



COUNTY OF LOS ANGELES  
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October 2, 2012

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

Agenda No. 10  
11/22/11

The Honorable Board of Supervisors #17 OF OCTOBER 2, 2012  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Re: **CONDITIONAL USE PERMIT NUMBER 2008-00080-(2)  
SECOND SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a duly-noticed public hearing on the above-referenced project to authorize the continued operation and maintenance of a pawn shop within a C-3-DP (Unlimited Commercial-Development Program) zone located at 1560 East Florence Avenue, in the Compton-Florence Zoned District, applied for by Jack Shut. At the completion of the hearing, you indicated your intent to approve the permit and instructed our office to prepare findings and conditions for your consideration. Enclosed are findings and conditions for your consideration.

Very truly yours,

JOHN F. KRATTLI  
County Counsel

By *Keane*  
PATRICIA KEANE  
Deputy County Counsel  
Property Division

APPROVED AND RELEASED:

*Richard D. Weiss*  
RICHARD D. WEISS  
Acting Chief Deputy

PK:vn  
Enclosures

**FINDINGS OF THE BOARD OF SUPERVISORS  
AND ORDER  
CONDITIONAL USE PERMIT NUMBER 2008-00080-(2)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Conditional Use Permit Case No. 2008-00080-(2) ("CUP") on November 22, 2011. The CUP was heard concurrently with Zone Change Case No. 2008-00005-(2) ("Zone Change"). The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP and Zone Change on July 27, 2011.
2. The permittee, Jack Shut, requests the CUP and the related Zone Change to authorize the continued operation and maintenance of a pawn shop in an existing commercial building on an approximately 0.22-acre parcel ("Project").
3. The Project site is located at 1560 East Florence Avenue, in the Compton-Florence Zoned District and within the Florence-Firestone Community Standards District ("CSD").
4. The CUP is a request to implement a development program for the Project, which is required for all projects that include zone changes with a corresponding Development Program (-DP) overlay zone pursuant to section 22.40.030 of Title 22 of the Los Angeles County Code ("County Code"). The development program is designed to ensure that all development on the subject property conforms to those plans that are submitted during the rezoning process when such plans are a critical factor in the decision to rezone. Any future changes to the use of the property, other than those specifically allowed in the development program, would require a new CUP.
5. The Zone Change is a related request to rezone the Project site from C-2 (Neighborhood Business), which does not permit pawn shops, to C-3-DP (Unlimited Commercial-Development Program), which allows for pawn shops subject to a CUP for implementation of the development program. The -DP overlay zone will ensure that development occurring after rezoning will conform to the approved plans and be compatible with the surrounding area.
6. The CUP will not become effective until the proposed Zone Change is adopted by the Board and becomes effective.
7. Vehicular access to the site is provided by Miramonte Boulevard on the east via an existing 30-foot-wide driveway located at the southeast corner of the Project site. Pedestrian access to the existing commercial building is provided by a pedestrian entrance from Florence Avenue to the north.
8. The Project site is approximately 0.22 acres in size, rectangular in shape with level terrain, and mostly paved. The Project site is located in an urbanized area, surrounded by developed land in all directions, with the exception of a vacant

0.25-acre lot located immediately to the west. The Project site is currently developed with a one-story, approximately 5,880-square-foot commercial building, and five parking spaces. The parking spaces are located to the rear (south) of the commercial building. Approximately 76 square feet of landscaping is maintained on the site within a planter in the rear parking lot.

9. The permittee's site plan, labeled Exhibit "A," depicts an existing commercial building that is divided into a front (northern) shop area of approximately 1,259 square feet and a storage area of 1,066 square feet, along with a rear (southern) warehouse area of approximately 3,547 square feet. The building is located on the northern and western property lines of the Project site and has a maximum height of 24 feet above grade. The site plan depicts the five existing parking spaces located to the rear of the existing building. The site plan does not accurately depict signage, therefore, the Project includes a condition of approval to submit a new sign plan within 30 days following the date of final approval of this grant depicting no more than the five permitted signs for the project with a maximum total area of 75 square feet as allowed by the CSD.
10. The Project site is designated as Major Commercial on the Countywide General Plan ("General Plan") Land Use Policy Map, which contemplates a wide range of local and regional commercial uses. The proposed C-3-DP zoning and the operation of a pawn shop would both be consistent with this designation.
11. Surrounding properties within a 500-foot radius of the Project site are zoned as follows:  

North:	C-2; R-3 (Limited Multiple Residence);
South:	R-3-P (Limited Multiple Residence-Parking); R-3;
East:	C-2 and C-M (Commercial-Manufacturing); and
West:	C-2 and C-3 (Unlimited Commercial).
12. Surrounding land uses within 500 feet of the subject property are as follows:  

North:	Small commercial retail and services, single-family residences, and apartments;
South:	Single-family residences and apartments;
East:	Small commercial retail and services; and
West:	Small commercial retail and services and a shopping center.
13. Building permits were issued on January 16, 1941, for the existing commercial building to be developed as a drug store. The issuance of these permits occurred before the adoption of the zoning for the Project site, which was established by the Compton-Florence Zoned District in 1945. A pawn shop was established on the subject property in 1999. In 2006, the County Treasurer and Tax Collector referred the permittee's business license application to the County Department of Regional Planning ("Regional Planning") for review. At the time, the nature of the pawn shop as an unpermitted use in the C-2 zone was noted.

The permittee subsequently applied for a zone change and CUP in order to legalize the pawn shop and continue the use.

14. Prior to the Commission's public hearing, Regional Planning staff determined that the Project was eligible for a Class 1-Existing Facilities, categorical exemption under the California Environmental Quality Act ("CEQA").
15. Regional Planning staff received one phone call from an area resident regarding the Project. The resident did not have an objection to the Project. However, she did complain that the rear unit of the property was being rented as a dance hall, and that this periodically caused severe shortages of on-street parking in the surrounding residential neighborhoods. Regional Planning staff visited the site and confirmed the existence of this unpermitted use through the presence of signage on the rear unit. Regional Planning staff contacted the permittee who agreed to discontinue the use and remove the observed signs. The signs were removed during the week of May 20, 2011.
16. Regional Planning staff contacted the Land Development Division of the County Fire Department and the Century Station of the County Sheriff's Department ("Sheriff") on two separate occasions regarding the Project. The departments did not have any comments regarding the Project.
17. On July 27, 2011, a duly-noticed public hearing was conducted by the Commission. The Commission heard a presentation from staff and testimony from representatives of the permittee and a representative of an area property owner. The area property owner's representative testified in opposition to the Project stating that the area had an overconcentration of pawn shops. The permittee's representative testified that the area property owner was in the process of obtaining a business license for a pawn shop on nearby property.
18. At the conclusion of the July 27, 2011 public hearing, the Commission closed the public hearing and determined the Project to be exempt from CEQA pursuant to a Class 1-Existing Facilities categorical exemption. The Commission approved the CUP and recommended that the Board approve the requested Zone Change.
19. Pursuant to section 22.60.230(B)(2) of the County Code, because the Project approvals included a recommendation by the Commission to the Board on the Zone Change, the CUP was called up for review by the Board concurrently with the requested Zone Change.
20. On November 22, 2011, the Board conducted a duly-noticed public hearing on the Project. The Board heard a presentation from Regional Planning staff and the permittee's representative testified in support of the Project. A member of the community indicated support for the Project, but did not testify.

21. The Board finds that the Project would be a permitted use in the C-3 zone, pursuant to section 22.28.180 of the County Code, however, because the requested Zone Change is to rezone the Project site from C-2 to C-3-DP, a CUP is required in order to establish and implement a development program for the Project.
22. The Board finds that the Project is consistent with the goals and policies of the General Plan. The Project provides a neighborhood serving commercial use that is consistent with the types of commercial uses contemplated for the Major Commercial designation on the Project site.
23. The Board finds that the Project is consistent with the surrounding area in the unincorporated community of Florence-Firestone. The exterior appearance of the existing commercial building is consistent with similar buildings in the surrounding neighborhood and in keeping with the character of the area, and the Project does not propose any alterations to the existing structure.
24. The Board finds that the Project is consistent with applicable development standards for uses in the C-3 zone pursuant to sections 22.28.220 and 22.44.138.D.5 of the County Code, which sets forth zone-specific requirements for C-3 zoned property in the Florence-Firestone CSD. The Project site was developed in 1941 with the existing commercial building, pursuant to the then-applicable standards. At the time the use was established, which was prior to the adoption of zoning on the site, there were no requirements regarding landscaping, parking, or other development standards for the property. The Project site was established with approximately 70 square feet of landscaping, which is less than one percent of the Project site's net area of 9,580 square feet. The Project site also contains five parking spaces. Current development standards for the C-3 zone require that a minimum of 10 percent of the net lot area be landscaped. Pursuant to section 22.52.1100 of the County Code, a pawn shop would require one off-street parking space per each 250 square feet of floor area, which would result in required parking of 24 off-street spaces. Because the Project site is located within the Blue Line Transit-Oriented District, pursuant to section 22.44.440.A.1 of the County Code, a reduction of 40 percent of the required parking (resulting in a total of 14 required parking spaces) would be available. However, because no construction or exterior alteration of the building or site is being proposed, and the Project is not proposing any change in use, the current development standards for landscaping and parking are not triggered. Therefore, the existing landscaping and parking provided on the Project site satisfy applicable requirements. The C-3 zone does not contain any specific requirements regarding setbacks and, pursuant to section 22.44.138.D.5(a) of the County Code, the maximum height for a commercial building is 45 feet. The existing building is located along the northern and western property lines of the site and is a maximum of 24 feet above grade. Therefore, the Project is consistent with development on C-3 zoned properties. The C-3 zone does restrict outside display and storage,

and because the Project does not include any outside display or storage, the Project is consistent with the applicable development standards related thereto.

25. The Board finds that the Project, as conditioned, is consistent with the requirements regarding signage in the Florence-Firestone CSD. Pursuant to section 22.44.138.D.4(c)(iv) of the County Code, the Florence-Firestone CSD allows for a maximum of five signs for the building's 162 feet of street frontage. The area of such signs shall total no more than 324 square feet. There are more than five signs on the existing building, and the permittee has agreed to remove the signs that exceed County Code requirements within 30 days of the date of final approval of this grant.
26. The Board finds that the permittee has submitted a development program consisting of a site plan and progress schedule that complies with the requirements of section 22.40.050 of the County Code.
27. The Board finds that the development program provides the necessary safeguards to ensure completion of the proposed development by the permittee and that the development program ensures that the Project will not be replaced by a lesser type of development contrary to the public convenience, welfare, or development needs of the area. The development program authorizes the use of the site for a pawn shop as well as for future potential uses allowed by right in the C-2 zone without the need for a new CUP, provided all applicable development standards are met. Allowing the potential for future use of the property in such a manner enables the site to be put to beneficial use consistent with the character of the surrounding community and consistent with the type of commercial development contemplated by the Major Commercial designation on the site.
28. The Board finds that as depicted on the approved Exhibit "A," the Project is designed and arranged such that the development is attractive, adequately buffered from adjacent uses, and in keeping with the character of the surrounding area.
29. The Board finds that the adoption of a development program allowing a pawn shop on the Project site will not negatively affect the health, peace, comfort, or welfare of the neighborhood, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project site. The Board also finds that there is no evidence that the Project will jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare. Pawn shops have become much more regulated in their operations by both State and local government agencies, thus better ensuring the proper integration of such businesses into the local community. The Project has operated without complaints to either Regional Planning or the Sheriff for the past 10 years, and it operates in a manner that makes the use relatively indistinguishable from other commercial uses in the vicinity.

30. The Board finds that the Project site is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping, and other accessory structures as shown on the site plan.
31. The Board finds that the Project site is physically suitable for the use being proposed, as the property is level, has access to a County-maintained street of sufficient size, and is adequately served by the necessary public and private service facilities, including public sewers, water supplies, and facilities necessary to meet anticipated domestic and fire protection needs.
32. The Board finds that compatibility with surrounding land uses will be ensured through the Zone Change and CUP.
33. The Board finds that pursuant to the provisions of sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Florence-Firestone community. On June 13, 2011 a total of 90 Notices of Public Hearing were mailed to all property owners as identified on the current County Assessor's record within a 500-foot radius from the Project site, as well as those on the courtesy mailing list for the Compton-Florence Zoned District and any additional interested parties.
34. The Board finds that the Project is exempt from CEQA pursuant to a Class 1- Existing Facilities categorical exemption because the Project is a continuation of an existing use in an existing building, and the Project involves no new construction or expansion of the existing use.
35. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the section head of the Zoning Permits-West Area, Regional Planning.

**BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:**

- A. That the proposed use with the attached conditions is consistent with the adopted General Plan.
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort, or welfare of persons residing and 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, and general welfare.

- C. That the Project site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other accessory structures shown on the site plan.
- D. That the Project site is adequately served by highways or streets of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate, and is adequately served by other public or private service facilities as required.
- E. That the development program, as approved through the CUP, provides necessary safeguards to ensure completion of the Project by the permittee and to forestall the substitution of a lesser type of development contrary to the public convenience, welfare, or development needs of the area.

**THEREFORE, THE BOARD OF SUPERVISORS:**

1. Determines the Project to be exempt from the California Environmental Quality Act pursuant to the Class 1–Existing Facilities categorical exemption; and
2. Approves Conditional Use Permit No. 2008-00080-(2) subject to the attached conditions.



**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NUMBER 2008-00080-(2)**

1. This grant authorizes the operation of a pawn shop in the C-3-DP (Unlimited Commercial-Development Program) zone and implements a development program for the subject property, as depicted on the approved 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, owner of the property, and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose and cannot be used until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 9, and until all required fees have been paid pursuant to Condition No. 11. Notwithstanding the foregoing, this Condition No. 3, and Condition Nos. 5, 6, and 7 shall be effective immediately upon the date of final approval of this grant by the County.
4. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to section 22.60.260 of the Los Angeles County Code ("County Code").
5. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to reasonably cooperate in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of \$5,000, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

- A. If during the litigation process actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000. 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 any supplemental deposits may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with section 2.170.010 of the County Code.

- 7. This grant shall expire unless used within two years from the date of final approval of the grant by the County. A single, one-year time extension may be requested in writing, and with payment of the applicable fee, before the expiration date.
- 8. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
- 9. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
- 10. This grant shall terminate on the date that is 15 years from the date of final approval of this grant. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue the operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning prior to the expiration of this permit, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six months prior to the expiration date of this grant and shall be accompanied by the required fees. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
- 11. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a

violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file at Regional Planning. The permittee shall deposit with the County the sum of \$1,400. This deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for seven biennial (one every other year) inspections. Inspections shall be unannounced.

12. 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 Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.
13. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated, that this grant has been exercised so as to be detrimental to the public's health or safety, or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
14. All requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.
15. All development pursuant to this grant shall conform to the requirements of the County Department of Public Works, the County Fire Department, and the County Department of Public Health.
16. Except for seasonal decorations or signage provided by or for a civic or non-profit organization, all structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage that do not directly relate to the use of the property or provide pertinent information about the premises. In the event any such extraneous markings become visible, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of their visibility, 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. Any new or additional signage shall be in compliance with the Florence-Firestone Community Standards District.

18. The subject property shall be developed and maintained in substantial compliance with the plans on file at Regional Planning marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, a revised Exhibit "A" shall be submitted to Regional Planning within 60 days following the date of final approval of the CUP. In the event that subsequent plans are submitted, the written authorization of the property owner is required.
19. This grant allows for operation and maintenance of a pawn shop and implements a development program for the subject property in the C-3-DP zone, located at 1560 East Florence Avenue in the Compton-Florence Zoned District, subject to the following conditions:
  - A. A minimum of four parking spaces and one disabled parking space shall be continuously maintained on-site and in compliance with Parking Development Standards contained in section 22.52.1060 of the County Code.
  - B. Aside from the pawn shop, the property may be utilized for any other use allowed by right within the C-2 (Neighborhood Business) zone.
  - C. No firearms of any kind, except those classified as antiques by Title 18, section 921(a)(16) of the United States Code, may be bought, sold, bartered, or pawned.
  - D. The pawn shop shall not be open to the public on any day between the hours of 7:00 p.m. and 9:00 a.m.
  - E. All litter and trash shall be collected regularly from the premises and the adjacent rights-of-way.
  - F. Consistent with the provisions of Chapter 22.52, Part 21 of the County Code regarding drought-tolerant landscaping, a minimum of 76 square feet of landscaping shall be maintained on-site in a neat and healthy condition, free of trash and debris.
20. The permittee shall provide adequate lighting in all parking areas and walkways under control of the permittee; all lighting required by this grant shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded, and focused away from all adjoining properties.

21. The permittee shall maintain a video surveillance system on the project site, which shall be available for monitoring 24 hours a day. This video surveillance system shall, at a minimum, monitor the cashier area of the pawn shop. Any illegal activities observed shall be immediately reported to the proper legal authorities, and recordings of such activities shall be made available to these authorities upon request.
22. The pawn shop shall abide by all applicable regulations of the County Sheriff's Department and the State of California pertaining to pawnbrokers.
23. The permittee shall comply with all applicable signage requirements in the County Code, and shall remove any signs, including but not limited to, temporary signs, banners, or flags that are not consistent with applicable County Code requirements.
24. As agreed by the permittee, the rear warehouse, with an area of approximately 3,547 square feet, shall not be separately leased and shall not be utilized for any purpose other than that which is ancillary to the business operating in the front (northern) portion of the structure.