

## REPORT TO THE REGIONAL PLANNING COMMISSION

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DATE ISSUED: September 19, 2024

HEARING DATE: October 2, 2024                      AGENDA ITEM: 8

PROJECT NUMBER: R2006-01160-(2)

PERMIT NUMBER(S): Conditional Use Permit (“CUP”) 200600261

SUPERVISORIAL DISTRICT: 2

PROJECT LOCATION: 9401 S. Alameda Street, Florence-Firestone

OWNER: Paul H. Madick, Eddie and Ida Madick LLC Trust

APPLICANT: Paul H. Madick, Eddie and Ida Madick LLC Trust

CASE PLANNER: Elsa M. Rodriguez, Principal Planner  
erodriguez@planning.lacounty.gov

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### RECOMMENDATION

*The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:*

LA County Planning staff (“Staff”) recommends **APPROVAL** of Project Number R2006-01160-(2), CUP Number 200600261, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motions:

### CEQA:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

### ENTITLEMENT:

I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT NUMBER 200600261 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

## **PROJECT DESCRIPTION**

### **A. Entitlement(s) Requested**

- A CUP to establish two pallet yards and a recycling collection business in the in the M-2 (Heavy Manufacturing) Zone at 9401 S. Alameda Street in Florence-Firestone (“Project Site”). Pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the applicant chose to have the complete CUP application be subject to the zoning and regulations in effect at the time it was submitted on October 26, 2006. A CUP was required at that time pursuant to former County Code Section 22.32.160 (Permitted Uses for Heavy Manufacturing Zones). A CUP was also required at that time for outdoor businesses located within 250 feet of a Residential Zone or a sensitive use pursuant to former County Code Section 22.44.138.D.7.b (Florence-Firestone Community Standards District Zone Specific Development Standards). The Florence-Firestone Community Standards District was repealed in conjunction with the adoption of the Florence-Firestone Transit-Oriented District Specific Plan on February 7, 2023. Please see the Zoning Code Comparison Chart at the end of this report for more information.

### **B. Project**

The Project Site includes an outside storage yard with two pallet yard businesses (A and I Pallets LLC and Mathew’s Pallets) and a recycling collection business (R and C Recycling Center). Although these are long-term tenants that have operated onsite for many years, the proposed CUP will legally establish these businesses for the first time. The northern half of the Project Site is occupied by A and I Pallets, which has operated onsite for 20 years, the southwestern portion of the Project Site is occupied by Matthews Pallets, which has operated onsite for 15 years, and the southeastern portion of the Project Site is occupied by the R and C Recycling Center, which has operated onsite for 28 years. The recycling collection business accepts various household recyclable materials, such as aluminum cans, plastic bottles, and glass, and does not accept appliances or any electronic waste. Recycling activities are limited to the preparation of such materials via sorting for bailing, storage, and shipment. Both pallet yards assemble wood pallets using hand tools and store pallets outdoors in the open yard area.

The Project Site is located on the Alameda Corridor, which is designated for industrial uses. However, the Project Site is located within 250 feet of a Residential Zone and a CUP is required for these three businesses because both pallet yards and the recycling collection business have outdoor operations. The three businesses employ a total of 16 people full-time. The hours of operation of all three businesses are 8:00 a.m. to 4:30 p.m. Monday through Friday and the recycling collection business also operates from 8:00 a.m. to 1:00 p.m. on Saturdays and Sundays.

The Project Site is 1.49 acres in size. The primary access is from Alameda Street via a 26-foot-wide driveway and a 30-foot-wide driveway, and the secondary access is from 95<sup>th</sup> Street via a 26-foot-wide driveway and a 27-foot-wide driveway. The Project Site is paved and includes one office, one warehouse, and one canopy for work performed outdoors. The remainder of the Project Site is an open yard for the outdoor storage of pallets, loading

areas, 13 parking spaces, and a recycling collection business with an office trailer, a canopy, and bins for sorting. The Project Site is secured by a 14-foot-tall metal panel perimeter fence that will be replaced with a new 15-foot-tall solid metal panel perimeter fence that will be set back three feet from the property lines to allow for 2,237 square feet of new perimeter landscaping with a permanent irrigation system.

Special Permit No. 1087 approved a junk yard on the northeastern portion of the Project Site in 1955 and Special Permit No. 1433 approved scrap metal sales on the southern portion of the Project Site in 1960. Special Permit No. 1618 approved a scrap metal yard, a salvage yard, and a paper, cardboard, and cloth rag bailing business in 1965.

### **C. Project Background**

The CUP application was submitted on October 26, 2006, for a pallet yard, an automobile glass repair business, retail sales of used automobile parts, and a recycling collection business. From 2006 to 2017, the CUP application remained pending because several unpermitted uses were operating on the Project Site that could not comply with the required development standards and the applicant did not provide updated application materials and additional application materials when Staff requested them.

On January 19, 2017, the CUP was assigned to the newly formed Industrial Use Task Force (“IUTF”), which is a cooperative effort between LA County Planning’s Current Planning Division and Land Use Regulation Division to bring industrial land uses along the Alameda Corridor into compliance. The applicant was contacted and informed of the new process in place, which included regular site inspections, with the expectation that zoning violations would be abated and that additional application materials would be submitted in a timely manner, and that failure to comply with these expectations could result in Staff recommending denial of the CUP to the Regional Planning Commission (“RPC”). On April 18, 2017, Staff conducted the initial IUTF site inspection and subsequently issued a Notice of Violation (“NOV”) and a letter requiring corrections and additional application materials. Both the NOV and the correction letter noted that the following was observed at the Project Site:

- Unpermitted land uses were operating, including an automobile dismantling yard, pallet yards, a scrap metal processing yard, and a recycling collection business. In addition, the Project Site was not in compliance with Title 22 development standards for these land uses related to parking, signage, landscaping, and fence/wall requirements.
- At the site inspection, there was evidence that people were residing in an unpermitted structure within one of the pallet yards.
- There were at least five unlicensed automobile dismantling operators in a sub-leased area for one of the pallet yards.
- There was evidence that the recycling collection business was accepting scrap metals and other hazardous materials.
- Several business activities related to the Project Site were occurring in the public right-of-way, including the unloading and loading of inoperable vehicles and pallets.

- There was unpermitted outside storage of inoperable vehicles in required parking areas, including semi-trailer trucks.
- The Project Site and the areas directly adjacent to the Project Site within the public right-of-way (sidewalk) were littered with trash, junk, and other materials.

The applicant was given 30 days from the date of the NOV (from May 4, 2017, to June 4, 2017) to abate the existing violations and to provide a revised site plan. The IUTF worked with the applicant from May 2017 to August 2017 and noted initial improvement in June, but also noted that corrections were no longer being made in July and August. The IUTF then scheduled the CUP application for a public hearing before the RPC on October 4, 2017, with a recommendation of denial.

After the public hearing was noticed, the applicant made efforts to address some of Staff's requests to abate the existing violations and to provide an acceptable site plan for review. Therefore, on October 4, 2017, the RPC continued the public hearing for two months, to December 13, 2017, to provide the applicant with additional time to abate the existing violations and submit an acceptable site plan.

Between October 3, 2017, and December 13, 2017, Staff observed that the applicant made a concerted effort to abate the existing zoning violations on the Project Site. The IUTF conducted site visits during that time and found that the Project Site and its surrounding environment had been well-maintained and free of trash and graffiti. The access points to each business were cleared and Staff did not observe any business activities being conducted in the public right-of-way. Pallet storage was lowered to the fence height and the applicant hired a professional painter to paint the fences. Finally, the temporary trailer was being demolished and showed no signs of habitation. The applicant also provided an acceptable site plan that could be circulated for consultation with other County departments. On December 13, 2017, Staff recommended that the public hearing be continued again to March 14, 2018, to provide the applicant with three additional months to demonstrate further progress.

Between December 13, 2017, and March 14, 2018, Staff observed that the immediate zoning violations were abated. The site plan was circulated and received clearance from the Fire Department. The applicant was also actively working with the Department of Public Health and the Department of Public Works to obtain their clearances. Due to the progress made by the applicant, the RPC took this item off calendar at the March 14, 2018, continued public hearing, as recommended by Staff.

Between March 14, 2018, and October 30, 2019, Staff continued to work with the applicant to limit the number of businesses operating on the Project Site to three (the two pallet yards and the recycling collection business), which helped the applicant to demonstrate that they could comply with all relevant development standards and helped the applicant obtain the remaining clearance letters from the other County departments.

On October 30, 2019, a fire occurred on the Project Site. The Fire Department successfully extinguished the fire, with damage limited to the center of the Project Site. A

building in the area occupied by Matthews Pallets was destroyed along with the interior fence separating Matthews Pallets and A and I Pallets. Several pallets were also destroyed. All other structures were undamaged. The Fire Department issued a report on January 2, 2020, stating that the fire originated in the Matthews Pallets area, but the cause of the fire was undetermined.

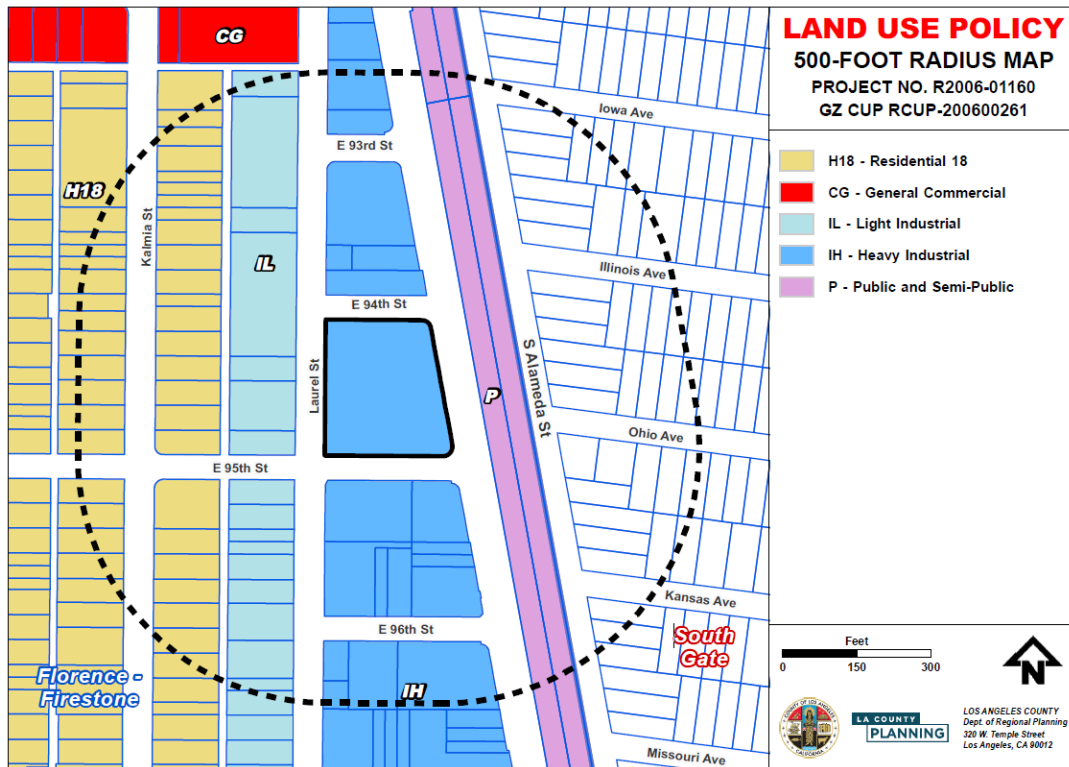
Between October 30, 2019, and now, the Project Site was cleaned up following the fire and business operations have continued. The applicant has not requested changes to the proposed site plan (Exhibit “A”) since the fire occurred and decided to have the businesses continue operating as originally planned before the fire. The applicant is not proposing new buildings and on-site development will be limited to the movement of interior fence/wall lines, a new 15-foot-tall solid metal panel perimeter fence that will replace the existing 14-foot-tall solid metal panel perimeter fence, a new three-foot-deep landscaping buffer with a permanent irrigation system, and 13 new parking spaces of which one vehicle parking space that is dedicated for use by people with disabilities in accordance with the Americans with Disabilities Act (“ADA”).

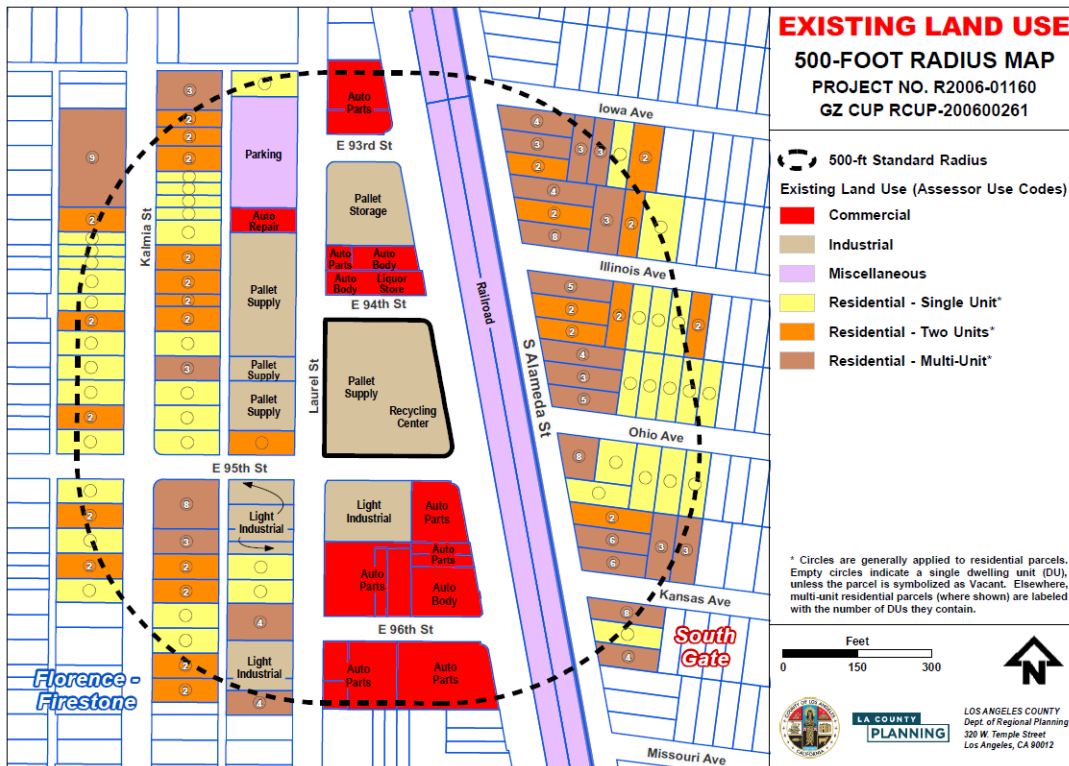
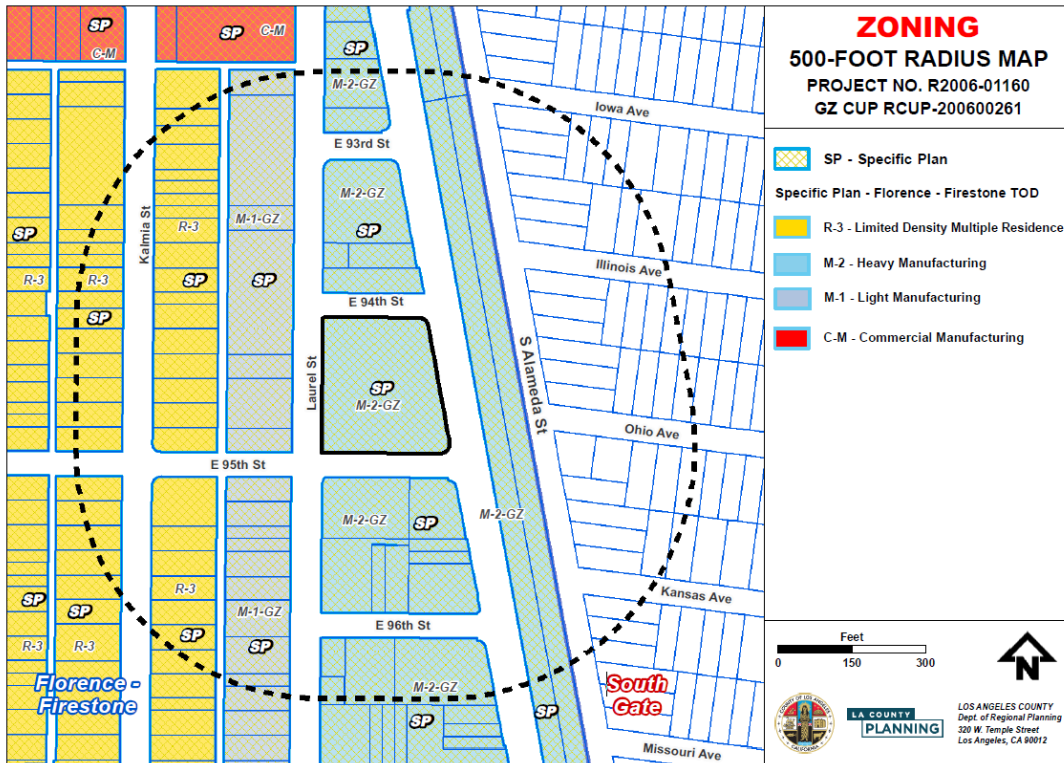
**SUBJECT PROPERTY AND SURROUNDINGS**

The following chart provides property data within a 500-foot radius:

LOCATION	1980 GENERAL PLAN LAND USE POLICY *	2006 ZONING *	EXISTING USES
SUBJECT PROPERTY	I (Major Industrial)	M-2	Two pallet yards and one recycling collection business
NORTH	I	M-2	Outside storage, automobile dismantling
EAST	P (Public and Semi-Public), City of South Gate	M-2, and residential zoning in the City of South Gate.	Alameda Railroad Corridor, and single and multi-family residences in the City of South Gate
SOUTH	I	M-2	Outside storage, automobile dismantling
WEST	I (Industrial), MDR (Medium Density Residential)	M-1 (Light Manufacturing) and R-3 (Limited Multiple Residence)	Outside storage, automobile dismantling, pallet yards, single and multi-family residences

\* Note: Pursuant to County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the applicant chose to have the complete CUP application be subject to the zoning and regulations in effect at the time it was submitted on October 26, 2006, which included the 1980 General Plan. The current General Plan land use designations are shown on the Land Use Policy Map below. The zoning was changed to SP (Specific Plan) on February 7, 2023, in conjunction with the adoption of the Florence-Firestone Transit-Oriented District Specific Plan on February 7, 2023, which is shown on the Zoning Map below. Please see the Zoning Code Comparison Chart at the end of this report for more information.





**PROPERTY HISTORY**

**A. Zoning History**

ORDINANCE NO.	ZONING	DATE OF ADOPTION
2111	M-2	June 1, 1932

**B. Previous Cases**

CASE NO.	REQUEST	DATE OF ACTION
Special Permit No. 1087	Junk yard on the northeast portion of the Project Site.	November 8, 1955
Special Permit No. 1433	Scrap metal sales on the southern portion of the Project Site.	July 19, 1960
Special Permit No. 1618	Scrap metal sales and salvage, including paper, cardboard, and cloth.	September 13, 1965

**C. Violations**

CASE NO.	VIOLATION	CLOSED/OPEN
05-0014834	Unpermitted land use without a CUP	Closed
11-0030431	Unpermitted land use without a CUP	Closed
14-0002388	Unpermitted land use without a CUP	Closed
RPCE2017004785	Unpermitted land use without a CUP	Open (Pending approval of this CUP)

**ANALYSIS**

**A. Land Use Compatibility**

The Project Site is located on the Alameda Corridor, which is an area predominately zoned for heavy and light industrial uses along Alameda Street. There are residential properties located within 250 feet of the Project Site both to the west and east. However, the Project Site does not adjoin these residential uses and is buffered to the west by other industrial uses and Laurel Street and is buffered to the east by the Alameda Rail Corridor.

**B. Neighborhood Impact (Need/Convenience Assessment)**

Unpermitted uses on the Project Site that were unable to comply with required development standards, including automobile dismantling and scrap metal businesses, have been removed. The remaining two pallet yards and one recycling collection business can meet all



required development standards, as depicted on the proposed plans (Exhibit “A”). The Project Site is located on the Alameda Corridor, which is intended for industrial uses, and the operations of these businesses are in character with the other industrial uses in the neighborhood.

### **C. Design Compatibility**

The Project complies with development standards for screening because a new 15-foot-tall solid metal panel perimeter fence will replace the existing 14-foot-tall solid metal panel perimeter fence. A new three-foot deep landscaping buffer with a permanent irrigation system is also proposed on the perimeter of the Project Site. All signs comply with Title 22 standards. The Project fits into the character of its industrial surroundings because it complies with development standards related to screening, landscaping, and signage.

### **GENERAL PLAN/COMMUNITY PLAN CONSISTENCY**

The Project is consistent with applicable goals and policies of the 1980 General Plan, which was in effect at the time that the complete CUP application was submitted. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

### **ZONING ORDINANCE CONSISTENCY**

The Project complies with all applicable zoning requirements that were in effect at the time that the complete application was submitted. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

### **BURDEN OF PROOF**

The applicant is required to substantiate all facts identified by former County Code Section 22.56.040 (Application Burden of Proof) with applicant’s responses is attached (Exhibit E – Applicant’s Burden of Proof). Staff is of the opinion that the applicant has met the burden of proof.

### **ENVIRONMENTAL ANALYSIS**

Staff recommends that this Project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities and a Class 3 Exemption, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (“CEQA”) and the County environmental guidelines. The Project is the continuation of three existing businesses and new development is limited to replacing dilapidated fencing with new solid metal fencing, revising the parking layout, and installing new perimeter landscaping with a permanent irrigation system. The Project does not qualify for an exception to the CEQA exemption because it is not located in an environmentally sensitive area, does not contain scenic or historic resources, and there are no unusual circumstances that would indicate a reasonable possibility that the Project could have a significant effect on the environment. Therefore, Staff recommends that the RPC determine that the Project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the Project.

**COMMENTS RECEIVED**

**A. County Department Comments and Recommendations**

1. The Department of Public Works, in a letter dated December 23, 2019, recommended that the Project proceed to a public hearing with required conditions of approval.
2. The Fire Department, in a letter dated January 9, 2020, recommended that the Project proceed to a public hearing.
3. The Department of Public Health, in a letter dated April 21, 2020, recommended that the Project proceed to a public hearing.

**B. Other Agency Comments and Recommendations**

Staff has not received any comments at the time of report preparation.

**C. Public Comments**

Staff has not received any comments at the time of report preparation.

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Report  
Reviewed By: \_\_\_\_\_  
Carmen Sainz, Supervising Planner

Report  
Approved By: \_\_\_\_\_  
Mitch Glaser, Assistant Deputy Director

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LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Findings
EXHIBIT D	Conditions of Approval
EXHIBIT E	Applicant's Burden of Proof
EXHIBIT F	Environmental Determination
EXHIBIT G	Informational Maps
EXHIBIT H	Photos
EXHIBIT I	Agency Correspondence
EXHIBIT J	Public Correspondence

**Zoning Code Comparison Chart**

<p><b>2006 Zoning Code</b></p>	<p><b>Current Zoning Code, before repeal of the Florence-Firestone Community Standards District in 2023 (Comprehensive Technical Update was adopted in 2019)</b></p>
<p>Section 22.32.160 (Permitted Uses for M-2 (Heavy Manufacturing Zone) and M-3 (Unlimited Manufacturing) Zone)</p> <p>Section 22.32.190 required a CUP for the land uses on the Project Site</p>	<p>Section 22.22.030 (Principal Use Regulations for Industrial Zones)</p>
<p>Section 22.44.138.D.7.b (Florence-Firestone Community Standards District Zone Specific Development Standards): Outdoor Businesses. All principal business uses, except parking, conducted outside an enclosed structure within 250 feet of a residential zone or sensitive use as described in subsection D.6.a of this section shall require a CUP</p>	<p>Section 22.324.070.C.4 (Florence-Firestone Community Standards District Zone Specific Development Standards) required a CUP for outdoor businesses within 250 feet from residential zone or sensitive uses</p>
<p>Section 22.52.610 (Outside Storage: Fences and Walls)</p>	<p>Section 22.140.430 (Outside Storage)</p>
<p>Section 22.52.870 (Signs)</p>	<p>Section 22.114.110 (Signs)</p>
<p>Section 22.52.1140, Part 11 (Industrial Vehicle Parking Spaces)</p>	<p>Section 22.112.070 (Parking)</p>
<p>Section 22.56.040 (CUP Application – Burden of Proof)</p>	<p>Section 22.158.050 (Burden of Proof)</p>