

County of Los Angeles

October 8, 2024


Dawyn R. Harrison
County Counsel



ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

36 October 8, 2024


EDWARD YEN
EXECUTIVE OFFICER

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

**Re: Project No. PRJ2022-000029-(2)
Conditional Use Permit No. RPPL2022000061-(2)
(04/16/24 Board Agenda; Item No. 7)**

Dear Supervisors:

Your Board previously conducted a duly-noticed public hearing regarding the above-referenced Project No. PRJ2022-000029-(2), consisting of Conditional Use Permit No. RPPL2022000061-(2), to authorize the continued use, operation, and maintenance of an outdoor vehicle storage yard with the accessory sale of used and salvaged vehicles applied for by Copart, Inc. At the conclusion of the public hearing, your Board indicated an intent to deny the appeal and approve the project, with a modification of Condition No. 40, and instructed our office to prepare the necessary documents. Enclosed are the findings and conditions.

Very truly yours,

DAWYN R. HARRISON
County Counsel

By 
KATHY PARK
Deputy County Counsel

APPROVED AND RELEASED:


THOMAS J. FAUGHNAN
Senior Assistant County Counsel

KP:ll
Enclosures

c: Fesia A. Davenport, Chief Executive Officer
Edward Yen, Executive Officer, Board of Supervisors
Amy J. Bodek, Director, Department of Regional Planning

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NO. PRJ2022-000029-(2)
CONDITIONAL USE PERMIT NO. RPPL2022000061-(2)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing on April 16, 2024, in the appeal of Condition Nos. 7, 9, 25, 36, and 40 of Project No. PRJ2022-000029-(2), consisting of Conditional Use Permit No. RPPL2022000061-(2) ("CUP"). The County Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on October 25, 2023.
2. Copart, Inc. ("Permittee") requests the CUP to authorize the continued use, operation, and maintenance of an outdoor vehicle storage yard with the accessory sale of used and salvaged vehicles ("Project"). The Project is located on a property at 8423 South Alameda Street in the unincorporated community of Florence-Firestone ("Project Site") and in the M-2 (Heavy Manufacturing) Zone, pursuant to Los Angeles County Code ("County Code") Section 22.324.070.C.4 (Florence-Firestone Community Standards District Industrial Zone Specific Development Standards) as it existed on January 3, 2022, when the complete CUP application was submitted.
3. The Florence-Firestone Community Standards District ("CSD") was subsequently repealed in conjunction with the adoption of the Florence-Firestone Transit-Oriented District Specific Plan on February 7, 2022. Pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the Permittee chose to have the complete CUP application be subject to the zoning and regulations in effect at the time it was submitted. Therefore, the complete CUP application is also exempt from the Green Zone Ordinance (County Code Chapter 22.84), which was adopted on June 14, 2022. All subsequent references to County Code Title 22 ("Title 22") regulations in these findings relate to those in existence on January 3, 2022, when the complete CUP application was submitted.
4. The approval of a CUP is required for principal business activities located outside an enclosed structure, such as outdoor vehicle storage yards, that are located within 250 feet of Residential Zones or sensitive uses in the M-2 Zone, pursuant to County Code Section 22.324.070.C.4.
5. The Project Site is within the IH (Heavy Industrial) land use designation of the General Plan and Florence-Firestone Community Plan Land Use Policy Maps.
6. The Project Site is in the Roosevelt Park Zoned District and is currently zoned M-2.

7. Surrounding zoning within a 500-foot radius of the Project Site includes:
 - North: M-2, R-3 – Limited Density Multiple Residence, and R-2 – Two-Family Residential;
 - South: M-2, M-1 – Light Manufacturing, and C-3 – General Commercial;
 - East: M-2; and
 - West: R-2 and IT – Institutional.

8. Surrounding land uses within a 500-foot radius of the Project Site include:
 - North: Auto parts sales, aircraft supply store, single- and multi-family residential;
 - South: Recycling center, auto repair, auto dismantling, and multi-family residential;
 - East: U-Haul facility and the Alameda Rail Corridor; and
 - West: Single- and multi-family residential, auto repair, restaurant, and Los Angeles County Probation Office.

9. On August 25, 1970, Special Permit No. 2022-(2) was approved for an auto dismantling and junk and salvage yard with accessory auto sales. Special Permit No. 2022-(2) was set to expire on August 25, 1985, but was superseded by CUP No. 1525-(2). On December 5, 1979, CUP No. 1525-(2) was approved for the same use and expired on December 5, 2009.

10. The Project Site is 9.77 gross acres (429,642 gross square feet) in size and consists of 10 legal lots. The Project Site is rectangular in shape with flat topography and is developed with an existing outdoor vehicle storage yard and accessory structures.

11. Primary access to the Project Site will be via its vehicular entrance/exit on East 85th Street. Secondary access to the Project Site will be via a pedestrian entrance/exit on South Alameda Street.

12. The Project Site plan ("Site Plan") depicts the existing outdoor vehicle storage yard with two modular offices totaling 2,733 square feet, a 188-square-foot storage shed, a trash enclosure, a diesel fuel tank surrounded by steel bollards, and an electrical post.
 - A. The Site Plan also depicts proposed site improvements required to bring the Project Site into full compliance with Title 22 provisions regarding outdoor storage.

 - B. The exterior site improvements depicted on the Site Plan include the removal of the existing 10- to 13-foot-tall metal panel walls surrounding the Project Site and the installation of new 10-foot-tall corrugated galvanized steel walls and gates. The new walls will be installed five feet from the property line, and the area between the walls and the property line is to be landscaped with vegetation and 129 trees. The installation of

a permanent irrigation system to maintain the landscaping and trees is detailed in the Project's landscaping plan and has been approved by the Land Development Division of the County Department of Public Works ("Public Works"). In addition, new concrete curbs, gutters, and sidewalks will be improved in accordance with current Public Works standards.

- C. The interior site improvements depicted on the Site Plan include relocating the parking lot from an area abutting East 85th Street to the interior of the Project Site surrounding the existing office buildings and restriping the parking layout to accommodate 60 parking spaces, three of which are accessible to persons with disabilities in compliance with the Americans with Disabilities Act ("ADA"). The vehicles stored in the open yard area will be set back 10 to 15 feet from the perimeter walls. The open yard areas currently unpaved will be paved with asphalt or an oil and aggregate mix to prevent automotive fluids from inadvertently seeping into the ground.
13. The Project will provide a total of 60 on-site parking spaces, three of which are accessible to persons with disabilities in compliance with the ADA with a direct pathway to an access ramp leading to the office.
 14. Prior to the Commission's public hearing on the Project, County Department of Regional Planning ("Regional Planning") staff ("Staff") determined the Project qualified for a Categorical Exemption (Class 1, Existing Facilities, and Class 3, New Construction or Conversion of Small Structures) from the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involves an existing establishment and does not include any expansion to its current site and operation. The required site modifications are cosmetic improvements and fall well within the building parameters of the Class 3 Categorical Exemption. In addition, the proposed modifications will minimally scale down the outdoor automobile storage area due to the 10- to 15-foot setback of the automobile storage areas from the new steel walls. No exceptions to the categorical exemption apply to the Project, pursuant to the California Code of Regulations section 15300.2. The Project is not located in an environmentally sensitive area, does not contain scenic or historic resources, and has no unusual circumstances indicating a reasonable possibility the Project could have a significant effect on the environment. Therefore, there are no exceptions to the proposed exemptions, and the exemptions still apply to the Project.
 15. Staff were not aware of any community outreach conducted by the Permittee prior to the publication of the Report to the Commission dated October 12, 2023 ("Report").

16. Prior to the publication of the Report, Staff received two emails in opposition to the Project. No other correspondence was received from the public regarding the Project.
17. Prior to the Commission's hearing of the Project, Staff received the following recommendations from County Departments, which are incorporated as a part of the Conditions of Approval:
 - A. Public Works: Recommended clearance to public hearing with conditions in a letter dated August 31, 2023;
 - B. County Department of Public Health ("Public Health"): Recommended clearance to public hearing with conditions in a letter dated May 2, 2023; and
 - C. County Fire Department ("Fire Department"): Recommended clearance to public hearing with conditions in a letter dated October 12, 2023.
18. Pursuant to County Code Section 22.222.120 (Public Hearing Procedure), the community was properly notified of the public hearing by mail, by newspaper (The Daily News Los Angeles), and by property posting. Additionally, the Project was noticed, and case materials were available on Regional Planning's website. On September 20, 2023, a total of 128 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as three notices to those on the courtesy mailing list for the Roosevelt Park Zoned District and to any additional interested parties.
19. The Commission held a duly-noticed public hearing regarding the Project on October 25, 2023. After the Staff's presentation, Commissioner Louie shared that he saw significant Recreational Vehicle ("RV") occupation around the property and asked if there was any consideration given to this issue through planning. Staff responded that since RVs are located within the public right-of-way and not on the Project Site, the issue falls under the jurisdiction of Public Works. It is not within the purview of the Project to address RV occupation. Zoning Enforcement Officer Daisy De La Rosa was then called upon to report on the condition of the Project Site, to which she stated several inspections were conducted at this property, the interior of the Project Site was generally well kept and organized, and Zoning Enforcement has not received any complaints from the surrounding community. However, the areas surrounding the industrial properties in this area are generally not maintained and do accumulate trash and debris.
20. On Officer De La Rosa's last visit to the Project Site on October 5, 2023, the pedestrian entrance to the property off Alameda Street was inaccessible due to the number of parked RVs and trash occupying the pedestrian sidewalk from illegal trash dumping. However, she was still able to observe that the on-site

operation was organized from the south side of the Project Site from East 85th Street, and she did notice graffiti on the exterior of the Project Site walls. Officer De La Rosa also mentioned that across the other side of Alameda Street is a U-Haul property which had a similar issue with RV occupation. The owners had worked directly with the County Sheriff's Department ("Sheriff's") and other County agencies to clean up the RVs from the street and to connect the RV dwellers to County services. A discussion between Commissioner Duarte-White and Officer De La Rosa clarified the Project's Conditions of Approval ("Condition" or "Conditions") require the Permittee to clean up the graffiti on their walls and notification of the citing of graffiti would be generated by the public. In addition, the Conditions include bi-annual inspections to make sure the Project Site is compliant with the Conditions. Regional Planning Assistant Deputy Director, Mitch Glaser, added the Project's Conditions will require all site improvements are needed to bring it up to Title 22 compliance to be completed within one year and includes maintaining a graffiti-free premise. Homelessness is a complex issue and how it manifests itself in this community is unfortunate as there are negative externalities associated with it impacting the nearby residents and business owners. Commissioner Hastings then asked if it was legal for RVs to park as they currently are around the Project Site. Officer De La Rosa replied that County-initiated street clean ups have been conducted; however, the RVs that are made to move simply from one street to another. Weeks later, the RVs will return, and the trash will accumulate again. Occupied RVs have a protected status and cannot be towed away. Mr. Glaser also added the County has a comprehensive approach to this issue, and it is through the Pathway Home program ("Program") that was piloted in East Gardena and will hopefully come to Florence-Firestone. Beyond parking enforcement, the Program offers housing and services. Commissioner Hastings finalized his questioning by stating he feels for the residents in this community as it is not a comfortable situation.

21. Moving forward, the Permittee's team, consisting of Dana Sayles, Jaime Valdivia, Jesus Decoya, and Burt Devin, were sworn in to provide their testimony. First to speak was Mr. Valdivia, a general manager at the Permittee's Florence-Firestone site. Mr. Valdivia proceeded to provide a history of the company and its current online auctioning operation, including on-site operations for the storage of vehicles prior to sale and shipment, and role in the community. Following Mr. Valdivia was Ms. Sayle, who stated the existing industrial land use is consistent with the industrial zone of the Project Site and is consistent with the surrounding uses along Alameda Street. The public right-of-way around the Project Site struggles with illegal dumping, loitering, vandalism, and graffiti which is a by-product of the unhoused population in the area and is not a result of Permittee's operations. Ms. Sayles stated she disagreed with Staff's presentation which used dilapidated to describe the Project Site. She added that the Permittee has occupied the Project Site since 1993 and has only one code violation from 1999 which was closed, and there have been no violations since then. In 2021, the County issued a Notice of Violation for operating with an expired CUP, and the Permittee acted quickly to submit an application to remedy that issue, and that it has taken two years to get to this meeting.

22. The CUP application was initially submitted for used car sales, which Ms. Sayles believed described the existing use, except there were no sales conducted on-site, and the outdoor yard was utilized for the storage of operable as well as inoperable vehicles. As such, the County recategorized the use as the outdoor storage of junk and salvage, which Ms. Sayles did not think fully captures the Permittee's operations. Ms. Sayles states that the new land use designations come with extensive landscaping requirements with which the Permittee is willing to comply. In addition, the business brings in approximately \$250,000 in tax revenue to the County, and they hope to continue to operate at the location for another 30 years. Prior to the COVID-19 pandemic, Ms. Sayles stated there had not been any issues with RVs and illegal trash dumping. Condition No. 24, requiring the Permittee to maintain and keep clear the public right-of-way abutting the Project Site, is problematic due to the activity of the unhoused. It is requested that Condition No. 24 be modified to state that the Permittee is only responsible for removing anything on the public right-of-way resulting from the Permittee's operations since there is no legal feasible way to be responsible for the occurrences on the sidewalk. Condition No. 36 (Paving outdoor storage areas) was also asked to be modified to add a third option of gravel over a compacted base, which is used at other facilities. The Permittee will be making substantial investments to beautify the Project Site, including installing a half mile of new fencing, 129 new trees along the Project Site perimeter, and the installation of permanent irrigations, which currently does not exist. The investments will total approximately \$2 million and will cost \$10,000 in annual maintenance. As a return in investment, Ms. Sayles requests a modification of Condition No. 7 (CUP Grant Term) to grant the Project a term of 20 years instead of 10 years.
23. Commissioner Duarte-White acknowledged Ms. Sayles' testimony and asked what the business has done to remove graffiti from the property. Mr. Valdivia mentions that the Permittee's used graffiti control, contacted County services, and had sent employees out to paint over the graffiti, yet it has become a safety issue due to the RVs and illicit activities; and these services will not come out and cover the areas where there are RVs. Commissioner Duarte-White then asked Officer De la Rosa for additional insight on the matter, and she stated Public Works handles graffiti removal. A representative from Public Works, Aracely Lasso, was available virtually and answered they have graffiti abatement contracts for the public right-of-way and not on private property. If the graffiti is on private property, it is the owner's responsibility. Ms. Sayles noted graffiti is an ongoing issue, that the Permittee may remove it, but that the walls will be tagged again as there are illicit activities on the street. The Permittee is being held to a higher standard than other surrounding industrial uses; and the Condition to remove the graffiti within 24 hours or be threatened with enforcement violations for graffiti control is onerous due to the size of the property and corresponding perimeter wall. Staff added graffiti control on private property and maintaining adjacent public rights-of-way are standard conditions for all CUP applications, and the Conditions are not intended to single out the subject Project.

24. Commissioner Hastings acknowledged the challenges with graffiti abatement; however, he is aware of Code Enforcement practices as is Staff, and the immediate response from Code Enforcement is not to come down to a fine. Mr. Glaser clarified the Code Enforcement has multiple steps that require documenting ongoing violation before assessing a non-compliance state. Commissioner Louie then asked the Permittee regarding the Conditions they wished to modify, and if they would appeal to the Board should the modifications not be granted. Ms. Sayles replied the Conditions are not deal breakers; however, the modification would allow the Permittee to operate in a manner similar to other businesses and not to a higher standard. Condition No. 7, with a seven-year grant term is most problematic to the Permittee as they are a tenant, and the improvements made may not benefit the Permittee if the lease is not renewed 10 years from now. Ms. Sayles states that 10 years is a very short timeline for a business that has been in the same location for 30 years, especially when industrial zoned property of this size is rare.
25. Commissioner Louie then asked the Permittee to clarify its earlier statement on the \$250,000 tax revenue it generates and the business's total revenue. Mr. Valdivia responded that at this location, the annual revenue is approximately \$17 million. With no further questions for Staff or the Permittee, Commissioner Hastings moved forward to public testimony, where there was one speaker, Natalie Allen. Ms. Allen was sworn in and testified they are business owners located down the street from the Project Site, and she is part of a community group called "Stop the Downzone," and is in support of the Permittee and hopes the Commission will consider extending the grant term to 30 years so that the Permittee can get their return on investment. Ms. Allen states the graffiti is an issue affecting the whole community, and it is not the Permittee's fault, as such, asking them to cover up the graffiti is to risk their employees' safety. With no additional public testimony, the Commission went into deliberation. Commissioner Louis then referred to Staff's Report to the Commission submitted on October 24, 2023, containing a public comment letter from a community organization called "Juntos Florence Firestone Together" and asked Staff if the Project addresses the concerns represented in the letter. Staff responded that the Conditions addressed the letter's concerns regarding Project Site maintenance and improvements.
26. Commissioner Hastings brought up the modification of Condition No. 36 to allow gravel as a ground cover as it is used at many auto-related facilities. He also thought the public right-of-way is a tough spot too for him to put someone in the private sector to be responsible when they have no control over that. He then asked Mr. Glaser if it was possible to revise the Conditions to accommodate the challenging nature of the request. Mr. Glaser deferred to County Counsel on this matter, who responded that to the extent possible, the applicant should be responsible for cleaning up the areas adjacent to the Project Site. She is cognizant of the RVs issue, which the County will deal with in due time, but to the extent possible, the applicant is responsible for that area. Commissioner Hastings emphasized he understood to the extent possible yet given the state of

the public rights-of-way by the Project Site even he would not feel safe venturing through it, and that we need to have some flexibility in policing that type of work. He asked for feedback, and County Counsel mentioned the Condition can be reworded to require the applicant to the extent allowable by law to be responsible for boundaries of their Project Site and that it is under the discretion of the Commission to modify the Conditions. Commissioner Duarte-White also questioned if there was any leeway to make it a shared responsibility to include the Sheriff's, Public Works, the California Highway Patrol, and Zoning Enforcement. Mr. Glaser shared that Condition No. 25 has two parts: the first requires maintaining the adjacent public rights-of-way, and the second requires that business activities shall not occur outside the perimeter walls. The first part can be removed, and this way the remaining second part will hold the Permittee accountable for its own business activities.

27. Zoning Enforcement Officer Jesus Herrera, who was available virtually, elaborated that if Condition No. 25 were eliminated, then in the long run (5 to 10 years) if there was an instance where the Permittee stored materials in the public right-of-way, Zoning Enforcement Staff would be unable to work with the business or cite the business for such practices. As a part of Zoning Enforcement practices, they are not stringent in their approach to get applicants to comply with their Conditions, such as removing items and debris from the public right-of-way, and that they will work with the applicant to get this done. Officer Herrera notes that this Condition is standard for industrial uses in the area where there are many industrial businesses and Industrial Use Task Force sites. Officer Herrera added they are very familiar with this community and while he understands this Condition is currently challenging to meet, Zoning Enforcement practice is to not automatically issue a Notice of Violation as previously clarified by Commissioner Hastings and Mr. Glaser. However, there is some form of responsibility that must be taken by the operator as they have a role in contacting the Sheriff's Department regarding illicit activity and other County agencies. Mr. Herrera stated a public-private partnership is crucial to tackle this complex issue, and he would like to see operators, such as the Permittee, who are great operators within their parcel, to be more engaged in problem solving, such as contacting the County's Homeless Outreach Services Teams (HOST) and not just hoping the problem would go away. Commissioner Hastings then asked Mr. Herrera if he was aware of Mr. Glaser's proposed modification of Condition No. 25, to which he responded that he did, and he would support the Commission's decision. He made a final note that Condition No. 25 in its entirety has been imposed on other surrounding industrial businesses in the area, implying that the Permittee is not being held to a higher standard. Commissioner Louie pointed out it seemed Zoning Enforcement would like to have the discretion to be able to act with their experience in code violation and the subject community.
28. Commissioner Louie then asked if Staff was familiar with the types of gravel and if it is an appropriate third option for the Project Site, to which Staff replied this was not a ground cover material she was familiar with for industrial sites.

Commissioner Hastings shared he was, and that gravel is not simply laid over the ground, but that beforehand there is a compacted layer of dirt and sand and drainage requirements. He noted that in 25 years of working with municipalities, they have not permitted oil over soil and that it is generally decomposed granite or asphalt, but not oil. Oil keeps the dust and moisture down, but it also seeps into the soil. Commissioner Louie then asked if the first of the two paving options in Condition No. 36 seals the ground. Staff clarified the first two options are asphalt or an aggregate mix intended to seal the porous ground from activities above that may leak oil and fluids. Commissioners Louie and Hastings note gravel is permeable, and Commissioner Louie notes that although there is no auto dismantling, many of the vehicles are salvaged and he would suspect occasionally there are oil leaks which can leak and permeate through gravel.

29. Commissioner Hastings asked if the entire Project Site was asphalt, and Mr. Glaser responded he does not believe it is and would read out Condition No. 36. Commissioner Hastings pointed out if the intention is to seal the ground, then the gravel does not meet that function. Staff added that the two proposed paving materials perform to seal the ground from potential leaks and that paving with these materials are standard conditions for outdoor storage. In response, Commissioner Hastings retracted deliberation for modifying Condition No. 36. He then asked if any of the Commissioners would like to deliberate on the grant term of 10 years. Commissioner Louie declined and moved to close the public hearing and find the Project is categorically exempt according to State and local CEQA guidelines. Commissioner Duarte-White seconded the motion, and the motion unanimously passed. Commissioner Louie further moved that the Regional Planning Commission approve the Project without modifications to the conditions, which was seconded by Commissioner Duarte-White, and unanimously passed by a vote of 5-0.
30. On November 7, 2023, the Permittee filed a timely appeal of the Commission's decision with respect to Condition Nos. 7, 9, 25 (subsequently renumbered to Condition Nos. 9, 11, 27, respectively), 36, and 40.
31. On April 16, 2024, the Board held a duly-noticed public hearing on the appeal of the Permittee.
32. Regional Planning submitted a written statement for the record, including a Board letter summarizing the Conditions appealed. Of the five Conditions appealed, Regional Planning and the Permittee came to an understanding on two Conditions.
 - A. Regarding Condition No. 25 (subsequently renumbered to 27), Staff acknowledged the Condition relates to the Permittee's business-related activities and not to other issues, such as RV encampments, and the Permittee will not be held responsible for any issues in the public right-of-way that are unrelated to their business-related activities.

- B. Regarding Condition No. 36, which requires the Permittee to pave areas of the outdoor yard currently unpaved with asphalt or an oil aggregate mixture (variety of concrete), the Permittee requested a third option to permit gravel over a compacted base and submitted additional information to Staff regarding this option after the appeal was filed. Staff reviewed this option and determined it is consistent with Condition No. 36 as written, so the Permittee can proceed with this option with the need for a modification to the Condition.
33. All persons wishing to testify were sworn in by the Interim Executive Officer of the Board. Amy Bodek, Director of Regional Planning, was present for questions.
34. Supervisor Holly Mitchell addressed the Board by first addressing Staff for engaging with businesses in tough conversations in the co-priority of improving the environment while at the same time having businesses in the unincorporated communities. Supervisor Mitchell noted the Green Zone Ordinance, adopted by the Board and effective as of April 2022, is an ordinance to improve public health and land use compatibility in unincorporated communities that have and continue to bear disproportionate pollution burden. Supervisor Mitchell said she understood the issues business and property owners in the Green Zone areas are racing to be in compliance, including costs to update their facilities being at the heart of those concerns. Notwithstanding the concerns, Supervisor Mitchell stated the Green Zone Ordinance needs to be consistently applied to properties in the Green Zone for Regional Planning and the Board to have data on its effectiveness. Therefore, Supervisor Mitchell called the hearing on the appeal as an opportunity to strengthen the collaboration between the Department of Economic Opportunity and Regional Planning for connection to programs that could support the business and property owners to be in compliance. Furthermore, Supervisor Mitchell stated her support for Regional Planning's recommendation on four of the five Conditions appealed and read in a motion to modify Condition No. 40 to allow the Permittee two years to complete the required site improvements with an additional one year, if deemed necessary by Staff.
35. With Chair Lindsey Horvath's permission, Supervisor Mitchell read in her motion, first moving that the Board close the public hearing for Project No. PRJ 2022-000029-2 consisting of Conditional Use Permit Number RPPL 2022000061, then find that the project is categorically exempt from the CEQA for the reasons stated in this Board letter and in the record of the Project, and modify Condition No. 40 of the CUP to provide two years to complete the required site improvements with staff able to provide one additional year. Lastly, Supervisor Mitchell moved that the Board indicate its intent to otherwise deny the appeal of the Commission's approval of the Project and to uphold the Commission's approval of the Project and instruct County Counsel to prepare the necessary findings to uphold the Commission's approval of the Project. Supervisor Kathryn Barger seconded the motion.

36. Chair Horvath granted Elisa Paster, a representative of the Permittee, Dana Sayles, an opportunity to address the Board. Ms. Paster stated the Permittee has been a very good tenant at the location, have worked with the community well, and have not had complaints. Since receiving the Commission's Conditions, the Permittee has worked with Mr. Glazer and Staff to understand how some of the Conditions would be enforced. Ms. Paster said the Permittee understands it will not be held responsible for unhoused neighbors and their items on the sidewalk, and the Permittee wants to work with the County on making sure unhoused neighbors are safe and that there is no friction between the Permittee and the County. Ms. Paster further thanked Supervisor Mitchell's motion to extend the time to install the required improvements totaling \$3 million, including the installation of water for landscaping. Ms. Paster further said she understood the 10-year term is consistent with how other businesses in the area will be treated. Ms. Paster concluded her remarks by thanking the Board for their service and offered to answer any questions with the operator, who was present.
37. The Board did not have any questions for Ms. Paster or the operator. At Chair Horvath's direction, the Executive Officer called upon members of the public who signed up to speak on the item. No virtual or in-person speakers signed up to speak, therefore, Chair Horvath closed the public hearing and called a vote on the appeal.
38. On motion of Supervisor Mitchell, seconded by Supervisor Barger, the Board took the following actions:
 - A. Modified Condition No. 40 of Conditional Use Permit No. RPPL2022000061-(2) to provide two years to complete required site improvements with Staff able to provide one additional year for the Permittee to comply without the need for modification to the wording of Condition No. 40;
 - B. Indicated its intent to otherwise deny the appeal of the Commission's approval of Project No. PRJ2022-000029-(2) and to uphold the Commission's approval of the Project and instructed County Counsel to prepare the necessary findings to uphold the Commission's approval of the Project; and
 - C. Made a finding the Project is exempt from CEQA.

GENERAL PLAN CONSISTENCY

39. The Board finds the Project is consistent with the goals and policies of the General Plan and the Florence-Firestone Community Plan because the IH land use designation is intended for heavy industrial uses, including heavy manufacturing, refineries, and other labor- and capital-intensive industrial activities, such as this Project.

40. The Board finds the Project is consistent with the following policies of the General Plan and the Florence-Firestone Community Plan:
- A. Policy LU 5.2 (Land Use Element): Encourage a diversity of commercial and retail services, and public facilities at various scales to meet regional and local needs.
 - B. Policy ED 2.7 (Economic Development Element): Incentivize economic development and growth along existing transportation corridors and in urbanized areas.
 - i. The Project is an outdoor vehicle storage yard with the accessory sale of used and salvaged vehicles that is currently a major hub for recycled automobiles. The business receives vehicles that have not been dismantled but are sometimes damaged and may otherwise be deemed inoperable, deemed a total loss, or otherwise not replaceable by insurance companies, and/or recovered stolen vehicles that insurance companies have already reimbursed. The business performs no work on the Project Site and vehicles leave in the same Condition they arrived. The accessory sale of used and salvaged vehicles is conducted online, not on the Project Site, although customers sometimes pick up vehicles on-site. Customers are not allowed to salvage portions of vehicles on the Project Site.
 - ii. The approval of the Project will allow the business to continue meeting local and regional needs for more affordable automobiles and auto parts, and its continued operation will promote the diversification of commercial and retail services in the community. The Project Site has been occupied by auto-oriented uses since the 1970s and is a thriving remnant of the historical industrial sector in the community. In addition, the approval of the Project will provide local employment opportunities and incentivize economic development and growth in a manner benefiting the safety and well-being of the community, compared to haphazard growth that worsens land use incompatibilities.
 - C. Policy LU 7.1: Reduce and mitigate the impacts of incompatible land uses, where feasible, using buffers and other design techniques.
 - D. Policy ED 2.2 (Economic Development): Utilize adequate buffering and other land use practices to facilitate the compatibility between industrial and non-industrial uses.
 - i. The Project is in the M-2 Zone where the proposed outdoor vehicle storage yard is permitted with the approval of a CUP. However, the surrounding areas west, northwest, and southwest of the Project

Site are primarily in the R-3 Zone, and these areas are occupied by single- and multiple-family residences. The siting of an industrial zone in proximity to a residential zone, or in proximity to sensitive land uses in general, is not an encouraged planning practice and would not occur per current standards, but the existing land use and the surrounding residences are a result of historical land use patterns originally intended to provide workforce housing in proximity to large industries located along the Alameda Corridor.

- ii. The Project's Conditions will require compliance with Title 22, which will assist in mitigating operational and visual impacts on the nearby residences and the larger community. The Permittee will be required to install a five-foot-wide landscaping and tree buffer along the street-facing perimeters of the Project Site. The Permittee will also be required to install new 10-foot-tall steel walls of a uniform material, design, finish, and neutral color. The improvements to the Project's image will increase the curb appeal of the business and surrounding land uses.
- iii. By allowing this outdoor vehicle storage yard to continue operating, the County demonstrates its support of industrial commerce and local employment opportunities, provided the property owner and the business operator are good neighbors and conduct their business in a responsible manner towards the community. To ensure that the Project's Conditions are met and maintained, Regional Planning Zoning Enforcement staff will conduct bi-annual site inspections for the duration of the CUP grant term of 10 years (a total of 20 site inspections). The Permittee will be required to post permanent signs near the business's pedestrian entrance (facing Alameda Street) and on the rear wall visible to the adjacent residences (facing Lou Dillon Avenue) with contact information for the site manager and for Regional Planning Zoning Enforcement staff so the community can report potential complaints.

FLORENCE-FIRESTONE COMMUNITY PLAN

- E. Policy I 1.1: Industrial Use Revitalization. Support the growth, revitalization, and diversification of industrial uses, and ensure compatibility with nearby and uses.
- F. Policy I-1.2: Alameda Corridor. Focus industrial development efforts along the Alameda Corridor, where buffered from sensitive land uses and where there is space to accommodate upgrades to facilities and operations to meet the highest levels of environmental compliance.
 - i. Since the 1960s, the trend of deindustrialization has gradually dismantled the industrial manufacturing base located in the

Florence-Firestone community. Today, there are still pockets of industrial land uses scattered in this community, with most concentrated along the Alameda Corridor, such as the subject Project. The Project's continued operation, with adherence to its Conditions, will align with Florence-Firestone Community Plan Policy I-1.1 by not only supporting viable businesses but also the diversification of industrial uses, which will in turn offer diverse employment opportunities. The Project's compliance with Title 22 and the CUP's Conditions will improve compatibility with nearby residential uses by adding new landscaping to the widened setback areas surrounding the Project Site.

- ii. In addition to the new five-foot-wide landscaping buffer and trees, the Permittee will make substantial aesthetic improvements by installing new fencing and gates of consistent material and neutral color. Most importantly, the improvements made to the internal configuration of the Project Site and compliance with operational Conditions will prevent traffic from backing up on Alameda Street due to loading and off-loading activities and will prevent operational activities and auto parts from occupying the public right-of-way.

ZONING CODE CONSISTENCY FINDINGS

41. The Board finds the Project is consistent with the M-2 zoning classification because principal business activities located outside an enclosed structure, such as outdoor vehicle storage yards, located within 250 feet of Residential Zones or sensitive uses are allowed in such zone with a CUP, pursuant to County Code Section 22.324.070.C.4.
42. The Board finds the Project is consistent with the standard identified in County Code Section 22.22.060 (M-2 Zone Development Standards). The Project has a floor area ratio of 0.006, which is within the maximum allowable of 1.0 for the M-2 Zone.
43. The Board finds the Project is consistent with the standards identified in County Code Section 22.140.430 (Outdoor Storage). This County Code Section provides development standards for fences and walls and requires fences and walls to be of a uniform height between 8 and 15 feet and requires fences and walls of 10 feet in height to be set back at least three feet from the property line to accommodate a three-foot-wide landscaped buffer. The fence and wall materials may be constructed of metal panels at least 0.024 inch thick, of masonry, or of other comparable materials. In addition, this County Code Section requires fences and walls to be constructed of solely new materials and in a workman-like manner; requires fences and walls to be painted a uniform color, excluding black; and requires fences and walls to be free of painted signs and posters. The Project's proposed perimeter walls will be constructed with 10-foot-tall steel panels that are uniform in height and color. The walls will be

installed five feet from the Project Site's property lines, which provide a buffer that is two feet wider than the three-foot-wide minimum required by this County Code Section.

44. The Board finds the Project is consistent with the standards identified in County Code Section 22.140.430 (Outdoor Storage). This County Code Section provides development standards for landscaping and requires at least one square foot of landscaping for each linear foot of street frontage. This County Code Section states that no planting area shall have a horizontal dimension of less than three feet, requires a permanent irrigation system to be installed, and requires the permanent irrigation system to satisfactorily water all planting areas. The Project Site's four street frontages total 2,559 linear feet. With the addition of the minimum three-foot-wide planting dimensions, the total required landscaped area is 7,677 square feet. The Permittee will provide a five-foot-wide landscape buffer instead of a three-foot-wide landscape buffer along the Project Site's perimeter, which will include a total of 12,288 square feet of landscaping. In addition, the Permittee will provide a permanent irrigation system in compliance with this County Code Section.
45. The Board finds the Project is consistent with the standards identified in County Code Section 22.140.430.C.5 (Storage Restrictions). The Project will have adequate grading and drainage, and all products stored outdoors will not be stored above the height of the fence or wall or within 10 feet of the fence or wall. The automobiles stored at this facility will not be stacked, will not be stored above the wall height, and will not be visible from the public right-of-way, except from the current parking lot. The Permittee proposes to reconfigure the automobile storage areas so that there will be 10 to 15 feet between the perimeter wall and the storage areas.
46. The Board finds the Project is consistent with the standard identified in County Code Section 22.140.120.D (Pavement), although the Project is a vehicle storage yard and is not an automobile dismantling yard, an automobile impound yard, or a junk and salvage yard. The vehicle storage yard will be paved with asphalt surfacing or an oil and aggregate mixture to prevent emission of dust or tracking of mud onto public rights-of-way. The Permittee will install asphalt surfacing or an oil and aggregate mixture to the automobile storage areas on the property.
47. The Board finds the Project is consistent with the standard identified in County Code Section 22.112.070 (Required Parking Spaces). The parking requirements applicable to this Project are as follows: office land uses require one parking space for every 400 square feet, and open storage yard land uses require one parking space for every 7,000 square feet. The Project includes a 2,733-square-foot office space area and a 294,642-square-foot open storage yard area. Therefore, the Project requires 60 on-site parking spaces, which is the number that will be provided by the Project. Although new automobile loading facilities are not a requirement of Title 22, the rearrangement of the

on-site parking layout will include an approximately 12,000-square-foot drop lot for vehicle loading and queuing.

48. The Board finds the Project is consistent with the standards identified in County Code Section 22.126.030 (Tree Requirements). The Project is required to provide a minimum of three trees for every 10,000 square feet of developed lot area. The Project Site is 429,642 square feet which, when divided by 10,000 square feet, results in the requirement of 128.8 trees, which is rounded up to 129 trees. The Project will include 129 trees.
49. The Board finds the Project is consistent with the standards identified in County Code Section 22.324.070.C. The Project is consistent with the following applicable standards of the CSD. The Project Site is approximately 429,642 square feet in gross area and is above the CSD's minimum lot size requirement of 15,000 square feet. The Project Site's lot coverage (building area) is 6½ percent and is below the CSD's lot coverage maximum allowance of 70 percent. The CSD's communitywide development standards addressing graffiti and site maintenance are a part of the Project's Conditions.

CONDITIONAL USE PERMIT FINDINGS

50. The Board finds the proposed use at the Project Site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare. The Project Site has been occupied by automotive-related uses since 1970, when Special Permit No. 2022-(2) was approved. The Project is located along a section of the busy Alameda Corridor predominantly zoned for heavy manufacturing, light manufacturing, and commercial manufacturing. Single- and multi-family residences are located to the west of the Project Site and this section of the Alameda Corridor. This section of the heavily industrialized Alameda Corridor has a defined history and provides alternative market options to big box stores and other retail services.
51. The Permittee is a viable business in a community that has had struggles since the decline of the area's large-scale manufacturing industry, which took away jobs and investments. The community wants to have a thriving business that provides jobs and contributes to the area's economy. However, the community has experienced long-term negative externalities associated with the business's operations. The property owner and business owner did not comply with some of the Conditions of CUP No. 1525-(2), leading to a deterioration of the property's exterior façade and creating the appearance of an "abandoned" lot, as mentioned by a neighboring resident (see Finding 16). Some residents have expressed concerns that the Permittee is not doing its fair share to be a responsible neighbor in the community. These concerns are compounded by the impacts introduced by the unhoused population present in the surrounding area,

illegal trash dumping along the streets adjoining the Project Site and in the surrounding area, and the negligence of the surrounding businesses and their clientele in complying with Title 22, including CUP Conditions regulating business activities, and the negligence of surrounding businesses in otherwise maintaining their properties.

52. The approval of the Project is the first step in bringing the Project Site into full compliance with Title 22 because it is currently operating without a CUP, and the subject CUP's Conditions will address the implementation and maintenance of the following. The Project does not otherwise constitute any threat or endanger the persons in the nearby vicinity or constitute a menace to the public health, safety, or general welfare.
 - A. Installation of new 10-foot-tall steel perimeter walls and gates set back five feet from the property line;
 - B. Painting or coating the perimeter 10-foot-tall steel wall with a non-sacrificial anti-graffiti coating to prevent paint adherence to the underlying material and for easy removal;
 - C. Installation of a five-foot-wide landscaped buffer all along the Project Site's street frontages;
 - D. Installation of 129 15-gallon trees along the landscaped buffer;
 - E. Installation of a permanent irrigation system capable of reaching and watering the perimeter landscaping and trees;
 - F. Paving the Project Site's open storage yard area with asphalt or an oil and aggregate mix to prevent engine oils and harmful fluids from potentially contaminating the soil; and
 - G. Installation of informational signs to be posted near the Permittee's pedestrian entrance (facing Alameda Street) and on the rear perimeter wall (facing Lou Dillon Avenue) with contact information (phone numbers) for the site manager and for Regional Planning Zoning Enforcement staff so the community can report potential complaints.
53. The Project does not otherwise constitute any threat or endanger the persons in the nearby vicinity or constitute a menace to the public health, safety, or general welfare.
54. The Board finds the Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22, or as is otherwise required to integrate said use with the uses in the surrounding area. The Project's proposed Site Plan is designed to be consistent with Title 22 and can accommodate the required walls, fences, signs, parking, landscaping, and use specific

development standards. The Project complies with all applicable development standards for walls, fences, parking, landscaping, tree planting, and outdoor storage standards as described above. It blends well with the surrounding industrial uses along South Alameda Street, including other similar automotive-related uses in the immediate vicinity.

55. The Board finds the Project Site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required. The Project Site is adequately served by the I-110 Freeway to the west, the I-105 Freeway to the south, and the I-710 Freeway to the east. The primary access to the Project Site is via Alameda Street, which is a secondary highway with two lanes in either direction, sufficiently capable of serving the existing use. The Project Site has been occupied by similar automotive-related uses since 1970, and the outdoor vehicle storage yard's continued operation, with a reduction in operational capacity, will not generate additional traffic flow or require improvements to the public infrastructure in the immediate vicinity.
56. The Board finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 10 years.

ENVIRONMENTAL FINDINGS

57. The Board finds the Project is exempt from CEQA, pursuant to State CEQA Guidelines sections 15301 and 15303 (Class 1 Categorical Exemption, Existing Facilities, and Class 3 Categorical Exemption, New Construction or Conversion of Small Structures). The Project involves an existing establishment and does not include any expansion to its current site and operation. The required site modifications are cosmetic improvements and fall well within the building parameters of the Class 3 Categorical Exemption. In addition, the proposed modifications will minimally scale down the outdoor automobile storage area due to the 10- to 15-foot setback of the automobile storage areas from the new steel walls. Furthermore, no exceptions to the categorical exemption apply to the Project, pursuant to the California Code of Regulations section 15300.2. The Project is not located in an environmentally sensitive area, does not contain scenic or historic resources, and has no unusual circumstances indicating a reasonable possibility the Project could have a significant effect on the environment. Therefore, there are no exceptions to the proposed exemptions, and the exemptions still apply to the Project.
58. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Metro Development Section, Regional Planning.

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

- A. The proposed use with the attached Conditions will be consistent with the adopted General Plan.
- B. The proposed use at the Project Site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the Project Site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
- C. The Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22, or as is otherwise required to integrate said use with the uses in the surrounding area.
- D. The Project Site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE BOARD OF SUPERVISORS:

- 1. Modifies Condition No. 40 of Conditional Use Permit No. RPPL2022000061-(2) to provide two years to complete required site improvements with Staff able to provide one additional year for the Permittee to comply without the need for modification to the wording of Condition No. 40;
- 2. Finds the Project is exempt from CEQA, pursuant to State CEQA Guidelines sections 15301 and 15303 (Class 1 Categorical Exemption, Existing Facilities, and Class 3 Categorical Exemption, New Construction or Conversion of Small Structures);
- 3. Denies the appeal of Condition Nos. 7, 9, 25 (subsequently numbered 9, 11, and 27, respectively) and Condition No. 36 of CUP No. RPPL2022000061-(2); and
- 4. Affirms the Commission's approval of CUP No. RPPL2022000061-(2), subject to the attached Conditions of Approval.

CONDITIONS OF APPROVAL
PROJECT NO. PRJ2022-000029-(2)
CONDITIONAL USE PERMIT NO. RPPL2022000061-(2)

1. This grant is for Conditional Use Permit No. RPPL2022000061-(2), as part of Project No. PRJ2022-000029-(2), to authorize the continued use, operation, and maintenance of an outdoor vehicle storage yard with the accessory sale of used and salvaged vehicles ("Project"), subject to the following conditions of approval ("Condition" or "Conditions").
2. Unless otherwise apparent from the context, the term "Permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective, pursuant to Los Angeles County Code ("County Code") Sections 22.222.230.F and 22.240.060.F (Effective Date of Decision).
4. This grant shall not be effective for any purpose until the Permittee, and the owner of the subject property if other than the Permittee, have filed at the office of Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating they are aware of and agree to accept all the Conditions of this grant, and the Conditions of this grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 11. Notwithstanding the foregoing, this Condition No. 4 and Condition Nos. 5, 6, and 10, shall be effective immediately upon the date of final approval of this grant by the County.
5. The Permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this grant, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify the Permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the Permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
6. In the event any claim, action, or proceeding as described above is filed against the County, the Permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including, but not limited to, depositions, testimony, and other assistance provided to Permittee or Permittee's counsel. The Permittee shall also pay the

following supplemental deposits, from which actual costs shall be billed and deducted:

- A. If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the Permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - B. At the sole discretion of the Permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the Permittee, pursuant to County Code Section 2.170.010 (Fees for providing County records).
7. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, this grant shall be void, and the privileges granted hereunder shall lapse.
 8. Prior to the use of this grant, the Permittee, or the owner of the subject property, if other than the Permittee, shall record the terms and Conditions of this grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). The recordation of the Affidavit of Acceptance and Conditions of Approval shall be completed within 60 days from the date of final approval of this grant by the County. In addition, upon any transfer or lease of the property during the term of this grant, the Permittee, or the owner of the subject property if other than the Permittee, shall promptly provide a copy of this grant and its Conditions to the transferee or lessee of the subject property.
 9. This grant shall terminate on September 10, 2034. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, whether or not the Permittee proposes any modifications to the use at that time, the Permittee shall file a new CUP application with Regional Planning or shall otherwise comply with the applicable requirements at that time. Such an application shall be filed at least 12 months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event the Permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
 10. This grant shall expire unless used within 60 days from the date of final approval of this grant. A single 30-day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the outdoor vehicle storage yard and satisfaction of Condition No. 2 shall be considered use of this grant.

11. The subject property shall be maintained and operated in full compliance with the Conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of these Conditions. No provision of any easement of any other encumbrance on the property shall exempt the Permittee and/or property owner from compliance with these Conditions and applicable regulations. Inspections shall be made to ensure compliance with the Conditions of this grant as well as to ensure any development undertaken on the subject property is in accordance with the approved site plan on file. The Permittee shall deposit with the County the sum of \$4,000, which shall be placed in a performance fund and be used exclusively to reimburse Regional Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the Conditions of this grant. The fund provides for 10 bi-annual inspections for a total of 20 inspections. One inspection shall occur at the end of a 24-month period (September 10, 2026) granted for the Permittee to complete the site improvements outlined in Condition Nos. 30 through 39. Inspections may be unannounced and may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems.
12. If additional inspections are required to ensure compliance with the Conditions of this grant, or if any inspection discloses the subject property is being used in violation of any one of the Conditions of this grant, the Permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection, or the current recovery cost established by Regional Planning at the time any additional inspections are required, whichever is greater.
13. If the property is found in violation of these Conditions during an inspection and a Final Zoning Enforcement Order ("FZEO") is issued, upon receipt of the FZEO the Permittee shall be subject to a penalty for violating any provisions of this grant in an amount determined by the Director of Regional Planning ("Director"), not to exceed \$1,000 per day per violation. If the Permittee is dissatisfied with a FZEO, the Permittee may appeal the FZEO to a Hearing Officer, pursuant to County Code Section 22.242.070 (Zoning Enforcement Order and Noncompliance Fee), within 15 days of the compliance date noted on the FZEO.
14. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds these Conditions have been violated or this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized, pursuant to County Code Chapter 22.238 (Modifications and Revocations).

15. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these Conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director.
16. The Permittee shall maintain the subject property in a neat and orderly fashion. The Permittee shall maintain free of litter all areas of the premises over which the Permittee has control.
 - A. All structures, walls, and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
 - B. In the event of graffiti or other extraneous markings occurring, the Permittee shall remove, or cover said markings, drawings, or signage within 24 hours of such notification, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
17. The Conditions of this grant shall always be retained on the premises and shall be immediately produced upon request by any County Deputy Sheriff or any County Zoning Enforcement inspector. The manager and all employees of the facility shall be knowledgeable of the Conditions herein. The Permittee shall post the Conditions of this grant in the office.
18. In the event subsequent revisions to the approved Exhibit "A" are submitted, the Permittee shall submit a digital copy the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A." All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
19. This grant shall authorize the continued use, operation, and maintenance of an outdoor vehicle storage yard with the accessory sale of used and salvaged vehicles.
20. The Permittee shall keep a record of complaints, including the date and time of each complaint, the nature of each complaint, and actions taken to identify and mitigate each complaint. This record of complaints shall be furnished to any County Zoning Enforcement inspector upon request.
21. Banners are not permitted signage pursuant to County Code Section 22.114.040 (Prohibited Signs Designated). The Permittee shall remove all existing banner signs mounted on the Project site's walls and shall submit a sign plan in

accordance with County Code Chapter 22.114 (Signs) within 60 days from the date of final approval of this grant by the County.

22. Electrified fences and barbed wire/concertina wired fences are prohibited. The Permittee shall remove the electrified fencing and barbed wire fencing from the perimeter walls within 60 days from the date of final approval of this grant by the County.
23. Vehicles and automobile parts shall not be stored at a height greater than that of the surrounding wall and shall not be temporarily placed or stored outside the enclosed yard area or in the public right-of-way.
24. All parking spaces shall be kept accessible for customer, and employee parking and shall not be used for the storage of collected recyclable materials, junk, salvage, or any other materials or equipment.
25. Ingress and egress routes for deliveries shall be restricted to East 85th Street. The Permittee shall provide adequate areas to enable trucks to circulate on-site. Trucks shall be prohibited from backing into the site from public rights-of-way. Truck deliveries and the loading and unloading of equipment, vehicles, and auto parts are limited to the hours of 8 a.m. to 5 p.m.
26. All on-site vehicular circulation shall be maintained as depicted on the approved Exhibit "A" to the satisfaction of Regional Planning.
27. All public rights-of-way directly adjacent to the property (alleyways, sidewalks, and streets) shall be maintained clean and clear. No business-related activities shall occur outside of the perimeter walls.
28. If a land use-related complaint is filed against the business operation, the Director may require the Permittee to hold a community meeting to address such issues in a manner that meets the Director's satisfaction. If required by the Director, the Permittee shall meet with the community to discuss identified issues or concerns. The meeting shall occur at a location that is close and convenient to the members of the community residing within a 500-foot radius of the Project site. The Permittee shall provide a notice of the meeting to the current property owners and occupants within a 500-foot radius of the Project site. To show evidence of compliance with this requirement, at minimum, the Permittee shall provide the Director with copies of the meeting notices, the address list used for the notices, the meeting minutes describing the issues addressed, and the proposed action(s) to mitigate the issues raised.
29. The Permittee shall comply with all Conditions set forth in the attached:
 - A. County Fire Department Letter dated October 12, 2023;
 - B. County Department of Public Works Letter dated August 31, 2023; and

C. County Public Health Department Letter dated May 2, 2023.

30. The Permittee shall install new 10-foot-tall, galvanized steel walls and gates (proposed off East 85th Street) along the perimeter of the property to replace the existing deteriorated walls. The new walls and gates shall be constructed of steel panels, at least 0.024 inches thick, and painted with a "baked on" enamel or similar permanent finish. The fences and gates shall be of uniform color (excluding black) which blends with the surrounding terrain and improvements. All walls and gates shall be well-maintained at all times to the satisfaction of Regional Planning.
31. The new walls and gates shall be coated with a non-sacrificial graffiti resistant coating which is capable of preventing the adherence of paint onto a surface material and prevents permanent damage and staining from commercially available spray paints.
32. The new walls and gates shall be set back a minimum of five feet from the property lines. The areas between the walls and the property lines shall be fully landscaped with an attractive ground cover, tree hedges, and/or shrubs to enhance the site, and this landscaping shall be maintained in healthy condition. The Permittee shall use the County's Native Plant Guide and select drought resistant native vegetation. In addition, climbing vines, such as Algerian Ivy, Grape Ivy, and Creeping Fig shall be planted in sufficient amounts to buffer the perimeter walls and to prevent graffiti and vandalism. The perimeter landscaping area shall be maintained in a neat and healthful condition, including weeding, removal of litter, and replacement of plants to the satisfaction of Regional Planning.
33. The Permittee shall install a permanent watering system or provide hose bibs which satisfactorily irrigate all planted areas. When hose bibs are utilized, they shall be located to permit the watering of all planted areas with a 50-foot hose.
34. The Permittee shall plant a total of 129 15-gallon trees along the Project's landscaped buffer, as depicted on the Project's approved Exhibit "A."
35. The Permittee shall provide a total of 60 parking spaces, as depicted on the Project's approved Exhibit "A." The spaces shall comply with County Code Section 22.112.000 (Parking).
36. Where the outdoor automobile storage areas are unpaved, the Permittee shall pave those areas with asphalt surfacing or an oil aggregate mixture to prevent emission of dust or tracking of mud onto the public right-of-way. In places where the asphalt has been damaged, repairs shall be performed, where needed, to the satisfaction of Regional Planning.
37. Where the new patron and employee parking area is proposed on the Project's approved Exhibit "A," the Permittee shall install cool paving, or modified asphalt

with high solar reflectance materials or treat asphalt after installation to raise reflectance.

38. The Permittee shall install a "No Vehicle Idling or Queuing" sign visible from the public right-of-way near the Project's vehicular entrance off East 85th Street. The sign shall have minimum dimensions of two feet by three feet and shall be maintained clear of visual obstructions.
39. The Permittee shall post signs in English and Spanish near the main pedestrian entrance facing South Alameda Street and at the rear of the property facing Lou Dillon Avenue with the contact phone numbers for the site's general manager and Regional Planning Zoning Enforcement to report any problems which may occur related to the operation of the facility. The signs shall have the minimum dimensions of two feet by three feet in size, shall be visible from the public right-of-way, and shall be kept clear of visual obstruction.
40. The site improvements required by Condition Nos. 30 through 39 shall be fully implemented by September 10, 2026. The Director may grant a one-year extension to September 10, 2027, if the Permittee demonstrates good faith effort to comply by applying for the necessary permits but is unable to complete the improvements within two years due to delays in the County's permitting and plan check process. If the site improvements are not made in the timeframe specified in this Condition, in accordance with Condition No. 14, the Commission or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds these Conditions have been violated or this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized, pursuant to County Code Chapter 22.238 (Modifications and Revocations).

Attachments:

County Fire Department letter dated October 12, 2023

County Department of Public Works letter dated August 31, 2023

County Department of Public Health letter dated May 2, 2023

ATTACHMENTS



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4293, Fax (323) 890-9783

EPIC-LA NUMBER: RPPL2022000061 PROJECT NUMBER: Used Auto Sales@S
Alameda St
CITY/COMMUNITY: Florence-Firestone STATUS: Cleared
PROJECT ADDRESS: 8311 S Alameda Street DATE: 10/12/2022
Los Angeles, CA 90001

CONDITIONS

1. The proposed CUP for the continued use and proposed on-site access modifications is accepted by the Land Development Unit. Submit plans to the local area office for the approval of the modification shown and verification of compliance for turning movements, circulation and gate details.

For any questions regarding the report, please contact Joseph Youman at (323) 890-4243 or joseph.youman@fire.lacounty.gov.



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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

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

August 31, 2023

IN REPLY PLEASE

REFER TO FILE:

LD-4

TO: Carmen Sainz
Metro Development Services
Department of Regional Planning

Attention Christina Nguyen

FROM: James Chon 
Land Development Division

**CONDITIONAL USE PERMIT (RPPL2022000061)
8423 SOUTH ALAMEDA STREET
ASSESSOR'S MAP BOOK 6026, PAGE 32,
PARCELS 2, 8, 10, 11, 12, 13, 14, 16, 17, AND 18
UNINCORPORATED FLORENCE—FIRESTONE**

As requested, Public Works reviewed the zoning permit application and site plan for the proposed project. The project proposes a Conditional Use Permit to authorize an existing junk and salvage yard with the sale of used and salvaged vehicles in an M-2 Zone.

- Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- Public Works has comments on the submitted documents; therefore, a Public Hearing shall **NOT** be scheduled until the comments have been addressed.

1. Street

- 1.1. Prior to issuance of a grading or building permit, submit street improvement plans to Public Works, through the EPIC-LA portal under "Public Improvement Plans: Street Plans," that reflects the following for review and approval:

Be advised that we currently have no known County construction project within the limits of your project. Should a County project be scheduled and constructed ahead of the applicant's development, a pavement moratorium may be imposed that would restrict any pavement work for two

years. Exceptions could be made if acceptable rehabilitation measures are provided. The applicant is encouraged to monitor <https://pw.lacounty.gov/gmed/lacroads/Find.aspx> periodically to determine if any future County projects have been scheduled or to determine whether a pavement moratorium currently exists along streets fronting the project location.

- 1.1.1. Provide and maintain 10' x 10' pedestrian sight triangles from all driveways to the back of the sidewalk. This means there shall be no solid structures such as fences, walls, or landscaping more than 3.5 feet high within the pedestrian sight triangles.
- 1.1.2. Close all unused driveways on Alameda Street, 83rd Street, 85th Street, and Lou Dillon Avenue with standard curb, gutter, and sidewalk.
- 1.1.3. Dedicate street right of way for a corner cut-off, based on a 35-foot curb return radius, on the northwest corner of South Alameda Street and 85th Street.

For questions regarding the dedication process, contact Diego Rivera of Public Works, Land Development Division, at (626) 458-4902 or dirivera@pw.lacounty.gov.

- 1.1.4. Execute an Agreement to Improve for the street improvements and dedication.
 - 1.1.5. Reconstruct the curb ramp on the northwest corner of South Alameda Street and 85th Street to meet Americans with Disabilities Act requirements.
- 1.2. Prior to issuance of a Certificate of Occupancy, construct all required street improvements.

For questions regarding the street conditions, please contact Sam Richards of Public Works, Land Development Division, at (626) 458-4921 or srich@pw.lacounty.gov.

If you have any questions or require additional information, please contact Ed Gerlits of Public Works, Land Development Division, at (626) 458-4953 or egerlits@pw.lacounty.gov.

DK:la



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www.publichealth.lacounty.gov/eh/

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May 02, 2023

TO: Carmen Sainz
Supervising Regional Planner
Department of Regional Planning

Attention: Christina Nguyen

FROM: Charlene Contreras 
Director, Community Protection Branch
Department of Public Health

**SUBJECT: CONDITIONAL USE PERMIT (CUP) REQUEST
CASE: RPPL2022000061
8423 S. ALAMEDA STREET LOS ANGELES CA 90001**

Thank you for the opportunity to review the subject project for a Conditional Use Permit. This project proposes a new semi-truck trailer parking, new retaining walls along east and south property lines, new one story 1,500 square feet office building.

The applicant provided a copy of the Annual Secured Property Tax Bill for fiscal year July 01, 2022, to June 30, 2023, with Assessor's ID: 6026 032 002 & 6026 032 010 indicating the consolidated sewer fee listed as one of the direct assessments.

- Public Health recommends the approval of the aforementioned project with the following conditions to be fulfilled at the permitting stage before the installation of any interactive water features.

- Public Health requires that the conditions or information requested below are addressed prior to agency approval; therefore, the Department **DOES NOT** recommend clearance of this project until the following conditions are met:

1. Community Protection Branch: Environmental Hygiene

Please Note: The following are general requirements for Noise and Air Quality recommendations for the proposed project.

1.1 Noise

- 1.1.1 The applicant shall abide by the requirements contained in Title 12, Section 12.08, Noise Control Ordinance for the County of Los Angeles (reference available at municode.com). The sections in Title 12 that apply to this project include but are not limited to:

12.08.390 Exterior Noise Standards

No person shall operate or cause to be operated, any source of sound at any location within the unincorporated county, or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person which causes the noise level, when measured on any other property either incorporated or unincorporated, to exceed any of the following exterior noise standards:

At residential properties between 7:00 am to 10:00 pm (daytime):

Standard No. 1 shall be the exterior noise level which may not be exceeded 50 dB for a cumulative period of more than 30 minutes in any hour.

Standard No. 2 shall be the exterior noise level which may not be exceeded 55 dB for a cumulative period of more than 15 minutes in any hour.

Standard No. 3 shall be the exterior noise level which may not be exceeded 60 dB for a cumulative period of more than five minutes in any hour.

Standard No. 4 shall be the exterior noise level which may not be exceeded 65 dB for a cumulative period of more than one minute in any hour.

Standard No. 5 shall be the exterior noise level which may not be exceeded 70 dB for any period of time.

At residential properties between 10:00 pm to 7:00 am (nighttime):

Standard No. 1 shall be the exterior noise level which may not be exceeded 45 dB for a cumulative period of more than 30 minutes in any hour.

Standard No. 2 shall be the exterior noise level which may not be exceeded 50 dB for a cumulative period of more than 15 minutes in any hour.

Standard No. 3 shall be the exterior noise level which may not be exceeded 55 dB for a cumulative period of more than five minutes in any hour.

Standard No. 4 shall be the exterior noise level which may not be exceeded 60 dB for a cumulative period of more than one minute in any hour.

Standard No. 5 shall be the exterior noise level which may not be exceeded 65 dB for any period of time.

At commercial properties between 7:00 am to 10:00 pm (daytime):

Standard No. 1 shall be the exterior noise level which may not be exceeded 60 dB for a cumulative period of more than 30 minutes in any hour.

Standard No. 2 shall be the exterior noise level which may not be exceeded 65 dB for a cumulative period of more than 15 minutes in any hour.

Standard No. 3 shall be the exterior noise level which may not be exceeded 70 dB for a cumulative period of more than five minutes in any hour.

Standard No. 4 shall be the exterior noise level which may not be exceeded 75 dB for a cumulative period of more than one minute in any hour.

Standard No. 5 shall be the exterior noise level which may not be exceeded 80 dB for any period of time

At commercial properties between 10:00 pm to 7:00 am (nighttime):

Standard No. 1 shall be the exterior noise level which may not be exceeded 55 dB for a cumulative period of more than 30 minutes in any hour.

Standard No. 2 shall be the exterior noise level which may not be exceeded 60 dB for a cumulative period of more than 15 minutes in any hour.

Standard No. 3 shall be the exterior noise level which may not be exceeded 65 dB for a cumulative period of more than five minutes in any hour.

Standard No. 4 shall be the exterior noise level which may not be exceeded 70 dB for a cumulative period of more than one minute in any hour.

Standard No. 5 shall be the exterior noise level which may not be exceeded 75 dB for any period of time

At Noise Sensitive Receptors (Anytime):

Standard No. 1 shall be the exterior noise level which may not be exceeded 50 dB for a cumulative period of more than 30 minutes in any hour.

Standard No. 2 shall be the exterior noise level which may not be exceeded 55 dB for a cumulative period of more than 15 minutes in any hour.

Standard No. 3 shall be the exterior noise level which may not be exceeded 60 dB for a cumulative period of more than five minutes in any hour.

Standard No. 4 shall be the exterior noise level which may not be exceeded 65 dB for a cumulative period of more than one minute in any hour.

Standard No. 5 shall be the exterior noise level which may not be exceeded 70 dB for any period of time.

12.08.440 Construction Noise

Operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work between weekday hours of 7:00 p.m. and 7:00 a.m., or at any time on Sundays or holidays, such that the sound therefrom creates a noise disturbance across a residential or commercial real-property line, except for emergency work of public service utilities or by variance issued by the health officer is prohibited.

A. Mobile Equipment. Maximum noise levels for nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment:

	Single-family Residential	Multi-family Residential	Semi residential/ Commercial
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	75 dBA	80 dBA	85 dBA
Daily, 8:00 p.m. to 7:00 a.m. and all-day Sunday and legal holidays	60 dBA	64 dBA	70 dBA

B. Stationary Equipment. Maximum noise level for repetitively scheduled and relatively long-term operation (periods of 10 days or more) of stationary equipment:

	Single-family Residential	Multi-family Residential	Semi residential/ Commercial
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	60 dBA	65 dBA	70 dBA
Daily, 8:00 p.m. to 7:00 a.m. and all	50 dBA	55 dBA	60 dBA

Carmen Sainz

May 02, 2023

Page 5 of 5

day Sunday and legal holidays			
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For questions regarding above comments, please contact Makkaphoeum Em of Public Health, Environmental Hygiene Program at (626) 430-5201 or mem@ph.lacounty.gov.

If you have any other questions or require additional information, please contact Veronica Aranda of Public Health, Land Use Program at (626) 430-5201 or varanda@ph.lacounty.gov.

CC:va

DPH_CLEARED_8423 S. ALAMEDA STREET LOS ANGELES CA 90001_RPPL2022000061_05.02.2023