



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

April 28, 2015

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

Dear Supervisors:

**HEARING ON THE YARD SALE ORDINANCE UPDATE
PROJECT NO. R2014-01331-(1-5)
ADVANCE PLANNING NO. 201400005-(1-5)
(ALL SUPERVISORIAL DISTRICTS) (3-VOTES)**

SUBJECT

This action is to amend Title 22 (Planning and Zoning) of the Los Angeles County Code to repeal existing regulations in Sections 22.20.065 of Residential Zones (R-Zone) and 22.24.065 of Agriculture Zones (A-Zone) and add a new Part 30 to General Regulations Chapter 22.52. The purpose is to address the sale of personal property at a yard sale, garage sale, moving sale or similar event occurring on private property with an existing residential use, in any zone, in the unincorporated areas of Los Angeles County.

IT IS RECOMMENDED THAT THE BOARD, AFTER THE PUBLIC HEARING:

1. Find the adoption of the Yard Sale Ordinance Update is categorically exempt from review under the California Environmental Quality Act (CEQA), pursuant to Section 15304(e) of the CEQA Guidelines;
2. Approve the recommendation of the Regional Planning Commission (RPC) to amend Title 22 (Planning and Zoning) of the Los Angeles County Code as reflected in the draft ordinance; and
3. Instruct County Counsel to prepare the final ordinance amending Title 22 (Planning and Zoning) of the Los Angeles County Code and submit to the Board for its consideration.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This ordinance amendment was developed in response to the Board's motion of April 9, 2013, instructing the departments of Regional Planning, Treasurer and Tax Collector, Sheriff, Public Health, County Counsel and the District Attorney, to review existing County ordinances related to extended yard sales and illegal street vending, and to draft new ordinances, or amend existing ordinances, to enable more effective abatement of these problems. Subsequently, on January 23, 2014, the County agencies submitted a follow-up report to the Board. Among the recommendations in this report was that Title 22 (Planning and Zoning) of the Los Angeles County Code be updated to enable more effective yard sale abatement. The attached proposed ordinance, as recommended by the RPC, constitutes our response to the Board's motion.

For the purposes of clarification, the proposed ordinance is separate from the concurrent effort by the County Counsel to update laws regulating street vending in response to your motion.

Existing Zoning Regulations and Enforcement Challenges

Currently, Title 22 (Planning and Zoning) of the Los Angeles County Code, only regulates yard sales occurring on private properties in the R-Zone and A-Zone. The Zoning Code provisions relating to yard sales are difficult to enforce. Current regulations allow a maximum of two yard sales conducted at a property during any 12-month period, on any day, and lasting up to three consecutive days for each sale. No permit is required. The lack of a calendar year system and designated days for yard sales makes it difficult for Zoning Enforcement staff to monitor the occurrence of yard sales throughout a 12-month period. Although yard sales traditionally have been held as weekend events, existing zoning codes allow yard sales to be conducted any day of the week. The current definition of sellable items is limited in scope and allows persons other than the resident to join the event. Existing standards are silent on where yard sale items can be displayed, and the provision for yard sale signage does not indicate when signs shall be posted or removed. Moreover, in the County unincorporated areas, there are many legal nonconforming residences located outside of the R-Zone or A-Zone. Because current yard sale codes apply only to properties zoned Residential or Agricultural, legal nonconforming residences in commercial and industrial zones cannot legally conduct yard sales. The non-applicability of current yard sale codes makes it difficult for Zoning Enforcement staff to regulate yard sale activity at legal nonconforming residences. The above conditions make it difficult, time consuming, and resource intensive for Zoning Enforcement staff to investigate and abate extended yard sales occurring in the County.

Draft Ordinance

The proposed ordinance establishes comprehensive and reasonable standards for conducting yard sales in County unincorporated communities. Under this ordinance, a yard sale is permitted as an accessory and temporary use on any private property with one or more dwelling units, in any zone. A calendar year system is established to monitor yard sales, with one designated weekend per month to conduct a yard sale at a property. Two additional yard sales can be conducted on non-designated weekends during the calendar year provided they are registered with the Department of Regional Planning. Registration is free and is required only for non-designated weekends. If a yard sale is conducted without registration on a non-designated weekend, retroactive registration shall be permitted for the first of these events. This ordinance enhances enforcement procedures to enable more effective abatement of extended yard sales in the County.

Consistency with the Countywide General Plan

As a component of the Countywide General Plan, the proposed ordinance must be consistent with the currently adopted General Plan. To this end, the ordinance supports and implements the following goals and policies of the General Plan and 2014 Housing Element Update:

1980 General Plan

- **General Policy 39:** Emphasize the preservation, conservation, and maintenance of stable residential areas.
- **General Policy 44:** Preserve sound residential areas and protect them from intrusion of incompatible uses.
- **Land Use Element Policy 8:** Protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation such as excessive noise, noxious fumes, glare, shadowing, and traffic.

2014 Housing Element Update

- **Goal 5:** Neighborhoods that protect health, safety, welfare of the community, and enhance public and private efforts to maintain, reinvest in, and upgrade the existing housing supply.
- **Policy 5.3:** Enforce health, safety, building and zoning laws directed at property maintenance as an ongoing function of the County government.

- **Goal 6:** An adequate supply of housing preserved and maintained in sound condition, and located within safe and decent neighborhoods.
- **Policy 6.1:** Invest public and private resources in the maintenance and rehabilitation of existing housing to prevent or reverse neighborhood deterioration.

The proposed ordinance has also been developed to be consistent with the proposed Countywide General Plan Update. The ordinance is consistent with goals and policies of the General Plan Update relating to community-based planning, encouraging compatible land uses that complement residential neighborhood character, and maintaining high quality of life for residents in Los Angeles County.

Implementation of Strategic Plan Goals

The Yard Sale Ordinance Update promotes Goal 1 of the County's Strategic Plan, Operational Effectiveness/Fiscal Sustainability, by establishing clear, comprehensive and reasonable standards for conducting yard sales from private property with existing residential uses in any zone within County unincorporated areas, while streamlining enforcement procedures to enable more effective abatement of extended yard sales. The ordinance promotes Goal 2, Community Support and Responsiveness, by effectively planning for and responding to economic, social, and environmental challenges. The ordinance strikes a balance by providing additional opportunities to conduct yard sales during increasingly uncertain economic times while strengthening enforcement tools to abate proliferation of extended yard sales that cause blight. Finally, the ordinance promotes Goal 3, Integrated Service Delivery, by enabling streamlined and enhanced yard sale enforcement, which results in improved service delivery in the County. Overall, the proposed ordinance promotes the County's vision for improving the quality of life in Los Angeles County.

FISCAL IMPACT/FINANCING

Implementation of this ordinance will not result in any loss of revenue to the County or result in significant new costs to the Department of Regional Planning or other County departments. Adoption of the ordinance will not result in the need for additional departmental staffing. Therefore, no request for financing is being made at this time.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A public hearing is required pursuant to Section 22.16.200 of the Los Angeles County Code and Section 65856 of the Government Code. Required notice must be given pursuant to the procedures and requirements set forth in Section 22.60.174 of the Los Angeles County Code. These procedures exceed the minimum standards of Sections 6061, 65090, and 65856 of the Government Code related to public hearing noticing.

On November 19, 2014, the RPC held a duly-noticed public hearing to consider the proposed ordinance. Mr. Henry Porter, President of the Southwest Community Association, testified in support of the ordinance. Additionally, the Florence-Firestone Code Enforcement Strategic Focus Area Community Group, Florence-Firestone/Walnut Park Chamber of Commerce, Southwest Community Association, and a resident of the Florence-Firestone community submitted letters supporting adoption of the ordinance. The RPC closed the public hearing and adopted a Resolution recommending that the Board adopt the proposed amendments to Title 22.

ENVIRONMENTAL DOCUMENTATION

The proposed ordinance is not a project requiring environmental review under CEQA because yard sales are minor, accessory, and temporary land uses having no significant effects on the environment. Therefore, this ordinance amendment is categorically exempt from CEQA review under the Class 4 categorical exemption pursuant to Section 15304(e) of the CEQA Guidelines, exempting a “minor temporary use of land having negligible or no permanent effects on the environment.”


IMPACT ON CURRENT SERVICES OR PROJECTS

Approval of the proposed ordinance will not significantly impact County services or projects.

The Honorable Board of Supervisors
April 28, 2015
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Should you have any questions, please contact Mr. Jonathan P. Bell at (213) 974-6425
or by e-mail at jpbell@planning.lacounty.gov.

Respectfully submitted,



Richard J. Bruckner
Director

RJB:MC:CS:JPB:jpb:ems

Attachments:

1. Board Motion
2. RPC Project Summary
3. Summary of RPC Proceedings
4. RPC Hearing Packages
5. RPC Resolution
6. Recommended Ordinance for Board Adoption
7. Board Notice of Public Hearing
8. Public Comments received after RPC Hearing

c: Executive Office, Board of Supervisors
County Counsel
Assessor
Chief Executive Office
Public Works

S_AP_042815_BL_YARD_SALE_ORD

Abating Illegal Vending and Extended Yard Sales

Illegal vending and extended yard sales are long-standing problems that negatively impact local businesses and drive down taxable revenues. Community complaints about illegal vending and extended yard sales throughout Los Angeles County (County) have been on the rise and the County's ability to completely abate this nuisance under its current ordinances has proven difficult. Illegal vending activity is a problem both in the public right-of-way, as well as on private property. In some communities, yard sales are often an everyday occurrence and have been described as outdoor flea markets. Both activities are a blight on communities.

The County should do more to determine what changes, if any, can be made to strengthen County ordinances to effectively combat these activities and to mitigate the problems they create. As such, the Departments of Sheriff, Regional Planning, Treasurer and Tax Collector and Public Health, and the Offices of the District Attorney and County Counsel, should meet to review existing County ordinances and any other

- MORE -

MOTION

MOLINA _____

YAROSLAVSKY _____

KNABE _____

ANTONOVICH _____

RIDLEY-THOMAS _____

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS
APRIL 9, 2013
PAGE 2

applicable statutory law, as well as current enforcement practices and procedures, and if possible, to propose changes to the County Code in order to better enable enforcement to abate these problem activities.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

- 1) Direct the Departments of Sheriff, Regional Planning, Treasurer and Tax Collector and Public Health, and the Offices of the District Attorney and County Counsel to meet and review existing Los Angeles County ordinances and any other applicable statutory law, as well as current enforcement practices and procedures;
- 2) Direct County Counsel to draft ordinances, or amend existing ordinances, to allow for effective enforcement against illegal vending and extended yard sales;
- 3) Direct the Regional Planning Commission to conduct a public hearing and forward its recommendation on any proposed ordinance revisions to the Board of Supervisors for its consideration; and
- 4) Direct County Counsel to place the draft ordinance on the Board of Supervisors' agenda for consideration as soon as possible, taking into consideration all hearing posting requirements, or otherwise report back as to why this may not be possible or practical.

###

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
Project Summary

PROJECT DESCRIPTION Yard Sale Ordinance Update

REQUEST Approval of the proposed amendments to Title 22.

LOCATIONS Unincorporated areas of all five Supervisorial Districts

STAFF CONTACT Jonathan P. Bell
Planner
(213) 974-6425, jpbell@planning.lacounty.gov
<http://planning.lacounty.gov/yard>

RPC HEARING DATE November 19, 2014

RPC RECOMMENDATION Board of Supervisors public hearing to consider adoption of the ordinance amendment.

MEMBERS VOTING AYE Commissioners Shell, Louie, Pedersen

MEMBERS VOTING NAY None

MEMBERS ABSENT Commissioners Valadez, Modugno

MEMBERS ABSTAINING None

KEY ISSUES Existing zoning regulations relating to yard sales are ineffective and do not enable adequate abatement of extended yard sales that cause blight.

Proposed ordinance establishes comprehensive and reasonable standards for conducting yard sales in unincorporated communities within the County; authorizes yard sales as an accessory and temporary use on any private property with one or more dwelling units, in any zone; establishes a calendar year system to monitor yard sales, with one designated weekend per month to conduct a yard sale at a property, and up to two additional non-designated weekends during the calendar year to conduct a yard sale with prior registration from Department of Regional Planning; and enhances enforcement procedures that enable effective abatement of extended yard sales.

RPC asked if current zoning enforcement noncompliance fee is significant enough to deter yard sale violations. Current zoning enforcement noncompliance fee is \$712. Imposition of this fee will deter operators from conducting extended yard sales.

MAJOR POINTS IN SUPPORT Ordinance establishes clear, comprehensive and reasonable standards for conducting yard sales from private properties with residential uses, in any zone, Countywide.

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
Project Summary

Ordinance's enhanced enforcement procedures enable more efficient and effective abatement of extended yard sales that cause blight.

Ordinance is fair and balanced by allowing more opportunities for community members to conduct yard sales in the calendar year while strengthening enforcement tools to prevent proliferation of extended yard sales.

MAJOR POINT AGAINST Ordinance restricts residents' flexibility to hold yard sales by limiting yard sales to weekends only.

REGIONAL PLANNING COMMISSION
Summary of Public Hearing Proceedings

Yard Sale Ordinance Update
Project No. R2014-01331-(1-5)
Advance Planning No. 201400005

The Regional Planning Commission (Commission) conducted a public hearing on November 19, 2014, at 9:00 a.m. to consider the proposed Yard Sale Ordinance Update, an amendment to Title 22 (Planning and Zoning) of the Los Angeles County Code, which establishes comprehensive and reasonable standards addressing the sale of personal property at a yard sale occurring on private property with one or more residential uses, in any zone, in the unincorporated areas.

Staff explained the problem of extended yard sales in the County and the difficulties of conducting yard sale enforcement under the existing County Code. Staff presented the proposed ordinance to the Commission and summarized the service improvements it affords. The ordinance establishes clear, comprehensive and reasonable standards for conducting yard sales from private properties in unincorporated communities. Under the ordinance, a yard sale is permitted as an accessory and temporary use on any private property with one or more dwelling units, in any zone. A calendar year system is established to monitor yard sales, with one designated weekend per month to conduct a yard sale at a property. Two additional yard sales can be conducted on non-designated weekends during the calendar year provided they are registered with the Department of Regional Planning prior to the event. Registration is required only for non-designated weekends. If a yard sale is conducted without prior registration on a non-designated weekend, retroactive registration shall only be permitted for one of these yard sales. The ordinance enhances enforcement procedures that enable more effective abatement of extended yard sales.

After the presentation, discussion followed between the Commission and staff. Commissioner Pedersen asked if citations are significant enough to deter yard sale violations and not simply be considered "the cost of doing business." Staff responded that the current \$712 noncompliance fee will deter non-compliant yard sales. Commissioner Shell asked if zoning enforcement officers conduct weekend inspections when extended yard sales are most problematic. Staff confirmed that zoning enforcement officers will continue the current practice of conducting weekend yard sale enforcement on approved overtime and will carry out sweeps in identified problem areas. Commissioner Louie asked if Sheriff's deputies can issue citations for yard sale violations. In response, staff explained that deputies can issue citations but typically leave yard sale enforcement to zoning enforcement officers who are experienced with County zoning regulations. Ms. Sari J. Steel of the Office of County Counsel provided additional input on the Sheriff's support of the Yard Sale Ordinance Update and participation in enforcing the updated regulations, if adopted.

Mr. Henry Porter presented testimony in support of the ordinance. There were no speakers in opposition to the ordinance.

There being no further testimony, the Commission closed the public hearing and recommended that the Board of Supervisors approve the ordinance and adopt the proposed amendment to Title 22.

REGIONAL PLANNING COMMISSION
Summary of Public Hearing Proceedings

VOTE:

Concurring: Commissioners Shell, Louie, Pedersen

Dissenting: None

Abstaining: None

Absent: Commissioners Valadez, Modugno

Action Date: November 19, 2014

Regional Planning Commission Transmittal Checklist

Hearing Date
11/19/14
Agenda Item No.
13

Project Number: R2014-01331-(1-5)

Case(s): Advance Planning Case No. 201400005

Project Name: Yard Sale Ordinance Update

Staff Name: Jonathan P. Bell

- ☒ RPC Cover Memo
- ☒ Staff Report with Attachments
- ☒ Draft Resolution
- ☒ Draft Ordinance
- ☒ Notice of Public Hearing
- ☒ Public Comments

Reviewed By:





Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

November 6, 2014

TO: Esther L. Valadez, Chair
Laura Shell, Vice Chair
David W. Louie
Curt Pedersen
Pat Modugno

FROM: Carmen Sainz, Supervising Regional Planner
Community Studies East Section

SUBJECT: PUBLIC HEARING MATERIALS
YARD SALE ORDINANCE UPDATE
PROJECT NO. R2014-01331-(1-5)
ADVANCE PLANNING NO. 201400005
HEARING DATE: November 19, 2014
ITEM 13

Please find attached the following documents for the above referenced project:

Staff Report and attachments
Resolution
Draft Ordinance
Public Comments

If you have any questions regarding this project, please contact Jonathan P. Bell at (213) 974-6425 or via email at jpbell@planning.lacounty.gov, Monday through Thursday from 7:30 AM to 5:30 PM. Our offices are closed on Fridays.

CS:JPB

Attachments

STAFF REPORT
PROJECT NO. R2014-01331-(1-5)
ADVANCE PLANNING NO. 201400005
YARD SALE ORDINANCE UPDATE

PROPOSAL

Project Description

The proposed ordinance amendment repeals existing regulations currently in Sections 22.20.065 of Residential Zones (R-zone) and 22.24.065 of Agriculture Zones (A-zone) in Title 22 (Planning and Zoning) of the Los Angeles County Code and adds a new Part 30 to General Regulations Chapter 22.52 addressing the sale of personal property at a yard sale, garage sale, moving sale or similar event occurring from a dwelling unit. For the purposes of this ordinance, the sale of personal property shall be known inclusively as a “yard sale.”

The proposed ordinance amendment establishes comprehensive and reasonable standards for conducting yard sales in unincorporated areas (UIA) within Los Angeles County (County). Under this ordinance, a yard sale is authorized as an accessory and temporary use on any private property with one or more dwelling units, in any zone, subject to the standards contained in the ordinance. A calendar year system is established to monitor yard sales, with one designated weekend per month to conduct a yard sale at a property. Two additional yard sales can be conducted on non-designated weekends during the calendar year provided they are registered with Regional Planning prior to the yard sale. Registration is required only for non-designated weekends. If a yard sale is conducted without prior registration on a non-designated weekend, retroactive registration shall only be permitted for one of these events. This ordinance amendment enhances enforcement procedures to allow for more effective abatement of unpermitted yard sales that create blight in the UIAs (**See Attachment A: Draft Ordinance, Attachment B: New Ordinance Features with Pros and Cons Matrix, and Attachment C: Draft Registration Form**).

LOCATION: Unincorporated communities of Los Angeles County.

BACKGROUND

The problem of extended yard sales affects UIAs throughout the County. Due in part to the recent economic recession, many residents in the UIAs conduct daily, weekly, and monthly yard sales from residences to make supplemental income. Some yard sale operators conduct yard sales as an addition to, or in lieu of, traditional storefront businesses.

Extended yard sales have several negative impacts on UIAs. Extended yard sales invite increased foot and vehicular traffic on residential streets, which results in the transformation of residential communities into veritable commercial areas. Yard sale merchandise is displayed on public sidewalks hindering safe access for pedestrians. Operators of yard sales post and leave signage on utility poles in the public right of way, causing visual blight. Operators also frequently sell new retail merchandise, food and beverages, and pre-packaged goods, in violation of existing County codes and without paying business and sales taxes. In doing so, yard sale operators unfairly compete with storefront businesses in the UIAs. Extended yard sales disrupt community harmony and diminish quality of life. Existing Title 22 codes pertaining to yard sales do not adequately address the problem today (**See Attachment D: Inspection Photographs**).

On April 9, 2013, on a motion by Supervisor Ridley-Thomas, the Board of Supervisors (Board) directed Sheriff, Regional Planning, Treasurer and Tax Collector, and Public Health departments, as well as the Offices of the District Attorney and County Counsel, to review existing County ordinances related to yard sales and unpermitted vending on public and private property, and to draft ordinances, or amend existing ordinances, to allow for more effective enforcement of these problems **(See Attachment E: Board Motion)**. On January 23, 2014, the County agencies submitted a follow-up report to the Board (Board Report). Among the recommendations, the agencies recommended updating Title 22 to enable more effective and efficient yard sale enforcement **(See Attachment F: Board Report)**.

ISSUES

Current County Codes for Yard Sales

Currently, the Zoning Ordinance only regulates yard sales in areas zoned residential and agricultural. In 1994, the County adopted an ordinance regulating the sale of personal property, otherwise known as “yard sales,” in all of the R-zones. The County adopted an ordinance regulating yard sales in the A-zones in 1996. Both ordinances were developed in response to community complaints about excessive yard sales conducted from homes in the UIAs.

The current ordinance regulating yard sales in R-zones reads:

22.20.065 Sale of personal property.

The following supplementary standards shall apply to any person selling personal property at a yard sale, garage sale or similar event at a residence:

- A. Items offered for sale shall be limited to personal property not acquired for resale, and either owned by the resident of the dwelling where the sale is to be conducted, or owned by another person participating in the sale with the resident.*
- B. One on-site advertising sign, having a maximum area of four square feet, may be placed facing each street abutting the residence.*
- C. A maximum of two personal property sales, each not exceeding three consecutive days, may be conducted at any site in any 12-month period.*
- D. Personal property sales shall not be conducted between the hours of 6:00 p.m. of one day and 7:00 a.m. of the following day.*

For agriculturally zoned parcels, the current ordinance regulating yard sales reads:

22.20.065 Sale of personal property.

The following supplementary standards shall apply to any person selling personal property at a yard sale, garage sale or similar event at a residence.

- A. *Items offered for sale shall be limited to personal property not acquired for resale, and either owned by the resident of the dwelling where the sale is to be conducted, or owned by another person participating in the sale with the resident.*
- B. *One on-site advertising sign, having a maximum area of four square feet, may be placed facing each street abutting the residence.*
- C. *A maximum of two personal property sales, each not exceeding three consecutive days, may be conducted at any site in any 12-month period.*
- D. *Personal property sales shall not be conducted between the hours of 6:00 p.m. of one day and 7:00 a.m. of the following day.*
- E. *This section shall not modify the provisions for accessory uses in Section 22.24.080, regarding on-site display, advertising and sale of any products lawfully produced on the same lot or parcel of land.*

Enforcement challenges

Current County codes relating to yard sales are difficult to enforce and do not adequately address the problem of extended yard sales. The existing zoning codes allow up to two (2) yard sales conducted at a site during “any 12-month period”, on any day, and lasting up to three days for each sale. No permit or registration is required. The lack of a calendar year system and designated days for yard sales makes it difficult for Zoning Enforcement staff to monitor the occurrence of yard sales throughout a 12-month period. Although yard sales traditionally have been conducted as weekend events, existing County codes allow yard sales to be held any day of the week. The current definition of sellable items is limited in scope and allows persons other than the resident to join the event. The standards are silent on where merchandise can be displayed. The provision for yard sale signage does not indicate when signs shall be posted and removed. In the UIAs, there are many legal nonconforming residences located outside of R-zones or A-zones. Because current yard sale codes apply only to R-zones and A-zones, legal nonconforming residences cannot legally conduct yard sales on-site. The non-applicability of the current yard sale codes also makes it difficult for Zoning Enforcement staff to regulate extended yard sales at legal nonconforming residences. All of the conditions outlined above create difficulties for Zoning Enforcement staff to investigate and abate unpermitted yard sales in the UIAs.

Yard sale enforcement case data, 2008-October 2014

Staff analyzed data on all yard sale enforcement cases opened between 2008 and October 2014 in the UIAs. A total of 407 cases were opened during this six-year span in four of the five supervisorial districts in the County (there were no cases in the Third Supervisorial District). The Second Supervisorial District had the highest enforcement activity with 218 yard sale enforcement cases (**See Attachment G: Lennox Yard Sale Study**). The First Supervisorial District also had high activity with 159 cases. The Fifth Supervisorial District had 24 cases. Lastly, there were 6 yard sale enforcement cases in the Fourth District during this time period.

Staff’s review of the complaint logs also disclosed other zoning code violations at the subject properties, such as maintaining junk and salvage materials, trash and debris, inoperable vehicles, garage conversions and unpermitted structures. The data indicated that properties

conducting unpermitted yard sales had a high probability of maintaining other violations that cause blighted conditions.

Staff noted that the enforcement data correlated to cases that were opened in response to public complaints, referrals from other agencies, or proactive surveys conducted by Zoning Enforcement.

Survey of other cities

Staff surveyed fifteen (15) cities in the County to determine permitting requirements and standards for yard sales. Cities of varying population sizes in all five supervisorial districts were examined. The survey findings are summarized in **Attachment H**.

Illegal vending

This ordinance amendment is a separate planning effort from the concurrent effort by the Office of County Counsel to update laws regulating street vending in response to the Board Motion (**See Attachment E**). The Los Angeles County Sheriff's Department will be the enforcers for street vending when that ordinance is adopted.

ANALYSIS

General Plan

California law requires a Zoning Ordinance amendment to be consistent with the jurisdiction's General Plan. To ensure consistency with the County's General Plan, a review was performed of the existing General Plan, as amended, for relevant goals and policies. The review disclosed that this proposed ordinance amendment is complementary to and consistent with the County's General Plan.

The proposed ordinance amendment supports the following goals and policies of the 1980 General Plan and 2014 Housing Element Update:

1980 General Plan

General Policies

Policy 39: Emphasize the preservation, conservation, and maintenance of stable residential areas.

Policy 44: Preserve sound residential areas and protect them from intrusion of incompatible uses.

Land Use Element

Policy 8: Protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation such as excessive noise, noxious fumes, glare, shadowing, and traffic.

2014 Housing Element Update

Goal 5: Neighborhoods that protect Health, Safety, Welfare of the community, and enhance public and private efforts to maintain, reinvest in, and upgrade the existing housing supply.

Policy 5.3: Enforce health, safety, building and zoning laws directed at property maintenance as an ongoing function of the County government.

Goal 6: An adequate supply of housing preserved and maintained in sound condition, and located within safe and decent neighborhoods.

Policy 6.1: Invest public and private resources in the maintenance and rehabilitation of existing housing to prevent or reverse neighborhood deterioration.

Staff has determined that the proposed ordinance amendment is consistent with the goals and policies of the adopted 1980 General Plan and 2014 Housing Element Update. The ordinance modernizes and strengthens the County's yard sale regulations. The ordinance provides staff with stronger enforcement tools to abate extended yard sales that disrupt community harmony and cause blight.

Environmental

The project qualifies for a Class 4, Minor Alterations to Land, Categorical Exemption from the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the County environmental guidelines. Yard sales are a minor, accessory, and temporary use having no effects on the environment.

PUBLIC NOTIFICATION

A copy of the public hearing notice was transmitted to six County public libraries for public review and mailed to interested stakeholders in Los Angeles County. A legal advertisement was published in two newspapers of general circulation (*La Opinion* and *Los Angeles Daily News*) on October 20, 2014, pursuant to Public Resources Code Section 21092 (**See Attachment I: Hearing Notice**). Case information was also posted to the Department of Regional Planning's project website located at <http://planning.lacounty.gov/yard> and the project's case downloads website at <http://planning.lacounty.gov/case/view/r2014-01331/>.

COMMENTS

Agency Comments

The following County departments were consulted on this project: County Counsel, Public Works, Fire, Public Health, Sheriff, and Parks and Recreation. The proposed ordinance amendment reflects their comments.

Public Comments

To date, staff received three (3) public comments supporting adoption of this amendment from the Florence-Firestone Code Enforcement Strategic Focus Area group, the Southwest Community Association, and a resident of the Florence-Firestone community (**See Attachment J: Public Comments**).

STAFF RECOMMENDATION

Staff recommends that the Regional Planning Commission close the public hearing, adopt the draft Ordinance, and forward Project No. R2014-01331-(1-5) to the Board of Supervisors for consideration in a public hearing.

SUGGESTED MOTION

"I move that the Regional Planning Commission close the public hearing, adopt the proposed amendments to Title 22, and forward Project No. R2014-01331 to the Board of Supervisors for consideration in a public hearing."

Prepared by: Jonathan Pacheco Bell, Regional Planning Assistant II
Reviewed by: Carmen Sainz, Supervising Regional Planner

11/06/14

Attachments:

- A. Draft Ordinance (October 2014)
- B. New Ordinance Features with Pros and Cons Matrix
- C. Draft Registration Form
- D. Inspection Photographs
- E. Board Motion
- F. Board Report
- G. Lennox Yard Sale Study
- H. Other Jurisdictions Survey Findings
- I. Hearing Notice
- J. Public Comments

**RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES, CALIFORNIA
PROJECT NO. R2014-01331-(1-5)
ADVANCE PLANNING NO. 201400005
(Yard Sale Ordinance Update)**

WHEREAS, the Regional Planning Commission of the County of Los Angeles has reviewed the matter of amendments to Title 22 (Planning and Zoning) of the Los Angeles County Code to repeal existing regulations in Sections 22.20.065 of Residential Zones (R-zone) and 22.24.065 of Agriculture Zones (A-zone) of the County Code and add a new Part 30 to General Regulations Chapter 22.52 addressing the sale of personal property at a yard sale, garage sale, moving sale or similar event occurring from a dwelling unit; and

WHEREAS, the Commission finds as follows:

1. On April 9, 2013, on a motion by Supervisor Ridley-Thomas, the Board of Supervisors (Board) directed the Departments of Sheriff, Regional Planning, Treasurer and Tax Collector, and Public Health, as well as the Offices of the District Attorney and County Counsel, to review existing County ordinances related to yard sales and unpermitted vending on public and private property, and to draft ordinances, or amend existing ordinances, to allow for more effective enforcement of these problems.
2. On January 23, 2014, the County departments submitted a Board Report which included recommendations. Among the recommendations, the departments recommended updating Title 22 to enable more effective and efficient enforcement of yard sale activity.
3. Title 22 only regulates yard sale activity in residential and agricultural zones. In 1994, the County adopted an ordinance regulating the sale of personal property, otherwise known as "yard sales," in the residential zones. The County adopted an ordinance regulating yard sales in the agricultural zones in 1996.
4. Existing Title 22 codes pertaining to yard sales do not adequately address the problem of extended yard sales today.
5. Extended yard sales invite increased foot and vehicular traffic on residential streets, which results in the transformation of residential communities into veritable commercial areas. Yard sale merchandise is displayed on public sidewalks hindering safe access for pedestrians. Operators of yard sales post and leave signage on utility poles in the public right of way, causing visual blight. Operators also frequently sell new retail merchandise, food and beverages, and pre-packaged goods, in violation of existing County codes and without paying business and sales taxes. In doing so, yard sale operators unfairly compete with storefront businesses in the County. Extended yard sales disrupt community harmony and diminish quality of life.

6. The resulting Yard Sale Ordinance Update, presented as Project No. R2014-01331-(1-5), establishes comprehensive and reasonable standards for conducting yard sales in unincorporated areas within the County, on privately owned property.
7. The Yard Sale Ordinance Update authorizes a yard sale as an accessory and temporary use on any private property with one or more dwelling units, in any zone, subject to the standards contained in the ordinance.
8. The Yard Sale Ordinance Update establishes a calendar year system to monitor yard sales, with one designated weekend per month to conduct a yard sale at a property. Two additional yard sales can be conducted on non-designated weekends during the calendar year provided they are registered with the Department of Regional Planning prior to the yard sale. Registration is required only for non-designated weekends. If a yard sale is conducted without prior registration on a non-designated weekend, retroactive registration shall only be permitted for one of these events. The ordinance amendment enhances enforcement procedures to allow for more effective abatement of unpermitted yard sales that create blight in the County.
9. The Yard Sale Ordinance Update was developed with input from allied County departments, including County Counsel, Public Works, Fire, Public Health, Sheriff, and Parks and Recreation.
10. The Yard Sale Ordinance Update is a separate planning effort from the concurrent effort by the Office of County Counsel to update laws regulating street vending in response to the Board Motion. The Los Angeles County Sheriff's Department will be the enforcers for street vending when that ordinance is adopted.
11. The Yard Sale Ordinance Update is consistent with the goals and policies of the adopted 1980 General Plan and 2014 Housing Element Update.
12. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, and Section 21092 of the Public Resources Code, the public was appropriately notified of the public hearing. A copy of the public hearing notice was transmitted to six County public libraries for public review and mailed to interested stakeholders. A legal advertisement was published in two newspapers of general circulation (*La Opinion* and *Los Angeles Daily News*). Case information was also posted to the Department of Regional Planning's project website located at <http://planning.lacounty.gov/yard> and the project's case downloads website at <http://planning.lacounty.gov/case/view/r2014-01331/>.

13. The adoption of the Yard Sale Ordinance Update is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304(e) of Title 14 of the California Code of Regulations.

NOW, THEREFORE, BE IT RESOLVED THAT, the Regional Planning Commission recommends that the Los Angeles County Board of Supervisors:

1. Conduct a public hearing to consider the proposed amendments to Title 22 (Planning and Zoning) of the Los Angeles County Code to repeal existing regulations in Sections 22.20.065 of Residential Zones (R-zone) and 22.24.065 of Agriculture Zones (A-zone) of the County Code and add a new Part 30 to General Regulations Chapter 22.52 addressing the sale of personal property at a yard sale, garage sale, moving sale or similar event occurring from a dwelling unit;
2. Certify that the adoption of the Yard Sale Ordinance Update is exempt from CEQA environmental review pursuant to Section 15304(e) of Title 14 of the California Code of Regulations; and
3. Adopt the attached ordinance amending Title 22 (Planning and Zoning) of the Los Angeles County Code and determine that it is compatible with and supportive of the goals and policies of the Los Angeles County General Plan.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on November 19, 2014.

PROJECT NO. R2014-01331-(1-5)
ADVANCE PLANNING NO. 201400005

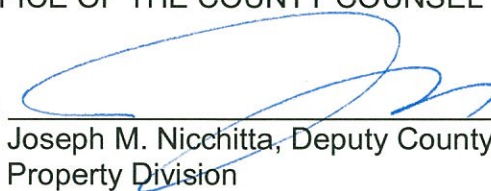
RESOLUTION

By:


Rosie O. Ruiz, Commission Secretary
Regional Planning Commission
County of Los Angeles

APPROVED AS TO FORM:
OFFICE OF THE COUNTY COUNSEL

By:


Joseph M. Nicchitta, Deputy County Counsel
Property Division

VOTE

Concurring: Commissioners Shell, Louie, Pedersen

Dissenting: None

Abstaining: None

Absent: Commissioners Valadez, Modugno

Action Date: November 19, 2014

Attachment A: Draft Ordinance

ORDINANCE NO. ____ (DRAFT) ____

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code relating to the sale of personal property at a yard sale, garage sale, moving sale or similar event at a residence.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.20.065 and 22.24.065 of Title 22 are hereby repealed in their entirety.

SECTION 2. Part 30 of Chapter 22.52 is hereby added to read as follows:

Part 30

YARD SALES

22.52.3100. Purpose. The purpose of this Part 30 is to establish comprehensive and reasonable standards for the sale of personal property at a yard sale, garage sale, moving sale or similar event at a residence. The sale of personal property shall be known as a “yard sale” for the purposes of this Part 30. A yard sale is authorized as an accessory and temporary use on any property with one or more dwelling units, subject to the standards contained herein. A calendar year system is established to track yard sales, with one designated weekend per month to conduct a yard sale. Operators of a yard sale are permitted up to two non-designated weekends during the calendar year to conduct additional yard sales with prior registration. This Part 30 enhances enforcement procedures to abate unpermitted or extended yard sales that create blight in communities.

22.52.3110. Applicability. The standards in this Part 30 shall apply to any property with one or more dwelling units, in any zone.

22.52.3120. Properties Permitted to Conduct Yard Sales. A yard sale is permitted as an accessory and temporary use on any property with one or more dwelling units, in any zone. For the purposes of this Part 30, a yard sale shall be associated with a currently occupied dwelling unit.

22.52.3130. Designated Weekends.

A. Yard sales are permitted to be held for a maximum of two consecutive days during the last combined Saturday and Sunday occurring within the same month, in each month of the calendar year. For the purposes of this Part 30, these days shall be known as “designated weekends.”

B. Yard sales shall not be held Monday through Friday.

22.52.3140. Registration Required for Additional Yard Sales.

A. Up to two additional yard sales may be permitted on a property during a calendar year, with each yard sale held for a maximum of two consecutive days on any combined Saturday and Sunday occurring within the same month outside of the monthly designated weekends. For the purposes of this Part 30, these additional days shall be known as “non-designated weekends.”

B. Prior to conducting any additional yard sales on a non-designated weekend, the operator shall first register the additional yard sale with the Department. Proof of registration shall be made available for inspection during the yard sale.

22.52.3150. Yard Sales Per Dwelling Unit. Each dwelling unit on a property is permitted to conduct yard sales during a designated weekend and/or with registration on a non-designated weekend.

22.52.3160. Operational Standards.

A. Hours of Operation. A yard sale shall be held only between the hours of 7:00 a.m. and 6:00 p.m.

B. Authorized Operators. Only the property owner or tenant of the dwelling unit is permitted to conduct the yard sale.

C. Restrictions on Saleable Items.

1. Yard sale items offered for sale shall be limited to secondhand, household, or incidental personal items owned by the property owner or tenant of the dwelling unit where the yard sale is conducted.

2. Yard sale items offered for sale shall not include retail merchandise, new, unused or pre-packaged items, distributor packaged items intended for retail sales, or any food and beverages.

D. Location of Saleable Items.

1. Yard sale items shall only be displayed in front and side yards.

2. Yard sale items shall not be placed in the public right of way.

E. Signage.

1. A maximum of two temporary advertising signs may be placed on the property conducting a yard sale.

2. Each temporary advertising sign is permitted a maximum area of four square feet. The sign may be displayed one day prior to and during the yard sale and shall be removed immediately at the end of the yard sale.

3. Yard sale signs shall not be placed in the public right of way.

22.52.3170. Enforcement Procedures.

A. Pursuant to Section 22.60.390.A, the Director or designee is authorized to issue a Final Zoning Enforcement Order, without prior issuance of a Notice of Violation, to any person conducting a yard sale not in compliance with the provisions of this Part 30. The Final Zoning Enforcement Order shall subject the non-compliant operator to enforcement actions pursuant to Section 22.60.390, and to any civil and criminal remedies.

B. If a yard sale is conducted on a non-designated weekend without registration, the operator shall retroactively register the yard sale with the Department within fifteen calendar days of the event. Retroactive registration shall also be obtained within fifteen calendar days immediately following the compliance date specified in a Final Zoning Enforcement Order, Notice of Violation, or field notice of violation.

C. Notwithstanding the provisions of Sections 22.52.3140.B and 22.52.3170.B, retroactive registration will not be permitted for a second violation of Sections 22.52.3140.B or 22.52.3170.B that occurred within the same calendar year.

D. If retroactive registration is not obtained within the fifteen-day period specified in Section 22.52.3170.B, the Director or designee shall have the authority to assess the noncompliance fee in accordance with Section 22.60.390.C, and may seek civil and criminal remedies.

E. Nothing in this Section shall preclude the Director or designee from issuing a warning, field notice of violation, Notice of Violation, or citation prior to issuing a Final Zoning Enforcement Order for a non-compliant yard sale.

Attachment B: New Ordinance Features with Pros and Cons Matrix

Countywide Yard Sale Ordinance Update, R2014-01331 / RADV201400005 – New features highlights

New feature of Yard Sale Ordinance	Pros	Cons
Yard sales allowed on any property with one or more legal dwelling units, in any zone	<ul style="list-style-type: none"> • Legal nonconforming dwellings in non-residential zones eligible for yard sales • Demonstrates fairness, equity 	<ul style="list-style-type: none"> • Appears inconsistent with other zoning codes (e.g. allows outdoor display-type use if there's commercial use on-site)
Each dwelling unit on the property is allowed to conduct a yard sale in compliance with the provisions of the ordinance	<ul style="list-style-type: none"> • Demonstrates fairness, equity for all residents and units on-site 	<ul style="list-style-type: none"> • Can lead to appearance of excessive yard sales on the property, the "swap meet effect" • Makes it more challenging to enforce
Calendar year system established	<ul style="list-style-type: none"> • More efficient yard sale monitoring and enforcement 	<ul style="list-style-type: none"> • Limits sellers' flexibility, compared to the current "any 12-month period" allowance
Increases yard sales from 2 to 12 by-right in one calendar year	<ul style="list-style-type: none"> • More flexibility for sellers • Demonstrates balance and equity 	<ul style="list-style-type: none"> • Complainants will oppose increase
Prohibits Monday–Friday yard sales	<ul style="list-style-type: none"> • More efficient enforcement • Solidifies for sellers and staff that Saturday and Sunday are the only yard sale days • Reasonable and consistent with other jurisdictions 	<ul style="list-style-type: none"> • Limits flexibility for sellers/buyers
Prescribes last weekend of the month (Saturday and Sunday) as the Designated Weekend when yard sales can be conducted	<ul style="list-style-type: none"> • More efficient enforcement • Pre-established calendar allows sellers to plan ahead 	<ul style="list-style-type: none"> • Limits flexibility for sellers/buyers • Limits yard sales on other weekends, except with prior DRP registration
Allows up to 2 Non-designated Weekends during calendar year to conduct additional yard sales, only with prior DRP registration	<ul style="list-style-type: none"> • Affords flexibility for those who cannot take advantage of last weekend of the month 	<ul style="list-style-type: none"> • May cause confusion (e.g. How many extra yard sales and when?) • Concerns about staff time/resources to register additional yard sales
No-cost registration system allowing up to 2 additional yard sales on Non-designated Weekends	<ul style="list-style-type: none"> • Free registration is attractive to sellers • Registration shows empathy, flexibility • DRP's upcoming EPIC-LA database is capable of registration feature 	<ul style="list-style-type: none"> • Weekend inspections will be on overtime; with free registration, there's no cost-recovery for department • May cause confusion (e.g. Is registration always required?)

New feature of Yard Sale Ordinance	Pros	Cons
Retroactive registration allowed for 1 yard sale conducted on a Non-designated Weekend	<ul style="list-style-type: none"> Allows one-time grace period for sellers Demonstrates reasonableness, fairness 	<ul style="list-style-type: none"> May be exploited by some sellers Some sellers will think retroactive registration is always available
<u>Revised Operational Standards:</u> Expanded definition for restricted saleable items	<ul style="list-style-type: none"> Precise, clear, inclusive definition prohibiting new, retail, pre-packaged items Clearly defines yard sale items as non-retail, personal property only Food and drinks prohibited 	<ul style="list-style-type: none"> Some sellers may object to expanded list
<u>Revised Operational Standards:</u> Location of saleable items defined – only front and side yards	<ul style="list-style-type: none"> Specifies yard areas allowable for sales Expressly prohibits merchandise on public right-of-way 	<ul style="list-style-type: none"> Verify Zoning Code applicability to public right-of-way
<u>Revised Operational Standards:</u> Revised signage standards	<ul style="list-style-type: none"> Stipulates when/where yard sale signs can be placed on property Expressly prohibits signs on public right-of-way 	<ul style="list-style-type: none"> Verify Zoning Code applicability to public right-of-way
<u>Enhanced Enforcement Procedures:</u> ZE authorized to issue immediate Final Zoning Enforcement Order (FZEO)	<ul style="list-style-type: none"> Expedites enforcement More tools to gain compliance Deterrence effect 	<ul style="list-style-type: none"> Sellers may complain about “harshness” Could generate more appeal hearings, which are resource-intensive
<u>Enhanced Enforcement Procedures:</u> ZE has discretion with compliance date	<ul style="list-style-type: none"> Expedites enforcement More tools to gain compliance Deterrence effect 	<ul style="list-style-type: none"> Potential overuse of “bargaining” with code violators

New feature of Yard Sale Ordinance	Pros	Cons
<u>Enhanced Enforcement Procedures:</u> Noncompliance fee (\$704) can be assessed within 15 days	<ul style="list-style-type: none"> • Expedites enforcement • Deterrence effect • More tools to gain compliance • Encourages retroactive registration 	<ul style="list-style-type: none"> • Sellers may complain about “harshness”
<u>Enhanced Enforcement Procedures:</u> Faster referrals to District Attorney or County Counsel	<ul style="list-style-type: none"> • Severe penalty option for egregious violators • Expedites enforcement • More tools to gain compliance • Deterrence effect 	<ul style="list-style-type: none"> • Takes more staff time/resources to file cases • Depends on District Attorney/County Counsel accepting the case
<u>Enhanced Enforcement Procedures:</u> Enforcement procedures in Yard Sales Ordinance Update are consistent with existing enforcement procedures. Current enforcement procedures (LACC 22.60) allow immediate issuance of a Final Zoning Enforcement Order; our practice is to issue Notice of Violation first	<ul style="list-style-type: none"> • Expressly codify in new ordinance to be clear for violators and staff 	<ul style="list-style-type: none"> • Redundancy • Potential confusion
<u>Enhanced Enforcement Procedures:</u> ZE has discretion to issue warning, citation, Notice of Violation, or Final Zoning Enforcement Order	<ul style="list-style-type: none"> • More tools to gain compliance • Deterrence effect • Demonstrates reasonableness 	<ul style="list-style-type: none"> • Potential non-use of expedited enforcement options

Last updated November 6, 2014

Attachment C: Draft Registration Form



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



YARD SALE REGISTRATION

Yard sale applications may be submitted in person at the Land Development Coordinating Center or Field Office, or via email at: yardsale@planning.lacounty.gov.

Incomplete applications will not be accepted.

For information, please call 213-974-6411.

FOR STAFF USE ONLY

Permit No.: _____

Sup. Dist.: _____

RFS: _____ CHW: Y / N

Previous/Pending cases: _____

Property Where Yard Sale Will Be Conducted (*Sujeto Propiedad*)

Address (Include Unit Number): _____

Nearest Cross Streets: _____

Assessor's Parcel Number: _____

Is there one or more dwelling units at this property? (*Hay una or mas casas en este propiedad?*)

NOTICE: REGISTRATION IS INVALID IF THERE IS NO DWELLING UNIT

Yes: Please sign here to affirm: _____

No: Yard sales are not allowed at this property. _____

Record Owner (*Dueño/a Registrado*)

Tenant (*Inquilino*)

Name (print): _____

Name (print): _____

Address: _____

Address: _____

City/State: _____

City/State: _____

Zip: _____

Tel/Fax: _____

Zip: _____

Tel/Fax: _____

E-mail: _____

E-mail: _____

Name (additional owner): _____

Address: _____

Non-Designated Weekend(s) Requested

Weekend 1

Weekend 2

Saturday

Saturday

_____ Date (*Fecha*)

_____ Date (*Fecha*)

Sunday

Sunday

_____ Date (*Fecha*)

_____ Date (*Fecha*)

Approval

DRP Stamp of Approval below:

Approved by: _____

Approved on: _____

Attachment D: Inspection Photographs



Florence-Firestone



Lennox



Quartz Hill



La Puente



Hacienda Heights



East Los Angeles



Yard sale supplier in the City of Los Angeles

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS

APRIL 9, 2013

Abating Illegal Vending and Extended Yard Sales

Illegal vending and extended yard sales are long-standing problems that negatively impact local businesses and drive down taxable revenues. Community complaints about illegal vending and extended yard sales throughout Los Angeles County (County) have been on the rise and the County's ability to completely abate this nuisance under its current ordinances has proven difficult. Illegal vending activity is a problem both in the public right-of-way, as well as on private property. In some communities, yard sales are often an everyday occurrence and have been described as outdoor flea markets. Both activities are a blight on communities.

The County should do more to determine what changes, if any, can be made to strengthen County ordinances to effectively combat these activities and to mitigate the problems they create. As such, the Departments of Sheriff, Regional Planning, Treasurer and Tax Collector and Public Health, and the Offices of the District Attorney and County Counsel, should meet to review existing County ordinances and any other

- MORE -

MOTION

MOLINA _____

YAROSLAVSKY _____

KNABE _____

ANTONOVICH _____

RIDLEY-THOMAS _____

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS
APRIL 9, 2013
PAGE 2

applicable statutory law, as well as current enforcement practices and procedures, and if possible, to propose changes to the County Code in order to better enable enforcement to abate these problem activities.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

- 1) Direct the Departments of Sheriff, Regional Planning, Treasurer and Tax Collector and Public Health, and the Offices of the District Attorney and County Counsel to meet and review existing Los Angeles County ordinances and any other applicable statutory law, as well as current enforcement practices and procedures;
- 2) Direct County Counsel to draft ordinances, or amend existing ordinances, to allow for effective enforcement against illegal vending and extended yard sales;
- 3) Direct the Regional Planning Commission to conduct a public hearing and forward its recommendation on any proposed ordinance revisions to the Board of Supervisors for its consideration; and
- 4) Direct County Counsel to place the draft ordinance on the Board of Supervisors' agenda for consideration as soon as possible, taking into consideration all hearing posting requirements, or otherwise report back as to why this may not be possible or practical.

###

Attachment F: Board Report



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

January 23, 2014

TO: Supervisor Don Knabe, Chair
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

FROM: *Leroy D. Baca*
Leroy D. Baca, Sheriff

Richard J. Bruckner for EJB
Richard J. Bruckner, Director
Department of Regional Planning

Jonathan E. Fielding
Jonathan E. Fielding, M.D., M.P.H., Director and Health Officer
Department of Public Health

Mark J. Saladino
Mark J. Saladino, Treasurer and Tax Collector

RECOMMENDATION TO AMEND TITLES 7 AND 8 OF THE LOS ANGELES COUNTY CODE REGARDING VENDING ENFORCEMENT AND UPDATE ON EXTENDED YARD SALES (APRIL 9, 2013, ITEM 4)

On April 9, 2013, by motion of Supervisor Mark Ridley-Thomas, the Board adopted a motion instructing the Sheriff's Department, Department of Regional Planning (DRP), Treasurer and Tax Collector, Department of Public Health, District Attorney's Office, and the Office of the County Counsel ("Departments") to take the following actions:

1. Meet and review existing Los Angeles County ordinances and any other applicable statutory law, as well as current enforcement practices and procedures;
2. Draft or amend existing ordinances, to allow for effective enforcement against illegal vending and extended yard sales;
3. Direct the Regional Planning Commission to conduct a public hearing and forward its recommendations on any proposed ordinance revisions to the Board of Supervisors for its consideration; and
4. Place the draft ordinance on the Board of Supervisors' agenda for consideration as soon as possible, taking into consideration all hearing posting requirements, or otherwise report back as to why this may not be possible or practical.

The Departments have met, reviewed, and considered the County's ordinances, State law, and current enforcement practices and procedures relative to the County's illegal vending problem. The consensus is that more effective enforcement against illegal vending can be achieved through amendments to Title 7 – Business Licenses of the Los Angeles County Code, relating to peddlers and solicitors and Title 8 – Consumer Protection and Business Regulations of the Los Angeles County Code, relating to vending on County highways. It is believed that amendments to the penalty provisions for certain offenses which are now misdemeanors, be instead made infractions for the first violation. Second or subsequent violations will be cited or charged as an infraction or misdemeanor. These changes will help to ensure that the more serious offenders will be referred for criminal prosecution and lead to more effective enforcement.

The Departments also reviewed and considered the County's problem with extended yard sales. Based on input from the Board's Planning Deputies, DRP has concluded that enforcement would best be achieved by amending Title 22 – Agricultural and Residential Zones of the Los Angeles County Code, relating to personal property sales or "yard sales" on private property. The amendment would allow yard sales by right on certain designated weekends and up to two additional yard sales by registration with DRP at any other time during the calendar year. This change would provide the DRP with a more efficient tool for yard sale enforcement in the communities where the problem is most pervasive and have little, if any, impact on the communities that have not raised this as a concern. In addition, although this code amendment would change current requirements, overall, County residents would be allowed to have more yard sales than the current restriction of two yard sales in any 12-month period.

It is therefore recommended that County Counsel draft an ordinance to amend Titles 7 and 8 of the Los Angeles County Code consistent with these objectives and present it to the Board for your consideration. It is also recommended that DRP draft an ordinance consistent with the above mentioned objectives and conduct appropriate public outreach prior to submission of the proposal to the Regional Planning Commission for action.

We anticipate submitting the amendments to Titles 7 and 8 to your Board sometime in the near future and then submitting the amendments to Title 22 to the Regional Planning Commission in early summer 2014. Should you have any questions or concerns, please contact Deputy Kevin Unland, at (323) 890-5411, kgunland@lasd.org or Patricia Hachiya, at (213) 974-6461, phachiya@planning.lacounty.gov.

RJB:JS:PH:ra

c: Executive Office, Board of Supervisors (Hamal)
Chief Executive Office, (Fujioka)

Attachment G: Lennox Yard Sale Study

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING



YARD SALES IN LENNOX

SURVEY FINDINGS AND STAFF RECOMMENDATIONS

**Los Angeles County
Department of Regional Planning
Zoning Enforcement West**

*Published November 2013
Revised July 2014*

INTRODUCTION

Complaints have been on the rise regarding excessive yard sales and unpermitted retail businesses operating from residences in the Lennox community. At the request of the Office of Supervisor Mark Ridley-Thomas, Department of Regional Planning (DRP) zoning enforcement inspectors conducted weekend saturation surveys in Lennox from June to November 2012. This report summarizes the findings of this initiative and offers recommendations to strengthen yard sales enforcement.

EXISTING ZONING CODES

The Los Angeles County Planning and Zoning Code, Title 22, regulates the sale of personal property, AKA yard sales, in residential zones by way of the following code section:

LOS ANGELES COUNTY CODE 22.20.065

The following supplementary standards shall apply to any person selling personal property at a yard sale, garage sale or similar event at a residence:

- A. *Items offered for sale shall be limited to personal property not acquired for resale, and either owned by the resident of the dwelling where the sale is to be conducted, or owned by another person participating in the sale with the resident.*
- B. *One on-site advertising sign, having a maximum area of four square feet, may be placed facing each street abutting the residence.*
- C. *A maximum of two personal property sales, each not exceeding three consecutive days, may be conducted at any site in any 12-month period.*
- D. *Personal property sales shall not be conducted between the hours of 6:00 p.m. of one day and 7:00 a.m. of the following day.*

In addition to the above referenced code section, the Zoning Code prohibits retail businesses in residential zones by way of the home based occupation code 22.20.020 (See Appendix A).

OVERVIEW OF VIOLATIONS IN LENNOX

In Lennox, the frequency of yard sale violations varies depending on weather conditions, holidays, and local school events. Yard sales can range from zero to 20 in one day and are conducted throughout the community, from the main thoroughfares to small residential side streets. While the Zoning Code only allows for the sale of personal property, inspectors frequently find sales of newly packaged clothes, jewelry, and handbags, as well as sundry items like packs of socks, undergarments and toiletries. Conversations with sellers disclosed that many who could no longer afford to rent swap meet booths moved retail businesses to their Lennox homes. Depending on the type of merchandise and set-up found during inspections, sellers are cited using the yard sale code 22.20.065 or home-based occupation code 22.20.020.

SURVEY INITIATIVE

From June to November 2012, DRP inspectors conducted weekend yard sale surveys in Lennox. Inspectors went out two Saturdays per month on approved overtime. Inspectors notified yard sale

operators about current regulations and provided educational flyers (in English and Spanish) explaining the yard sale code (See Appendix B). A database of inspection addresses, dates, and photos collected by inspectors was developed to facilitate enhanced monitoring and enforcement.

During the 5-month survey, 81 yard sales were observed on 70 properties in Lennox. Of the 70 locations inspected, 10 properties continued to conduct yard sales after the initial inspection and warning. Staff found new retail items being sold at 8 of the 70 properties. These 8 properties received violation notices for unpermitted retail sales. No violation notices were issued for *excessive* yard sales since no properties were observed having more than 2 yard sales during the survey period.



CHALLENGES

The yard sale survey disclosed challenges for both sellers and inspectors, summarized below.

Confusion over permits

Many yard sale operators asked DRP inspectors where they can purchase permits, even though no permits are available for yard sales in the unincorporated areas. Complicating matters, some Lennox residents believe they reside in the adjacent City of Inglewood and have even obtained yard sale permits from Inglewood city hall for their properties in Lennox.

Transitory residents

While saturation enforcement helped inform residents about yard sale regulations, it was difficult to determine if sweeps discourage excessive yard sales over the long run. Demographic data indicate that transitional renter-occupied units account for about 70% of housing in Lennox. Residents do not stay long and are quickly replaced by new tenants who conceivably have no foreknowledge of the County's yard sale laws. According to the 2010 U.S. Census, about half of the Lennox population is foreign-born, and many conceivably have come from countries in which vending from one's home is a means of survival. With a median household income of \$33,995, and an estimated 32% of families living below the poverty in Lennox, recurring yard sales have become a way of life for many residents.

Implementing existing code

The current zoning enforcement process is effective for abating violations that are hard to conceal or relocate, such as garage conversions and illegal structures. But the enforcement process is cumbersome for yard sales, which are inherently temporary and potentially movable.

The existing yard sale code itself is difficult to enforce. Without a permit requirement, DRP inspectors do not know when yard sales are taking place. This makes it difficult to track the first and subsequent yard sales conducted throughout the year, which the current code indicates as “any 12-month period”, not a calendar year. Inspectors ask operators if previous yard sales have been conducted on-site and hope for honest answers. Observed and reported yard sale dates are entered into a database for tracking.

The existing code allows yard sales for each dwelling unit on the premises regardless of whether the use is a single-family residence or apartment building. Under existing provisions allowing two yard sales annually, each sale lasting 3 days, a 30-unit apartment building could conceivably hold yard sales spanning 180 days throughout the year. When inspectors contact sellers at apartment buildings, the sellers’ exact addresses cannot always be verified short of them producing current and valid ID.

Another difficulty arises from yard sales conducted by operators other than the owner or occupant of a property, in violation of the existing code. Staff has found that some Lennox residents rent out their front yards to yard sale operators from other areas.

The existing code allows 2 yard sales by-right within any 12-month period. DRP inspectors must catch and document at least 3 yard sales to issue the first Notice of Violation. A fourth documented yard sale triggers issuance of a Final Zoning Enforcement Order. Inspectors must document a fifth yard sale to assess a noncompliance fee. If violations continue, the case may be referred to District Attorney’s Office for a criminal complaint. These yard sales must occur inside a 12-month period for the enforcement process to move forward.

12-Month Period					
1 st Yard Sale	2 nd Yard Sale	3 rd Yard Sale	4 th Yard Sale	5 th Yard Sale	6 th Yard Sale
Allowed	Allowed	Notice of Violation	Final Zoning Enforcement Order	Second Notice of Non-compliance Fee	District Attorney referral



RECOMMENDATIONS

While increasing inspection staff creates a larger visual presence in Lennox, there are more efficient ways to address excessive yard sales in the community. Short-term solutions to consider are: 1) establish a swap meet for sellers, and 2) involve law enforcement in inspections to expedite enforcement. The long-term solution is to revise and strengthen the yard sale zoning code to enable more efficient enforcement.

1) ESTABLISH A SWAP MEET FOR SELLERS

A swap meet should be established and made available to Lennox residents who conduct yard sales. The swap meet offers buyers and sellers a centralized place that keeps sales local and controlled. Public outreach should be done to maximize awareness. The cost of booth space should be minimal to encourage participation. The County should consider using a local park to host the event. A swap meet for yard sale sellers will go a long way towards decreasing commercial activities at residential properties.

2) ENACT LAW ENFORCEMENT PARTNERSHIPS

DRP should partner with the Sheriff's Department on yard sales enforcement. Lennox sheriff's deputies are in the area 24/7 and already serve as eyes and ears in the field. They can enhance yard sale observations and enforcement. DRP can show deputies what to look for and how to interpret the yard sale code. DRP can provide yard sale flyers that deputies can give sellers while making contact at yard sales. If feasible, deputies can take photographs of a yard sale and the seller's ID and provide this information to DRP inspectors for follow-up. Also if feasible, deputies can write brief reports about their contacts with sellers. Yard sale reports can then be provided to DRP inspectors as evidence in enforcement cases.

Previously, Lennox deputies were effective in reducing yard sales. Law enforcement attention (i.e. threat of citations or arrest) instills more apprehension in sellers than inspections by civilian county employees. Lennox deputies see yard sale sellers on a daily basis and can put added pressure on them to comply. Law enforcement can also deal with the tertiary effects of yard sales, such as excess vehicular traffic and sale of stolen property at yard sales.

DRP and the Sheriff's Department should collaborate on yard sales monitoring and enforcement. More joint inspections and information-sharing should be done between the departments. The departments should also consider including Treasure Tax Collector's business license inspectors in this effort, as they have the authority to cite for vending, peddling, and sales on private property and the public right-of-way. A collaborative approach will make regulation more comprehensive and effective.

3) STRENGTHEN YARD SALE ZONING CODE

The most effective way to combat excessive yard sales is to update the County Code which governs yard sales in the County. Existing County yard sale laws are difficult to enforce. Many cities in L.A. county have similar yard sale regulations but also require yard sale permits. In other cities, sellers without permits or those operating on undesignated sales days can be fined immediately. The fines are less than the \$704 non-compliance fee that is imposed by DRP, but are not so small to go unnoticed. Permits can be used to track yard sales as well. Having a yard sale permit process would alleviate the additional staffing needed to inspect yard sales. Yard sale permits would create a potential revenue stream for the County. Making permits available online would be convenient for sellers and would enhance tracking by staff.

Surrounding jurisdictions have less geographic territory than the County. Within their borders, cities have more efficient ways of regulating yard sales through automated permits and processes. Some cities have seasonal yard sale days when everyone is allowed to have a yard sale, but prohibit yard sales other

days in the year. In cities that are equally or more dense than Lennox, multi-family dwellings can have up to 2 sales per building, as opposed to individual units each having yard sales.

Much can be learned from examining existing yard sale regulations in other cities. The below table outlines yard sales regulations in a sampling of cities in Los Angeles County:

	Carson	Gardena	Hawthorne	Long Beach	Pasadena	Glendale	Inglewood	Los Angeles
Permit Required?	Yes	Yes	Yes	Yes	Yes	No	Yes	No
Permit Online?	Yes	Yes	Yes	Yes	Yes	No	Yes	No
Violations finable immediately?	Yes	Yes	Yes	Yes	No	No	No	No
Multi-unit buildings allowed same number of yard sales or fewer than Single-family dwellings?	No	No	No	Yes	No	Yes	No	No
Designated Yard Sale days?	No	No	No	No	No	No	Yes	No

Source: Daily Breeze website, http://www.dailybreeze.com/ci_12556000

APPENDIX A

LOS ANGELES COUNTY CODE 22.20.020 Home-based occupations—Regulations

- A. *Home-based occupations may be established in order that a resident may carry on a business activity which is clearly incidental and subordinate to a dwelling unit in a residential zone. The establishment of a home-based occupation shall be compatible with the surrounding neighborhood and uses, and shall not adversely change the character of the dwelling unit or detract from the character of the surrounding neighborhood. Every home-based occupation shall be subject to the following standards:*
1. *The home-based occupation shall be demonstrably secondary and incidental to the primary dwelling unit and shall not change the character and appearance of the dwelling unit.*
 2. *The home-based occupation shall not be conducted in any attached or unattached structure intended for the parking of automobiles.*
 3. *The home-based occupation shall not create or cause noise, dust, vibration, odor, gas, fumes, smoke, glare, electrical interferences, hazards or nuisances. There shall be no storage or use of toxic or hazardous materials other than the types and quantities customarily found in connection with a dwelling unit, as permitted by this Title 22. No noise or sound shall be created which exceeds the levels contained in Chapter 12.08 (Noise Control) of the Los Angeles County Code.*
 4. *There shall be only one home-based occupation per dwelling unit.*
 5. *The use shall be conducted only by persons residing within the dwelling unit, except that no more than one person not residing on the premises may be employed, either for pay or as a volunteer, to work on the premises as part of the home-based occupation carried on in the dwelling unit. One on-site standard sized parking space shall be provided for such employee or volunteer in addition to other required parking set forth in this Title 22.*
 6. *Signage, in any form, that indicates, advertises, or otherwise draws attention to the home-based occupation is prohibited.*
 7. *No stock in trade, inventory or display of goods or materials shall be kept or maintained on the premises, except for incidental storage kept entirely within the dwelling unit.*
 8. *No mechanical equipment is permitted in connection with the home-based occupation, other than light business machines, such as computers, facsimile transmitting devices and copying machines.*
 9. *The home-based occupation shall not involve the use of commercial vehicles for delivery of materials and products to or from the premises in excess of that which is customary for a dwelling unit or which has a disruptive effect on the neighborhood. Such delivery services can include, but are not limited to, United States mail, express mail and messenger services. No tractor trailer or similar heavy duty delivery or pickup shall be permitted in connection with the home-based business.*
 10. *Activities conducted and equipment or material used shall not change the type of construction of the residential occupancy and shall be subject to all required permits.*
 11. *The home-based occupation shall not generate pedestrian or vehicular traffic in excess of that which is customary for a dwelling unit, or which would have a disruptive effect on the neighborhood.*

12. *No more than one client visit or one client vehicle per hour shall be permitted, and only from 8:00 a.m. to 8:00 p.m., Monday through Friday, in connection with the home-based occupation.*
13. *The home-based occupation shall cease when the use becomes detrimental to the public health, safety and welfare, or constitutes a nuisance, or when the use is in violation of any statute, ordinance, law or regulation.*
- B. *The following uses are prohibited:*
 - *Adult entertainment.*
 - *Ambulance service.*
 - *Animal training.*
 - *Automotive repair, painting, body/fender work, upholstery, detailing, washing, including motorcycles, trucks, trailers and boats.*
 - *Beautician or barber.*
 - *Body piercing.*
 - *Dentist, except as a secondary office which is not used for the general practice of dentistry, but may be used for consultation and emergency treatment as an adjunct to a principal office located elsewhere.*
 - *Funeral chapel or home.*
 - *Firearms manufacturing or sales.*
 - *Garment manufacturing.*
 - *Gunsmith.*
 - *Massage therapist, unless the therapist has procured a massage technician's business license and a massage parlor business license, as needed.*
 - *Medical physician (nonpsychiatric), except as a secondary office which is not used for the general practice of medicine, but may be used for consultation and emergency treatment as an adjunct to a principal office located elsewhere.*
 - *Photography lab, other than for occupant's own use.*
 - *Recording/motion picture/video production studio, except for editing or pre-recorded material.*
 - *Restaurant.*
 - *Retail sales.*
 - *Tattoo studio.*
 - *Upholstery.*
 - *Tow truck service.*
 - *Veterinary services and other uses which entail the harboring, training, care, breeding, raising or grooming of dogs, cats, birds, or other domestic animals on the premises, except those which are permitted by this article (other than those owned by the resident).*
 - *Welding or machine shop.*
 - *Yoga/spa retreat center.*
 - *Any other use which disrupts and is inconsistent with the residential character of the neighborhood is prohibited.*

Yard/Garage Sales Regulations

In the Unincorporated LA County

County of Los Angeles Department of Regional Planning Zoning Enforcement officers provide for the safety, health and welfare of citizens living and working in unincorporated Los Angeles County neighborhoods through enforcement of the zoning code. This flyer is to assist you in becoming a responsible property owner or tenant and prevent unsafe or offensive uses of property, while promoting and maintaining the quality of life in our community.

You must obey the following rules when conducting a yard sale, garage sale or similar event:

- You can only sell personal property
- You must be the resident of the dwelling where the sale takes place.
- You cannot sell new items or items bought for resale
- You may place one on-site sign up to 4 sq. ft. in area
- Up to 2 sales are allowed per dwelling unit in any 12-month period
- Each sale shall be limited to maximum 3 consecutive days
- You shall not conduct the sale between 6:00 p.m. and 7:00 a.m.



Individuals found in violation of these standards will be cited and may be subject to non-compliance fees and referred to the District Attorney's Office for prosecution !!!



For More Information Please Contact
Department of Regional Planning Zoning Enforcement
(213) 974-6453 or (213) 974-6483. Mon-Thur 7:30 am-6:00 pm
(213) 974-6602 (Voicemail To Be Retrieved by Officers On-Duty) Fri-Sun



Reglas Para Ventas de Artículos Usados

en el Condado de Los Angeles

Los oficiales del Departamento de Planificación del Condado de Los Angeles se dedican a la seguridad, la salud y el bienestar de los habitantes que viven y trabajan en las comunidades no incorporadas del Condado de Los Angeles, por medio de la imposición del código de zonas. Este volante es para ayudarles a ser mejores propietarios e inquilinos y para prevenir usos terrenales ofensivos e inseguros, y al mismo tiempo para promover y mantener la calidad de vida en nuestra comunidad.

Las siguientes reglas se deben cumplir al llevar a cabo una venta de artículos usados o cualquier otra venta similar:

- Solamente se permite vender artículos personales
- Debe ser residente de la vivienda donde se llevara a cabo la venta
- No se permite vender artículos nuevos o de reventa
- Se permite mantener solamente un rotulo de cuatro pies cuadrados en la área de venta
- Solamente se permiten dos ventas por año
- Las ventas están limitadas a tres días consecutivos
- No se permiten ventas entre las 6 p.m. y las 7 a.m.



Los individuos que no cumplan con estas reglas serán culpables de una infracción y podrán ser multados y dirigidos al fiscal del condado !!!



Para mas información, favor de llamar
al Departamento de Planificación al
(213) 974-6453 o al (213) 974-6483, lunes a jueves de 7:30am - 6:00 pm
(213) 974-6602 (buzón de voz) para uso de viernes a domingo.



Attachment H: Other Jurisdictions Survey Findings

Yard Sale Ordinance Update – Project No. R2014-01331 / RADV 201400005

City	Permit Required	Fee	Designated Days for Yard Sales	Maximum Number of Days for Each Yard Sale	Yard Sales Allowed Per Year
Compton	Yes	\$10.00	1 st Saturday of each month	3 days	12 per calendar year
Covina	Yes	\$10.00	No	2 days	2 per calendar year
El Monte	No	No	1 st Saturday and Sunday of March, June, Sept, December.	2 days	4 per calendar year
Gardena	Yes	\$30.00	No	2 days	4 per calendar year
Glendale	No	No	No	2 days	4 per calendar year; not allowed on successive weekends
Inglewood	Yes	\$5.00	No	2 days	2 per calendar year; one citywide yard sale allowed without permit on the 3 rd weekend of August
La Puente	Yes	No	No	2 days	2 per calendar year; limited to 1 permit every six months
Long Beach	Yes	\$17.00	No	3 days	2 per calendar year for Single-Family Residences; 1 per calendar year for Multi-family Residences
Los Angeles	No	No	No	2 days	5 per year calendar year
Montebello	No	No	1 st Fri, Sat, Sun of March, June, Sept, December	3 days	4 per calendar year
Pasadena	Yes	\$21.00	No	3 days	2 per any 12-month period
San Fernando	Yes	\$5.00	No	3 days	2 per calendar year
Torrance	No	No	No	3 days	2 per calendar year
West Hollywood	Yes	No	No	2 days	2 per calendar year
Whittier	No	No	No	2 days	1 every three months

Attachment I: Hearing Notice

NOTICE OF PUBLIC HEARING

YARD SALE ORDINANCE UPDATE PROJECT NO. R2014-01331-(1-5) ADVANCE PLANNING NO. 201400005

Notice is hereby given that the Los Angeles County Regional Planning Commission will conduct a public hearing concerning the above referenced project on **Wednesday, November 19, 2014 at 9:00 a.m.**, in Room 150, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Interested persons will be given an opportunity to testify.

PROPOSAL

Amendments to Title 22 of the Los Angeles County Code to establish comprehensive and reasonable standards for the sale of personal property at a yard sale, garage sale, moving sale, or similar event at a residence. The proposed ordinance will repeal existing yard sale regulations in 22.20.065 (R-zone) and 22.24.065 (A-zone) in Title 22 and add a new Part 30 to General Regulations of Chapter 22.52 addressing yard sales conducted on any property with a legally established residence, in any zone. This project is Categorically Exempt under Class 4 - Minor Alterations to Land, pursuant to Section 15304 (e) of the California Environmental Quality Act (CEQA) reporting requirements.

LOCATION: Unincorporated communities of Los Angeles County.

If you are unable to attend the public hearings but wish to send written comments, please write to the Regional Planning Commission, 320 West Temple Street 13th Floor, Los Angeles, California 90012. If the final decision on this proposal is challenged in court, testimony may be limited to issues raised at the public hearing or by written correspondence delivered to the Commission at or prior to the public hearing.

Project Materials will be available for review and comment during the comment period which is 30-calendar days prior to the hearing date, between 7:30 a.m. to 5:30 p.m., Monday through Thursday at Department of Regional Planning, 320 W. Temple Street, Los Angeles, CA 90012, phone (213) 974-6425, fax (213) 626-0434, online at: <http://planning.lacounty.gov/yard> or at <http://planning.lacounty.gov/case/view/r2014-01331> and at the public libraries listed below.

East Los Angeles Library
4837 E. Third Street
Los Angeles, CA 90022

Florence Library
1610 E. Florence Avenue
Los Angeles, CA 90001

Topanga Library
122 N. Topanga Canyon Blvd
Topanga, CA 90290

Hacienda Heights Library
16010 La Monde St
Hacienda Heights, CA 91745

Lancaster Regional Library
601 W. Lancaster Blvd
Lancaster, CA 93534-3398

La Crescenta Library
2809 Foothill Blvd
La Crescenta, CA 91214

Written comments may be submitted via email to Jonathan Bell at: jpbell@planning.lacounty.gov or mailed to the Department of Regional Planning (address provided above).

El aviso se da por este medio que la Comisión de Planificación Regional conducirá una audiencia pública referente al Manual Técnico de Construcción Verde. La audiencia pública se llevara a cabo en el salón 150, localizado en el Hall of Records, 320 W. Temple Street, Los Angeles, California. Personas interesadas tendrán la oportunidad para atestiguar. Si necesita más información favor de llamar al Departamento de Planificación Regional al (213) 974-6427.

ADA Accommodations: If you require reasonable accommodations or auxiliary aids and services, please contact the ADA (Americans with Disabilities Act) Coordinator at 213/974-6488 (voice) or 213/617-2292 (TDD), with at least five business days notice.

Attachment J: Public Comments

Jonathan Bell

From: Ruby Luna [rubyluna@ymail.com]
Sent: Tuesday, September 09, 2014 2:05 PM
To: Jonathan Bell; 'Aldridge, Rick E'; Allen, William; Alex, Terri; Art Jones; Daryl Koonce; Efren Martinez; Escobedo, Martha; Guy Ferdinand; Ricardo Gordillo; Hernandez, Claudia; Jerry Torres; Glenn Kam; Brenda Lopez; Lt. Christopher L. Johnson; Angel Nicolas; Quinones, Celica; Quinonez, Steve; Rick Aldridge (h); Robert Sandoval; Laura Rockett; Sgt. Tina M. Jones; Graceline Shin; Capice Simms; Simms, Jackie; Dino Smiley; Smiley, Stephanie; Terri Ross; Titus, Joe
Subject: Re: Code Enforcement

Dear Mr. Bell,

I have a few suggestions regarding the yard sale ordinance.

Would it be possible to specify who will be enforcing it and describe what will be the consequences for violators? Perhaps the first offense can result in a written warning, the second offense in a fine of \$150 or so and repeated offenders could pay \$1,000 or more. Maybe we could even use a portion of the collected fines to pay for the enforcement efforts.

Additionally, I, personally, wouldn't allow people to retroactively register their yard sales on non-designated weekends. This might create a loophole for abuse. If not enforced diligently, people will have a yard sale every weekend and if they get caught they can just pretend they weren't aware of the new ordinance and go register it retroactively to avoid repercussions.

Overall, the ordinance is very well written and fair. I am confident that once in place it will be an essential tool in eradicating the problem.

I would like to thank you Mr. Bell for your continued support and determination to help us improve our community.

Sincerely,
Ruby Luna

On Tuesday, September 9, 2014 11:23 AM, Jonathan Bell <jpbell@planning.lacounty.gov> wrote:

Jonathan Bell

From: Ruby Luna [rubyluna@ymail.com]
Sent: Tuesday, September 09, 2014 5:12 PM
To: Jonathan Bell
Subject: Re: Code Enforcement

Thank you for the clarification. I am looking forward to learning more about this during our next code enforcement meeting.

Thanks,
Ruby Luna

On Tuesday, September 9, 2014 4:00 PM, Jonathan Bell <jpbell@planning.lacounty.gov> wrote:

Hello Ms. Luna,

Thank you for your comments. I will provide a more in depth overview of the yard sale ordinance update at the 9/23 meeting. In the meantime, I would like to reply to your items.

The current draft indicates that the Regional Planning "Director or designee" is responsible for enforcing the yard sale code. This language is taken from current language in our zoning code. The Director has primary authority that is delegated to the Director's designees, which are the Zoning Enforcement inspectors at Regional Planning (Mr. Glenn Kam, for example). Like today, Zoning Enforcement will have primary authority for going out and enforcing the updated yard sale code. I will look into ways of making this wording more clear in the law.

The consequences of violations are outlined in the new enforcement procedures, which authorize immediate issuance of a Final Zoning Enforcement Order that imposes a \$704 fee, among other things. Other reviewers have recommended an increasing fine schedule like you have suggested. That would indeed help deter violations. I shall continue to look into that as an option.

Others have also expressed concerns about the retroactive registration element. That element is part of the flexibility requested for communities that do not have extended yard sale problems. That is one of the challenges of this being a countywide ordinance. Your concern is noted and will be addressed.

Please contact me if you have additional concerns.

Regards,
Jonathan P. Bell

From: Ruby Luna [mailto:rubyluna@ymail.com]
Sent: Tuesday, September 09, 2014 2:05 PM
To: Jonathan Bell; 'Aldridge, Rick E'; Allen, William; Alex, Terri; Art Jones; Daryl Koonce; Efren Martinez; Escobedo, Martha; Guy Ferdinand; Ricardo Gordillo; Hernandez, Claudia; Jerry Torres; Glenn Kam; Brenda Lopez; Lt. Christopher L. Johnson; Angel Nicolas; Quinones, Celica; Quinonez, Steve; Rick Aldridge (h); Robert Sandoval; Laura Rockett; Sgt. Tina M. Jones; Graceline Shin; Capice Simms; Simms, Jackie; Dino Smiley; Smiley, Stephanie; Terri Ross; Titus, Joe
Subject: Re: Code Enforcement

November 4, 2014

Jonathan P. Bell, Regional Planner
County of Los Angeles
Dept of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012

Dear Jonathan,

The Florence – Firestone Community Leaders were recently given an opportunity to review and discuss the Draft Proposed Yard Sale Ordinance (YSO). The YSO update provides enhanced and reasonable regulations to address the problem of extended yard sales countywide, in all five supervisorial districts. The YSO came about in response to Supervisor Ridley's Thomas April 2013 Board Motion that directed county departments to work together to update county codes to allow for more effective yard sale enforcement. The Florence –Firestone Community Leaders (FFCL) Strategic Focus Area's letter to Supervisor Mark Ridley-Thomas initiated this effort. The problem is evident across the Second District and most common in Florence-Firestone (FF), Lennox, and Willowbrook. It is also my understanding that these errant yard sales are also problems in the other LA County Supervisorial districts.

In September, 2012 the FF-SFA Code Enforcement wrote a group letter to Supervisor Mark Ridley-Thomas. This letter was written in response to "out of control" yard sales and street vending occurring in FF.

- The FFCL-SFA group was also aware that the problem existed in other communities in the county.
- The YSO provides enhanced and reasonable regulations to address the problem of extended yard sales.
- Current YSO strikes a balance between increased regulation and increased flexibility. More yard sales are allowed overall to achieve some flexibility, but they are restricted to designated weekends by-right, and with a permit for limited non-designated weekends in the year.
- The Monday-Friday ban on yard sales is appropriate since YS are a weekend activity. It will make enforcement more effective and its unwanted impacts more amenable.
- The enhanced enforcement procedures allow zoning enforcement officers to crack down on egregious violators. They can issue immediate Final Orders and more quickly impose fines and referrals for prosecution by the D.A.
- There is also flexibility in the enforcement procedures in that zoning inspectors still have discretion to use less restrictive notices and even warnings to gain compliance. The community

feels that the educational component, of "first warnings" is important in achieving the fairness sought by the community.

- The definition of the merchandise that can be sold has been made more clear and descriptive. It is clear in the YSO that only used and second hand items are legal to sell.
- It is clear in the YSO that any new, retail, or food/drink is not allowed as yard sale merchandise. This makes enforcement more efficient.
- The YSO will improve the deterrent effect and reduce the overall occurrence of illegal yard sales in the county.
- Areas like FF that experience "out of control" yard sales will see immediate benefits once the YSO goes into effect.
- It might be good to indicate the importance of funding teams of inspectors to go out on weekends for enforcement. DRP is closed Fri/Sat/Sun so weekend inspections will be done on approved OT. Without this, the YSO will have no teeth.

The areas of concern regarding the YSO are:

- The clause that allows retroactive registration of yard sales on non-designated weekends might create a loophole for abuse.
- Increased number of yard sales from 2 per year to 12 + per year might continue to prove to be a challenge for enforcement and in achieving the balance that the community is striving.
- A large outreach effort with an educational component is needed to inform the community of the changes and the new YSO or enforcement of this new YSO.

Overall, the ordinance is very well written and fair. I am confident that once in place it will be an essential tool in eradicating or substantially reducing the problem.

Sincerely,

A handwritten signature in black ink that reads "Rick Aldridge". The signature is written in a cursive, flowing style.

Rick Aldridge

On behalf of the Florence Firestone Code Enforcement SFA

CC:

Mark Ridley-Thomas, LA County Supervisor, 2nd District
Sheriff John Scott, Los Angeles County Sheriff Department
Richard J Bruckner, Department of Regional Planning
Sari Steel, Los Angeles County Counsel

Attachment: Code Enforcement Letter to Supervisor Mark Ridley-Thomas, dated September 18, 2012

September 18, 2012

Hon. Mark Ridley-Thomas
866 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisor Ridley-Thomas,

I write this letter on behalf of the Code Enforcement Specific Focus Area (SFA) committee which is part of the Florence-Firestone Community Leaders and Florence-Firestone Community Enhancement Team and on behalf of countless residents of the Florence-Firestone community with the support and partnership of the Florence-Firestone Chamber of Commerce. For many years our neighborhood had been underserved resulting in blight and a quality of life that many would consider substandard. However, thanks to the resources that you and your office, Supervisors Gloria Molina, and your predecessor Former Supervisor Yvonne Burke have provided along with the collaborative effort of everyone involved with the Florence-Firestone Community Enhancement Team we have had many improvements over the past several years. We have noted a significant improvement in terms of public safety, economic development and with the overall aesthetics of our neighborhoods. However, there continues to be a problem that is pervasive in this community.

Illegal vending is a problem that still runs rampant through our community. On any day of the week you will find unlicensed vendors of both food and wares proliferating our streets, both on private property and on public right of ways. We understand that illegal vending is a problem that affects almost every community in Los Angeles County, however, in Florence-Firestone it is present at a whole different level which we believe is unacceptable. We have discussed the issue with several of the surrounding municipalities and they have all employed measures that may not eliminate the problem all together but have greatly reduced the instances of illegal vending in their jurisdictions. Below you will find a list of observations we have made that illustrate the negative effects of illegal vending on our community as well as several reasons that we have identified as to why it is so pervasive in Florence-Firestone.

Impact on community:

- It reduces the real estate values in our neighborhood.
- It is a blight and distraction for residents and visitors.
- It is in direct conflict and unfair competition to the licensed business that serve our community.
- It creates a more difficult environment and a less appealing community in which to attract business and merchants, in an already underserved community.
- There are infinite public health issues associated with street vending including; lack of sanitation, lack of running water, no washing of hands and cooking utensils, lack of restrooms.
- Vendors often block sidewalks and parkways.
- It creates traffic problems with patrons stopping and or parking illegally.
- Lines of vision are blocked at many street corners.
- Illegal vendors set up shop in parking lots and block access to required on-site parking spaces. Having accessible on-site parking is required per development standards for commercial uses.

- Street vendor makes many illegal stops in the middle of streets and impede traffic.
- Source of additional litter (discarded wrappers, cups and plates), no trash receptacles.
- Conducive to illegal sales (of possibly stolen items) and drug trafficking.
- Loud music, noise and pollutants spilling into the neighborhood.
- Connecting electrical appliances, etc with long extension cords connected to homes and business, and spanning across public right of ways.

Possible Contributors to problem:

- Continued patronage by residents due to convenience, cultural habits and/or lack of education (information).
- Lack of enforcement by Sheriffs Department due to lack of resources and low priority
- Lack of follow through by the courts.
- No enforcement on weekends by Department of Regional Planning for illegal vending occurring on private property (which is at its peak).
- Lack of prosecution by the courts due to difficulty in identifying the perpetrators (many of whom do not have id) and ensuring that those cited show up in court.
- Many cases are unfiled or dismissed due to strain on court resources.

As stated before, the extent of illegal vending in our community is unacceptable. As leaders, we ask that you assist us in identifying ways to improve upon the issue through education campaigns as well as enforcement and prosecution. We ask that all agencies involved collaborate with the community leaders to find permanent, effective solutions to the problem. The residents of Florence-Firestone look forward to hearing about your plans to assist us with getting this issue under control. Thank you for your consideration of this matter.

Sincerely,

Rick Aldridge
On behalf of the Florence Firestone Code Enforcement SFA

CC:
Sheriff Leroy Baca, Los Angeles County Sheriffs Department
Richard J Bruckner, Department of Regional Planning
Sari Steel, Los Angeles County Counsel

A UNITED EFFORT FOR THE BETTERMENT OF OUR COMMUNITY

SOUTHWEST COMMUNITY ASSOCIATION

P.O. Box 47898
LOS ANGELES, CALIF. 90047

November 6, 2014
Dept. of Regional Planning
County of Los Angeles
320 W. Temple St.
Los Angeles, Ca. 90012

ATTN: Jonathan Bell. Planner

SUBJECT: YARD SALE ORDINANCE UPDATE:

1. DESIGNATED WEEKENDS: Within urban communities, yard sales are more successful on the first or second weekends of the month due to large segments of communities being made up of residents receiving public assistance. Those allotments are normally made available between the 1st and 10th of the month.

The last Saturday and Sunday will impact yard sales countywide particularly during the months of November and December due to celebrated annual holidays.

With Los Angeles County's vast diverse population culturally, ethnically, socio-economically, etc., this proposed ordinance may not be equitable for all communities. An optional approach may be to attempt to tailor the schedule to existing community Specific District Plans through amendments to those plans. This will provoke discussion and hopefully consensus within the respective communities.

2. ENFORCEMENT PROCEDURES: Since the entire culture surrounding yard sales will be changed under this proposed ordinance, if enacted, it is recommended that first time violators be issued a warning along with an updated/revised "Zoning Enforcement" brochure or a one page or less sheet summary of the ordinance in english, spanish or the predominate language of other groups within various communities. Education will be the key to a successful and less punitive transition to the proposed new ordinance if enacted.

Enforcement must be consistent throughout Los Angeles County! To achieve this consistency, it may be necessary to develop implementation procedures during the infancy of enforcement.

Since much of the enforcement will be required on weekends, adequate resources must be committed.

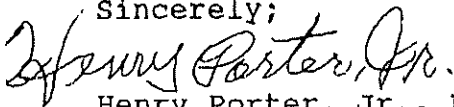
3. RECOMMEND the following language to the ends of various paragraphs:

A. Sections 22.52.3140(B) & 3170(B) "Of Regional Planning."

B. Section 22.52.3160(D2 & E3) " Or on the parkway."

C. Section 22.52.3160(E) "No banners", "No music or amplification devices".

Sincerely;



Henry Porter, Jr., President
(323)757-5506hm.
(323)273-6435cell

11/6/14

TO: JONATHAN BELL, PARKER

L. R. COUNTY/RESIDENT PARKING

PH. (013) 9741-6405

FAX (213) 644-4754

FROM: HENRY PARKER

W. J. HUNTER, JR. D-3 C-

328) 573-4350

325) 757-5526 AM.

RE: YARD SIGNAGE - 11/6/14

Sheet 1 of 2
ENC. COVER



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

November 18, 2014

TO: Esther L. Valadez, Chair
Laura Shell, Vice Chair
David W. Louie
Curt Pedersen
Pat Modugno

FROM: Carmen Sainz, Supervising Regional Planner
Community Studies East Section

**SUPPLEMENTAL PUBLIC HEARING MATERIALS
YARD SALE ORDINANCE UPDATE
PROJECT NO. R2014-01331-(1-5)
ADVANCE PLANNING NO. 201400005
HEARING DATE: November 19, 2014
ITEM 13**

Since submitting the hearing package for the Yard Sale Ordinance Update to your Commission on November 6, 2014, staff received a comment letter supporting the project from the Florence-Firestone/Walnut Park Chamber of Commerce. The comment letter is provided as an attachment for your review.

If you have questions regarding this project, please contact Jonathan P. Bell at (213) 974-6425 or via email at jpbell@planning.lacounty.gov, Monday through Thursday from 7:30 AM to 5:30 PM. Our offices are closed on Fridays.

CS:JPB

Attachment



THE FLORENCE-FIRESTONE/WALNUT PARK CHAMBER OF COMMERCE

2156 E. Florence Ave., 2nd Floor, Walnut Park, Ca 90255 • (323) 589 - 4222 • Fax (323) 589 - 4224, Email info@FFWPChamber.org

October 15, 2014

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Marty Cohen
Southern Calif. Truck, Van & 4x4 Parts

Mary Rose Cortese
Community Liaison

Salvador Garcia
Shakey's Pizza Parlor

Esteban Quinonez
Carlito's Tires & Auto Repair

Freddy Rivas
Community Kids Dental

Felix Romero
Las Champas Restaurant

Irv Sitkoff
Commercial Property Owner

Lloyd Weinstein
Victory Ground Support Equipment

Hearing Officer
Department of Regional Planning
Los Angeles County
320 W. Temple St. 13th Fl.
Los Angeles, CA 90012

RE: Proposed Yard Sale Ordinance

Hearing Officer:

It is with great enthusiasm that the Florence-Firestone/Walnut Park Chamber of Commerce respectfully requests your support and approval of the newly proposed Yard Sale Ordinance. Our Florence-Firestone and Walnut Park business communities have been significantly suffering from unlicensed vendors and illegal yard sales for far too long. For those reasons, the Chamber has partnered with the Los Angeles County Department of Regional Planning and has been working for the past few months on policies and programs that have the potential to accelerate local business growth and job creation.

Extended yard sales are a common problem in Florence-Firestone and Walnut Park communities. Unfortunately, extended yard sales have become a daily activity which transform residential neighborhoods into commercial areas and undercut brick-and-mortar businesses. As a result, our communities' quality of life and economic viability is greatly reduced, to include costing our communities much needed jobs.

It is our sincere belief that the amended ordinance is a true compromise between Los Angeles County, its constituents and the small local business community and therefore; we once again respectfully request your support and approval of the newly proposed Yard Sale Ordinance.

Respectfully,

THE FLORENCE-FIRESTONE/WALNUT PARK CHAMBER OF COMMERCE

Efren Martinez
Executive Director/CEO

cc: Gloria Molina, County Supervisor - District 1
Mark Ridley-Thomas, County Supervisor - District 2

**RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES, CALIFORNIA
PROJECT NO. R2014-01331-(1-5)
ADVANCE PLANNING NO. 201400005
(Yard Sale Ordinance Update)**

WHEREAS, the Regional Planning Commission of the County of Los Angeles has reviewed the matter of amendments to Title 22 (Planning and Zoning) of the Los Angeles County Code to repeal existing regulations in Sections 22.20.065 of Residential Zones (R-zone) and 22.24.065 of Agriculture Zones (A-zone) of the County Code and add a new Part 30 to General Regulations Chapter 22.52 addressing the sale of personal property at a yard sale, garage sale, moving sale or similar event occurring from a dwelling unit; and

WHEREAS, the Commission finds as follows:

1. On April 9, 2013, on a motion by Supervisor Ridley-Thomas, the Board of Supervisors (Board) directed the Departments of Sheriff, Regional Planning, Treasurer and Tax Collector, and Public Health, as well as the Offices of the District Attorney and County Counsel, to review existing County ordinances related to yard sales and unpermitted vending on public and private property, and to draft ordinances, or amend existing ordinances, to allow for more effective enforcement of these problems.
2. On January 23, 2014, the County departments submitted a Board Report which included recommendations. Among the recommendations, the departments recommended updating Title 22 to enable more effective and efficient enforcement of yard sale activity.
3. Title 22 only regulates yard sale activity in residential and agricultural zones. In 1994, the County adopted an ordinance regulating the sale of personal property, otherwise known as "yard sales," in the residential zones. The County adopted an ordinance regulating yard sales in the agricultural zones in 1996.
4. Existing Title 22 codes pertaining to yard sales do not adequately address the problem of extended yard sales today.
5. Extended yard sales invite increased foot and vehicular traffic on residential streets, which results in the transformation of residential communities into veritable commercial areas. Yard sale merchandise is displayed on public sidewalks hindering safe access for pedestrians. Operators of yard sales post and leave signage on utility poles in the public right of way, causing visual blight. Operators also frequently sell new retail merchandise, food and beverages, and pre-packaged goods, in violation of existing County codes and without paying business and sales taxes. In doing so, yard sale operators unfairly compete with storefront businesses in the County. Extended yard sales disrupt community harmony and diminish quality of life.

6. The resulting Yard Sale Ordinance Update, presented as Project No. R2014-01331-(1-5), establishes comprehensive and reasonable standards for conducting yard sales in unincorporated areas within the County, on privately owned property.
7. The Yard Sale Ordinance Update authorizes a yard sale as an accessory and temporary use on any private property with one or more dwelling units, in any zone, subject to the standards contained in the ordinance.
8. The Yard Sale Ordinance Update establishes a calendar year system to monitor yard sales, with one designated weekend per month to conduct a yard sale at a property. Two additional yard sales can be conducted on non-designated weekends during the calendar year provided they are registered with the Department of Regional Planning prior to the yard sale. Registration is required only for non-designated weekends. If a yard sale is conducted without prior registration on a non-designated weekend, retroactive registration shall only be permitted for one of these events. The ordinance amendment enhances enforcement procedures to allow for more effective abatement of unpermitted yard sales that create blight in the County.
9. The Yard Sale Ordinance Update was developed with input from allied County departments, including County Counsel, Public Works, Fire, Public Health, Sheriff, and Parks and Recreation.
10. The Yard Sale Ordinance Update is a separate planning effort from the concurrent effort by the Office of County Counsel to update laws regulating street vending in response to the Board Motion. The Los Angeles County Sheriff's Department will be the enforcers for street vending when that ordinance is adopted.
11. The Yard Sale Ordinance Update is consistent with the goals and policies of the adopted 1980 General Plan and 2014 Housing Element Update.
12. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, and Section 21092 of the Public Resources Code, the public was appropriately notified of the public hearing. A copy of the public hearing notice was transmitted to six County public libraries for public review and mailed to interested stakeholders. A legal advertisement was published in two newspapers of general circulation (*La Opinion* and *Los Angeles Daily News*). Case information was also posted to the Department of Regional Planning's project website located at <http://planning.lacounty.gov/yard> and the project's case downloads website at <http://planning.lacounty.gov/case/view/r2014-01331/>.

13. The adoption of the Yard Sale Ordinance Update is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304(e) of Title 14 of the California Code of Regulations.

NOW, THEREFORE, BE IT RESOLVED THAT, the Regional Planning Commission recommends that the Los Angeles County Board of Supervisors:

1. Conduct a public hearing to consider the proposed amendments to Title 22 (Planning and Zoning) of the Los Angeles County Code to repeal existing regulations in Sections 22.20.065 of Residential Zones (R-zone) and 22.24.065 of Agriculture Zones (A-zone) of the County Code and add a new Part 30 to General Regulations Chapter 22.52 addressing the sale of personal property at a yard sale, garage sale, moving sale or similar event occurring from a dwelling unit;
2. Certify that the adoption of the Yard Sale Ordinance Update is exempt from CEQA environmental review pursuant to Section 15304(e) of Title 14 of the California Code of Regulations; and
3. Adopt the attached ordinance amending Title 22 (Planning and Zoning) of the Los Angeles County Code and determine that it is compatible with and supportive of the goals and policies of the Los Angeles County General Plan.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on November 19, 2014.

PROJECT NO. R2014-01331-(1-5)
ADVANCE PLANNING NO. 201400005

RESOLUTION

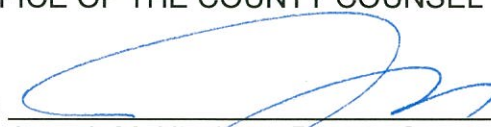
By:



Rosie O. Ruiz, Commission Secretary
Regional Planning Commission
County of Los Angeles

APPROVED AS TO FORM:
OFFICE OF THE COUNTY COUNSEL

By:



Joseph M. Nicchitta, Deputy County Counsel
Property Division

VOTE

Concurring: Commissioners Shell, Louie, Pedersen

Dissenting: None

Abstaining: None

Absent: Commissioners Valadez, Modugno

Action Date: November 19, 2014

ORDINANCE NO. ____ (DRAFT) ____

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code relating to the sale of personal property at a yard sale, garage sale, moving sale or similar event at a residence.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.20.065 and 22.24.065 of Title 22 are hereby repealed in their entirety.

SECTION 2. Part 30 of Chapter 22.52 is hereby added to read as follows:

Part 30

YARD SALES

22.52.3100. Purpose. The purpose of this Part 30 is to establish comprehensive and reasonable standards for the sale of personal property at a yard sale, garage sale, moving sale or similar event at a residence. The sale of personal property shall be known as a “yard sale” for the purposes of this Part 30. A yard sale is permitted as an accessory and temporary use on any property with one or more dwelling units, subject to the standards contained herein. A calendar year system is established to monitor yard sales, with one designated weekend per month to conduct a yard sale at a property. Operators of a yard sale are permitted up to two non-designated weekends during the calendar year to conduct additional yard sales with prior registration. This Part 30 enhances enforcement procedures to abate unpermitted or extended yard sales that create blight in communities.

22.52.3110. Applicability. The standards in this Part 30 shall apply to any property with one or more dwelling units, in any zone.

22.52.3120. Properties Permitted to Conduct Yard Sales. A yard sale is permitted as an accessory and temporary use on any property with one or more dwelling units, in any zone. For the purposes of this Part 30, a yard sale shall be associated with a currently occupied dwelling unit.

22.52.3130. Designated Weekends.

A. Yard sales are permitted to be held for a maximum of two consecutive days during the last combined Saturday and Sunday occurring within the same month, in each month of the calendar year. For the purposes of this Part 30, these days shall be known as “designated weekends.”

B. Yard sales shall not be held Monday through Friday.

22.52.3140. Registration Required for Additional Yard Sales.

A. Up to two additional yard sales may be permitted on a property during a calendar year, with each yard sale held for a maximum of two consecutive days on any combined Saturday and Sunday occurring within the same month outside of the monthly designated weekends. For the purposes of this Part 30, these additional days shall be known as “non-designated weekends.”

B. Prior to conducting any additional yard sales on a non-designated weekend, the operator shall first register the additional yard sale with the Department. Proof of registration shall be made available for inspection during the yard sale.

22.52.3150. Yard Sales Per Dwelling Unit. Each dwelling unit on a property is permitted to conduct yard sales during a designated weekend and/or with registration on a non-designated weekend.

22.52.3160. Operational Standards.

A. Hours of Operation. A yard sale shall be held only between the hours of 7:00 a.m. and 6:00 p.m.

B. Authorized Operators. Only the property owner or tenant of the dwelling unit is permitted to conduct the yard sale.

C. Restrictions on Saleable Items.

1. Yard sale items offered for sale shall be limited to secondhand, household, or incidental personal items owned by the property owner or tenant of the dwelling unit where the yard sale is conducted.

2. Yard sale items offered for sale shall not include retail merchandise, new, unused or pre-packaged items, distributor packaged items intended for retail sales, or any food and beverages.

D. Location of Saleable Items.

1. Yard sale items shall only be displayed in front and side yards.

2. Yard sale items shall not be placed in the public right of way.

E. Signage.

1. A maximum of two temporary advertising signs may be placed on the property conducting a yard sale.

2. Each temporary advertising sign is permitted a maximum area of four square feet. The sign may be displayed one day prior to and during the yard sale and shall be removed immediately at the end of the yard sale.

3. Yard sale signs shall not be placed in the public right of way.

22.52.3170. Enforcement Procedures.

A. Pursuant to Section 22.60.390.A, the Director or designee is authorized to issue a Final Zoning Enforcement Order, without prior issuance of a Notice of Violation, to any person conducting a yard sale not in compliance with the provisions of this Part 30. The Final Zoning Enforcement Order shall subject the non-compliant operator to enforcement actions pursuant to Section 22.60.390, and to any civil and criminal remedies.

B. If a yard sale is conducted on a non-designated weekend without registration, the operator shall retroactively register the yard sale with the Department within fifteen calendar days of the event. When a Notice of Violation or Final Zoning Enforcement Order is issued, retroactive registration shall be obtained within fifteen calendar days immediately following the compliance date specified in the notice.

C. Notwithstanding the provisions of Sections 22.52.3140.B and 22.52.3170.B, retroactive registration will not be permitted for a second violation of Sections 22.52.3140.B or 22.52.3170.B that occurred within the same calendar year.

D. If retroactive registration is not obtained within the fifteen-day period specified in Section 22.52.3170.B, the Director or designee shall have the authority to assess the noncompliance fee in accordance with Section 22.60.390.C, and may seek civil and criminal remedies.

E. Nothing in this Section shall preclude the Director or designee from issuing a warning, Notice of Violation, or citation prior to issuing a Final Zoning Enforcement Order for a non-compliant yard sale.

NOTICE OF PUBLIC HEARING

YARD SALE ORDINANCE UPDATE PROJECT NO. R2014-01331-(1-5) ADVANCE PLANNING NO. 201400005

Notice is hereby given that the Los Angeles County Regional Planning Commission will conduct a public hearing concerning the above referenced project on **Wednesday, November 19, 2014 at 9:00 a.m.**, in Room 150, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Interested persons will be given an opportunity to testify.

PROPOSAL

Amendments to Title 22 of the Los Angeles County Code (Planning and Zoning) to establish comprehensive and reasonable standards for the sale of personal property at a yard sale, garage sale, moving sale, or similar event at a residence. The proposed ordinance will repeal existing regulations in Sections 22.20.065 of Residential Zones (R-zone) and 22.24.065 of Agriculture Zones (A-zone) in Title 22 and add a new Part 30 to General Regulations Chapter 22.52 addressing the sale of personal property at a yard sale conducted on any private property with one or more dwelling units, in any zone. This project is Categorically Exempt under Class 4 - Minor Alterations to Land, pursuant to Section 15304 (e) of the California Environmental Quality Act (CEQA) reporting requirements.

LOCATION: Unincorporated communities of Los Angeles County.

If you are unable to attend the public hearings but wish to send written comments, please write to the Regional Planning Commission, 320 West Temple Street 13th Floor, Los Angeles, California 90012. If the final decision on this proposal is challenged in court, testimony may be limited to issues raised at the public hearing or by written correspondence delivered to the Commission at or prior to the public hearing.

Project Materials will be available for review and comment during the comment period which is 30-calendar days prior to the hearing date, between 7:30 a.m. to 5:30 p.m., Monday through Thursday at Department of Regional Planning, 320 W. Temple Street, Los Angeles, CA 90012, phone (213) 974-6425, fax (213) 626-0434, online at: <http://planning.lacounty.gov/yard> or at <http://planning.lacounty.gov/case/view/r2014-01331> and at the public libraries listed below.

East Los Angeles Library
4837 E. Third Street
Los Angeles, CA 90022

Florence Library
1610 E. Florence Avenue
Los Angeles, CA 90001

Topanga Library
122 N. Topanga Canyon Blvd
Topanga, CA 90290

Hacienda Heights Library
16010 La Monde St
Hacienda Heights, CA 91745

Lancaster Regional Library
601 W. Lancaster Blvd
Lancaster, CA 93534-3398

La Crescenta Library
2809 Foothill Blvd
La Crescenta, CA 91214

Written comments may be submitted via email to Jonathan Pacheco Bell at: jpbell@planning.lacounty.gov or mailed to the Department of Regional Planning (address provided above).

El aviso se da por este medio que la Comisión de Planificación Regional conducirá una audiencia pública referente al Manual Técnico de Construcción Verde. La audiencia pública se llevara a cabo en el salón 150, localizado en el Hall of Records, 320 W. Temple Street, Los Angeles, California. Personas interesadas tendrán la oportunidad para atestiguar. Si necesita más información favor de llamar al Departamento de Planificación Regional al (213) 974-6427.

**YARD SALE ORDINANCE UPDATE
PROJECT NO. R2014-01331-(1-5)**

**NOTICE OF PUBLIC HEARING
ADVANCE PLANNING NO. 201400005**

ADA Accommodations: If you require reasonable accommodations or auxiliary aids and services, please contact the ADA (Americans with Disabilities Act) Coordinator at 213/974-6488 (voice) or 213/617-2292 (TDD), with at least five business days notice.

Jonathan Bell

From: Jonathan Bell
Sent: Thursday, February 12, 2015 10:43 AM
To: 'Tanner Kane'
Subject: RE: Yard sale ordinance (Positive comments)

Importance: High

Hello Ms. Kane,

Thank you for the additional comments regarding the Yard Sale Ordinance Update. We appreciate your time, insights and support. Your additional comments will be included in the Board hearing staff report.

I wanted to follow up on your comments. The yard sale ordinance update applies to private properties with one or more residences on-site. The ordinance generally will not apply to churches or community organizations since they are not residential uses. That said, there are some church properties in the unincorporated areas that have dwelling units on-site. Pursuant to the proposed ordinance, those locations would be permitted to conduct yard sales.

The proposed ordinance will not require permits or fees to conduct yard sales. Yard sales will be allowed by-right on the last weekend (Saturday and Sunday) of each month in the calendar year. These are called "Designated Weekends" for yard sales. To provide flexibility, the ordinance also allows up to two additional weekends (Saturday and Sunday) other than the last weekend to conduct yard sales. These are called "Non-designated Weekends." Registration with Regional Planning is required only for yard sales on Non-designated Weekends. Registration is free. We have designed a simple, one-page registration form that will be available at our public counter, field offices, and department website. Registration lets our Zoning Enforcement staff know which yard sales are operating legally on Non-designated Weekends.

Indeed LASD is busy with calls for service Countywide. Under the proposed ordinance, Zoning Enforcement staff will remain as the responders for yard sale complaints. They will follow up on reports and conduct surveys of identified problem areas as needed. I will forward to Zoning Enforcement your recommendation to scan yard sale print ads. If you know of properties currently in violation of any County code, please report them by calling the 211 County hotline. A code enforcement operator is available 24/7, and reports can be anonymous. All the operator needs is the address of the property and description of the violation. The operator will forward the report to the appropriate County authorities for investigation.

Under the proposed ordinance, "moving sales" are referenced in the Purpose section 22.52.3100. As a land use, moving sales are synonymous with yard sales under this ordinance. As you noted, estate sales are a bit different since they sometimes involve secondhand dealers. "Estate sales" is not a land use in the County's Planning and Zoning Code (Title 22). Adding estate sales as a land use in Title 22 is not within the scope of the proposed ordinance, but it is something we can look into in a future initiative. Our Department's practice is to treat estate sales like yard sales since the two uses are comparable in activity and scope. If the proposed ordinance is adopted, this practice will continue. Again, no permits or associated fees are required for yard sales under this ordinance update. The additional weekends to conduct yard sales during the calendar year offer more flexibility and opportunity than is provided in the existing ordinance.

Your comments are very helpful to us as we prepare for the Board hearing. Thanks again for your time and review. Please stay tuned for additional updates at our project website: <http://planning.lacounty.gov/yard>

Sincerely,
Jonathan

JONATHAN P. BELL | Planner

Community Studies East /Airport Land Use Section

Los Angeles County Department of Regional Planning

320 W. Temple Street, 13th Floor | Los Angeles, CA 90012

Phone 213.974.6425 | Fax 213.626.0434 | TDD 213.617.2292

<http://planning.lacounty.gov> | <http://planning.lacounty.gov/aluc>

Draft Florence-Firestone Community Plan: <http://planning.lacounty.gov/ffvp>

From: Tannera Kane [mailto:tannera.kane@gmail.com]

Sent: Tuesday, February 10, 2015 1:13 PM

To: Jonathan Bell

Subject: Re: Yard sale ordinance (Positive comments)

Thank you for the response, Mr. Bell. More comments for consideration:

I respectfully request you consider exempting churches and community organizations who host rummage sales for the purpose of fundraising. These events take place in public buildings and rarely outside with a large amount of items and traffic to annoy neighbors.

If you decide to require temporary permits for a one weekend sale, please don't charge a high price. That will drive people to host yard and garages sales in remote locations (and away from prying eyes) with multiple numbers of participants.

The Sheriff Department is busy with real criminal calls, so much so they never respond to my calls (and calls from neighbors) of petty theft, trespassers, dirt bike riding, loitering, and vagrants. After analyzing crime rates in Los Angeles County, using deputies to write fines and ask for paperwork is a waste of resources and time spent off the road where they need to remain available. Perhaps one or more department can use employees to scan all local papers for garage and yard sale ads and then visit to learn if new items are sold. You may also utilize citizens to report sales. Again, I'm pleased the proposed draft addresses the issue.

Two types of sales you must clarify are estate and moving sales. These are one time sales usually to clear a house due to foreclosure or death, for regular or short sale. Estate sales are usually managed by someone already licensed as a secondhand dealer. I don't see a need to penalize people who are moving to seek a better life. For instance, my husband and I may be displaced by the bullet train. If that happens, we'll need to host a one-time estate/moving sale to lower relocation costs. If, for example you require everyone to purchase a temporary or single use permit at say \$200 (just a sample number), most estate or moving sales won't recoup the cost of the permit.

On Mon, Feb 9, 2015 at 6:08 PM, Jonathan Bell <jpbell@planning.lacounty.gov> wrote:

Greetings Tannera Kane,

Thank you for contacting the Department of Regional Planning regarding the proposed Yard Sale Ordinance Update. We appreciate your support of the Ordinance. Your comment letter will be included in the Board hearing package.

We wanted to take a moment to address your recommendation about requiring permits for taxation. Regional Planning's jurisdiction is limited to land-use. We do not have independent taxation authority. For this reason, our department cannot require permits for the purposes of taxing yard sales.

Still, the Ordinance needs to be enforceable to reduce the occurrence of unpermitted yard sales. As you've noted, extended yard sales reduce the County's taxable revenues. This undercuts brick-and-mortar businesses countywide. We're working with other County departments to find suitable ways to ensure that this Ordinance is effectively enforced. This will improve quality of life in the unincorporated areas.

Please feel free to visit our project website for more information: <http://planning.lacounty.gov/yard>

Thanks again for taking the time to review our proposed Ordinance. Please contact me if you have any questions or comments.

Best regards,

Jonathan P. Bell

JONATHAN P. BELL | Planner

Community Studies East /Airport Land Use Section

Los Angeles County Department of Regional Planning
320 W. Temple Street, 13th Floor | Los Angeles, CA 90012
Phone 213.974.6425 | Fax 213.626.0434 | TDD 213.617.2292

<http://planning.lacounty.gov> | <http://planning.lacounty.gov/aluc>

Draft Florence-Firestone Community Plan: <http://planning.lacounty.gov/ffvp>

From: DRP Community Studies East Area Section
Sent: Thursday, February 05, 2015 2:11 PM
To: Jonathan Bell
Subject: FW: Yard sale ordinance (Positive comments)

From: Tannera Kane [<mailto:tannera.kane@gmail.com>]
Sent: Thursday, February 05, 2015 1:57 PM
To: DRP Community Studies East Area Section
Subject: Yard sale ordinance (Positive comments)

The draft is well-worded. I support the proposal.

A brief history: When I held garage sales (the last in September 2011 - never again; it's too much of a hassle and people steal valuable items), I included money received as income on tax returns. I still report income from a private sale such as when I sell a used piece of furniture or a used tool. It's the honest thing to do. The overwhelming majority of garage/yard sale people DO NOT pay sales tax or report income to the feds or the state.

I recommend addressing these issues in the draft ordinance:

- 1) Consider a regulation that requires folks to obtain a permit and collect sales tax for the county
- 2) Consider a method to ensure sellers report the income on tax returns

Sole proprietorships legally obtain permits from Los Angeles County and follow regulations. They need revenue to support families. I attend garage/yard sales. When I see dirt cheap new items, those sales steal money from small venture owners struggling to survive in the current economy. Many yard and garage sale people also buy second hand items at auctions or ebay and sell for profit from private residences. The ordinance is a great way to stop the practice.

--

Tannera Kane

Join me on LinkedIn: <http://www.linkedin.com/pub/tannera-kane/1/129/829>

Writing website: <http://www.starstonemedia.net>

History/collecting website: <http://www.depot9.net>

February 17, 2015

Honorable Mark Ridley-Thomas
866 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisor Ridley-Thomas,

The Florence – Firestone Community Leaders were recently given an opportunity to review and discuss the Draft Proposed Yard Sale Ordinance (YSO). The YSO update provides enhanced and reasonable regulations to address the problem of extended yard sales countywide, in all five supervisorial districts. The YSO came about in response to your April 2013 Board Motion that directed county departments to work together to update county codes to allow for more effective yard sale enforcement. The Florence – Firestone Community Leaders (FFCL) Strategic Focus Area's letter to you, dated September 18, 2012 initiated this effort. The problem is evident across the Second District and most common in Florence-Firestone (FF), Lennox, and Willowbrook. It is also my understanding that these errant yard sales are also problems in the other LA County Supervisorial districts.

The letter was written in response to "out of control" yard sales and street vending occurring in FF.

- The FFCL-SFA group was also aware that the problem existed in other communities in the county.
- The YSO provides enhanced and reasonable regulations to address the problem of extended yard sales.
- Current YSO strikes a balance between increased regulation and increased flexibility. More yard sales are allowed overall to achieve some flexibility, but they are restricted to designated weekends by-right, and with a permit for limited non-designated weekends in the year.
- The Monday-Friday ban on yard sales is appropriate since YS are a weekend activity. It will make enforcement more effective and its unwanted impacts more amenable.
- The enhanced enforcement procedures allow zoning enforcement officers to crack down on egregious violators. They can issue immediate Final Orders and more quickly impose fines and referrals for prosecution by the D.A.
- There is also flexibility in the enforcement procedures in that zoning inspectors still have discretion to use less restrictive notices and even warnings to gain compliance. The community feels that the educational component, of "first warnings" is important in achieving the fairness sought by the community.

- The definition of the merchandise that can be sold has been made more clear and descriptive. It is clear in the YSO that only used and second hand items are legal to sell.
- It is clear in the YSO that any new, retail, or food/drink is not allowed as yard sale merchandise. This makes enforcement more efficient.
- The YSO will improve the deterrent effect and reduce the overall occurrence of illegal yard sales in the county.
- Areas like FF that experience "out of control" yard sales will see immediate benefits once the YSO goes into effect.
- It might be good to indicate the importance of funding teams of inspectors to go out on weekends for enforcement. DRP is closed Fri/Sat/Sun so weekend inspections will be done on approved OT. Without this, the YSO will have no teeth.

The areas of concern regarding the YSO are:

- The clause that allows retroactive registration of yard sales on non-designated weekends might create a loophole for abuse.
- Increased number of yard sales from 2 per year to 12 + per year might continue to prove to be a challenge for enforcement and in achieving the balance that the community is striving.
- A large outreach effort with an educational component is needed to inform the community of the changes and the new YSO or enforcement of this new YSO.

Overall, the ordinance is very well written and fair. I am confident that once in place it will be an essential tool in eradicating or substantially reducing the problem.

Sincerely,



Rick Aldridge

Cc: Jonathan Bell, Department of Regional Planning; Celica Quiñones, Office of LA County Supervisor Mark Ridley-Thomas



THE FLORENCE-FIRESTONE/WALNUT PARK CHAMBER OF COMMERCE

2156 E. Florence Ave., 2nd Floor, Walnut Park, Ca 90255 • (323) 589 - 4222 • Fax (323) 589 - 4224, Email info@FFWPChamber.org

February 18, 2015

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M&M Furniture

1st Vice Chairman
Rafael Mijangos
La Alameda LLC/Primestor

Secretary
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Camelo's Jello

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Community Kids Dental

Felix Romero
Las Champas Restaurant

Irv Sitkoff
Commercial Property Owner

Lloyd Weinstein
Victory Ground Support Equipment

Jonathan P. Bell
Department of Regional Planning
Los Angeles County
320 W. Temple St. 13th Fl.
Los Angeles, CA 90012

RE: Proposed Yard Sale Ordinance

Hearing Officer:

It is with great enthusiasm that the Florence-Firestone/Walnut Park Chamber of Commerce respectfully requests your support and approval of the newly proposed Yard Sale Ordinance. Our Florence-Firestone and Walnut Park business communities have been significantly suffering from unlicensed vendors and illegal yard sales for far too long. For those reasons, the Chamber has partnered with the Los Angeles County Department of Regional Planning and has been working for the past few months on policies and programs that have the potential to accelerate local business growth and job creation.

Extended yard sales are a common problem in Florence-Firestone and Walnut Park communities. Unfortunately, extended yard sales have become a daily activity which transform residential neighborhoods into commercial areas and undercut brick-and-mortar businesses. As a result, our communities' quality of life and economic viability is greatly reduced, to include costing our communities much needed jobs.

It is our sincere belief that the amended ordinance is a true compromise between Los Angeles County, its constituents and the small local business community and therefore; we once again respectfully request your support and approval of the newly proposed Yard Sale Ordinance.

Respectfully,

THE FLORENCE-FIRESTONE/WALNUT PARK CHAMBER OF COMMERCE

Efren Martinez
Executive Director/CEO

cc: Hilda Solis, County Supervisor - District 1
Mark Ridley-Thomas, County Supervisor - District 2

February 23, 2015

Jonathan P. Bell, Regional Planner
County of Los Angeles
Department of Regional Planning
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

Dear Jonathan,

I write this letter as a member of the Florence-Firestone Community Leaders and as a long time resident of the community. I have seen the improvement of services for the community firsthand over the years and realize that it has been a collaborative effort between many involved parties.

Today, Florence-Firestone faces the problem of yard sale compliance that threatens continued efforts to raise quality of life. A drive through the streets on any given day yields instances of yard sales spilling onto sidewalks, day after day. Some residences had yard sales that were so established as to be classified as a business by neighbors – the homeowner had erected a tarp on their front yard to sell costumes and clothing weeks on end. These practices only blight residential communities and the lack of code enforcement served to enable such activities.

It is our hope that the ordinance updates will allow community residents the opportunity to have yard sales on prescribed days of the month, and that the yard sales we have seen in the past that blight communities will drop because of enhanced enforcement procedures.

I have reviewed the proposed Yard Sale ordinance updates and I believe that it would be an improvement on quality of life and truly a collaborative effort with support of local residents across all five supervisorial districts – but especially needed in Florence-Firestone. I offer my full support.

Sincerely,

Erika Pinto

23 de Febrero de 2015

Jonathan P. Bell, Regional Planner
County of Los Angeles
Dept. of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA. 90012

Estimado Sr. Bell.

Como residente de la comunidad de Florence-Firestone he tenido la oportunidad de revisar y discutir la proposición de la ordenanza de las ventas de garaje. Por muchos años hemos notado que la propiedad se va disminuyendo su valor y es que las ventas no son solo de un día sino de varios; en consecuencia muchas veces hay más tráfico y basura en nuestras propiedades. Y esto es inaceptable.

Porque muchas veces se mezcla lo nuevo con lo usado y así se daña a los pequeños comerciantes que sí pagan sus impuestos. Mientras que ellos solo pagan un permiso por un solo día para vender cosas usadas pero, venden jabón, shampoo, etc. Hasta bloquean las banquetas donde muchas veces no podemos caminar y tenemos que bajarnos.

Por lo cual yo apoyo estas regulaciones en respecto de las ventas de garaje.

Sinceramente,

Olga Pinto Jimenez
(miembro de los Amigos de la Biblioteca Florence-Firestone)

Feb. 24. 2015

Jonathan P. Bell

I am Theresa M. Wright
1400 E. 62nd St. L.A 90001

This is a good start to improve
our area by having limited
on yard sales in our neighborhood

Sincerely
Theresa M. Wright

RECEIVED
MAR 02 2015
BY: _____

February 24, 2015

Jonathan Bell

Regional Planning
County of L.A.

Department of Regional Planning

My name is Lynwood Wright
1400 E. 62nd St., Los Angeles Ca
90001. I am in agreement
with limits on yard
sales in my neighborhood

Thank you
Lynwood Wright

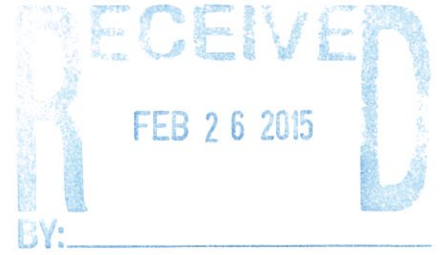
Jonathan P. Bell, Regional Planner

County of Los Angeles

Department of Regional Planning

320 West Temple Street, 13 floor

Los Angeles, CA 90012



Dear Jonathan P. Bell:

I hope this letter will speed up the passage of the new Yard Sale Ordinance. The congestion and problems with the 7 day yard sale are getting worse. I do not see any used products for sale they are all new products for sale. The people are trying to earn money 7 days a week. They do not want to spend the money to get a place to sell their items or to try to get permits for selling of these products.

Sincerely

A handwritten signature in blue ink that reads "Joseph J. Titus". The signature is written in a cursive style with a large, stylized "J" and "T".

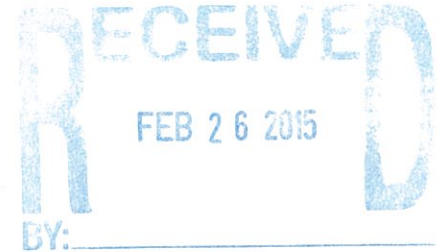
Jonathan P. Bell, Regional Planner

County of Los Angeles

Department of Regional Planning

320 West Temple Street, 13 floor

Los Angeles, CA 90012



Dear Jonathan P. Bell:

I hope this letter will speed up the passage of the new Yard Sale Ordinance. The congestion and problems with the 7 day yard sale are getting worse. I do not see any used products for sale they are all new products for sale. The people are trying to earn money 7 days a week. They do not want to spend the money to get a place to sell their items or to try to get permits for selling of these products.

Sincerely

Mary Rose Cortese
(323) 234-6904

February 27, 2015

Jonathan P. Bell

Regional Planner

County of Los Angeles Regional Planning

Kenneth Hahn Hall of Administration

500 W. Temple Street 13th Floor

Los Angeles, CA. 90012

Dear Mister Bell:

I am writing this letter in support of the yard sales ordinance of which I am in favor.

I happen to be a member of the Bethune Park Block Club and also an attendant of the Firestone Code Enforcement meetings. I wanted to take the time to write this letter, as a constituent in the hopes this helps with the acknowledgment of my support. Should you need to contact me my information is as follows:

Joyce Crawford,

1146 East 58th Place, Los Angeles, California 90001

Home Phone Number (323) 242-3589

Sincerely:

Joyce Crawford
Joyce Crawford

Bethune Park Block Club Member

RECEIVED
MAR - 9 2015
BY: _____

Jonathan Bell

From: ppat lopez [pmartin32@outlook.com]
Sent: Monday, April 13, 2015 6:12 AM
To: Jonathan Bell
Subject: Re;Yard sale Letter

As a resident of Florence-Firestone who has lived here for 37 years. yard sales throughout our communities during the week and weekends is a huge issue. I understand it has been tough these past years economic wise for many of us but this is not the way to go. Running a business requires permits, pay taxes, generate profit for the city etc... On the contrary it creates a filthy, unsafe city.

Why is it an issue it creates public unsafety for instance on weekends on Compton Blvd. residents/ disabled people cannot walk on sidewalks they have to literally walk on the street. Creating a huge hazard for pedestrians an oncoming traffic/cars on the streets. Additionally, its not fair for establish businesses that comply with all that is required from taxes, permits, etc... and don't sell as much because the competition of selling. These yard sale people don't promote any revenue or benefit to our city.

Thank You,

Perla Martinez

Sent from Windows Mail



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 2, 2015

Ms. Shirley Harriman
buttebuddy@sbcglobal.net

Dear Ms. Harriman:

YARD SALE ORDINANCE UPDATE

Thank you for your e-mail dated January 18, 2015, to Mayor Michael D. Antonovich regarding the County's Yard Sale Ordinance Update. Mayor Antonovich has requested that the Department of Regional Planning (Department) respond to you directly, with a copy to his office.

Extended yard sales and illegal street vending occur in certain unincorporated communities in Los Angeles County. Extended yard sales are usually conducted on private property. Often, new retail merchandise is sold and the display of yard sale items encroaches onto sidewalks, parkways and streets, hindering safe access. Illegal street vending is conducted on publicly accessible land, such as sidewalks, parkways, alleys and streets, also blocking pedestrian and vehicular access on this land. Extended yard sale and street vending activities increase foot and vehicular traffic, thereby transforming residential neighborhoods into commercial areas. These activities cause blight and diminish quality-of-life. Current regulations do not address these problems and the activities are difficult to regulate. In response to these concerns, in April 2013, the Board of Supervisors issued a motion calling for stronger codes and tools to achieve more effective yard sale and vending abatement. The proposed Yard Sale Ordinance Update is the Department's response to the Board directive. County Counsel is concurrently updating County codes addressing illegal street vending in response to the Board motion.

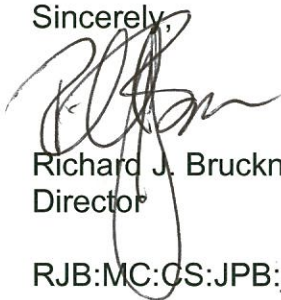
As discussed above, the updated Yard Sale Ordinance will apply to private property. The "over-sized road yard sales" you describe occurring between 167th and 170th Streets appear to be illegal street vending activities, as they are conducted on public roads. In this instance, both the current and proposed yard sale regulations do not apply since the activity is not conducted on private property. Nevertheless, this illegal street vending is a problem. We recommend that you report this activity by calling the County's 211 hotline and speaking with a code enforcement operator. Please describe the activity and precise location where it is taking place. The operator will take the information and refer your complaint to appropriate County authorities for investigation. Code enforcement operators at 211 are available to assist you 24 hours a day, 7 days per week.

Mr. Shirley Harriman
February 2, 2015
Page 2

Please feel free to visit our project website for additional information about the Yard Sale Ordinance Update: planning.lacounty.gov/yard. For questions regarding updates to the County's street vending codes, please contact Ms. Sari Steel, Principal Deputy County Counsel, Property Division, at (213) 974-1853 or by email at ssteel@counsel.lacounty.gov.

If you have further questions of my staff, please contact Jonathan P. Bell at (213) 974-6425 or by email at jpbell@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 6:00 p.m.

Sincerely,



Richard J. Bruckner
Director

RJB:MC:CS:JPB:jpb:ems

c: Supervisor Michael D. Antonovich, Mayor (Edel Vizcarra, Norm Hickling)

S_AP_020215_5DAY_HARRIMAN

From: Hickling, Norm
Sent: Monday, January 19, 2015 9:45 AM
To: Divita, Daniel
Subject: FW: Proposed Regional Planning Yard Sale Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

CRM and send to DRP for response

Norm Hickling
Supervisor Antonovich Antelope Valley Field Office
1113 Ave M-4, Suite A
Palmdale, Ca 93551
661-726-3600

From: SHIRLEY HARRIMAN [<mailto:buttebuddy@sbcglobal.net>]
Sent: Sunday, January 18, 2015 9:36 AM
To: Hickling, Norm; Divita, Daniel
Subject: Proposed Regional Planning Yard Sale Ordinance

This ordinance would hopefully get the over-sized road yard sales off the roads. On the south side of East Avenue O this weekend a 'yard' sale extended from 167th to 170th Street. Cars were parked on the side of the road. Driving through the area was chancy with people pulling over to stop and pulling out. I am hoping this would allow officers to stop this practice in the future.



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 3, 2015

Ms. Debbie Schmidt
4083 West Avenue L, No. 168
Quartz Hill, CA 93536

Dear Ms. Schmidt:

YARD SALE ORDINANCE UPDATE

Thank you for your e-mail dated January 17, 2015, to Mayor Michael D. Antonovich regarding the County's Yard Sale Ordinance Update. Mayor Antonovich has requested that the Department of Regional Planning (Department) respond to you directly, with a copy to his office.

Extended yard sales have become a daily occurrence in certain unincorporated communities in Los Angeles County. Often, new retail merchandise is sold, items are placed on the sidewalk, parkway and street, and yard sale signage is posted indefinitely on utility poles. Extended yard sales increase foot and vehicular traffic, transforming residential neighborhoods into commercial areas. This causes blight and diminishes quality-of-life to residents in these communities. Current yard sale regulations do not address these problems and the activities are difficult to regulate. In response to these concerns, in April 2013, the Board of Supervisors issued a motion calling for stronger codes and tools to achieve more effective and efficient yard sale abatement countywide. The Yard Sale Ordinance Update is the Department's response to the Board directive. To help you understand the proposed ordinance, I have attached a copy of our staff report to the Regional Planning Commission and the April 2013 Board motion. Information contained in these documents addresses your questions.

Between January 2008 and October 2014, the Department had 407 yard sale enforcement cases. To reduce the frequency of extended yard sales, the proposed ordinance establishes a designated weekend to conduct yard sales by-right. As indicated in Section 22.52.3130.A of the proposed ordinance, the designated weekend for conducting yard sales is the last weekend (Saturday and Sunday) of each month in the calendar year. Yard sales are prohibited Monday through Friday under this ordinance.

Staff took into account that circumstances do not always allow people to conduct yard sales on the designated weekend at month's end. Therefore, to provide flexibility, the proposed ordinance allows people to conduct up to two additional yard sales on non-designated weekends in the calendar year. A non-designated weekend is defined as any weekend (Saturday and Sunday) other than the last weekend of the month. These

additional yard sales must be registered with this Department. Registration allows Zoning Enforcement staff to know which yard sales are operating legally on non-designated weekends. The registration process will not be burdensome and there are no associated registration fees. The single-page registration form is user-friendly and will be made available, after ordinance adoption, at our Department offices and on our website at planning.lacounty.gov. The retroactive registration feature was included for people who unknowingly conduct a yard sale on a non-designated weekend without registration. Retroactive registration allows them to register one yard sale after-the-fact during the calendar year without being penalized.

Pursuant to Section 22.52.3150 of the ordinance, occupants of each dwelling unit on a property may conduct yard sales during designated weekends, or on a non-designated weekend with prior registration. The proposed ordinance does not allow occupants to conduct yard sales every weekend.

Inspections have disclosed that new retail merchandise is increasingly being sold at yard sales. The sale of new retail merchandise at yard sales undercuts traditional storefront businesses and reduces taxable revenues in the County. In response, Section 22.52.3160.C.1 of the proposed ordinance defines allowable yard sale items as "secondhand, household, or incidental personal items owned by the property owner or tenant," while Section 22.52.3160.C.2 provides a clear definition of prohibited items, such as "retail merchandise, new, unused or pre-packaged items, distributor packaged items intended for retail sales, or any food and beverages." In response to your hypothetical scenario, we recommend that you review the definitions pertaining to permitted and prohibited items, and we advise you to remove price tags on secondhand items so inspectors do not mistake them for new retail merchandise.

The public right of way is an inclusive term meaning public land accessible to the public for pedestrian or vehicular travel and includes sidewalks, parkways, alleys and streets. As discussed above, yard sale items are often displayed in the public right of way, hindering safe access for cars and pedestrians. In response to this concern, the proposed ordinance expressly prohibits placement of yard sale items in the public right of way.

Under the proposed ordinance, Zoning Enforcement staff will remain as the County's responders for yard sale complaints. They will respond to reports and conduct proactive yard sale enforcement of identified problem areas. No additional personnel are required.

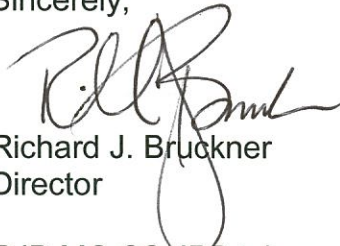
Ms. Debbie Schmidt
February 3, 2015
Page 3

In response to the Board's directive to strengthen abatement tools, the proposed ordinance provides expedited enforcement procedures which include the ability to issue a Final Zoning Enforcement Order (FZEO) to a non-complaint yard sale without prior issuance of a Notice of Violation. Such expediency is needed to abate egregious or repeated yard sale violations. Expedited enforcement will be used at the inspector's discretion. Although Zoning Enforcement staff customarily issue a Notice of Violation as the first notice, this practice is not required by the County's Planning and Zoning Code (Title 22). In fact, pursuant to Section 22.60.390 of the current Zoning Ordinance, staff is authorized to issue a FZEO without prior notice or warning. By building this existing provision into the Yard Sale Ordinance Update, we are expressly authorizing inspection staff to use expedited enforcement measures to abate extended yard sales. As with all zoning violation cases, an FZEO for an extended yard sale provides the violator with a 15-day period to file a time extension or appeal as required by Section 22.60.390 of the Zoning Ordinance.

Please feel free to visit our project website for additional information about the Yard Sale Ordinance Update: planning.lacounty.gov/yard.

If you have further questions, please contact Jonathan P. Bell of my staff at (213) 974-6425 or by email at jpbell@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 6:00 p.m.

Sincerely,



Richard J. Bruckner
Director

RJB:MC:CS:JPB:jpb:ems

Attachments

c: Supervisor Michael D. Antonovich, Mayor (Edel Vizcarra, Norm Hickling)

S_AP_020315_5DAY_YARD SALE ORD_SCHMIDT

From: Hickling, Norm
Sent: Saturday, January 17, 2015 4:32 PM
To: Debbie Schmidt
Cc: Quartz Hill Town Council; Susan Zahnter; Divita, Daniel
Subject: Re: Proposed Regional Planning Yard Sale Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Daniel sent the draft out at my request. The questions will be directed to Regional Planning for response to you and town council

Sent from my iPhone

On Jan 17, 2015, at 3:04 PM, "Debbie Schmidt" <debbie@dshsolutions.com> wrote:

I had an issue with the sending of the below email and you were inadvertently left off of the recipient list. Apologies for any confusion.

Best regards,

Debbie

From: Debbie Schmidt [<mailto:debbie@dshsolutions.com>]
Sent: Saturday, January 17, 2015 2:31 PM
To: 'Divita, Daniel'
Subject: RE: Proposed Regional Planning Yard Sale Ordinance

Dear Mr. Divita,

I received a copy of the proposed ordinance below and am requesting your help in understanding the following as a Quartz Hill/LA County resident:

- What are the statistics of abusive yard sales practice that have prompted the revision of this section into the County Code?
- What was the reasoning of each of the other Supervisors of the other districts for requesting LA County to make these changes to its code?
- How to you anticipate enforcement, including the additional personnel required to troll for infractions? Or would this be on a reported basis only?
- What is a designated weekend, actually? Is it any weekend (Saturday & Sunday) of any month? Section 22.52.3130 is not clear to me.
- With regard to registration (22.52.3140), this does not take into consideration all of the many families that are being foreclosed upon and need to sell their personal property in order to afford basic necessities in very short order. Granted, there may be time to register providing the process isn't onerous or require physical appearance, but for most individuals in the middle of a crisis, obtaining a permit to get money to eat or shelter their family or selves would probably be

at the bottom of any list. Also, retroactive registration as per 22.52.3170 B. may be burdensome and onerous to these individuals.

- With regard to 22.52.3150, could 4 apartment tenants in collaboration theoretically have a yard sale every weekend?
- With regard to 22.52.3160 C.1., it appears to be saying that the items I purchased -- when I was heavier in weight -- but never wore (and still have the price tag) cannot now be sold at a yard sale now that I've lost weight? Or toys for grandchildren that were not sent, or new items I've received or won during opportunity drawings? I'm sure there are other instances I'm unaware of, so this list is not all inclusive.
- With regard to 22.52.3160 E.3. -- Is there an explanation of what a public right of way is?
- With regard to 22.52.3170 -- Is this saying that the County can go straight to final violation with no warnings? It was my understanding that violators of County Code were issued a warning and request to comply? Why is this different and what is prompting such expediency when landowners and other violators have at least 15 days to comply with serious infractions as per 22.60.390?

Thank you in advance for your help in understanding this ordinance.

Best regards,

<image001.jpg>

Regional Planner / Web Designer
661-305-0709 | ddivita@lacsolutions.com
4083 West Avenue L, No. 168, Quartz Hill, CA 93555
<http://www.lacsolutions.com>

<image003.png><image004.png><image005.png>

This e-mail message may contain confidential or legally privileged information and is intended only for the use of the intended recipient(s). Any unauthorized disclosure, dissemination, distribution, copying or the taking of any action in reliance on the information herein is prohibited. E-mails are not secure and cannot be guaranteed to be error free as they can be intercepted, amended, or contain viruses. Anyone who communicates with us by e-mail is deemed to have accepted these risks. Lash Solutions is not responsible for errors or omissions in this message and denies any responsibility for any damage arising from the use of e-mail. Any opinion and other statement contained in this message and any attachment are solely those of the author and do not necessarily represent those of the company.

From: Divita, Daniel [<mailto:DDivita@lacsos.org>]
Sent: Friday, January 16, 2015 4:32 PM
Subject: Proposed Regional Planning Yard Sale Ordinance

Good afternoon,

If you are receiving this e-mail, then you are identified as a community leader by our office for your respective unincorporated area.

At the request of other Supervisors representing different districts, the County is proposing to limit the number of garage and yard sales a person can have at their residence before a permit is required. Please review the proposed ordinance and if you have any questions or concerns, please feel free to let us know. You are welcome to forward this e-mail. Supervisor Antonovich would welcome any comments for or against this proposal as he prepares to hear the item in March.

Thank you,

*Daniel DiVita, Student Intern
Antelope Valley Office of Supervisor Antonovich
1113 West Avenue M-4, Suite A
Palmdale, CA 93551
Phone: (661) 726-3600
<image006.jpg>*



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 10, 2015

Ms. Tommie Paddock
35271 Red Rover Mine Road
Acton, CA 93510

Dear Ms. Paddock:

YARD SALE ORDINANCE UPDATE

Thank you for your e-mail dated January 25, 2015, to Mayor Michael D. Antonovich regarding the County's Yard Sale Ordinance Update. Mayor Antonovich has requested that the Department of Regional Planning (Department) respond to you directly, with a copy to his office. Your comments will be included in the Board hearing Staff Report.

Extended yard sales have become a daily occurrence in certain unincorporated communities in Los Angeles County. Often, new retail merchandise is sold, items are placed on the sidewalk, parkway and street, and yard sale signage is posted indefinitely on utility poles. Extended yard sales increase foot and vehicular traffic, transforming residential neighborhoods into commercial areas. This causes blight and diminishes quality of life to residents in these communities. Current yard sale regulations do not address these problems and the activities are difficult to regulate. In response to these concerns, in April 2013, the Board of Supervisors issued a motion calling for stronger codes and tools to achieve more effective and efficient yard sale abatement Countywide. The Yard Sale Ordinance Update is the Department's response to the Board directive.

Existing yard sale regulations limit the activity to a maximum of two yard sales in any 12-month period. This limitation has become inflexible and unreasonable. The proposed ordinance establishes a designated weekend each month to conduct yard sales by-right. The designated weekend for conducting yard sales is the last weekend (Saturday and Sunday) of each month in the calendar year. Therefore, the proposed ordinance increases permitted yard sales to 12 in one calendar year. To provide flexibility, the proposed ordinance also allows people to conduct up to two additional yard sales on non-designated weekends in the calendar year. A non-designated weekend is defined as any weekend (Saturday and Sunday) other than the last weekend of the month. These additional yard sales must be registered with this Department; there are no fees associated with registration and the process will not be burdensome. The single-page registration form is user-friendly and will be made available after ordinance adoption at our Department offices and on our website at planning.lacounty.gov.

Ms. Tommie Paddock
February 10, 2015
Page 2

Please feel free to visit our project website for additional information about the Yard Sale Ordinance Update: planning.lacounty.gov/yard.

If you have further questions, please contact Jonathan P. Bell of my staff at (213) 974-6425 or by e-mail at jpbell@planning.lacounty.gov. Our offices hours are Monday through Thursday, 7:30 a.m. to 6:00 p.m.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard J. Bruckner', followed by a small 'for' and 'RJB'.

Richard J. Bruckner
Director

for
RJB

RJB:MC:CS:JPB:jpb:ems

c: Supervisor Michael D. Antonovich, Mayor (Edel Vizcarra)

S_AP_021015_5DAY_PADDOCK

RECEIVED

By MDA EMAIL at 9:14 am, Jan 26, 2015

From: Tommie Paddock [mailto:1940tigertale@gmail.com]

Sent: Sunday, January 25, 2015 8:24 PM

To: Michael D. Antonovich

Subject: MONITORED YARD SALES

Suffix	Mrs.
Name	Tommie Paddock
Email	1940tigertale@gmail.com
Contact Number	6612691937
Address	35271 red rover mine rd Acton Ca 93510 United States
Subject	MONITORED YARD SALES
Message	I am opposed to limitation and restrictions proposed too yard sales. Another right taken away from all of us in county. More paper work and probably a fee charged for this Don't they have enough to do. There is a lot of us on fixed incomes, yard sales help us pay our bills.Please oppose this change. Sincerely, Tommie Paddock

The message has been sent from 162.72.155.116 (United States) at 2015-01-26 00:24:19 on Internet Explorer 11.0
Entry ID: 265

Powered by [123ContactForm](#)



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 18, 2015

Ms. Laura Blank
slblank@yahoo.com

Dear Ms. Blank:

YARD SALE ORDINANCE UPDATE

Thank you for your e-mail dated February 5, 2015, to Mayor Michael D. Antonovich regarding the County's Yard Sale Ordinance Update. Mayor Antonovich has requested that the Department of Regional Planning (Department) respond to you directly, with a copy to his office.

Extended yard sales and illegal street vending occur in certain unincorporated communities in Los Angeles County. Extended yard sales are usually conducted on private property. Often, new retail merchandise is sold and the display of yard sale items encroaches onto sidewalks, parkways and streets, hindering safe access. Illegal street vending is conducted on publicly accessible land, such as sidewalks, parkways, alleys and streets, also blocking pedestrian and vehicular access on this land. Extended yard sale and street vending activities increase foot and vehicular traffic, thereby transforming residential neighborhoods into commercial areas. These activities cause blight and diminish quality of life. Current regulations do not address these problems and the activities are difficult to regulate. In response to these concerns, in April 2013, the Board of Supervisors issued a motion calling for stronger codes and tools to achieve more effective yard sale and street vending abatement. The proposed Yard Sale Ordinance Update is the Department's response to the Board directive. County Counsel is concurrently updating County codes addressing illegal street vending in response to the Board motion.

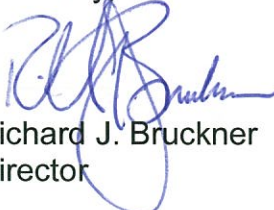
Existing yard sale regulations are very restrictive, limiting the activity to a maximum of two yard sales in any 12-month period. This limitation has become inflexible and unreasonable. The proposed ordinance establishes a designated weekend each month to conduct yard sales by-right. The designated weekend for conducting yard sales is the last weekend (Saturday and Sunday) of each month in the calendar year. Therefore, the proposed ordinance increases permitted yard sales to 12 in one calendar year. To provide flexibility, the proposed ordinance also allows people to conduct up to two additional yard sales on non-designated weekends in the calendar year. A non-designated weekend is defined as any weekend (Saturday and Sunday) other than the last weekend of the month. These additional yard sales must be registered with this Department; there are no fees associated with registration and the process will not be burdensome. The single-page registration form is user-friendly and will be made available after ordinance adoption at our Department offices and on our website at planning.lacounty.gov.

Ms. Laura Blank
February 18, 2015
Page 2

As discussed above, the proposed ordinance will apply to private property. The unlicensed peddling and food vending you describe occurring in Palmdale, Lancaster, and other unincorporated areas, appears to be illegal street vending activities, since they are conducted on "streets and corners." In this instance, both the current and proposed yard sale regulations do not apply to these activities. Nevertheless, this illegal street vending is a problem and the County does respond to these concerns. We recommend that you report these activities by calling the County's 211 hotline and speak with a code enforcement operator. Please describe the activity and precise location where it is taking place. The operator will take the information and refer your complaint to appropriate County authorities for investigation. Code enforcement operators at 211 are available to assist you 24 hours a day, 7 days per week. Please feel free to visit our project website for additional information about the Yard Sale Ordinance Update: planning.lacounty.gov/yard. For questions regarding updates to the County's street vending codes, please contact Ms. Sari Steel, Principal Deputy County Counsel, Property Division, at (213) 974-1853 or by e-mail at ssteel@counsel.lacounty.gov. A copy of your e-mail has been forwarded to Ms. Steel's office for consideration.

If you have further questions, please contact Jonathan P. Bell of my staff at (213) 974-6425 or by e-mail at jpbell@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 6:00 p.m.

Sincerely,



Richard J. Bruckner
Director

RJB:MC:CS:JPB:jpb:ems

c: Supervisor Michael D. Antonovich, Mayor (Edel Vizcarra, Norm Hickling)

S_AP_021815_5DAY_YARD_SALE_ORD_BLANK

From: Hickling, Norm
Sent: Friday, February 06, 2015 8:44 AM
To: Divita, Daniel
Subject: RE: Yard Sale Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Pending, Red Category

Thanks
CRM and on to DRP for review and response

Thanks

Norm Hickling
Supervisor Antonovich Antelope Valley Field Office
1113 Ave M-4, Suite A
Palmdale, Ca 93551
661-726-3600

From: Divita, Daniel
Sent: Friday, February 06, 2015 8:41 AM
To: Hickling, Norm
Subject: FW: Yard Sale Ordinance

Daniel DiVita

*"Ability is what you're capable of doing.
Motivation determines what you do.
Attitude determines how well you do it."*
- Lou Holtz

From: The Blanks [<mailto:slblank@yahoo.com>]
Sent: Thursday, February 05, 2015 8:51 PM
To: Divita, Daniel
Subject: Yard Sale Ordinance

Dear Supervisor Antonovich:

As a homeowner, I do not feel we should be subject to another ordinance restricting our freedom. If the Board of Supervisors feels private sales are an issue, then they should drive around Palmdale, Lancaster, and the unincorporated areas of LA County to see all the yard sales, taco stands, and peddlers selling their wares on many streets and corners. Most, if not all of these individuals do not have the proper permits, such as business licenses, and/or health and safety permits to serve food.

My request is that this ordinance be cancel, so homeowners are not subject to another rule that is overlooked by others peddling on the street corners.

Thank you for your time.

Laura Blank
Pearblossom, California

Good afternoon,

If you are receiving this e-mail, then you are identified as a community leader by our office for your respective unincorporated area.

At the request of other Supervisors representing different districts, the County is proposing to limit the number of garage and yard sales a person can have at their residence before a permit is required. Please review the proposed ordinance and if you have any questions or concerns, please feel free to let us know. You are welcome to forward this e-mail. Supervisor Antonovich would welcome any comments for or against this proposal as he prepares to hear the item in March.

Thank you,

Daniel DiVita, Student Intern

Antelope Valley Office of Supervisor Antonovich

1113 West Avenue M-4, Suite A

Palmdale, CA 93551

Phone: (661) 726-3600



View attachments on the web

Posted by: Lori Weatherbie <mikew@qnet.com>

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Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 18, 2015

Ms. Valerie Zera
saddlinthe@aol.com

Dear Ms. Zera

YARD SALE ORDINANCE UPDATE

Thank you for your e-mail dated February 2, 2015, to Mayor Michael D. Antonovich regarding the County's Yard Sale Ordinance Update. Mayor Antonovich has requested that the Department of Regional Planning (Department) respond to you directly, with a copy to his office. Your comments will be included in the Board hearing Staff Report.

Extended yard sales have become a daily occurrence in certain unincorporated communities in Los Angeles County. Often, new retail merchandise is sold, items are placed on the sidewalk, parkway and street, and yard sale signage is posted indefinitely on utility poles. Extended yard sales increase foot and vehicular traffic, transforming residential neighborhoods into commercial areas. This causes blight and diminishes quality of life to residents in these communities. Current yard sale regulations do not address these problems and the activities are difficult to regulate. In response to these concerns, in April 2013, the Board of Supervisors issued a motion calling for stronger codes and tools to achieve more effective yard sale abatement Countywide. The Yard Sale Ordinance Update is the Department's response to the Board directive.

"Estate sales" are not land uses in the County's Planning and Zoning Code (Title 22). Adding estate sales as a land use in Title 22 is not within the scope of the proposed ordinance. Our Department's practice is to treat estate sales like yard sales since the two uses are comparable in activity and scope. If the proposed ordinance is adopted, this practice will continue.

Under the proposed ordinance, the property owner and/or occupants of each dwelling unit on a property may conduct yard sales. This provision addresses the growing problem of people renting out their properties to nonresidents to conduct yard sales as a commercial use. Consistent with the Board motion, limiting yard sale operators to the property owner or occupants bolster the ability of our Zoning Enforcement staff to abate unpermitted yard sale activity. With regard to neighbors or community groups organizing a yard sale at a property, we do not see a conflict if the items comply with the proposed ordinance and are given to the property's authorized yard sale operator.

Although yard sales have traditionally been conducted as weekend events, existing zoning regulations allow yard sales to occur any day of the week. This provision has become difficult to enforce as yard sale activity has increased Countywide. Under the proposed ordinance, yard sales are allowed on weekends (Saturday and Sunday). The weekend offers more leisure time for people to host and to patronize yard sales. By permitting the activity on Saturdays and Sundays, the ordinance clearly identifies yard sales as weekend events affording maximum access to the community.

In developing the proposed ordinance, staff took into account various stakeholder interests. Staff balanced the sellers' interest in operating yard sales during a reasonable time of day, the buyers' interest in having convenient access to yard sales, and the community's interest in maintaining high quality-of-life while yard sales are conducted. Staff determined that the operating hours of 7:00 a.m. to 6:00 p.m. are balanced, reasonable, and non-detrimental to all involved parties.

As discussed above, yard sale signage is often posted and left indefinitely on utility poles creating blight. Existing zoning regulations are silent on display of yard sale signage in the street and Zoning Enforcement staff cannot abate these problems. The proposed ordinance addresses these concerns by expressly prohibiting the display of yard sale signage in the public right of way. The public right of way is public land accessible for pedestrian or vehicular travel and includes sidewalks, parkways, alleys and streets. We do not believe the proposed ordinance "severely restricts" yard sale advertising. Under the proposed ordinance, yard sale operators may post on the property up to two signs, each not exceeding four square feet, one day prior to and during the event.

We do not believe the proposed ordinance "severely restricts" days to conduct yard sales. In fact, the proposed ordinance increases permitted yard sales to 12 in one calendar year. The proposed ordinance establishes a designated weekend each month to conduct yard sales by-right. The designated weekend for conducting yard sales is the last weekend (Saturday and Sunday) of each month in the calendar year. To provide flexibility, the proposed ordinance also allows people to conduct up to two additional yard sales on non-designated weekends in the calendar year. A non-designated weekend is defined as any weekend (Saturday and Sunday) other than the last weekend of the month. These additional yard sales must be registered with this Department; there are no fees associated with registration and the process will not be onerous. The single-page registration form is user-friendly and will be made available after ordinance adoption at our Department offices and on our website at planning.lacounty.gov.

Ms. Valerie Zera
February 18, 2015
Page 3

The purpose of limiting yard sales to a property's front and side yards is to keep the activity oriented to the street for maximum visibility. While we understand that use of a garage may be helpful during a yard sale, please be advised that Los Angeles County Code 22.52.1010 requires a garage be permanently maintained to be accessible for vehicle parking only.

Please feel free to visit our project website for additional information about the Yard Sale Ordinance Update: planning.lacounty.gov/yard.

If you have further questions, please contact Jonathan P. Bell of my staff at (213) 974-6425 or by email at jpbell@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 6:00 p.m.

Sincerely,



Richard J. Bruckner
Director

RJB:MC:CS:JPB:jpb:ems

c: Supervisor Michael D. Antonovich, Mayor (Edel Vizcarra, Norm Hickling)

S_AP_021715_5DAY_ZERA

From: Hickling, Norm
Sent: Tuesday, February 03, 2015 4:02 PM
To: Divita, Daniel; Borzaga, Christine
Subject: FW: Comments on new proposed yard sale ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

CRM to DRP for review and response to the constituent

Thanks

Norm Hickling
Supervisor Antonovich Antelope Valley Field Office
1113 Ave M-4, Suite A
Palmdale, Ca 93551
661-726-3600

-----Original Message-----

From: Saddlinthe@aol.com [mailto:Saddlinthe@aol.com]
Sent: Monday, February 02, 2015 3:40 PM
To: bobjan1977@hotmail.com; Lori Weatherbie; Hickling, Norm
Cc: Divita, Daniel
Subject: Comments on new proposed yard sale ordinance

1. How does this affect "estate sales," that is, the sale of the belongings of a deceased occupant out of a currently unoccupied residence?
2. The wording seems to prohibit any kind of group yard sale. For example, some of our local communities or clubs or even a group of neighbors (block sale) hold a group yard sale annually. Living in Juniper Hills, I've sometimes brought items to add to the yard sale of a friend who lives where there is more traffic & better visibility in Quartz Hill. This is permitted under the current ordinance in effect.
3. Many yard sales are begun on Fridays. It is my personal belief that many avid yard sale shoppers enjoy getting "early" access, and that denying yard sales on Fridays may mean lost sales.
4. I'm a late sleeper, but no yard sales before 7:00 am? A lot of the best shoppers/ buyers are out at 6:00 am, again, I think you are interfering with the ability of the seller to sell!
5. Even if the advertised start time is 7:00am, trust me, the dedicated yard sale shopper will be pounding on the door, see number 4 above.
6. The yard sale operator is often holding the sale in an unsecured area, such as a front yard. This means that set up must occur prior to 7:00 am. Trust me, dedicated yard sale shoppers are there, examining merchandise & making offers before the set up is complete. Would I turn away an opportunity to sell my items because someone showed up earlier

than the advertised start time? Heck no! These are often the folks that are truly buyers, I might only have lookiloos come through the balance of the day. See 4 & 5 above.

7. The signage rules present an unfair disadvantage to those who do not live on a well travelled street. Two or three signs should be allowed on nearby streets that would attract buyers, with the caveat of removing them within 24 hours of the end of the sale.

8. Yard sale buyers range from professional shoppers (antique dealers, etc) looking for merchandise to resell; to those who are trying to in expensively furnish/decorate their residence; to individuals that are looking for items to incorporate into crafts; folks like me that respond to an ad promising items so specific use that I am continually on the lookout for (such as horse equipment); and persons looking to find items to add to personal collections at prices lower than retail (I collect a particular brand of old pottery). Finally, there are "hobby" yard sale buyers that look forward to the "hunt" of attending yard sales, often weekly, often with companions, just to see if something of interest is for sale, a social event, often preceded or followed by a group meal. I think it is as unfair to the buyers, as it is to the sellers to severely restrict when yard sales occur, and the signage that attracts the buyers. When I've gone out with hobbyist yard sale buyers, they often identify a couple sales that seem interesting in advertisements, and then drive around the surrounding area, looking for signs for additional sales to stop at, and feel the signage rules will make it harder to find yard sales, see 7 above.

9. I only recall personally holding one sale, prior to my move from Los Angeles to Palmdale. Being a moving sale, we were pulling everything out of closets, the garage, etc. that we wished to pass on to buyers. We were in the front yard, side yard, backyard, inside the residence & in the garage (accessed off the alley behind us). I think limiting to front & side yards is too restrictive. Particularly since sellers often need to use the garage, back yard or house to protect valuable items, or to keep a sale set up, but secure, for multiple day sales.

10. Yes, I understand that some people are having "yard sales" every weekend, perhaps even all week, often on vacant corners of busy streets, most likely without permission of the property owner. No, I wouldn't want a messy looking, non-permitted & licensed business like that in my neighborhood. I understand the goal of tightening up this ordinance in order for Code Enforcement to more easily spot & react to abuses of what we all traditionally think of as a "yard sale."

11. I don't have a suggestion that would make it easier for Code Enforcement to do their job, when many of us want to hold or attend a traditional "yard sale," when I frankly feel the current ordinances in effect are too restrictive. The need for a permit to hold sales on alternate or additional dates to those allowed under this draft ordinance is, frankly, onerous. If my "move out" date was the 15th, I would probably find it difficult to be ready to sell my unwanted items on the last full weekend of the prior month. I would also hate to take away 3 weekends a month from hobby shoppers, for whom this is a much anticipated weekly outing!

Thank you for considering my comments. I've been a resident of unincorporated Los Angeles County since 1996, and was a previous member of the Juniper Hills Town Council.

Valerie Zera
Juniper Hills, CA



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 19, 2015

Mr. Larry Levin
lhlevin@wildblue.net

Dear Mr. Levin:

YARD SALE ORDINANCE UPDATE

Thank you for your e-mail dated February 5, 2015, to Mayor Michael D. Antonovich regarding the County's Yard Sale Ordinance Update. Mayor Antonovich has requested that the Department of Regional Planning (Department) respond to you directly, with a copy to his office. Your comments will be included in the Board hearing staff report.

Extended yard sales have become a daily occurrence in certain unincorporated communities in Los Angeles County. Often, new retail merchandise is sold, items are placed on the sidewalk, parkway and street, and yard sale signage is posted indefinitely on utility poles. Extended yard sales increase foot and vehicular traffic, transforming residential neighborhoods into commercial areas. This causes blight and diminishes quality of life to residents in these communities. Current yard sale regulations do not address these problems and the activities are difficult to regulate. In response to these concerns, in April 2013, the Board of Supervisors issued a motion calling for stronger codes and tools to achieve more effective yard sale abatement Countywide. The Yard Sale Ordinance Update is the Department's response to the Board directive.

Under the proposed ordinance, yard sale enforcement will be largely complaint based. Zoning Enforcement staff will respond to reports of yard sale violations. As needed, they will also conduct surveys of identified problem areas with high concentrations of unpermitted yard sales.

In your e-mail, you recommend that the ordinance include the full name of the department, instead of referencing "the Department." We understand this concern. Please be advised that the Department is currently working on a Technical Update to the County's Planning and Zoning Code (Title 22). Among the revisions, we are simplifying all references to our department name to read "the Department" for consistency and conciseness in Title 22.

Mr. Larry Levin
February 19, 2015
Page 2

Inspections have disclosed that new retail merchandise is increasingly being sold at yard sales. The sale of new retail merchandise at yard sales undercuts traditional storefront businesses and reduces taxable revenues in the County. In response, the proposed ordinance defines allowable yard sale items as "secondhand, household, or incidental personal items owned by the property owner or tenant," and provides a clear definition of prohibited items, such as "retail merchandise, new, unused or pre-packaged items, distributor packaged items intended for retail sales, or any food and beverages." This distinction is needed to stop unpermitted retail vending at yard sales. We understand your concern about being able to legally sell unopened, inexpensive spare items at a yard sale. I will direct my inspection staff to exercise good judgment and discretion if such items are observed.

Please feel free to visit our project website for additional information about the Yard Sale Ordinance Update: planning.lacounty.gov/yard.

If you have further questions, please contact Jonathan P. Bell of my staff at (213) 974-6425 or by email at jpbell@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 6:00 p.m.

Sincerely,



Richard J. Bruckner
Director

RJB:MC:CS:JPB:jpb:ems

c: Supervisor Michael D. Antonovich, Mayor (Edel Vizcarra, Norm Hickling)

From: Hickling, Norm
Sent: Thursday, February 05, 2015 9:03 AM
To: Divita, Daniel
Subject: Re: Proposed Yard Sale Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Let's log into CRM and send to DRP for response
Thanks again

Sent from my iPhone

On Feb 5, 2015, at 8:33 AM, "Divita, Daniel" <DDivita@lacbos.org> wrote:

Daniel DiVita

*"Ability is what you're capable of doing.
Motivation determines what you do.
Attitude determines how well you do it."*
- Lou Holtz

From: LH Levin [<mailto:lhlevin@wildblue.net>]
Sent: Thursday, February 05, 2015 5:27 AM
To: Divita, Daniel
Subject: Proposed Yard Sale Ordinance

My two cents -

1. Reference is made to "the Department". Since the ordinance may be viewed by itself, the full name of the Department should be shown.

2. Re 22.52.3160. Operational Standards. #C - The sale of a limited number (3?), inexpensive (price less than \$10?) unopened items should be permitted. To be law-abiding, the recipient of a duplicate set of wooden kitchen utensils should not be forced to open the package of an item which is essentially incidental to the yard sale.

This ordinance is no doubt prompted by frequent, large yard sales held by people who are in the business of holding yard sales. Presumably enforcement will be intended primarily for those situations.

-Larry Levin-

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