

LOS ANGELES COUNTY  
DEPARTMENT OF REGIONAL PLANNING  
FINDINGS OF THE HEARING OFFICER  
AND ORDER  
PROJECT NO. PRJ2023-003825-(2)  
CONDITIONAL USE PERMIT NO. RPPL2023006331

**RECITALS**

1. **HEARING DATE(S).** The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. **RPPL2023006331** ("CUP") on December 3, 2024.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **ENTITLEMENT REQUESTED.** The Permittee, Adam Berger and Patrick Burris ("Permittee"), requests the CUP to expand an existing automobile body and fender repair shop ("Project") on a property located at 13209 South Inglewood Avenue onto a property located at 13205 and 13207 South Inglewood Avenue in the unincorporated community of Del Aire ("Project Site") in the C-3 (General Commercial) Zone pursuant to County Code Section 22.20.030 (Principal Use Regulations for Commercial Zones).
4. **ENTITLEMENT REQUIRED.** The CUP is required to expand an existing automobile body and fender repair shop in the C-3 Zone pursuant to County Code Section 22.20.030 (Principal Use Regulations for Commercial Zones).
5. **LOCATION.** The Project is located at 13205, 13207, and 13209 South Inglewood Avenue within the Del Aire Zoned District and South Bay Planning Area.
6. **PREVIOUS ENTITLEMENTS.** There are no previous land use entitlements associated with the Project Site. Building Permit No. 91586 authorized a machine shop on the portion of the Project Site at 13209 South Inglewood Avenue in 1947. A building permit from 1995 authorized a prefabricated spray booth in its place. Building Permit No. 99957 authorized a retail store on the portion of the Project Site at 13205 and 13207 South Inglewood Avenue in 1957.
7. **LAND USE DESIGNATION.** The Project Site is located within the CG (General Commercial) land use designation of the General Plan Land Use Policy Map.
8. **ZONING.** The Project Site is located in the Del Aire Zoned District and is zoned C-3 (General Commercial). Pursuant to County Code Section 22.20.030 (Principal Use Regulations for Commercial Zones), a CUP is required for automobile body and fender repair shop.

9. SURROUNDING LAND USES AND ZONING

LOCATION	GENERAL PLAN LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	CG (General Commercial)	C-3 (General Commercial)	Auto Body Shop and Fender Repair Shop with Spray Booth
NORTH	CG	C-3	Liquor Store; Beauty Salon;
EAST	City of Hawthorne	City of Hawthorne	Restaurant; Lodge; Automobile Repair
SOUTH	CG	C-3	Multifamily Residences; Automobile Sales
WEST	H9 (Residential 9, maximum density of nine dwelling units per one net acre)	R-1 (Single-Family Residence)	Single-Family Residences

10. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 0.19 net acres in size and consists of two legal lots. The two lots will be tied together through a covenant after the CUP is approved and before LA County Department of Regional Planning (“LA County Planning”) staff (“Staff”) approves the Exhibit “A.” The Project Site is rectangular in shape with flat topography and is developed with an automobile body and fender repair shop with a spray booth on the portion of the Project Site at 13209 South Inglewood Avenue and a woodworking shop on the portion of the Project Site at 13205 and 13207 South Inglewood Avenue.

B. Site Access

The Project Site is accessible via Inglewood Avenue to the east. Primary access to the Project Site is via 11-foot-wide and 16-foot-and-11-inch-wide driveways on Inglewood Avenue.

C. Site Plan

The Project Site includes two existing one-story buildings totaling 5,280 square feet in size, a new six-foot-tall solid (“CMU”) concrete masonry unit wall along the southern and western property lines, and six automobile parking spaces on an 8,422 square foot property. Ingress and egress is provided via two existing 11-foot-wide and 16-foot-and-11-inch-wide driveways on Inglewood Avenue. There is no change in floor area proposed to either building or any interior connection proposed between the two buildings, but the two buildings will operate as one business. The interior of the buildings include a workshop that includes one spray booth, a

automobile storage area, a bathroom, an employee break room and a waiting area. The spray booth will be relocated from the building at 13209 South Inglewood Avenue to the building at 13205 and 13207 South Inglewood Avenue.

**D. Parking**

The Project Site has six automobile parking spaces that are nonconforming due to standards.

**11. CEQA DETERMINATION.** Prior to the Hearing Officer's public hearing on the Project, Staff determined that the Project qualified for Class 1, Existing Facilities, and Class 3, New Construction or Conversion of Small Structures, categorical exemptions from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because physical changes are limited to relocating an existing spray paint booth, constructing a six-foot-tall solid CMU wall on the southern and western property lines, and installing new signage. The Project does not qualify for an exception to the CEQA exemption because it is not located in an environmentally sensitive area or on a hazardous waste site, 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. The Project has operated onsite for several decades, and all worked is performed in an enclosed structure.

**12. COMMUNITY OUTREACH.** Staff are not aware of any community outreach conducted for the Project prior to the public hearing.

**13. PUBLIC COMMENTS.** No public comments were received regarding the Project.

**14. LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at LA County 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 Services Section, LA County Planning.

**15. AGENCY RECOMMENDATIONS.**

- The County Department of Public Works did not require review of this Project and recommended that the Project proceed to a public hearing on December 28, 2023.
- The County Fire Department, in a letter dated January 25, 2024, recommended that the Project proceed to a public hearing.
- The County Health Department, in a letter dated January 27, 2024, recommended that the Project proceed to a public hearing.

16. **LEGAL NOTIFICATION.** Pursuant to County Code Section 22.222.120 (Public Hearing Procedure), the community was properly notified of the public hearing by mail, and newspaper [Daily Journal], Additionally, the Project was noticed and case materials were available on LA County Planning's website. On October 28, 2024, a total of 139 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 four notices to those on the courtesy mailing list for the Del Aire Zoned District and to any additional interested parties.

### **GENERAL PLAN CONSISTENCY FINDINGS**

17. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan because the General Commercial land use designation is intended for local-serving commercial uses, including retail, restaurants, and personal and professional services. The Hearing Officer further finds that the Project promotes a desired service for the community. The automobile body and fender repair shop has operated onsite for over 30 years without any recorded complaints from the community or zoning enforcement actions. Prior to October 6, 2015, the Project Site was zoned M-1 (Light Manufacturing). The building on the portion of the Project Site at 13209 South Inglewood Avenue was originally authorized as a machine shop in 1947. Beginning in 1965, the machine shop manufactured go-carts and restored aeronautical parts onsite. The building on the portion of the Project Site at 13205 and 13207 South Inglewood Avenue was originally authorized as a retail store in 1957.

18. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan.

- 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.
- Policy ED 2.7 (Economic Development Element): Incentivize economic development and growth along existing transportation corridors and in urbanized areas

The longevity of the existing business demonstrates that it serves a need or demand in the local community and larger region. South Inglewood Avenue is a highly traveled transportation corridor with many diverse commercial, retail and automobile-oriented services that not only serve the Del Aire community but also the larger South Bay Planning Area. The Project provides a desired service in an urbanized area.

### **ZONING CODE CONSISTENCY FINDINGS**

19. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the C-3 zoning classification as automobile body and fender repair shops are permitted in such zone with a CUP pursuant to County Code Section 22.20.030-B (Principal Use Regulations for Commercial Uses).

20. **FLOOR AREA RATIO.** The Hearing Officer finds that the Project is consistent with the standards identified in the General Plan Land Use Policy Table, which allows a maximum Floor Area Ratio ("FAR") of 1.00 in the General Commercial land use designation. The lot area for the Project Site is 8,422 square feet and the total square footage of the two existing buildings is 5,280 square feet. No change to the floor area of the existing buildings is proposed. Therefore, the total FAR is 0.63 at the Project Site, which is within the maximum allowable FAR.
21. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.20.040 (Development Standards for Commercial Uses), which allows the maximum height to be 13 times the property's buildable area. The existing buildings are all one-story, with a maximum height of 14 feet and eight inches, and no changes are proposed to the heights of the existing buildings.
22. **PARKING.** The Hearing Officer finds that the Project is inconsistent with the standard identified in County Code Section 22.112.070 (Required Parking Spaces), which requires that one automobile parking space be provided for every 500 square feet of automobile repair services. The portion of the Project Site at 13209 South Inglewood Avenue includes a building that was originally authorized as a machine shop in 1947 via Building Permit No. 91586. The portion of the Project Site at 13205 and 13207 South Inglewood Avenue includes a building that was originally authorized as a retail store in 1957 via Building Permit No. 99957. The zoning was M-1 (Light Manufacturing) when both buildings were authorized and no parking was required for retail or industrial uses at the time. Therefore, the Project is legally nonconforming with regard to this standard. There are no automobiles used in conjunction with the business and there are currently five employees during the largest shift and six automobile parking spaces onsite.
23. **SIGNS.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.114.110 (Wall Business Signs), which allows a maximum of three square feet of wall sign area for each one linear foot of building frontage. The maximum allowed wall sign area is 193 square feet. The Project Site includes a total of 120 square feet of wall signs that are painted onto the buildings.
24. **LANDSCAPING.** The Hearing Officer finds that the Project is inconsistent with the standards identified in County Code Section 22.20.040 (Development Standards for Commercial Uses), which requires that a minimum of 10 percent of net lot area be landscaped with lawn, shrubbery, flowers, or trees. However, no landscaping was required at the time the buildings on the Project Site were built in 1947 and 1957. Therefore, the Project is legally nonconforming with regard to this standard. No increase in floor area is proposed and therefore no landscaping is required.
25. **LOT COVERAGE.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.20.040 (Development Standards for Commercial Uses), which allows a maximum 90 percent of the net lot area to be covered. The lot area for the Project Site is 8,422 square feet and the total square footage of both buildings is 5,280 square feet. Therefore, the lot coverage is 63 percent at the Project Site.

**CONDITIONAL USE FINDINGS**

26. **The Hearing Officer finds that the proposed use at the 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 automobile body and fender repair shop was legally established in 1995 before the Project Site was rezoned from M-1 (Light Manufacturing) to C-3 (General Commercial) in 2015. The expansion and continued operation of this business is not anticipated to result in substantial adverse effects due to the business's longevity in the community and no record of any violations that could pose public health and safety concerns to the surrounding area. All spray painting is conducted inside a spray booth within an enclosed structure. The structure is secured by a six-foot-tall solid CMU wall, which acts as a physical buffer between the adjoining residential uses to the south and west of the Project Site. The business is also regulated by the South Coast Air Quality Management District ("AQMD") and is subject to operating conditions related to proper equipment maintenance, emissions controls and use of coatings, reducers, thinners and clean-up solvents. Lastly, this CUP's conditions of approval require the Permittee to install a perimeter identification sign on the Project Site that provides an emergency contact, the hours of operation for the business, and instructions on how to submit a complaint to LA County Planning and the AQMD. It is unlikely the Project will produce new or unforeseen impacts on the surrounding neighborhood.
27. **The Hearing Officer finds that the proposed 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 in order to integrate said use with the uses in the surrounding area.** No yard setbacks, parking or landscaping were required at the time the buildings on the Project Site were constructed in 1947 and in 1957. Building Permit No. 91586 authorized a machine shop on the portion of the Project Site located at 13209 South Inglewood Avenue in 1947. Building Permit No. 99957 authorized a retail store on the portion of the Project Site located at 13205 and 13207 South Inglewood Avenue in 1957. The Project Site provides enough parking spaces for the business's current number of employees. The Project complies with other development standards related to fencing and walls, signage, height, lot coverage and floor area ratio.
28. **The Hearing Officer finds that the proposed 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.** There are no expansions in floor area or additional spray booths proposed at the Project Site. The physical improvements are limited to relocating an existing spray paint booth, installing a six-foot-tall solid CMU wall on the southern and western property lines, and a new perimeter identification sign on the building. These improvements do not impact traffic or any public or private infrastructure nearby.

29. **The Hearing Officer finds that it is not necessary to impose a grant term for the CUP.** The Project Site has been occupied by industrial and commercial uses since the late 1940s and 1950s. The automobile body and fender repair shop with a spray booth has operated on the Project Site since 1995 without any issues. The existing business's longevity demonstrates that it serves a need and demand in the local community and the larger region. Other automobile-oriented uses, such as automobile sales and automobile repair, exist to the south and north of the Project Site on Inglewood Avenue. The Permittee is voluntarily relocating the existing spray booth to further separate it from the adjoining residential uses. The Permittee is voluntarily constructing a new six-foot-tall solid CMU wall along the southern and western boundaries of the Project Site to further buffer the business from the adjoining residential uses. The Project will continue to require an AQMD permit with operating conditions that ensure proper maintenance of equipment and emissions controls. Pursuant to CUP Condition No. 10, the Regional Planning Commission or a Hearing Officer, after conducting a public hearing, can subsequently revoke or modify the CUP if the business violates its conditions or if the business is otherwise detrimental to the public's health or safety or operates as a nuisance.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the 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.
- C. The proposed 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 in order to integrate said use with the uses in the surrounding area.
- D. The proposed 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 HEARING OFFICER:**

- 1. Finds that the Project is exempt from CEQA pursuant to State CEQA Guidelines sections 15301 (Class 1, Existing Facilities categorical exemption); 15303 (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
- 2. Approves **CONDITIONAL USE PERMIT NO. RPPL2023006331**, subject to the attached conditions.

**PROJECT NO. PRJ2023-003825-(2)**  
**CONDITIONAL USE PERMIT NO. RPPL2023006331**

**EXHIBIT C**  
**FINDINGS**  
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**ACTION DATE: December 3, 2024**

MG:CS:EMR

November 21, 2024

c: Hearing Officer, Zoning Enforcement, Building and Safety