

January 21, 2025

Mr. Paramjit Singh
18982 Valley Circle Unit C
Huntington Beach, CA 92646

PROJECT NO. PRJ2024-003133-(1)
CONDITIONAL USE PERMIT NO. RPPL2024004655
13900 VALLEY BOULEVARD, AVOCADO HEIGHTS, CA 91746 (8206-010-018)

Dear Mr. Singh:

Hearing Officer Mi Kim, by her action of **January 21, 2025**, has approved the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to LA County Planning (see enclosed Affidavit of Acceptance Instructions).

Appeals: The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **February 4, 2025**. Appeals must be submitted to appeal@planning.lacounty.gov before the end of the appeal period.

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

In addition, any applicable California Environmental Quality Act fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. A Notice of Exemption, if applicable, may also be filed according to the instructions in the enclosed Affidavit of Acceptance.

Mr. Paramjit Singh
January 21, 2025
Page 2

For questions or for additional information, please contact Carl Nadela of the Puente Whittier Development Services Section at (213) 893-7010, or cnadela@planning.lacounty.gov.

Sincerely,

AMY J. BODEK, AICP
Director of Regional Planning

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

Maria Masis, AICP, Supervising Regional Planner
Puente Whittier Development Services Section

MM:CN

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

FINDINGS OF THE HEARING OFFICER
AND ORDER

PROJECT NO. PRJ2024-003133-(1)
CONDITIONAL USE PERMIT NO. RPPL2024004655

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 (“CUP”) No. **RPPL2024004655** on January 21, 2025.
2. **HEARING PROCEEDINGS.** A duly noticed public hearing was conducted for the Project via video conferencing and in-person on January 21, 2025. On this date, the Hearing Officer heard a presentation from Staff. The applicant and his representative were present and indicated that they were amenable to the draft Conditions of Approval but requested for hours of alcohol sales from 9:00 am to 10:00 pm on Saturdays and Sundays, instead of the 10:00 am to 10:00 pm recommended by staff, and for a grant term of 15 years, instead of the 10 years recommend by Staff. The Hearing Officer indicated that she could not agree to the earlier hours of alcohol sales during the weekends because of the Project Site’s proximity to a church. The Hearing Officer asked Staff’s opinion regarding the request for a 15-year grant term. Staff indicated that Staff was amenable to the request given that the applicant had been operating for many years at an adjacent location with no reported complaints from the community nor issues from the Sheriff’s Department. The Hearing Officer concurred with Staff and agreed to a 15-year grant term for the CUP. There being no other speakers, the Hearing Officer closed the public hearing, determined that the Project was exempt from the California Environmental Quality Act (CEQA) and approved the Project
3. **ENTITLEMENT REQUESTED.** The permittee, J&J Liquor / Paramjit Singh (“Permittee”), requests the CUP to authorize the sale of a full line of alcoholic beverages for off-site consumption, including the transfer of an existing California Department of Alcoholic Beverage Control (“ABC”) license from an existing liquor store at 13916 Valley Boulevard (“Project”) on a property located at 13900 Valley Boulevard in the unincorporated community of Avocado Heights (“Project Site”) in the M-1.5-BE-IP-GZ (Restricted Heavy Manufacturing – Billboard Exclusion – Industrial Preservation – Green Zones) Zone pursuant to County Code Section 22.22.030 (Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5).
4. **PREVIOUS ENTITLEMENT(S).** The sale of alcohol at 13916 Valley Boulevard (“previous location”) was established prior to the adoption of the CUP requirement for alcohol sales in the County is considered a deemed approved alcohol sales use as per County Code Section 22.140.030.H (Alcoholic Beverage Sales – Deemed Approved Uses). Prior to its closing on October 31, 2024, the previous location was open from 8:00 a.m. to 10:00 p.m., Mondays to Fridays, and 8:00 a.m. to 11:00 p.m., Saturdays and Sundays, and sold alcoholic beverages during that time. The total shelf space for alcoholic beverage display at the previous location was approximately 50% of the total

shelf space of the store. The subject CUP sale of a full line of alcoholic beverages for off-site consumption at 13900 Valley Boulevard (“new location”) will include Conditions of Approval that, among others, will limit the sale of alcohol at the Project Site to the hours of 9:00 am to 10:00 pm, Mondays to Fridays, and 10:00 am to 10:00 pm, Saturdays and Sundays, and the display of alcoholic items to no more than 30% of the total shelf space of the new store.

5. **LAND USE DESIGNATION.** The Project Site is located within the IL (Light Industrial) land use category of the East San Gabriel Valley Area Plan (“Area Plan”) Land Use Policy Map, a component of the General Plan.
6. **ZONING.** The Project Site is located in the Puente Zoned District and is currently zoned M-1.5-BE-IP-GZ. Pursuant to County Code Section 22.22.030 (Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5), a CUP is required for the sale of a full line of alcoholic beverages for off-site consumption at the Project Site. The Project Site is located within the Avocado Heights Community Standards District (“CSD”). There are no additional development standards or requirements applicable to this Project pursuant to County Code Section 22.366.080 (Avocado Heights CSD).

7. SURROUNDING LAND USES AND ZONING

LOCATION	AREA PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	City of Industry	City of Industry	Various industrial uses
EAST	IL, City of Industry	M-1.5-BE-IP-GZ, City of Industry	Various commercial and industrial uses
SOUTH	IL, H9 (Residential 9 – 0 to 9 dwelling units per net acre)	M-1.5-BE-IP-GZ, A-1-6,000 (Light Agricultural – 6,000 Square Feet Minimum Required lot Area)	Various industrial uses, Single-Family Residences (“SFRs”)
WEST	IL, CG (General Commercial)	M-1.5-BE-IP-GZ, M-2-BE-IP-GZ (Heavy Manufacturing – Billboard Exclusion – Industrial Preservation – Green Zones) C-M (Commercial Manufacturing), C-2 (Neighborhood Commercial)	Various commercial and industrial uses

8. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is an 0.71-acre lot, which is one of five parcels that together are developed with an existing industrial complex center comprised of two single-story industrial buildings located near the eastern portion of the combined property. The new location of the store is located in a rectangular tenant space in the northwestern corner of the main industrial building located at the front portion of the property. The northern and eastern portions of the combined property are developed with a common parking lot serving the various tenants of the industrial complex.

B. Site Access

The Project Site is accessible via Valley Boulevard to the north, a 97-to-102-foot-wide Major Highway as designated by the County Master Plan of Highways. Primary access to the Project Site is via two ingress/egress driveways on Valley Boulevard to the north.

C. Site Plan

The Site Plan depicts the entire industrial complex where the Project Site is located with the subject tenant space identified. It depicts the two existing industrial structures located near the eastern portion of the combined properties that compose the industrial complex. A common parking lot with 76 parking spaces is depicted in the northern and eastern portions of the property. Ingress and egress to the Project Site is provided by two driveways on Valley Boulevard to the north.

A separate Floor Plan shows the interior layout of the subject retail store and a shelf space summary table indicates that the shelf space for alcohol is limited to 30% of the shelf space of the entire store.

D. Parking

There are a total of 76 parking spaces in a common parking lot located in the northern and eastern portions of the subject property. Six parking spaces are required for the subject retail store, based on the existing area of 2,640 square feet of the tenant space. A total of 61 parking spaces are required for the whole industrial complex as per the Parking Matrix submitted by the Permittee as part of this CUP application.

9. CEQA DETERMINATION.

Prior to the Hearing Officer's public hearing on the Project, LA County Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption 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 the Project

is for the transfer of an existing ABC license from its previous location to a new location. No modifications or physical development is being requested at this time. The future tenant improvement that the applicant will pursue at a later date for the new store will be conducted completely within the interior of the existing tenant space within the existing industrial building, which is still covered by the Class 1 Exemption. The Project Site is not in an environmentally sensitive area, a hazardous waste site, nor a designated historic district. There are also no significant cumulative impacts nor unusual circumstances associated with the Project. Thus, there are no exceptions to the identified exemptions.

10. PUBLIC COMMENTS.

No comments were received from the public about the proposed Project.

11. AGENCY RECOMMENDATIONS.

A. County Sheriff's Department ("Sheriff"): Recommended approval with no conditions in a letter received on October 15, 2024.

12. LEGAL NOTIFICATION.

Pursuant to Section 22.222.120 (Public Hearing Procedure) of the County Code, the community was properly notified of the public hearing by mail, and newspaper (San Gabriel Valley Tribune), and property posting. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On December 11, 2024, a total of 145 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well to those on the courtesy mailing list for the Puente Zoned District and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

13. LAND USE POLICY. The Hearing Officer finds that the Project is consistent with the goals and policies of the Area Plan. While the IL land use category is intended for light industrial uses, including light manufacturing, assembly, warehousing and distribution, it also allows other compatible uses that are allowed in the underlying zone. The M-1.5 zone allows for retail stores and alcoholic beverage sales for off-site consumption.

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

General Plan

- *Goal LU 5: Vibrant, livable and healthy communities with a mix of land uses, services and amenities.*
- *Policy LU 5.2: Encourage a diversity of commercial and retail services, and public facilities at various scales to meet regional and local needs.*

- *Policy LU 5.4: Encourage community-serving uses, such as early care and education facilities, grocery stores, farmers markets, restaurants, and banks to locate near employment centers.*

A variety of commercial and industrial uses have been established along Valley Boulevard, which is a heavily travelled transportation corridor. The sale of a full line of alcoholic beverages for off-site consumption at the Project Site will allow the transfer of the existing ABC license from the previous location to a new location nearby and will allow the existing store to continue contributing to the variety and diversity of community-serving uses with no net change in the number of businesses selling alcohol for off-site consumption in the area.

- *Goal LU 7: Compatible land uses that complement neighborhood character and the natural environment.*
- *Policy LU 7.1: Reduce and mitigate the impacts of incompatible land uses, where feasible, using buffers and other design techniques.*

There are several commercial and industrial uses in the vicinity of the Project Site. The existing retail store with alcohol sales for off-site consumption complements these uses as well as the other surrounding commercial, industrial and institutional uses, as it provides workers at these establishments as well as drivers passing by the Project Site, access to everyday grocery items, including alcoholic beverages, as part of their regular work commute. While most of the parcels along Valley Boulevard have been developed with commercial and industrial uses, the parcel to the immediate west of the Project Site is developed with a church and the neighborhood to the south of the Project Site is predominantly single-family residential. It is important to preserve this character and ensure that the commercial and industrial uses that locate around this area do not have significant adverse impacts on the church nor the residential neighborhood. The church and the residential neighborhood are sufficiently buffered from the Project Site by concrete block walls, existing structures and parking lots. The subject retail store has been selling alcoholic beverages at its previous location for over 30 years with no reported zoning violations or complaints from the community. The Sheriff did not report any concerns about the establishment. With the imposition of new operational controls such as limitations on the hours of alcohol sales and the shelf space allowed for the display of alcoholic beverages, and prohibition of on-site consumption of alcohol, the sale of a full line of alcoholic beverages for off-site consumption, with the transfer of the existing ABC license from its previous location to its new location will not have any negative impacts on the surrounding neighborhoods.

Area Plan

- *Policy LU-3.20: Industrial- and Manufacturing-Supporting Uses. Allow for the integration of compatible land uses within industrial and manufacturing centers to service the needs of business and employees, foster creativity, and reduce the need to travel off-site during business hours, including such uses as administrative office space, financial services, business support services, restaurants, tasting rooms, health services and recreational services.*

The Project Site is located within a major industrial area. There are no other convenience stores in the vicinity of the Project Site. The subject convenience store at its new location at the Project Site will serve the needs of businesses and employees in the area for various grocery and food items including alcoholic beverages.

- *Policy LU-3.21: Residential/Industrial Interface. Ensure that industrial developments incorporate adequate landscape and noise buffers to minimize any negative impacts to surrounding neighborhoods and development and adequately address on-site lighting, noise, odors, vibration, toxic materials, truck access, and other elements that may impact adjoining uses.*

While most of the parcels along Valley Boulevard have been developed with commercial and industrial uses, the parcel to the immediate west of the Project Site is developed with a church and the neighborhood to the south of the Project Site is predominantly single-family residential. It is important to preserve this character and ensure that the commercial and industrial uses that locate around this area do not have significant adverse impacts on the church nor the residential neighborhood. The church and the residential neighborhood are sufficiently buffered from the Project Site by concrete block walls, existing structures and parking lots. The subject retail store does not result in any significant on-site lighting, noise, odors, vibration, toxic materials, truck access, and other elements that may impact adjoining uses. The store has been selling alcoholic beverages at its previous location for over 30 years with no reported zoning violations or complaints from the community. The Sheriff did not report any concerns about the establishment. With the imposition of new operational controls such as limitations on the hours of alcohol sales and the shelf space allowed for the display of alcoholic beverages, and prohibition of on-site consumption of alcohol, the transfer of the existing ABC license from its previous location to its new location will not have any negative impacts on the surrounding neighborhoods.

ZONING CODE CONSISTENCY FINDINGS

15. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the M-1.5 zoning classification as the existing industrial complex and the proposed retail store in one of its existing tenant spaces are permitted by right and accessory alcoholic beverage sales for off-site consumption is permitted when a CUP is obtained pursuant to County Code Section 22.22.030 (Land Use Regulations for Zones M-1, M-1.5, M-2, and M-2.5). The Project Site is also located within the Avocado Heights CSD, but no relevant regulations apply to this Project.

16. **FLOOR AREA RATIO.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.22.060 (Development Standards for Industrial Zones). While the Project is a request for sale of a full line of alcoholic beverages for off-site consumption, with the transfer of an existing ABC license from its previous location to its new location at an existing tenant space within the existing industrial building the Project Site, the existing structures at the Project Site total to

approximately 0.68 acres. This results in a Floor Area Ratio (“FAR”) of 0.21 for the approximately 3.31 acres of the whole industrial complex, which is in compliance with the maximum FAR of 1.0 for the M-1.5 Zone.

17. **PARKING.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.112.070 (Required Parking Spaces). While the Project is a request for sale of a full line of alcoholic beverages for off-site consumption, with the transfer of an existing ABC license from its previous location to its new location at an existing tenant space within the existing industrial building the Project Site, there are a total of 76 parking spaces in a common parking lot located in the northern and eastern portions of the subject property. Six parking spaces are required for the subject retail store, based on the existing area of 2,640 square feet of the tenant space. A total of 61 parking spaces are required for the whole industrial complex as per the Parking Matrix submitted by the Permittee as part of this CUP application.
18. **SIGNS.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Chapter 22.114 (Signs). While the Project is a request for sale of a full line of alcoholic beverages for off-site consumption, with the transfer of an existing ABC license from its previous location to its new location at an existing tenant space within the existing industrial building the Project Site, an existing pole sign at the Project Site that is approximately 12 feet by 10 feet and 21 feet high is in compliance with County Code Section 22.114.100 (Business Signs – In Commercial and Industrial Zones).
19. **ALCOHOLIC BEVERAGE SALES.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.140.030 (Alcoholic Beverage Sales). There will be no establishments selling alcohol for off-site consumption within a 500-foot radius of the proposed new location of the store. However, because the new location is closer to an existing church, which is identified as a sensitive use in County Code, there is a need to reduce the shelf space of the store from its previous location to its new one. The previous location had approximately 50% of the total shelf space devoted to alcoholic beverages, while the new location will be restricted to a maximum of 30% of total shelf space that can be used for alcoholic beverage display.

The other operating regulations required by this section have also been incorporated into the CUP as Conditions of Approval. This includes requiring the offering of fresh produce and the participation of employees in relevant training on alcohol sales, among others.

According to ABC, three licenses for alcohol sales for off-site consumption are allowed in the Census Tract where the Project Site is located (4083.01), while only two such off-site licenses are currently active. This indicates that there is no overconcentration of alcohol sales in this Census Tract as defined and determined by ABC. ABC also indicates that the Project Site is located in a High Crime Reporting District (1462). However, the public convenience of allowing the patrons of the subject store to continue purchasing alcoholic beverages together with their other purchases at the new store location outweighs this fact. On the other hand, this needs to be balanced

with the adverse effects of the easy availability of alcoholic beverages either too early or too late in the day. Because of this, the required finding of public convenience or necessity can be made only if the sale of alcoholic beverages is limited to 9:00 a.m. to 10 p.m., Mondays to Fridays, and 10:00 am to 10:00 pm, on Saturdays and Sundays, which precludes alcohol sales either too early or too late in the day. Prior to its closing on October 31, 2024, the previous location was open from 8:00 a.m. to 10:00 p.m., Mondays to Fridays, and 8:00 a.m. to 11:00 p.m., Saturdays and Sundays, and sold alcoholic beverages during that time. The hours of alcohol sales at the new location will be less than the hours at the previous location.

CONDITIONAL USE PERMIT FINDINGS

- 20. The Hearing Officer finds that the proposed sale of a full line of alcoholic beverages for off-site consumption, with the transfer of an existing ABC license from its previous location to its new location 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 subject store has been selling alcoholic beverages at its previous location for over 30 years with no reported zoning violations or complaints from the community. The Sheriff did not report any concerns about the establishment. With the imposition of new operational controls such as limitations on the hours of alcohol sales and the shelf space allowed for the display of alcoholic beverages, and prohibition of on-site consumption of alcohol, the sale of a full line of alcoholic beverages for off-site consumption, with the transfer of the existing ABC license from its previous location to its new location will not have any negative impacts on the surrounding areas.
- 21. 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.** The new location of the store is located within a fully developed one-story industrial building within a larger industrial complex. The Project currently proposes no physical tenant improvements, but there are future tenant improvements the permittee will pursue at a later date for the new store will be conducted completely within the interior of the existing tenant space within the existing industrial building. The subject property as well as the overall industrial complex were developed in accordance with the development standards prescribed under Title 22 (Planning and Zoning) of the County Code at the time. The Project Site is also located within the Avocado Heights Community Standards District (CSD), but no relevant regulations apply to this Project. No physical changes are proposed to the exterior of the buildings, landscaping, parking or walls.
- 22. 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. Vehicular access is provided by Valley Boulevard, a 97-to-102-foot-wide Major Highway as identified by the County Master Plan of Highways to the north. It is of sufficient width to provide public access to the Project Site and accommodate traffic generated by the Project. The Project is a request for sale of a full line of alcoholic beverages for off-site consumption, with the transfer an existing ABC license from its previous location to its new location at the Project Site and is not anticipated to generate additional traffic trips from the sale of these alcoholic beverages.

23. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 15 years.

SUPPLEMENTAL FINDINGS

24. **The Hearing Officer finds that the requested sale of a full line of alcoholic beverages for off-site consumption, with the transfer of an existing ABC license from its previous location to its new location at the site will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.** There is a church to immediate west of the Project Site. The church is sufficiently buffered from the Project Site by a concrete block wall, an existing structure and a parking lot. While the subject retail store has been selling alcoholic beverages at its previous location nearby for over 30 years, there have no reported zoning violations or complaints from the community. The Sheriff did not report any concerns about the establishment. With the imposition of new operational controls such as limitations on the hours of alcohol sales and the shelf space allowed for the display of alcoholic beverages, and prohibition of on-site consumption of alcohol, the sale of a full line of alcoholic beverages for off-site consumption, with the sale of a full line of alcoholic beverages for off-site consumption, with the will not have any negative impacts on the surrounding neighborhood.
25. **The Hearing Officer finds that the proposed site is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.** While most of the parcels along Valley Boulevard have been developed with commercial and industrial uses, the neighborhood to the south of the Project Site is predominantly single-family residential. It is important to preserve this character and ensure that the commercial and industrial uses that locate around this area do not have significant adverse impacts on the nearby residential neighborhood. The residential neighborhood is sufficiently buffered from the Project Site by concrete block walls, existing structures and parking lots. The subject retail store has been selling alcoholic beverages at its previous location for over 30 years with no reported zoning violations or complaints from the community. The Sheriff did not report any concerns about the establishment. With the imposition of new operational controls such as limitations on the hours of alcohol sales and the shelf space allowed for the display of alcoholic beverages, and prohibition of on-site consumption of alcohol, the sale of a full line of alcoholic beverages for off-site consumption, with the transfer of the existing ABC license from its previous location to its new location will not have any negative impacts on the surrounding residential neighborhoods.

26. **The Hearing Officer finds that the requested use at the new location will not adversely affect the economic welfare of the nearby community.** The subject retail store has been selling alcoholic beverages at its previous location for over 30 years with no reported zoning violations or complaints from the community. The Sheriff did not report any concerns about the establishment. With the imposition of new operational controls such as limitations on the hours of alcohol sales and the shelf space allowed for the display of alcoholic beverages, and prohibition of on-site consumption of alcohol, the sale of a full line of alcoholic beverages for off-site consumption, with the transfer of the existing ABC license from its previous location to its new location will not have any negative impacts the economic welfare of the surrounding community. Allowing the subject store to sell alcoholic beverages at its new location will enable it to continue to contribute to the vitality of the surrounding area and will preserve the diverse mix of businesses in the existing industrial complex. It will not adversely affect the economic welfare of the surrounding community.
27. **The Hearing Officer finds that the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.** The sale of a full line of alcoholic beverages for off-site consumption, with the transfer of an existing ABC license from its previous location to its new location at the Project Site will not change the exterior appearance of the existing industrial building. No modifications or physical development is being requested at this time. The future tenant improvement that the applicant will pursue at a later date for the new store will be conducted completely within the interior of the existing tenant space within the existing industrial building. The Project will not cause blight, deterioration, or substantially diminish or impair property values within the community.
28. **The Hearing Officer finds that even though the sale of alcohol would occur at a site within a high crime reporting district or in an area of undue concentration, pursuant to ABC and the regulations adopted under that Act, or that the use selling alcoholic beverages for off-site consumption is proposed within a 500-foot radius of another use selling alcoholic beverages for off-site consumption, the sale of alcohol at the subject property contributes to the public convenience or necessity.** According to ABC, three licenses for alcohol sales for offsite consumption are allowed in the Census Tract where the Project Site is located (4083.01), while two such off-site licenses are currently active, including the license for the existing store at its previous location. This indicates that there is no overconcentration of alcohol sales in this Census Tract as defined and determined by ABC. ABC indicates that the Project Site is located in a High Crime Reporting District, as defined and determine by ABC. However, the public convenience of allowing the patrons of the subject retail store to continue to purchase alcoholic beverages together with their other items at the new store location outweighs these facts. The subject retail store has been selling alcoholic beverages at its previous location nearby for over 30 years and its customers are used to purchasing alcohol together with their other grocery items at the store.

ENVIRONMENTAL FINDINGS

29. The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities categorical exemption). The Project is for the transfer of an existing ABC license from its previous location to a new location. No modifications or physical development is being requested at this time. The future tenant improvement that the applicant will pursue at a later date for the new store will be conducted completely within the interior of the existing tenant space within the existing industrial building, which is still covered by the Class 1 Exemption. The Project Site is not located in an environmentally sensitive area, a hazardous waste site, nor a designated historic district. There are no significant cumulative impacts nor unusual circumstances associated with the Project. Therefore, there are no exceptions to the proposed exemption and thus, the exemption still applies to the Project.

ADMINISTRATIVE FINDINGS

30. **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 Puente Whittier Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed sale of a full line of alcoholic beverages for off-site consumption, with the transfer of an existing ABC license from its previous location to a new location at the Project Site with the attached conditions will be consistent with the adopted General Plan and Area Plan.
- B. The proposed sale of a full line of alcoholic beverages for off-site consumption, with the transfer of an existing ABC license from its previous location to a new location 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.

- E. The proposed sale of a full line of alcoholic beverages for off-site consumption, with the transfer of an existing ABC license from its previous location to a new location at the site with the attached conditions will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.
- F. The sale of a full line of alcoholic beverages for off-site consumption, with the sale of a full line of alcoholic beverages for off-site consumption, with the sale of a full line of alcoholic beverages for off-site consumption, with the is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
- G. The public convenience for the store selling alcoholic beverages for off-site consumption at its new location outweighs the fact that it is located in a High Crime Reporting District as defined and determined by ABC.
- H. The proposed sale of a full line of alcoholic beverages for off-site consumption, with the transfer of an existing ABC license from its previous location to a new location at the site will not adversely affect the economic welfare of the surrounding community.
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities categorical exemption); and
- 2. Approves **CONDITIONAL USE PERMIT NO. RPPL2024004655**, subject to the attached conditions.

ACTION DATE: January 21, 2025

MM:CN

12/5/2024

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING**

**CONDITIONS OF APPROVAL
PROJECT NO. PRJ2024-003133-(1)
CONDITIONAL USE PERMIT NO. RPPL2024004655**

PROJECT DESCRIPTION

The project is a conditional use permit to authorize the sale of a full-line of alcoholic beverages for off-site consumption at a retail store, with the transfer of an existing California Department of Alcoholic Beverage Control (“ABC”) license from an existing liquor store at 13916 Valley Boulevard, to a new location at 13900 Valley Boulevard, subject to the following conditions of approval:

GENERAL CONDITIONS

1. 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. 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. 6, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Conditions No. 3, 4, and 8, shall be effective immediately upon the date of final approval of this grant by the County.
3. 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.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten (10) 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.

5. 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.
6. 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 ("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.
7. **This grant shall terminate on January 21, 2040.** 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 six (6) 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.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. 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. 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 of **\$3,528.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate LA County Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8) biennial** inspections. Inspections shall be unannounced.

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 \$441.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. 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 Chapter 22.238 of the County Code.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("DPW") to the satisfaction of said department.
13. 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 of LA County Planning ("Director").
14. The premises, including exterior facades, designated parking areas, fences, and adjacent sidewalks and other public rights-of-way, shall be maintained in a neat and orderly condition and be free of garbage, trash, debris, or junk and salvage, except in designated trash collection containers and enclosures. All garbage, trash, debris, or junk and salvage shall be collected, and disposed of, daily.
15. 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 of such occurrence, 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.

16. 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 because of instruction given at the public hearing, a modified Exhibit "A" shall be submitted to LA County Planning within 60 days of the date of final approval.

17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit 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.

PERMIT-SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

18. Malt beverages (e.g. beer, ale, stout, and malt liquors) shall not be sold in a single bottle or container less than 16 ounces. The permittee shall post signs on the coolers and cashier station stating that the selling of single bottles or containers of malt beverages (e.g. beer, ale, stout, and malt liquors) less than 16 ounces is prohibited. Notwithstanding this condition, malt beverages (e.g. beer, ale, stout, and malt liquors) in single bottles or containers less than 16 ounces may be sold in manufacturer pre-packaged multi-unit quantities, such as a six-pack of 12-ounce bottles.
19. There shall be no wine, except for wine coolers, sold in containers of less than 750 milliliters. Wine coolers shall not be sold in less than four-pack quantities.
20. No miniatures of any type may be sold.
21. Alcoholic beverages shall not be displayed in an ice tub.
22. The permittee shall display alcoholic beverages only in the cooler or shelving designated for storage of said beverages as depicted on the floor plan and shelf plan labeled Exhibit 'A'. No additional display of alcoholic beverages shall be provided elsewhere on the premises. The total shelf space devoted to alcoholic beverages shall be limited to no more than thirty percent (30%) of the total shelf space of the convenience store.
23. The consumption of alcoholic beverages shall be prohibited on the subject property. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises. The permittee shall instruct all employees regarding these restrictions. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary.
24. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with County Code Chapter 22.114 (Signs) shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary. If loitering occurs on a continuous basis, as determined by the County Sheriff, a security guard shall be required during business hours at the discretion of the Director.
25. All employees who directly serve or are in the practice of selling alcoholic beverages, including managers and security personnel, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control, or a similar program, such as STAR (Standardized Training for Alcohol Retailers) or another comparable State of California-certified program. All new designated employees shall be required to

attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment indicated they have participated in this program. Proof of completion of the facility's training program by employees, the licensee, and all managers shall be provided to LA County Planning Zoning Enforcement within 90 days of the effective date of this Conditional Use Permit, and subsequently within 90 days of the hire date of all new employees and/or managers.

26. Alcoholic beverages shall only be sold or served to patrons age 21 or older. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
27. The permittee and all managers and employees shall not allow the sale of alcoholic beverages to any intoxicated person, any person appearing to be intoxicated, or any person exhibiting behaviors associated with being intoxicated.
28. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property, including windows, walls, fences or similar structures, or within any portion of the interior of any structure that is visible from the outside.
29. A numbering address sign, in compliance with County Code Chapter 22.114 (Signs), shall be located at the front of the building in a location clearly visible from the property grounds and the nearest public street, to the satisfaction of the Director.
30. The permittee shall post telephone numbers of local law enforcement agencies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by the general public.
31. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
32. The licensed premises shall have no coin operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines, except for official State Lottery machines.

PROJECT SITE-SPECIFIC CONDITIONS

33. This grant shall authorize the sale of a full-line of alcohol for off-site consumption at a retail store.
34. The permittee shall not apply for a new alcohol license with ABC but instead shall utilize the existing ABC license for 13916 Valley Boulevard.
35. This grant authorizes the sale of beer and wine from 9:00 a.m. to 10:00 p.m., Mondays through Fridays, and 10:00 am to 10:00 pm, Saturdays and Sundays.
36. Alcohol items shall be stored in lockable coolers, which shall be kept locked except for the hours when alcohol sales are approved by this CUP.

37. Security cameras shall be maintained inside the convenience store and outside facing the parking lot. Video footage shall be retained for at least one month and shall be made available to law enforcement upon request.
38. Security alarms shall be maintained inside the store.
39. There shall be no outdoor sales, storage, or displays of merchandise.
40. Temporary window signs shall not exceed 25 percent of the area of any single window or of adjoining windows on the same frontage.
41. Outdoor advertising signs (billboards) shall be prohibited.
42. Outside storage of trash shall be within an approved trash enclosure.
43. No alcoholic beverages shall be displayed within five feet of the cash register or the front door.
44. The permittee shall offer a minimum of three (3) varieties of fresh produce free from spoilage and two (2) whole grain items for sale on a continuous basis. For purposes of the condition, "fresh produce" shall be defined as any edible portion of a fresh fruit or vegetable, whether offered for sale whole or pre-sliced, and "whole grain items" shall be defined as any food from either:
 - a. A single ingredient product of the seed or fruits of various food plants, such as brown rice, whole oats, quinoa, or barley; or
 - b. A pre-packaged grain product, such as whole wheat bread or whole wheat crackers, in which the word "whole" appears first in the ingredients list of the product.

These products shall be displayed in high-visibility areas meeting one or more of the following criteria, as depicted on the approved floor and shelf plans labeled Exhibit "A":

- a. Within ten (10) feet of the front door;
- b. Within five feet of a cash register;
- c. At eye-level on a shelf or within a cooler, refrigerator, or freezer case;
- d. On an end cap of an aisle; or
- e. Within a display area dedicated to produce that is easily accessible to customers.