works</p>
<p>Measure 6: Adequate drainage system should be provided and designed by a civil engineer. In no case shall water be allowed to pond within the site or on any paved surface area. All drainage should be directed away from the foundation areas toward the approved drainage devices.</p>	<p>Submittal and approval of drainage concept</p>	<p>Prior to issuance of grading permit</p>	<p>Applicant</p>	<p>Public Works</p>
<p>Measure 7: Site preparation measures should include the complete removal of all organic materials, existing buildings, underground, utilities lines,</p>	<p>Submittal and approval of grading plan</p>	<p>Prior to issuance of grading permit</p>	<p>Applicant</p>	<p>Public Works</p>

MITIGATION MONITORING AND REPORTING PROGRAM  
PROJECT NO. 98-044 CALIFORNIA YUAN YUNG RETREAT CENTER

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>pavement, surface vegetation, and trees within the proposed building areas. The removal of trees should include their root balls, and resultant cavities should be cleaned of loose soils and compacted/rolled to a firm, unyielding surface prior to backfilling.</p>				
<p>Measure 8: Any fill encountered during site preparation should be removed and replaced by engineered fill. The depth of fill encountered in the test borings is approximately 5 feet below the existing surface. However, fill deeper than 5 feet should be anticipated within the site</p>	<p>Maintain construction activity log demonstrating compliance</p>	<p>During project construction</p>	<p>Applicant</p>	<p>Public Works</p>
<p>Measure 9: Within the proposed building areas where no fill was encountered or where the depth of fill is less than 5 feet, the fill and upper loose soils shall be removed and recompact as engineered fill. The removal of existing soil should extend to a minimum depth of four feet below the existing grade, or three feet below the bottom of footings, whichever is greater. However, if the fill is encountered, they should be removed and recompact to at least a 90% relative compaction.</p>	<p>Maintain construction activity log demonstrating compliance</p>	<p>During project construction</p>	<p>Applicant</p>	<p>Public Works</p>
<p>Measure 10: Where the building pad will straddle from cut to fill, the removal and re-compaction should extend at least 3 feet below the bottom of footing.</p>	<p>Submittal and approval of site plan</p>	<p>Prior to issuance of building permit</p>	<p>Applicant</p>	<p>Public Works</p>

**MITIGATION MONITORING AND REPORTING PROGRAM  
PROJECT NO. 98-044 CALIFORNIA YUAN YUNG RETREAT CENTER**

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>Measure 11: The depth of removal and recompaction may be modified or revised upon the review of proposed grading plans.</p>	<p>Maintain construction activity log demonstrating compliance</p>	<p>During project construction</p>	<p>Applicant</p>	<p>Public Works</p>
<p>Measure 12: The bottom of any excavation shall be observed by the soil engineer, or his representative, prior to bottom processing and placement of any compacted fill. The removal and recompaction should extend at least 5 feet beyond the outer footing edges. Deeper removal and recompaction may be required for local fill, soft or loose soils, and saturated soil condition are encountered.</p>	<p>Submittal and approval of grading plan Maintaining construction activity log demonstrating compliance</p>	<p>Prior to issuance of grading permit During project construction</p>	<p>Applicant</p>	<p>Public Works</p>
<p>Measure 13: The excavated on-site soils may be reused as engineered fill provided they are free of organic, deleterious substances. Soils imported from off-site sources should be non-expansive or similar to the in-site soils and be approved by the soil engineer or his representative prior to placement.</p>	<p>Maintain construction activity log demonstrating compliance</p>	<p>During project construction</p>	<p>Applicant</p>	<p>Public Works</p>
<p>Measure 14: The upper 6 inches of the bottom excavation should be scarified, brought to near optimum moisture content, and properly compacted to 90% of relative compaction. Placement of compacted fill should be performed under the observation and testing of the soil engineer.</p>	<p>Submittal and approval of grading plan</p>	<p>Prior to issuance of grading permit</p>	<p>Applicant</p>	<p>Public Works</p>
<p>Measure 15: All site grading</p>	<p>Submittal and approval of</p>	<p>Prior to issuance of grading</p>	<p>Applicant</p>	<p>Public Works</p>

MITIGATION MONITORING AND REPORTING PROGRAM  
PROJECT NO. 98-044 CALIFORNIA YUAN YUNG RETREAT CENTER

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>should comply with the applicable portion of the Los Angeles County grading code and the General Specification (attached in Appendix B of the geotechnical report) provided herein as Appendix B.</p>	grading plan	permit		
<p>Measure 16: Due to the high expansive soil conditions, all exterior footings should be continuous. All continuous footings should be placed into the compacted fill to a minimum depth of 18 inches, and should be reinforced with a minimum of four #4 bar, placed two near the top and two near the bottom.</p>	<p>Submittal and approval of grading plan</p>	<p>Prior to issuance of grading permit</p>	Applicant	Public Works
<p>Measure 17: For design purpose, a bearing value of 1,500 pounds per square foot may be used for footing design. The bearing value may be increased by 33% for wind or seismic loads.</p>	Site inspection	During project construction	Applicant	Public Works
<p>Measure 18: The settlement of the footings should be placed as recommended and subject to no more than the allowable loads. The settlement should not exceed one-inch. Differential settlement between adjacent columns is not anticipated to exceed 1/2 inch.</p>	Site inspection	During project construction	Applicant	Public Works
<p>Measure 19: The resistance to lateral loads may be provided by friction acting on the base of footings and by passive earth pressure. The coefficient of friction between the base of footings and the competent natural soils or compacted fill</p>	<p>Submittal and approval of grading plan</p>	<p>Prior to issuance of grading permit</p>	Applicant	Public Works

MITIGATION MONITORING AND REPORTING PROGRAM  
PROJECT NO. 98-044 CALIFORNIA YUAN YUNG RETREAT CENTER

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>ay be assumed as 0.35. An lowable lateral bearing value gainst the sides of footings is recommended to be 250 pounds per square foot per foot : depth to a maximum of 2,500 pounds per square foot.</p> <p>Measure 20: The results of the oil corrosivity tests are presented in Appendix A. Results of the tests indicate that the on-site soils are severely corrosive to ferrous metals. Based on the soluble sulfate content, Type I or II Portland cement® may be used for concrete.</p> <p>Measure 21: It is recommended that all underground steel facilities and cast iron pipes be provided a high quality of protective coating, or encased in an 8 mil polyethylene tube or wrapped with 20 mil plastic tape covered by primer or hot applied coal tar enamel. If the pipes are placed against barren soils, reinforcing steel should have a concrete cover that is at least 3 inches thick.</p> <p><b>Noise</b></p> <p>Measure 22: Construction equipment staging areas shall be located in those areas located away from the residences located to the east of the proposed project site. Construction activities will be limited pursuant to the requirements of Title 12, the Los Angeles County Noise</p>	<p>Site plan check</p> <p>Submittal and approval of building plan</p>	<p>Prior to issuance of building permit</p> <p>Prior to issuance of building permit</p>	<p>Applicant</p> <p>Applicant</p>	<p>Public Works</p> <p>Public Works</p>
<p>Measure 22: Construction equipment staging areas shall be located in those areas located away from the residences located to the east of the proposed project site. Construction activities will be limited pursuant to the requirements of Title 12, the Los Angeles County Noise</p>	<p>Construction equipment staging areas shall be located in those areas located away from the residences located to the east of the proposed project site</p>	<p>During project construction</p>	<p>Applicant</p>	<p>Public Works Health Services</p>

MITIGATION MONITORING AND REPORTING PROGRAM  
PROJECT NO. 98-044 CALIFORNIA YUAN YUNG RETREAT CENTER

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
Ordinance. Measure 23: The proposed project must adhere to the requirements of the Los Angeles County Noise Control Ordinance (Title 12).	Compliance with noise control ordinance	Throughout the life of permit	Applicant	Health Services
Measure 24: no outdoor public address systems will be permitted within the proposed project.	Outdoor public address system prohibited	Throughout the life of permit	Applicant	Health Services Regional Planning
Measure 25: All regularly scheduled and special events that occur outdoors, are limited to the day-time periods. All outdoor activities must conform to the Los Angeles County Noise Ordinance	Submittal and approval of Temporary Use Permit for special events.	Throughout the life of permit	Applicant	Health Services Regional Planning
<b>Traffic</b> Measure 26: The developer shall enter into a secured agreement with the Public Works Department to pay for the entire cost for the installation of a video detector and monitoring system at the intersection of Fullerton Road/Colima Road. The system cost is estimated to be \$32,000. The system will provide real-time monitoring and information for future of traffic condition and incident detection and detection modifications to improve the intersection's level of service.	Entering into a secured agreement with the Public Works Department to pay for the entire cost for the installation of a video detector and monitoring system	Prior to issuance of grading permit	Applicant	Public Works
Measure 27: Sight distance at the project access points shall be reviewed with respect to the standard Caltrans/Los Angeles County sight distance standards at the time of preparation of the	Submittal and approval of final grading, landscaping, and street improvement plans	Prior to issuance of grading permit	Applicant	Public Works

**MITIGATION MONITORING AND REPORTING PROGRAM  
PROJECT NO. 98-044 CALIFORNIA YUAN YUNG RETREAT CENTER**

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
al grading, landscaping, and reet improvement plans. easure 28: The Applicant ial submit a detailed traffic gning/stripping plan to the blic Works Department for view and approval prior to the suance of a grading permit.	Submittal and approval of a detailed traffic signing/stripping plan	Prior to issuance of grading permit	Applicant	Public Works Traffic and Lighting
Measure 29: Adequate on-site arking shall be provided rsuant to Los Angeles County quirements.	Approval of Revised Exhibit "A"	Prior to issuance of grading permit	Applicant	Regional Planning
<b>Visual</b> Measure 30: Onsite parking lot ights will be directed onsite to imize lighting spillover to ffsite areas. Lights will utilize ielding that will direct lighting ownward and away from ffsite receptors. A lighting plan hall be reviewed and approved y the DRP prior to the suance of any grading permit.	Submittal and approval of lighting plan, which may be prepared in conjunction with the landscape plan	Prior to issuance of building permit	Applicant	Regional Planning Public Works
Measure 31: Parking area ghting will utilize automatic hut-offs that will be connected to a timer. When the facility is losed, lighting will be kept to a minimum.	Submittal and approval of lighting plan, which may be prepared in conjunction with the landscape plan	Prior to issuance of building permit	Applicant	Regional Planning Public Works
Measure 32: No floodlights will e permitted and all lighting must be directed on-site. All ecurity lighting must be connected to motion-detectors.	Submittal and approval of lighting plan, which may be prepared in conjunction with the landscape plan	Prior to issuance of building permit	Applicant	Regional Planning Public Works
Measure 33: Landscaping must e installed and maintained along the northerly and easterly ite perimeter as a means to eliminate light trespass or glare. A landscape plan shall be submitted to the DRP for review	Submittal and approval of landscape plan	Prior to issuance of building permit	Applicant	Regional Planning

MITIGATION MONITORING AND REPORTING PROGRAM  
PROJECT NO. 98-044 CALIFORNIA YUAN YUNG RETREAT CENTER

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>and approval prior to the issuance of a grading permit.</p>				
<p><b>Mitigation Compliance</b> As a means of ensuring compliance of all above mitigation measures, the applicant is responsible for submitting annual or requested mitigation compliance report to the DRP for review and for replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented.</p>	<p>Submittal of annual/requested Mitigation Measure Compliance report and replenishment of Mitigation Monitoring account</p>	<p>Annual or as requested until such time as all mitigation measures have been implemented.</p>	<p>Applicant</p>	<p>Regional Planning</p>



Los Angeles County Department of Regional Planning  
 320 West Temple Street, Los Angeles, California 90012  
 Telephone (213) 974-6443

PROJECT No. 98-044-(4)  
Conditional Use Permit

RPC/HO MEETING DATE	CONTINUE TO
AGENDA ITEM 10	
PUBLIC HEARING DATE July 14, 2004	

APPLICANT Yuan Yung Buddhist Temple	OWNER Mr. Orris Abbott	REPRESENTATIVE Owen Menard
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**REQUEST**  
 To authorize establishment and use of a Buddhist Temple and retreat center facility in the A-1-1 Zone. The proposed facility consists of fifteen (15) buildings including, but not limited to, a chapel, a Sunday school, an office, a prayer hall, a meditation hall, a training hall, a dining hall, two (2) dormitories and three (3) individual residential units. The applicant is also requesting modification of the 35-foot height limit in the A-1 zone.

LOCATION/ADDRESS 2740 – 76 Fullerton Road, Rowland Heights	ZONED DISTRICT Puente
	COMMUNITY Rowland Heights
	EXISTING ZONING A-1-1

ACCESS Via Fullerton Road to the northwest and Via Pathfinder Road to the south	SHAPE Irregular	TOPOGRAPHY
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SIZE 7.8 Acres	EXISTING LAND USE Two single family residences
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<b>SURROUNDING LAND USES &amp; ZONING</b> North: Single Family Residences/A-1-1, R-1-10,000	East: Single Family Residences/A-1-1
South: Public Park/O-S, RPD-1-3U	West: Church, Single Family Residences, Vacant Land/ A-1-1, R-1-10,000

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Countywide	_____	_____	_____
Rowland Heights Community General Plan	Nonurban 2	1 Unit per Acre	See Staff Report

**ENVIRONMENTAL STATUS**  
 Environmental Impact Report

**DESCRIPTION OF SITE PLAN**  
 The site plan depicts the majority of the proposed buildings located to the south and east of the site, with the "front building" being set back 250 feet from Fullerton Road and the area between Fullerton Road and the "front building" being utilized for parking and landscaping. Additional parking is depicted at the southern, southwestern and southeastern portions of the site, with a total of 382 parking spaces proposed. A 26-foot driveway is depicted surrounding the site and a 5-foot landscaping strip is depicted along the entire outer perimeter of the site. Additional landscaped areas depicted include two 40-foot wide strips adjacent to Fullerton Road, two large triangular shaped areas along Pathfinder Road at the southwest and southeast corners of the site, a courtyard in the center of the site, and dispersed throughout the parking area and between proposed buildings. A 42-foot concrete block wall is depicted along the property's Fullerton Road frontage with the exception of the access driveway and a 6-foot concrete block wall is depicted along the entire remaining portion of the site.

- KEY ISSUES**
- Satisfaction of Section 22.56.040 of the Los Angeles County Code Title 22, Conditional Use Permit Burden of Proof requirements.
  - Compliance with Rowland Heights Community Standards District
  - Compatibility with Rowland Heights Community General Plan
- (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)		

**PROJECT NUMBER**

98-044-(4)

**CASE NUMBER**

Conditional Use Permit Case No. 98-044-(4)

**OVERVIEW OF PROPOSED PROJECT**

The applicant, Yuan Yung Buddhist Temple, is requesting a Conditional Use Permit to authorize establishment and use of a Buddhist Temple and retreat center facility in the A-1-1 Zone. The proposed facility consists of fourteen (14) buildings with a total floor area of 57,433 square feet, including a 4,728 square foot "front building;" a 6,440 square foot chapel; a 4,488 Sunday school building; a 4,488 square foot general office building; a 2,748 square foot prayer hall; a 2,748 square foot meditation hall; a 12,560 square foot, two story building used for storage, utility and a meditation training hall; an 8,118 square foot dining hall, four (4) dormitory buildings totaling 9,114 square feet (including the "Consultant Quarters" and "Guest Quarters") for a total of 29 dormitory units, each with a capacity of two persons; one 1,076 residential dwelling unit ("Master's Quarters"); and one 925 square foot living quarters for an employee of the facility (this unit does not have a kitchen).

To supplement the information regarding facility operations listed in the DEIR, the applicant has provided the attached detailed description of the anticipated daily use of the facility. To summarize, the facility would be open daily from 8 am to 5 pm for individuals to come of their own volition to worship. A "Dharma Assembly" would be conducted every other Sunday between 9:30 am and 12:00 pm, with concurrent classes held for children. Retreats lasting between 3 and 7 days would be held quarterly and up to 32 people could be accommodated in the proposed dormitories for the duration of the retreat, in addition to the maximum of 26 nuns that could also be accommodated in the dormitories. Other retreat participants not living in the local area would stay at a local hotel and the facility would provide transportation for these participants to and from the facility. Normal operations of the facility would cease during a retreat.

Weddings, workshops, seminars and other ancillary activities would be periodically conducted on the site and several annual events would take place including celebrations for Chinese New Year (3-day event), Buddha's Birthday and Mother's Day. Again, normal activities would cease during these special events, which would be open to the public.

**DESCRIPTION OF SUBJECT PROPERTY**

**Location**

The subject property is located at 2740 – 76 Fullerton Road, Rowland Heights, in the Puente Zoned District.

**Physical Features**

The subject property is comprised of three Assessor's parcels for a total of 7.5 acres. The site is irregularly shaped, relatively flat and the majority of the site has been cleared of

groundcover. The southern portion of the site is at a lower elevation than that of Pathfinder Road and the surrounding properties to the east.

### **SERVICES AVAILABLE**

Direct vehicular access to the property is available via Fullerton Road and indirect access to the property, using an easement over an adjacent property, is available via Pathfinder Road (although requested by staff, the applicant has not provided proof of this easement at this time). Public water and sewers are available; however, proof of adequate water supply and sewer capacity has not been submitted at this time. The water purveyor was consulted during the environmental review of the project and no comments were received. If the project is approved, staff has recommended a condition requiring the applicant to provide proof of adequate water supply and sewer capacity prior to obtaining building permits for the project.

### **ENTITLEMENT REQUESTED**

The applicant is requesting a Conditional Use Permit to authorize a temple, including customary incidental educational and social activities in conjunction therewith, as well as a convent/retreat center with dormitories for resident nuns and transient visitors, one single family residence and one detached living quarters for temple staff in the A-1-1 zone.

### **EXISTING ZONING**

#### **Subject Property**

The subject property is zoned A-1-1 (Light Agricultural, 1-acre minimum lot size).

#### **Surrounding Properties**

Surrounding properties are zoned as follows:

- North: A-1-1 (Light Agricultural, 1-acre minimum lot size), R-1-10,000 (Single Family Residence, 10,000 square foot minimum lot size)
- South: O-S (Open Space), RPD-1-3U (Residential Planned Development, 3 units per acre maximum density)
- East: A-1-1 (Light Agricultural, 1-acre minimum lot size)
- West: A-1-1 (Light Agricultural, 1-acre minimum lot size), R-1-10,000 (Single Family Residence, 10,000 square foot minimum lot size)

### **EXISTING LAND USES**

#### **Subject Property**

The subject property currently contains one single family residence.

#### **Surrounding Properties**

Surrounding properties contain the following uses:

- North: Single Family Residences
- South: Public Park
- East: Single Family Residences
- West: Church, Single Family Residences, Vacant Land

**PREVIOUS CASES/ZONING HISTORY**

The following zoning case has been filed on the subject property:

CUP225: A request to establish a day care center, preschool and kindergarten for children between 2 and 12 years of age (Denied, 1973).

The existing facility, located at 6310 E. Olympic Boulevard in East Los Angeles, does not have a history of zoning violations.

**ROWLAND HEIGHTS COMMUNITY GENERAL PLAN**

The subject property is designated Nonurban 2 (N2) in the Rowland Heights Community General Plan. This designation allows residential uses between 0.3 and 1 unit per acre and "rural or agricultural" type uses. The plan indicates that churches may be considered appropriate uses in urban classifications but makes no similar statement regarding nonurban classifications. The inclusion of churches and temples in the A-1 zoning designation is an indication that this type of use is considered to be consistent with nonurban land use classifications as well, subject to discretionary review and public comment.

Furthermore, based on the authority and scope of a general plan as set forth in the Government Code, it is clear that such a plan is not intended to fully detail those uses that would be permitted, conditionally permitted or prohibited, but, rather, to designate the general distribution of land for different land use categories and establish broad goals and policies to guide development. The exclusion of a particular use from the discussion of a particular land use category, therefore, does not indicate that the use would be excluded from that category.

The Zoning Code is intended to implement the general plan and dictate those specific uses that would be permitted, conditionally permitted, or prohibited in a particular zone. In this case, the general plan is silent as to whether a church, convent and retreat center would be permitted in the N2 land use category; however, the zoning code, in Section 22.24.100, lists "churches, temples or other places used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith" and "convents and monasteries" as uses subject to a Conditional Use Permit in the A-1 zone. Based on the above information, staff believes that the proposed use is consistent with both the Nonurban 2 land use classification of the Rowland Heights Community General Plan and the A-1 zone.

There are no other plan policies that apply to the proposed project.

**SITE PLAN**

The site plan depicts the majority of the proposed buildings located to the south and east of the site, with the 4,728 square foot "front building" (Building A) being set back 250 feet from Fullerton Road and the area between Fullerton Road and the "front building" being utilized for parking and landscaping. Additional parking is depicted at the southern, southwestern and southeastern portions of the site, with a total of 382 parking spaces proposed.

Easterly of the "front building," the site plan depicts a large open courtyard with a 4,488 square foot general office building (Building D) north of the courtyard, a 4,488 square foot Sunday school building (Building C) to the south of the courtyard, and a 6,440 square foot main chapel (Building B) located to the east of the courtyard. A 2,748 square foot prayer hall (Building E) is depicted to the north of the main chapel, east of the office building, and a 2,748 square foot meditation hall (Building F) is depicted to the south of the main chapel, east of the Sunday school building. To the east of these structures is depicted a two-story storage/utility and meditation training hall building (Building G/H), and east of this building are a 1,078 square foot guest quarters building consisting of four dormitories (Building N), a 1,076 square foot masters quarters structure (Building M), a 1,170 square foot consultant's quarters building consisting of four dormitories (Building L), and a 2,442 square foot in-house dormitory building consisting of seven dormitories (Building J). To the south of these structures are depicted three interconnected buildings to be used as meditation dormitories and consisting of 14 dormitories (Building K) and to the south of these dormitories is depicted a 925 square foot service quarters structure (Building O). To the west of the service quarters and meditation dormitories is depicted a 8,118 square foot dining hall (Building I).

A 26-foot driveway is depicted surrounding the site and a 5-foot landscaping strip is depicted along the entire outer perimeter of the site. Additional landscaped areas depicted include two 40-foot wide strips adjacent to Fullerton Road, two large triangular shaped areas along Pathfinder Road at the southwest and southeast corners of the site, a courtyard in the center of the site, and dispersed throughout the parking area and between proposed buildings. A 42-inch concrete block wall is depicted along the property's Fullerton Road frontage with the exception of the access driveway and a 6-foot concrete block wall is depicted along the entire remaining portion of the site. A second access point is shown on the southern end of the property, providing access to Pathfinder Road via an access easement over an adjacent property.

Floor plans of each building have been submitted as well as elevation drawings. The elevation drawings depict the maximum height of the main chapel at 50 feet, the two-story storage/utility and meditation training hall building at 40 feet and all other buildings being below 35 feet in height.

#### **Compliance With Applicable Development Standards**

Section 22.24.110 of the County Code establishes the following development standards for properties in the A-1 zone:

- A. Front, side and rear yards shall be provided as required in Zone R-1.

Comment: Section 22.20.120 of the County Code requires 20-foot front yards, 5-foot side yards and 15-foot rear yards for the R-1 zone. Based on the site plan, these yards have been adequately provided.

- B. Single-family residential uses shall be subject to all development standards applying to Zone R-1, except as otherwise specified in this Title 22.

Comment: As the proposed use is not a single family residential use, the development standards applying to residential uses do not apply.

- C. Premises in Zone A-1 shall provide the required area as specified in Part 2 of Chapter 22.52.

Comment: The 7.5-acre site meets the one-acre area requirement.

**Parking**

The primary use of the site consists of religious temple uses, with general assembly uses, office uses, dormitories and individual single family residences being accessory uses to the temple. A detailed parking supply chart has been prepared and included in the DEIR on page 26. Staff has reviewed the parking supply chart as well as the occupancy load determination for the site from the Department of Public Works and the chart does not accurately reflect the required parking per the County Code. Staff does not believe that it is accurate to calculate the parking requirement for each separate use being conducted on the site, given that the Code requires that church uses simply provide parking based on the occupancy load of the largest assembly area at a ratio of one space per five occupants. Churches generally include office space, small gift shops, storage areas and Sunday school classrooms for which additional parking would not be required. Given that the assembly buildings on the site could be used concurrently for different groups of people, staff believes that rather than requiring parking to be provided for the largest assembly area, parking should instead be provided based on the total occupancy load of each of the assembly buildings on the site with the exception of the Dining Hall which will not be used for separate assemblies.

The following chart illustrates the parking requirement for the facility:

Building/Use	Occupant Load	Parking Factor	Spaces Required
B - Main Chapel	276	5	55
E - Prayer Hall	83	5	17
F - Meditation Hall	69	5	14
H - Meditation Training Hall	212	5	42
Facility Vehicles	N/A	N/A	5
		<b>Total</b>	<b>133</b>

Parking is not required for the dormitories as these will be occupied by resident nuns who will not own cars and retreat guests who will be transported to the facility by vehicles owned by the facility. The applicant has indicated that up to five mini vans would be owned by the facility and utilized to transport nuns and retreat guests. As indicated in the chart above, a total of 133 spaces are required with a minimum of six handicapped spaces, one of which must be van accessible. A maximum of 53 of the required spaces may be compact spaces.

The site plan depicts provision of 382 total spaces, 9 of which are handicapped spaces (2 van accessible) and 129 of which are compact; therefore, the site plan depicts the facility providing substantially more parking than would be required to accommodate the use.

If considered for approval, staff has recommended conditions prohibiting off-site parking unless approved for an event in a Temporary Use Permit, prohibiting individual nuns from parking personal vehicles on the site, and prohibiting retreat guests from parking personal vehicles on the site unless additional parking spaces are provided for the retreat dormitories or unless normal activities cease for the duration of the retreat.

**Rowland Heights Community Standards District**

Section 22.44.132 of the County Code establishes the Rowland Heights Community Standards District (CSD). The following CSD requirements apply to the proposed project:

- A. Community-Wide Development Standards. All properties shall be neatly maintained, and yard areas that are visible from the street shall be free of debris, trash, lumber, overgrown or dead vegetation, broken or discarded furniture, and household equipment such as refrigerators, stoves, and freezers.

Comment: If approved, this requirement will be included as a condition of approval.

B. Zone-Specific Development Standards.

1. Zones A-1, A-2, R-1, and R-A.

- i. Front yard landscaping. A minimum of 50 percent of the required front yard area shall contain landscaping consisting of grass, shrubs, trees, and other similar plant materials. Paved or all-gravel surfaces may not be included as part of the required landscaped area.

Comment: The front yard area is 6,000 square feet in size; therefore, 3,000 square feet of landscaping is required in this area. Staff estimates that the site plan depicts provision of 2,100 square feet of landscaping in the front yard area; therefore, approximately 900 additional square feet of landscaping would be needed in the front yard area in order to meet the 50% requirement of the CSD. A portion of the front yard area is used for parking; therefore, these spaces will need to be relocated to another area of the site. As previously indicated, this requirement could easily be met with a minor site plan revision, subsequent to the Commission's action.

- ii. Trash containers and dumpsters stored in the front or side yard areas shall be screened from view from streets, walkways, and adjacent residences.

Comment: The site plan does not depict the location of any proposed trash containers or dumpsters; however, if approved, this requirement will be included as a condition of approval and a site plan revision will be required to depict the locations of all trash containers and any required screening.

The proposed amendment to the Rowland Heights CSD does not contemplate any changes to the established requirements for the A-1 zone.

Height limits in the A-1 zone apply only to single family residences. As such, no height limit modification is needed to authorize the proposed buildings at the heights proposed, although the Commission has the discretion to limit building heights as it sees fit. Due to the higher elevation of surrounding residentially developed properties, staff does not believe that the proposed height of the main chapel will significantly impact the area. Issues regarding light and glare have been addressed in the DEIR and mitigation measures have been proposed to ensure that there are no such impacts to adjacent properties.

#### **BURDEN OF PROOF**

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

- A. That the requested use at the location proposed will not:
  - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
  - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
  - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- 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, of as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C. That the proposed site is adequately served:
  - 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
  - 2. By other public or private service facilities as are required.

The applicant's Burden of Proof responses are attached to this document.

#### **ENVIRONMENTAL DOCUMENTATION**

A draft Environmental Impact Report (DEIR) has been prepared for this project. The DEIR analyzes potential geotechnical, traffic, noise and aesthetic/visual impacts and concludes that all potential impacts can be adequately mitigated to a level of no significance. The DEIR

contains a list of recommended mitigation measures to be utilized in the drafting of a Mitigation Monitoring Program (MMP) if the project is approved. The MMP will ensure proper execution of the proposed mitigation measures and compliance with this program will be required should the project be approved. A copy of the DEIR was submitted to the Planning Commission for review on June 10, 2004.

### **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

#### **County of Los Angeles Fire Department**

Comments from the Fire Department have not been received at this time.

#### **County of Los Angeles Department of Public Works**

The Department of Public Works submitted a letter dated December 16, 2003 containing several recommended conditions to be included in the CUP. The applicant has not expressed concern with these conditions.

### **LEGAL NOTIFICATION/COMMUNITY OUTREACH**

Pursuant to County policy, the legal notification process for public hearings involves mailing of notices to all property owners within 500 feet of the subject property and others requesting notification for projects in the area, placement of a legal advertisement in the local newspaper and placement of material in the local county public library, all within 45 days of the date of the hearing for cases involving an Environmental Impact Report. The applicant is required to post signage on the property advertising the public hearing within 30 days of the date of the hearing. For this request, a total of 75 notices were mailed on May 25, 2004 including Citizens for a Planned Community, Rowland Heights School District, Hacienda-La Puente School District, the Fourth Supervisorial District office and individual members of the Rowland Heights Community Coordinating Council. A legal advertisement was published on May 30, 2004 in the San Gabriel Valley Tribune and La Opinion and case materials were available for public review at the Rowland Heights, Hacienda Heights and La Puente County Libraries beginning on May 28, 2004. The Notice of Public Hearing was posted on the site on June 7, 2004.

### **PUBLIC COMMENTS**

Staff has received approximately 840 letters expressing concerns with or opposition to the proposed project. The opposition letters consist largely of form letters indicating concern regarding traffic impacts, visual impacts due to the proposed height of the main temple building, impacts to rural character of the area, impacts to environmental resources, air quality impacts, noise and decreased property values. Examples of these form letters are attached. Those letters that are not form letters express similar concerns and also indicate concerns regarding oversaturation of churches in the area, the need for equestrian trails in the vicinity and a request that the applicant dedicate land for such a trail, and the Rowland Heights Community Coordinating Council's letter expresses concern regarding the residential/retreat aspect of the project, the request to exceed the height limit of the A-1 zone, and the adequacy of the proposed traffic mitigation.

As evidenced in the attached photos, surrounding properties to the east and south are at higher elevations than the subject property; therefore, it is unlikely that the height of the proposed chapel will adversely impact these properties. In addition, landscaping and walls are proposed on site perimeters to screen the use from adjacent properties as much as possible.

The residential/retreat aspect of the project involves the construction of 29 dormitories with a maximum occupancy of two persons per room, a total of 58 persons maximum on the site. As previously indicated, a maximum of 26 nuns are proposed to live on the site full-time with the remaining dormitories used quarterly for retreat guests. Staff believes that this use is consistent with similar religious retreat uses and with convent and monastery uses and is consistent with the A-1 zoning designation. It should be noted that the Commission denied a request made by the Zion Church, located northerly of the subject property on Fullerton Road, to establish 20 dwelling units (each including separate kitchen facilities) in a "disciple center" on the property. Staff believes that this request was substantially different from the dormitories that are proposed in this case in that each dwelling unit in the Zion Church proposal would have accommodated entire families and not individual monks or nuns. The use of the dormitories in the subject project will be for up to 26 individual nuns and, quarterly, for a maximum of 32 retreat guests and the dormitories would not be considered "dwelling units" as they do not have individual kitchens.

Additionally, other projects have been approved by the Regional Planning Commission in the past for similar religious retreat uses in agricultural zones. A summary of these is listed below:

Case Number	Use	Dorms/Units	Zoning	Location
1848	Religious Retreat	10 transient	A-1	Malibu
1852	Buddhist Temple	5,140 sq. foot monastery, 6,192 sq. foot retreat buildings	R-1, R-A & A-1	Hacienda Heights
92-215	Buddhist Temple	13 permanent	A-1	Avocado Heights
97-027	Convent	20 permanent	A-1	E. Antelope Valley
99-114	Monastery	57 permanent, 73 transient	A-1 & A-2	Valyermo
99-148	Religious Retreat	2,160 sq. foot dormitories	A-1	E. Antelope Valley
99-197	Religious Retreat	6 permanent, 43 transient	A-1	Avocado Heights
00-107	Church	5 permanent	A-1	Rowland Heights

Air quality and biological impacts were not identified during the environmental review of the project. Conditions have been proposed to reduce the emanation of dust during the construction phase. Potential traffic impacts were identified during the environmental review

and mitigation has been proposed to reduce these impacts to a level of no significance. Staff will defer to the Department of Public Works for comments on the adequacy of the mitigation measures.

Staff has also received over 4,000 letters and petition signatures in support of the project. The letters and signatures are from a mix of Rowland Heights residents and residents of the greater Los Angeles area. In reviewing these letters, it appears that approximately 1/3 of the letters and signatures were from the Rowland Heights area. All unique support letters received and examples of form letters and petitions received are attached.

### **STAFF EVALUATION**

The project applicant proposes to construct a Buddhist Temple and retreat center facility on a 7.5-acre property at 2740 and 2776 Fullerton Road in the unincorporated community of Rowland Heights.

Because churches, temples, convents and monasteries are conditionally-permitted uses in the A-1-1 zone, it can be inferred that these uses are also consistent with the Rowland Heights Community General Plan's Nonurban 2 designation, although the plan does not specifically state this.

With minor site plan revisions, the facility will be in compliance with the development standards of the A-1-1 zone and the Rowland Heights Community Standards District.

The facility is in compliance with the parking requirement. The site plan depicts provision of substantially more parking that required by the County Code. Staff has recommended conditions prohibiting off-site parking unless approved for an event in a Temporary Use Permit, prohibiting individual nuns from parking personal vehicles on the site, and prohibiting retreat guests from parking personal vehicles on the site unless additional parking spaces are provided for the retreat dormitories or unless normal activities cease for the duration of the retreat.

A draft Environmental Impact Report has been prepared for this project and it was found that all potential geotechnical, traffic, noise and visual impacts could be mitigated to a level of no significance. As such, a Statement of Overriding Considerations would not be required.

The residential element of the project is intended for permanent use by a maximum of 26 single nuns and temporary use, up to four times per year, for a maximum of 32 retreat guests. This level of use is consistent with a typical convent or monastery and with other similar uses in agricultural zones that have been approved by the Regional Planning Commission in the past.

The main chapel building is proposed to be a maximum of 50 feet in height. Due to the higher topography of surrounding properties to the east and south, staff does not believe that this height will impact the area. Because there is no height limit for non-residential structures

in the A-1 zone, other than the general limit of 13 times the buildable area of the property, there is no need for a modification of the height limit to allow this height. In addition, staff does not believe that the development will impact the rural character of the area due to the low profile of the remaining buildings and the amount of open space proposed. Mitigation measures have been proposed to address potential light and glare impacts.

Air quality impacts were not identified during the environmental review of the project. Conditions have been proposed to avoid emanation of dust during the construction phase.

Staff recommends a 20-year grant with annual Zoning Enforcement inspections.

### **FEES/DEPOSITS**

If approved as recommended by staff, the following fees/deposits will apply:

1. Processing fees of \$875.00 related to posting the Notice of Determination with the County Clerk. Fish & Game fees will be required due to the fact that the project is located in a relatively rural and undeveloped area. The fees will be required within five (5) business days of the final approval date of the permit.
2. Inspection deposit of \$3,000.00 to cover the costs of the 20 recommended annual zoning enforcement inspections.

### **STAFF RECOMMENDATION**

Staff recommends approval of Conditional Use Permit 98-044-(4) subject to the attached conditions.

### **SUGGESTED MOTION**

"I move that the Regional Planning Commission close the public hearing and indicate its intent to approve Conditional Use Permit Number 98-044-(4) and instruct staff to prepare final environmental documentation and findings and conditions for approval."

Prepared by Kevin Johnson, Regional Planning Assistant II  
Reviewed by Russell J. Fricano, Ph.D., AICP, Section Head, Zoning Permits I Section

#### Attachments:

Copy of Thomas Brothers Map  
GIS Net Map  
Draft Conditions  
Supplemental Project Description  
Applicant's Burden of Proof Responses  
Correspondence  
Site Photographs  
Site Plan  
Land Use Map