

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

DRAFT CONDITIONS OF APPROVAL
PROJECT NO. 2018-003016-(2)
CONDITIONAL USE PERMIT NO. RPPL2018004607

PROJECT DESCRIPTION

The project is the continued operation and maintenance of an existing outdoor pallet yard ("A V Pallets") less than 500-feet from a residential zone or sensitive use within the West Rancho Dominguez Community Standards District subject to the following conditions of approval:

GENERAL CONDITIONS

1. **Permittee.** 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.
2. **Affidavit of Acceptance.** This grant shall not be effective for any purpose until the Permittee, and the owner of the subject property if other than the Permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("LA County Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of decision of this grant by the County.
3. **Date of Final Approval.** Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to County Code Section 22.222.230 (Effective Date of Decision and Appeals).
4. **Indemnification.** The Permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall 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.
5. **Litigation Deposit.** In the event that any claim, action, or proceeding as described above is filed against the County, the Permittee shall within ten days of the filing make an initial deposit with LA County Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in LA County Planning's cooperation in the

defense, including but not limited to, depositions, testimony, and other assistance provided to Permittee or Permittee's counsel.

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 \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

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 according to County Code Section 2.170.010 (Fees for Providing County Records).

6. **Invalidation.** If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. **Recordation.** Prior to the use of this grant, the Permittee, or the owner of the subject property if other than the Permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk (i.e. Recorder's Office). 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 the grant and its conditions to the transferee or lessee of the subject property.
8. **Grant Term. This grant shall terminate on January 27, 2036.** 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 Conditional Use Permit application with LA County Planning or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least twelve months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the Permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. **Expiration.** This grant shall expire unless used within ninety (90) days from the date of decision for this grant. A single thirty (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 pallet yard and satisfaction of Condition No. 2 shall be considered use of this grant.
10. **Inspections.** 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 or 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 that 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 **\$2,280**, which shall be placed in a performance fund and be used exclusively to reimburse LA County 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 **five (5)** inspections.

Inspections may be unannounced. Inspections may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS). Use of a UAS requires the consent of the Permittee pursuant to LA County Planning's UAS policy, which may be updated from time to time, and which shall be provided to the Permittee upon request.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the Permittee shall be financially responsible and shall reimburse LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be **\$456.00** per inspection, or the current recovery cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

11. **Revocation.** Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to County Code Chapter 22.238 (Modifications and Revocations). Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of these conditions and may result in revocation.
12. **County Fire Code.** All development pursuant to this grant shall comply with the requirements of Title 32 (Fire Code) of the County Code to the satisfaction of the County Fire Department ("Fire").
13. **County Public Works Requirements.** All development pursuant to this grant shall comply with the requirements of the County Department of Public Works ("Public Works") to the satisfaction of said department.
14. **Exhibit "A."** All development pursuant to this grant shall comply with the requirements of Title 22 (Planning and Zoning) 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 of LA County Planning ("Director").

15. **Maintenance.** 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.
16. **Graffiti.** All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by LA County 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.

In the event of graffiti or other extraneous markings occurring, the Permittee shall remove or cover said markings, drawings, or signage within 48 hours, 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. **Revisions to the Exhibit "A".** The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **an electronic copy** of a modified Exhibit "A" shall be submitted to LA County Planning by **March 28, 2026**.
18. **Subsequent Revisions to the Exhibit "A."** In the event that subsequent revisions to the approved Exhibit "A" are submitted, the Permittee shall submit **an electronic copy** of 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. **Conditions of Approval Maintained on the Premises.** The conditions of this grant shall always be retained on the premises and shall be immediately produced upon request by any County Sheriff or LA County Planning staff member. The manager and all employees of the outdoor pallet yard shall be knowledgeable of the conditions herein. Violation of the conditions herein may subject the use to the provisions of County Code Chapter 22.238 (Modifications and Revocations).

PROJECT SITE-SPECIFIC CONDITIONS

20. **Scope of Approval.** This grant shall authorize the continued operation and maintenance of an outdoor pallet yard.
21. **Landscaping.** The Permittee shall install a landscaping buffer with a permanent irrigation system and trees as stated below. The Permittee shall use the County's Native Plant Guide to select drought resistant native vegetation.
 - a. **Rear Property Line (Northern Boundary).** A minimum five-foot-wide landscaping buffer shall be provided and maintained along the rear property line and shall be automatically irrigated by a permanent watering system. One 15-gallon tree for every 50 square feet of landscaped area (467 square feet) shall

be maintained. A minimum of ten (10) 15-gallon trees shall be maintained equally spaced within the landscaped buffer. The remaining area shall also be landscaped with grass, shrubs, or bushes, etc. All plants provided for required landscaping shall be drought-tolerant and include only non-invasive plant species.

- b. Tree Species.** Trees shall be selected from the Tree Species List maintained by the Director.
 - c. Clean Fuels.** Landscaping equipment used for maintenance, such as lawn mowers and leaf blowers, shall be electric and non-combustion powered.
22. **The site improvements required by Conditions 21 and 31, shall be fully implemented by January 27, 2028.** If this does not occur, in accordance with Condition 11, above, the Commission or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public'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)
23. **Outside Storage.** Any pallets, materials, vehicles, and equipment that are stored outdoors shall not exceed the height of the surrounding wall, shall be fully contained within the property boundaries, and shall not spill over onto the public right-of-way.
- a.** Stored materials shall be set back at least 10 feet from all property lines or a distance equal to the height of the wall along the relevant property line, whichever is greater.
 - b.** Outside storage shall not be visible by pedestrians on adjacent streets adjoining residential zones or by persons on neighboring residentially zoned properties.
 - c.** The area between the stored materials and the wall may be landscaped.
24. **Recycling and Solid Waste Storage.** Any trash receptacles or storage areas for recycling and solid waste shall meet the requirements set forth in County Code Chapter 22.132 (Storage Enclosure Requirements for Recycling and Solid Waste).
25. **Hours of Outdoor Operation.** No outdoor operation (including but not limited to truck delivery; and the handling, stacking, storing, repairing, and building of pallets) or activities shall be conducted between 6:00 p.m. and 7:00 a.m. daily.
26. **Site Operations.** All pallet repair, reconstruction, reconditioning, disassembly or reassembly shall be confined to the area as depicted on "Exhibit A." No amplified music or public address system shall be used on the subject property which is audible beyond the exterior boundaries of the subject property.

27. **Storage of Materials and Waste.** All materials or waste shall be stored in designated receptacles, bins, or pallets, and located on a paved impermeable surface on site, or within an enclosed building.
28. **Site Maintenance.** Except for the collection or receipt of items related to the principal use, exterior areas of the premises shall be maintained free of garbage, trash, debris, or junk and salvage except as stored in designated trash collection containers and enclosures.
29. **Fences and Walls.** The Permittee shall maintain the solid eight-foot-tall CMU wall abutting a residential property on the northern property line.
30. **Barbed Wire and/or Concertina Wire.** The use of barbed wire and/or concertina wire is prohibited.
31. **Signs.** The Permittee shall install a "No Vehicle Idling" sign with minimum dimensions of 12 inches by 18 inches. The Permittee shall also install a "Perimeter Identification" sign in compliance with the following requirements:
 - a. **Location.** The "Perimeter Identification" sign shall be permanently affixed on a building or wall that is visible, and with text that is legible from, the public right-of-way for pedestrians, and no higher than eight feet from the ground measured vertically from the base of the sign. The "Perimeter Identification" sign shall not be a freestanding sign or a portable sign.
 - b. **Size.** The "Perimeter Identification" sign shall have a minimum sign area of four square feet and a maximum sign area of nine square feet. The area for the "Perimeter Identification" sign shall not be accounted for in the area permitted for business signs specified in County Code Chapter 22.114 (Signs).
 - c. **Display.** The "Perimeter Identification" sign shall permanently display the hours of operation, the telephone number of the facility representative, and emergency contact information for reporting any problems which may occur related to the operation of the facility 24 hours a day, seven days a week. The sign shall also include the business name unless the property also contains a separate business sign that is clearly visible from the public right-of-way. The sign shall also include instructions for reporting violations to LA County Planning and to the South Coast Air Quality Management District (AQMD), if the use is also regulated by AQMD. Information for reporting violations shall include the following text, or as updated by LA County Planning or the AQMD:
 - i. "To report a violation to the Los Angeles County Department of Regional Planning, call 213-974-6453 Monday-Thursday, 7 a.m. – 6 p.m., dial 2-1-1 at any time or email zoningenforcement@planning.lacounty.gov," and
 - ii. "To report a violation to South Coast Air Quality Management District (SCAQMD), call 1-800-CUTSMOG or visit www.aqmd.gov."
32. **Surface Paving.** The Permittee shall repair all areas of broken concrete or asphalt including, but not limited to, divots, cracks, and potholes. Spalling of concrete or

asphalt shall be patched, repaired, or repaved as necessary to prevent standing water or puddles with a surface area greater than one square foot from accumulating.

33. **Vehicular Circulation.** Vehicular circulation areas shall be maintained as depicted on the approved Exhibit "A" to the satisfaction of LA County Planning.
34. **Parking.** A minimum of 17 paved off-street spaces shall be accessible at all times and shall not be used for the storage of materials or equipment as depicted in "Exhibit A."
35. **Maintenance of Use.** If the pallet yard substantially changes its mode or character of operation or if the Permittee changes the use or occupancy or otherwise modifies the subject property so as to provide less parking than the minimum requirement, the Permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.
36. **Cleaning and Maintenance.** The Permittee shall keep the Project Site clean and free of trash, junk, and debris.
37. **Acceptable Materials.** The Permittee shall accept used and new pallets.
38. **Departmental Conditions.** The permittee shall comply with all conditions set forth in the attached Public Health Department letter dated November 9, 2019.

Attachments:

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| Exhibit D-1 | Department of Parks and Recreation Letter dated April 1, 2019 |
| Exhibit D-2 | Department of Public Works Letter dated April 10, 2019 |
| Exhibit D-3 | Fire Department Letter dated March 27, 2019 |
| Exhibit D-4 | Department of Public Health Letter dated November 5, 2019 |