

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

CONDITIONS OF APPROVAL
PROJECT NO. R2006-01160-(2)
CONDITIONAL USE PERMIT NO. 200600261

PROJECT DESCRIPTION

This CUP authorizes the continued operation of two pallet yards and a recycling collection business subject to the following conditions of approval.

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 95th 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 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 will be secured by a new 15-foot-tall solid metal panel perimeter fence that will replace a 14-foot-tall metal panel perimeter fence. The new perimeter fence will be set back three feet from all property lines to allow for 2,237 square feet of new perimeter landscaping with a permanent irrigation system.

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 Condition Nos. 3, 4, 8, and 11 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 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 (i.e. Recorder 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 October 2, 2039.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, whether or not the Permittee proposes any modifications to the use at that time, the Permittee shall file a new Conditional Use Permit application with LA County Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least twelve months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the Permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
8. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the two pallet yards and the recycling collection business and satisfaction of Condition No. 2 shall be considered use of this grant.

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. No provision of any easement of any other encumbrance on the property shall exempt the Permittee and/or property owner from compliance with these conditions and applicable regulations. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The Permittee shall deposit with the County the sum of **\$6,615** which shall be placed in a performance fund and be used exclusively to reimburse LA County Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of this grant. The fund provides for **15** inspections. **One inspection shall occur at the end of the 24-month period (October 2, 2026) granted for the Permittee to complete the site improvements required by Conditions 20 through 22, below.**

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

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the Permittee shall be financially responsible and shall reimburse LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$441.00 per inspection, or the current recovery cost established by LA County Planning 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 County Code Chapter 22.238 (Modifications and Revocations).
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 to the satisfaction of said department. The Permittee shall comply with all conditions set forth in the attached County Department of Public Works letter dated December 23, 2019.

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 Permittee shall maintain the subject property in a neat and orderly fashion. The Permittee shall maintain free of litter all areas of the premises over which the Permittee has control.
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, 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 as a result of instruction given at the public hearing, **a digital copy** of a modified Exhibit "A" shall be submitted to LA County Planning by **December 2, 2024**.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the Permittee shall submit **a digital copy** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A." All revised plans must be accompanied by the written authorization of the property owner(s) and the applicable fee for such revision.
18. The conditions of this grant shall always be retained on the premises and shall be immediately produced upon request by any County Sheriff, LA County Planning Zoning Enforcement ("Zoning Enforcement") inspector. The manager and all employees of the facility shall be knowledgeable of the conditions herein. Violation of the conditions herein may subject the use to the provisions of County Code Chapter 22.238 (Modifications and Revocations).

PROJECT-SPECIFIC CONDITIONS

19. This grant shall authorize the continued operation of two existing pallet yard businesses and a recycling collection business.
20. **Perimeter Fencing.** The Permittee shall replace the existing 14-foot-tall metal panel perimeter fence with a new 15-foot-tall solid metal panel perimeter fence, as depicted on the approved Exhibit "A."

21. **Landscaping.** The Permittee shall maintain a total of 2,237 square feet of perimeter landscaping along all four street frontages, as follows, and as depicted on the approved Exhibit "A:"
- Alameda Street: 606 square feet
 - 95th Street: 584 square feet
 - Laurel Street: 651 square feet
 - 94th Street: 396 square feet

All landscaped areas be planted with shrubs, plants, and/or trees. When replanting and replacing vegetation, the Permittee shall use the [County's Native Plant Guide](#) to select drought resistant native vegetation. If planting trees, the Permittee shall use the Tree Species List maintained by the Director to select trees.

If shrubs, plants, and/or trees have been removed or damaged, or have dried to the point that they cannot naturally grow back, replacement shrubs, plants, and/or trees shall be planted within 30 days.

22. **Permanent Irrigation.** All landscaped areas must have a permanent irrigation system. If a drip irrigation system is used, it must satisfactorily irrigate all landscaped areas and be repaired as needed to continuously irrigate all landscaped areas.
23. **The site improvements required by Conditions 20 through 22, above, shall be fully implemented by October 2, 2026.** If this does not occur, in accordance with Condition 10, above, the Commission or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to County Code Chapter 22.238 (Modifications and Revocations).
24. **Hours of outdoor operation.** The hours of operation shall be limited to 8:00 a.m. to 6:00 p.m. Monday through Saturday and 8:00 a.m. to 1:00 p.m. on Sundays.
25. **Noise.** The Permittee shall take all necessary actions to ensure that noise emissions from the Project Site are within the limits established by County Code Chapter 12.08 (Noise Control), including but not limited to County Code Sections 12.08.390 and 12.08.530, to the satisfaction of the County Department of Public Health.
26. **Storage.** Any materials, vehicles, or equipment that are stored outdoors shall be fully contained within the walls along the Project Site's perimeter and shall not spill over onto public rights-of-way. No pallets or recyclables shall be stored above the height of the walls along the Project Site's perimeter or on sidewalks, street, or driveways.
27. **Barbed Wire and/or Concertina Wire.** Barbed wire and/or concertina wire shall not be installed along the top of the walls on any street frontage.
28. **Vermin and Rodents.** The Permittee shall maintain deterrent or resistant features and the Project Site shall be serviced by an extermination contractor.

29. **Parking.** Employee and customer parking (13 spaces) shall be accessible at all times and shall not be used for the storage of materials or equipment.
30. **Surface Paving.** The Permittee shall repair all areas of broken concrete or asphalt, including, but not limited to, divots, cracks, and potholes. Spalling of concrete or asphalt shall be patched, repaired, or repaved as necessary to prevent standing water or puddles with a surface area greater than one square foot from accumulating.
31. **Vehicular Circulation.** Vehicular circulation areas shall be maintained as depicted on the approved Exhibit "A" to the satisfaction of LA County Planning. Turnaround areas, queuing areas, and ingress and egress areas shall be designated in such a way that they do not impede any other permitted activities and avoid any impact on the public rights-of-way adjoining the Project Site as well as nearby sensitive uses.
32. **Storage of Waste.** Waste shall be stored in designated trash enclosures, receptacles and/or bins, and those trash enclosures, receptacles, and/or bins shall be located within an enclosed building or on a paved impermeable surface on the Project Site.
33. **Perimeter Identification Sign.** The Permittee shall install a "Perimeter Identification" sign in English and in Spanish, which is the most prevalent language in the community, in compliance with the following requirements:
 - a. **Location.** The sign shall be permanently affixed on a building or wall that is visible, and with text that is legible from, the public right-of-way for pedestrians, and no higher than eight feet from the ground measured vertically from the base of the sign. The "Perimeter Identification" sign shall not be a freestanding sign or a portable sign.
 - b. **Size.** The sign shall have a minimum sign area of four square feet and a maximum sign area of nine square feet. The area for the "Perimeter Identification" sign shall not be accounted for in the area permitted for business signs specified in County Code Chapter 22.114 (Signs).
 - c. **Display.** The sign shall permanently display the hours of operation, the telephone number of the Project Site's representative, and emergency contact information for reporting any problems which may occur related to the operation of the businesses on the Project Site 24 hours a day, seven days a week. The sign shall also include the names of the businesses on the Project Site. However, the name of a business does not need to be included if the Project Site also contains a separate business sign for that business that is clearly visible from the public right-of-way. The sign shall also include instructions for reporting violations to LA County Planning and to the South Coast Air Quality Management District (AQMD), if the land use is also regulated by AQMD. Information for reporting violations shall include the following text, or as updated by LA County Planning or the AQMD:

- i. "To report a violation to the Los Angeles County Department of Regional Planning, call 213-974-6453 Monday—Thursday, 7 a.m. - 6 p.m., dial 2-1-1 at any time or email zoningenforcement@planning.lacounty.gov;" and
- ii. "To report a violation to South Coast Air Quality Management District (SCAQMD), call 1-800-CUTSMOG or visit www.aqmd.gov."

The sign shall also state "No loitering," "No littering," and "No materials left outside of the recycling collection enclosure or containers."

34. **No Idling Sign.** The Permittee shall install a "No Vehicle Idling" sign in English and in Spanish, which is the most prevalent language in the community, in compliance with the following requirements:
- a. **Location.** The sign shall be permanently affixed on a building or wall that is visible from the loading areas depicted on the approved Exhibit "A." The sign shall be posted a minimum of five feet above the ground and a maximum of eight feet above the ground.
 - b. **Size.** The sign shall have minimum dimensions of 12 inches by 18 inches.
 - c. **Display.** The sign may contain language such as "5-minute limit," "spare the air," "please turn engine off when stopped," "turn engine off," or similar.
35. **Cleaning and Maintenance.** All three businesses on the Project Site shall be kept in a clean, safe, and sanitary condition at all times, and the Permittee shall maintain a source of running water on the Project Site.

Recycling Collection Business

36. **Acceptable Materials.** The recycling collection business may accept California Redemption Value containers (e.g., aluminum cans, plastic, and glass), metals, paper and paper products (e.g., newspapers, magazines, etc.), appliances, other glass, and plastic bottles.
37. **Prohibited Materials.** The recycling collection business shall not accept electronic waste, computers, and batteries.
38. **Processing Activities.** Processing activities at the recycling collection business shall be limited to the preparation of the acceptable materials listed in Condition 36, above, for bailing, storage, and shipment. Shredding or grinding of any materials, and the dismantling or compression of appliances, electronic waste, computers, and batteries, is prohibited.

Pallet Yard Businesses

39. **Acceptable Materials.** Pallet yards may accept new or used pallets that are made of wood, as well as raw material (lumber) that will be used in constructing new pallets or repairing used pallets.

40. **Permitted Activity.** Pallet yards may maintain activities associated with the repair, deconstruction, reconstruction, recycling, or storage of pallets made of wood inside a building or canopy.
41. **Storage of Pallets.** All pallets shall be stored at least 10 feet away from the surrounding walls. The height of pallets stored in an outdoor pallet yard shall not exceed the height of the walls along the Project Site's perimeter.

Attachment:

Exhibit D-1 Public Works Department Letter dated December 23, 2019