

REPORT TO THE HEARING OFFICER

DATE ISSUED: December 5, 2024

HEARING DATE: December 17, 2024 **AGENDA ITEM:** 4

PROJECT NUMBER: 04-051-(1)

PERMIT NUMBER(S): Conditional Use Permit 04-051

SUPERVISORIAL DISTRICT: 1

PROJECT LOCATION: 14036 E. Don Julian Road, La Puente (Avocado Heights)

OWNER: Wat Padhammachart

APPLICANT: Wat Padhammachart

CASE PLANNER: Steve Mar, Senior Regional Planner
smar@planning.lacounty.gov

This agenda item is a request to authorize the continued operation of an existing Buddhist temple with proposed new structures in the unincorporated community of Avocado Heights.

On October 15, 2024, the item was presented before the Hearing Officer as a consent item for denial due to inactivity. Staff requested to continue the item to a future hearing date to allow time to evaluate the applicant's submitted materials and to request additional materials if needed. The Hearing Officer continued the item to December 17, 2024.

As of December 5, 2024, staff has not received all requested materials from the applicant. Therefore staff continues to recommend that the item be denied due to inactivity.

SUGGESTED MOTION:

I, THE HEARING OFFICER, DENY CONDITIONAL USE PERMIT NUMBER 04-051 DUE TO INACTIVITY SUBJECT TO THE ATTACHED FINDINGS.

Report
Reviewed By:



Maria Masis, AICP, Supervising Regional Planner

Report
Approved By:



Susan Tae, AICP, Assistant Administrator

LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Draft Findings

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. 04-051-(1)
CONDITIONAL USE PERMIT NO. 04-051

RECITALS

1. **ENTITLEMENT REQUESTED.** The applicant, Wat Padhammachart ("applicant"), requests Conditional Use Permit ("CUP") No. 04-051 to authorize the continued operation of an existing Buddhist temple with proposed new structures ("Project") on a property located at 14036 E. Don Julian Road in the unincorporated community of Avocado Heights ("Project Site") in the A-1-20,000 (Light Agricultural – 20,000 Square Feet Minimum Required Lot Area) zone pursuant to Los Angeles County Code ("County Code") Section 22.16.030 (Land Use Regulations for Agricultural Zones).
2. **HEARING PROCEEDINGS.** On October 15, 2024, the item was presented before the Hearing Officer as a consent item for denial due to inactivity. Hearing Officer Gina Natoli was in attendance for the consent item. Staff requested to continue the item to a future hearing date to allow time to evaluate the applicant's submitted materials. Ms. Natoli continued the item to December 17, 2024.

On December 17, 2024, the item was presented before the Hearing Officer. *Reserved.*

3. The Project was filed on February 26, 2004. Since the time the Project application was filed, staff of the County Department of Regional Planning ("LA County Planning") has asked the applicant for additional materials needed to proceed with the Project. The County Fire Department sent a letter on May 28, 2019, and the County Department of Public Works sent a letter on July 24, 2019, stating that there are pending items that must be addressed. Recently, staff sent letters to the applicant requesting additional materials on February 12, 2024, and August 15, 2024. In addition, staff attempted to reach the applicant by email on November 8, 2023, February 5, 2024, February 12, 2024, and August 8, 2024. Staff has not received the requested information or materials to enable further project evaluation.
4. In the letter to the applicant dated August 15, 2024, staff informed the applicant that pursuant to Section 22.222.100 (Denial of Inactive Application) of the County Code, the Project would be scheduled before a Hearing Officer for denial due to inactivity on October 15, 2024.
5. The August 15, 2024, letter also directed the applicant to contact staff within 30 days for the Project to remain active.
6. The applicant has not contacted staff and has failed to submit the required materials within the required timeframe, which was by September 15, 2024.

7. If the Project is denied, enforcement action may be taken to ensure compliance with the Title 22 (Planning and Zoning) of the County Code.
8. **CEQA DETERMINATION.** Pursuant to the California Public Resources Code Section 15270, the California Environmental Quality Act (“CEQA”) does not apply to projects which a public agency rejects or disapproves. Therefore, the project qualifies as a Statutory Exemption (Projects Which Are Disapproved) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
9. **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.

THEREFORE, THE HEARING OFFICER:

1. Finds that CEQA does not apply to projects which a public agency rejects or disapproves pursuant to California Public Resources Code section 15270 and therefore qualifies as a Statutory Exemption (Projects Which Are Disapproved) and not subject to CEQA; and
2. Denies **CONDITIONAL USE PERMIT NO. 04-051** due to inactivity, subject to the findings presented herein.

ACTION DATE: December 17, 2024

MM:SM

12/17/2024

c: Zoning Enforcement, Building and Safety