

REPORT TO THE HEARING OFFICER

DATE ISSUED: September 4, 2025

HEARING DATE: September 16, 2025 AGENDA ITEM: 7

PROJECT NUMBER: PRJ2023-003701-(1)

PERMIT NUMBER: Nonconforming Review (“NCR”) RPPL2023005436

SUPERVISORIAL DISTRICT: 1

PROJECT LOCATION: 801 North Marianna Avenue, East Los Angeles

OWNER: Maria D. Barranco

APPLICANT: Jenaro Espana

CASE PLANNER: Melissa Reyes, Principal Planner
Mreyes2@planning.lacounty.gov

RECOMMENDATION

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

LA County Planning staff (“Staff”) recommends **APPROVAL** of Project Number PRJ2023-003701-(1), NCR No. RPPL2023005436, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motions:

CEQA:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

ENTITLEMENT:

I, THE HEARING OFFICER, APPROVE NONCONFORMING REVIEW NUMBER RPPL2023005436 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlement Requested

- An NCR to authorize the continued operation and maintenance of an existing nonconforming neighborhood market (“Project”) in the R-2 (Two-Family Residence) Zone pursuant to County Code Section 22.172.060 (Nonconforming Uses, Buildings and Structures).

B. Project

The Project is a request for the continued operation and maintenance of an existing 1,258-square-foot neighborhood market known as Diane Market (“Market”) located on the northwest corner of North Marianna Avenue and Folsom Street at 801 North Marianna Avenue (“Project Site”). The Market is located on the first floor of a two-story building with two residential units on the second floor. There are no proposed changes, expansions, or improvements to the Project Site.

The market was established in 1924 prior to building permit requirements and is legal nonconforming with respect to use and development standards for required yards, fencing, signage, and landscaping as currently required by the R-2 Zone and the East Los Angeles Community Standards District (“CSD”). Pursuant to County Code Section 22.172.060 (Nonconforming Uses, Buildings and Structures), a nonconforming use can continue to operate if an NCR is approved. The neighborhood market was previously authorized by NCR No. 204-(3) on June 23, 1982. The Market currently sells essential groceries and household items such as canned goods, dairy products, eggs, ice cream, fresh produce, personal care products, school supplies, cleaning supplies, and alcoholic beverages (beer and wine) for off-site consumption. The sale of alcoholic beverages for off-site consumption is deemed approved because it was established before 1992. A Conditional Use Permit is not required for the continued sale of alcoholic beverages, beer and wine, for off-site consumption pursuant to County Code Section 22.140.030.H.1.

In a letter dated August 8, 2024, the County Sheriffs Department, East Los Angeles Station (“Sheriff”) did not advocate support or opposition to the request. A total of four calls for service were generated at the Project Site which includes two calls for burglary, one call for illegal parking, and one call for petty theft. If the NCR is granted, the Sheriff’s Department requested management promptly contact law enforcement if problems arise and remove graffiti. Furthermore, the Sheriff’s Department recommended functional surveillance recording equipment.

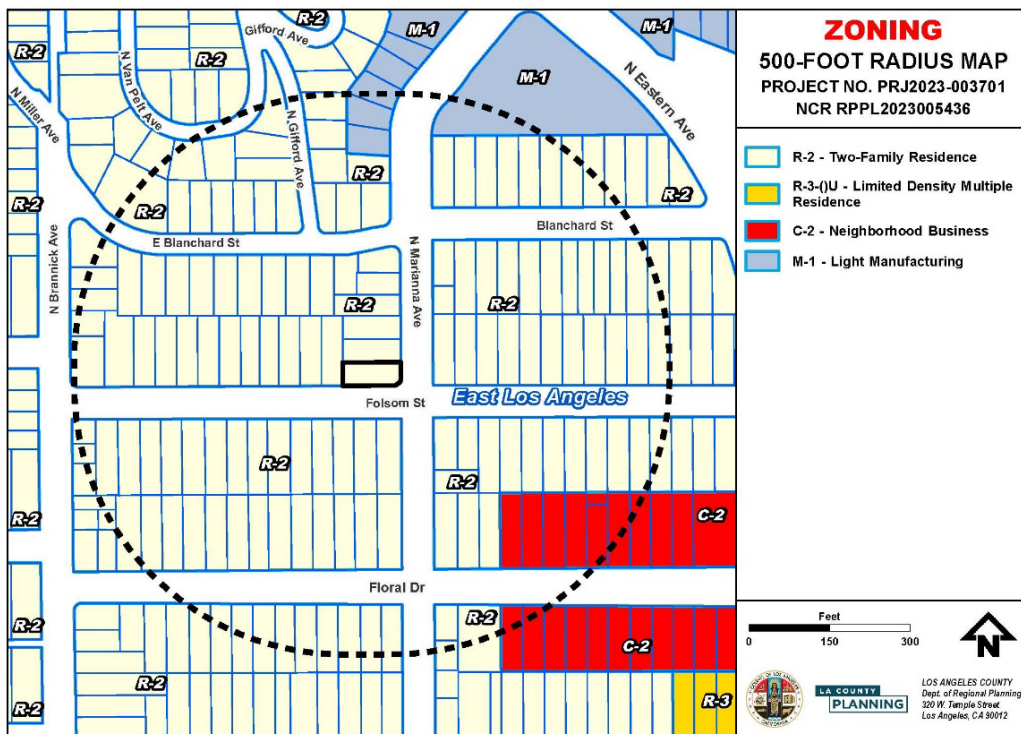
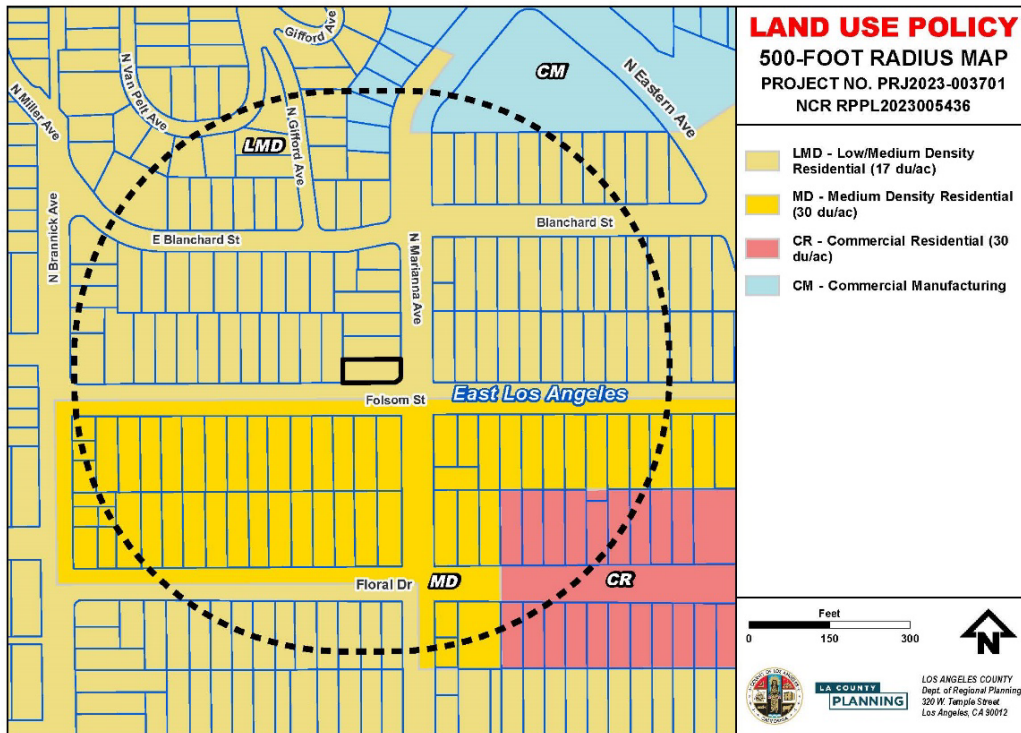
The Market was previously authorized by NCR No. 204-(3), and there was no condition related to the hours of operation. The Market’s current hours are from 7:00 a.m. to 10:00 p.m. daily.

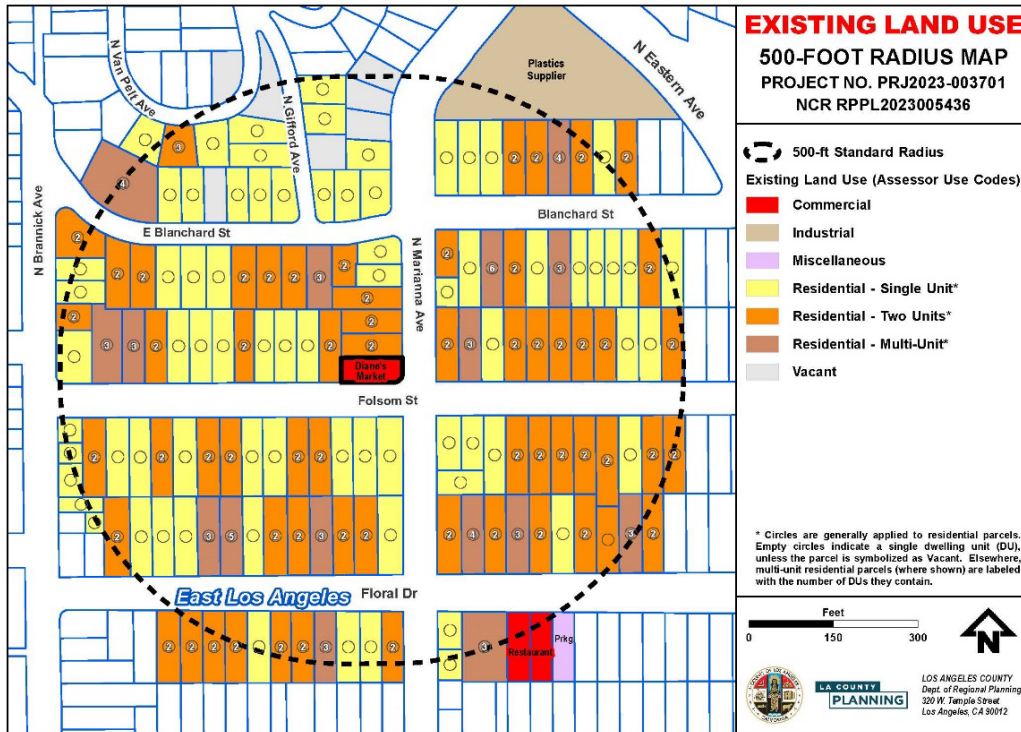
SUBJECT PROPERTY AND SURROUNDINGS

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

LOCATION	EAST LOS ANGELES COMMUNITY PLAN LAND USE POLICY*	ZONING	EXISTING USES
SUBJECT PROPERTY	LMD (Low/Medium-Density Residential)	R-2 (Two-Family Residence)	Market, residential units, and detached carport
NORTH	LMD	R-2	Single-family residences (“SFR”) and multifamily residences (“MFR”)
EAST	LMD	R-2	SFR and MFR
SOUTH	MD (Medium-Density Residential)	R-2	SFR and MFR
WEST	LMD	R-2	SFR and MFR

* The land use designation was changed to H18 (Residential 18) on May 21, 2024, in conjunction with the adoption of the Metro Area Plan (“MAP”). Pursuant to Chapter 2 (Applicability) of the County General Plan and County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the applicant chose to have the complete CUP application be subject to land use policies, zoning and regulations in effect at the time it was submitted on November 11, 2023. The zoning designation for the Project Site remained unchanged in conjunction with the MAP. The Project Site was in the LMD (Low/Medium-Density Residential) land use category of the East Los Angeles Community Plan (“Community Plan”), which was rescinded and superseded by the MAP Land Use Policy Map, a component of the General Plan with H18 (Residential 18) land use category.





PROPERTY HISTORY

A. Zoning History

ORDINANCE NO.	ZONING	DATE OF ADOPTION
880153z	R-2 (Two Family Residence)	September 13, 1985
3128	R-2	May 3, 1938

B. Previous Cases

CASE NO.	REQUEST	DATE OF ACTION
Business License Referral (“BLR”) No. RPPL2023006795	Referral for food establishment contingent on approval of an NCR	January 14, 2024
Zoning Conformance Review No. RZCR-R200600946	Detached carport	September 14, 2006
BLR No. RBUS-200500139	Referral for food establishment	March 31, 2005
NCR No. 204-(3)	Neighborhood market	June 23, 1982

C. Violations

CASE NO.	VIOLATION	CLOSED/OPEN
12-0013358	Banners, portable signs and outside display	Closed
09-0018440	Courtesy notice for nonconforming market survey	Closed
06-0009252	Not specified	Closed

ANALYSIS

A. Land Use Compatibility

The Market is a low intensity commercial use with minimal disruption to the surrounding residential area. The Market offers essential groceries, allowing residents to meet their daily needs without extensive travel. The Market's established presence since 1924 demonstrates its compatibility and positive contribution to the neighborhood's character. The Project does not propose any changes, expansions, or improvements to the Project Site. The Project is located within the H18 (Residential 18) land use designation of the Metro Area Plan, which took effect immediately upon the adoption by the Board of Supervisors on May 21, 2024. Pursuant to Chapter 2 (Applicability) of the County General Plan, an applicant may choose whether a complete application filed prior to the effective date of a new General Plan will be reviewed for consistency with the previously adopted General Plan or with the new General Plan. The applicant chose to have the application for this Project be subject to the East Los Angeles Community Plan, which was in effect at the time when the complete CUP application was submitted on November 11, 2023. The East Los Angeles Community Plan designated the Project Site LMD (Low/Medium Density), which describes areas suited predominantly single-family housing, duplex and townhouse development on moderately sized lots. The Project Site consists of two dwelling units and a market.

B. Neighborhood Impact (Need/Convenience Assessment)

The Market has operated at the Project Site for 100 years. The longevity of the existing business demonstrates that it serves a need for the local community. The Project Site is conveniently located at a corner and provides residents with access to commercial services and creates small business opportunities. The Market helps meet the local demand for essential groceries in a convenient manner, allowing residents the option to purchase essential groceries without extensive travel. The Market is a neighborhood commercial use providing neighborhood convenience for a wide range of goods, including canned goods, dairy products, eggs, ice cream, fresh produce, personal care products, school supplies, cleaning supplies, alcoholic beverages for off-site consumption, amongst other necessities. No changes are proposed to the current layout or building footprint. The economic welfare of the nearby community should not be affected by the sales of goods at a neighborhood market. Due to the business establishment's long

history of operation at the Project Site and no records of any citations that may pose public health and safety concerns to the surrounding area, the continued operation and maintenance of this small business is not anticipated to result in substantial adverse effects.

C. Design Compatibility

There are no proposed changes, expansions, or structural improvements to the Project Site. The existing two-story building is similar in bulk and mass to the adjacent residential uses. The height of the existing building is 23 feet and two inches with the Market located on the first floor and two residential units on the second floor. The Project Site provides two trees located along the frontage. The front entrance to the Market is east facing, along North Marianna Avenue.

D. Grant Term

Staff recommends no grant term for the NCR due to the following reasons:

- The Project Site has been continuously occupied by a neighborhood market since 1924 without any land use or enforcement issues, demonstrating long standing compatibility with the surrounding residential neighborhood.
- The existing business's longevity demonstrates that it serves a need and service in the local community.
- The 1,258-square-foot nonconforming neighborhood market, which is located on the first floor of a two-story building with two residential units on the second floor, is functionally equivalent to an "Accessory Commercial Unit," which is defined by County Code Section 22.14.010-A as "a commercial use that is subordinate to the principal use and contained within, attached to, or detached from a residential structure on a residential-zoned lot and is open to customers, clients, or patrons."
- The building in which the existing commercial use is located was legally built. No extension, expansion, or enlargement of the area of the lot or the area within the building devoted to the existing commercial use is being proposed. There are no proposed changes, expansions, or structural improvements to the Project Site.
- No changes are proposed to the existing on-site parking and will continue to be maintained.

The Project does not demolish, vacate, or convert any dwelling units. If the NCR is approved with no grant term, the Regional Planning Commission or a Hearing Officer, after conducting a public hearing, can subsequently revoke or modify the NCR 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.

GENERAL PLAN/COMMUNITY PLAN CONSISTENCY

The Project is consistent with applicable goals and policies of the General Plan and East Los Angeles Community Plan. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

ZONING ORDINANCE CONSISTENCY

The Project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

BURDEN OF PROOF

The applicant is required to substantiate all facts identified by County Code Section 22.172.060.C.2. The Burden of Proof with the applicant's responses is attached (Exhibit E – Applicant's Burden of Proof). Staff is of the opinion that the applicant has met the burden of proof.

ENVIRONMENTAL ANALYSIS

Staff recommends that this Project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Project is a request for the continued operation and maintenance of an existing nonconforming neighborhood market, which does not include any new intensification of use or any expansion in floor area. There are no exceptions to the exemption because the Project is not located in an environmentally sensitive area, there are no historical resources on the Project Site, and the Project Site is not listed in the Department of Toxic Substances Control's list of hazardous waste or clean up sites. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the project.

COMMENTS RECEIVED

A. County Department Comments and Recommendations

1. The Department of Public Works, in a letter dated June 11, 2024, had no comments and cleared the project for public hearing.
2. The Fire Department did not require review of this Project and recommended that the Project proceed to public hearing.
3. The Department of Public Health, in a letter dated July 30, 2024, cleared the project for public hearing.
4. The Sheriff's Department, in a letter dated August 8, 2024, did not advocate support or opposition to the request.

B. Other Agency Comments and Recommendations

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

C. Public Comments

The applicant conducted community outreach and collected 40 petition signatures (Exhibit J). At the time of report preparation, the Applicant's community outreach did not result in any public comments.

Report

Reviewed By:

Elsa M. Rodriguez

Elsa M. Rodriguez, Acting Supervising Regional Planner

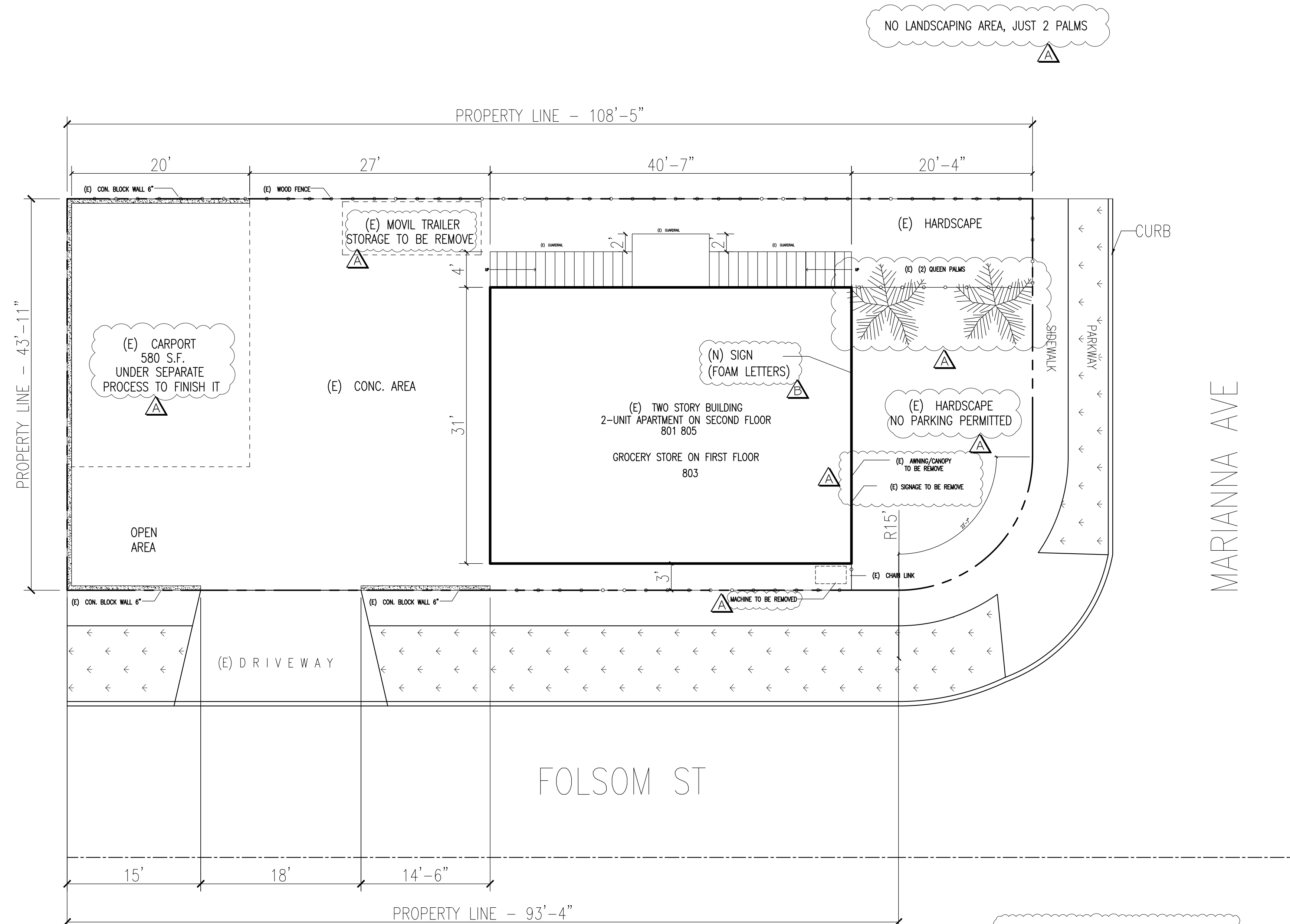
Report

Approved By:

M. Glaser

Mitch Glaser, Assistant Deputy Director

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



SITE PLAN
 SCALE : 1/16" = 1'-0"

NO LANDSCAPING AREA, JUST 2 PALMS

NOTE: PROJECTING BUSINESS SIGN, NOT TO EXCEED SIX SQUARE FEET IN SIGN AREA, SHALL BE PERMITTED, PROVIDED NO ILLUMINATION IS USED.

VICINITY MAP



PROPERTY INFORMATION

ADDRESS: 801-803-805 N MARIANNA AVE LOS ANGELES CA 90063	
ASSESSORS ID #: 5226-043-024	
LEGAL DESCRIPTION : TRACT # 5391 LOT 18	SPRINKLERS: (E) MAIN DWELLING: NONE
ZONING: R-2	PROPERTY TYPE: COMMERCIAL/INDUSTRIAL
	OCCUPANCY TYPE: R3-R1 CONSTRUCTION TYPE: V-B
VERY HIGH FIRE ZONE: NONE	
PARKING:	
AREA TABULATIONS	
1. LOT AREA	4,716 SF
2. (E) 2-UNIT APARTMENT SECOND FLOOR	2,500 SF
3. (E) MARKET STORE	2,500 SF
4. (E) CARPORT	580 SF

SCOPE OF WORK

- C.U.P.

SHEET INDEX

- A1.1 SITE PLAN, PROPERTY INFO, NOTES
- A2.1 EXISTING FLOOR PLAN
- A3.1 ELEVATIONS
- A3.2 ELEVATIONS

THE FOLLOWING REGULATIONS APPLY TO THIS PROJECT:

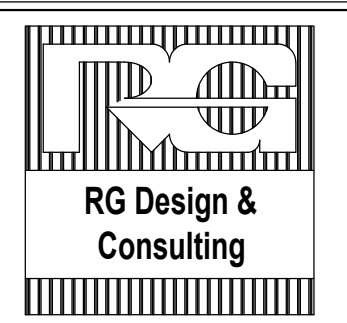
- 2022 CALIFORNIA BUILDING CODE
- 2022 CALIFORNIA RESIDENTIAL CODE
- 2022 CALIFORNIA MECHANICAL CODE
- 2022 CALIFORNIA ELECTRICAL CODE
- 2022 CALIFORNIA PLUMBING CODE
- 2022 CALIFORNIA GREEN BUILDING STANDARDS
- 2022 CALIFORNIA ENERGY CODE
- AS ADOPTED & MODIFIED IN 2020 BELL GARDEN MUNICIPAL CODE

LEGEND:

CONTRACTOR TO VERIFY DIMENSIONS PRIOR TO CONSTRUCTION

REVISIONS:

REV. 1	△
REV. 2	△
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 fax (626) 570-4473
 rg-design1@att.net

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C.U.P.
 805 N MARIANNA AVE
 LOS ANGELES CA 90063
 JENARO

PROJECT:
 ADDRESS:
 OWNER:

SCOPE OF WORK

- C.U.P.

SHEET INDEX

- A1.1 SITE PLAN, PROPERTY INFO, NOTES
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WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BE VERIFIED ON THE JOB SITE. ANY DISCREPANCY SHALL BE BROUGHT TO THE NOTICE OF RGD PRIOR TO COMMENCEMENT OF ANY WORK.

SHEET CONTENTS:

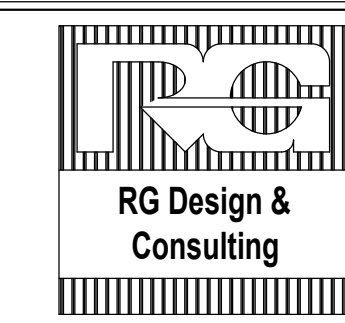
SITE PLAN, PROPERTY INFO, NOTES

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 PRINTED ON:
 PROJECT No.: 2023-024
 SHEET No.: A1.1

LEGEND:

CONTRACTOR TO VERIFY DIMENSIONS PRIOR TO CONSTRUCTION

REVISIONS:	
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REV. 2	
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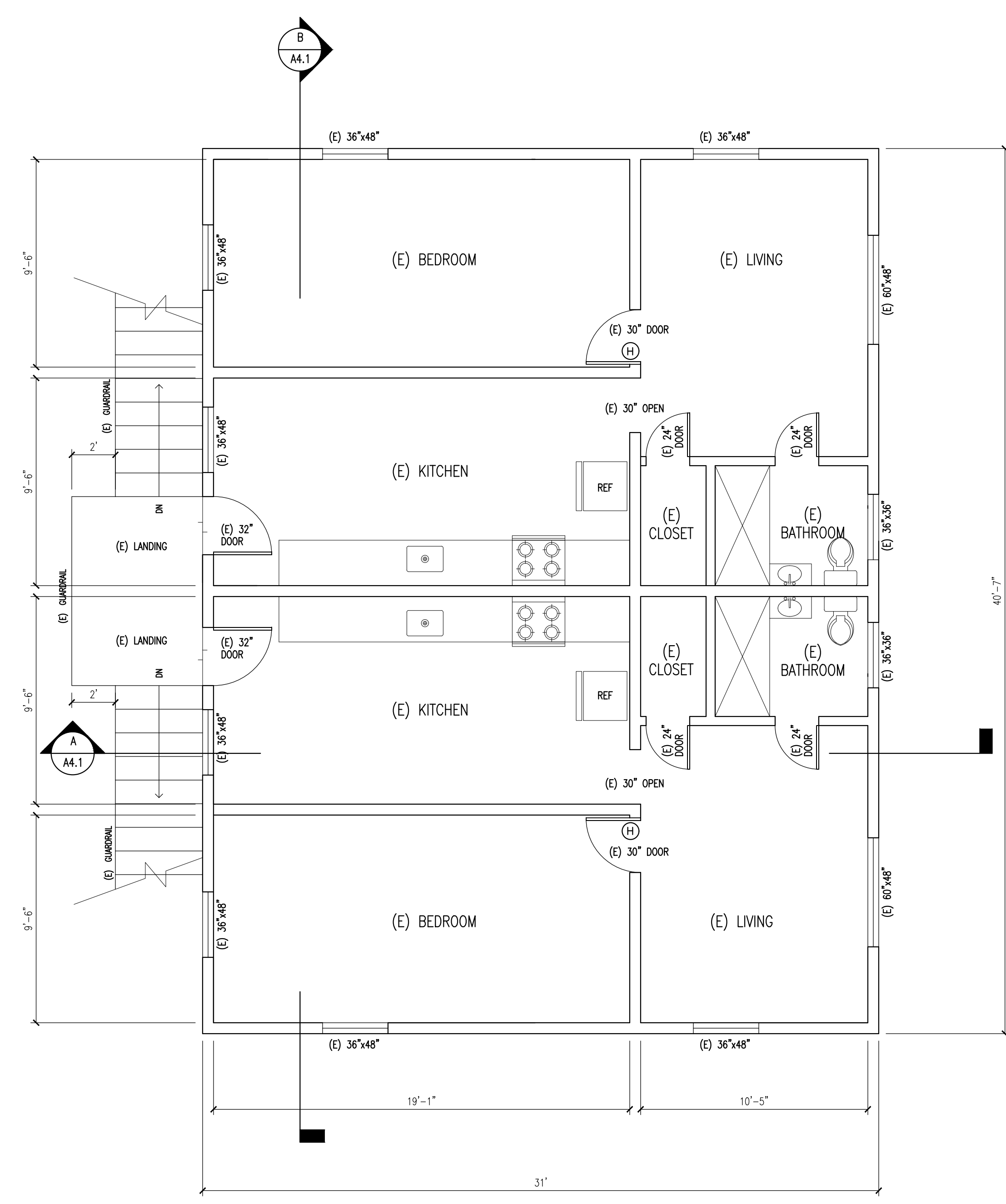
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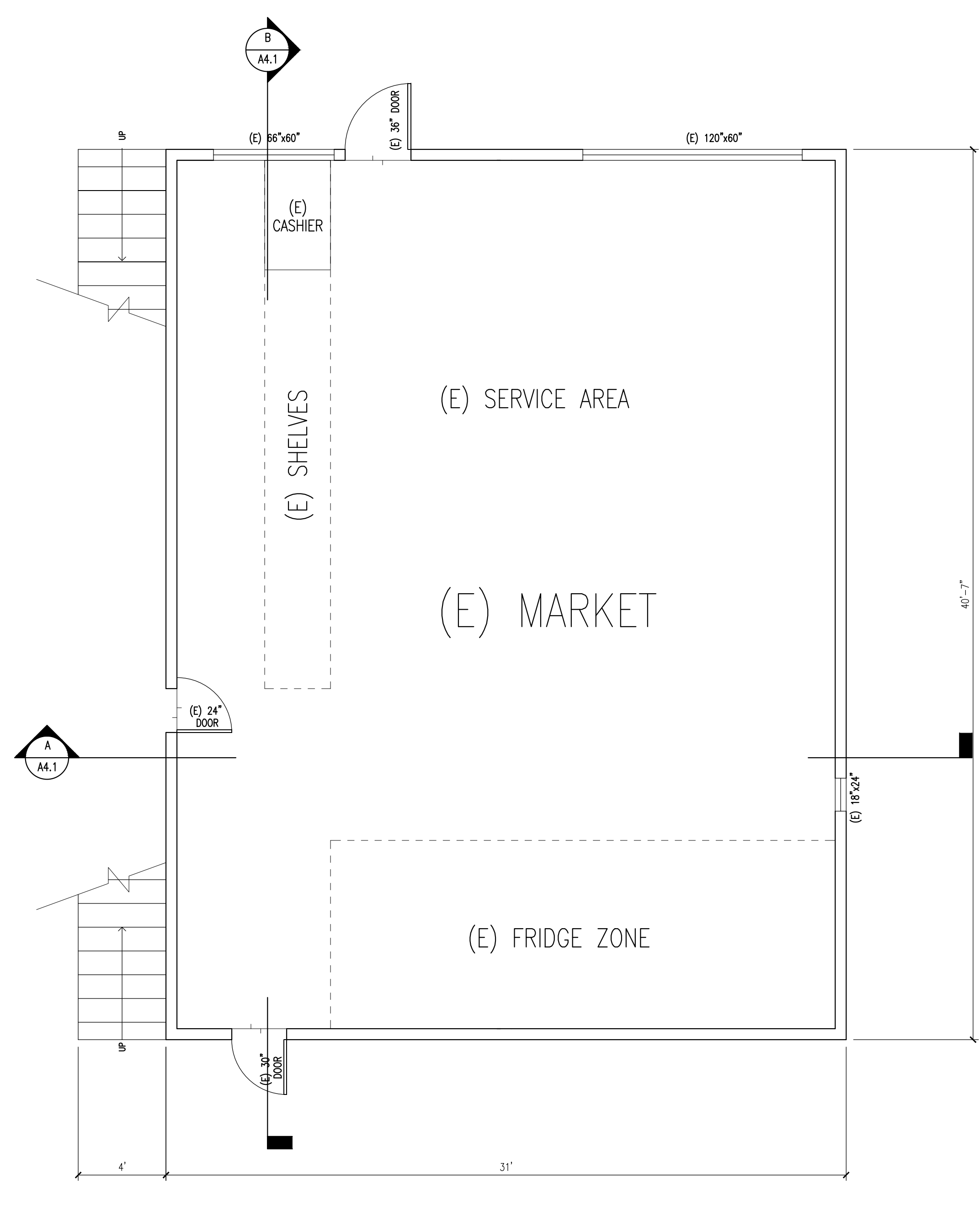
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 OWNER: _____

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EXISTING FLOOR PLAN
 SCALE:
 DRAWN BY: **ECV** SHEET No. _____
 PRINTED ON: _____
 PROJECT No.: **A2.1**
 2023-024



EXISTING SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"





EXISTING FIRST FLOOR PLAN
 SCALE: 1/4" = 1'-0"

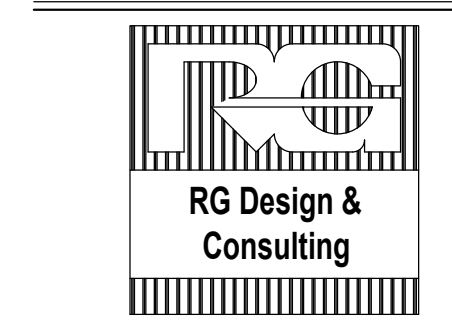
LEGEND:

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REVISIONS:

REV. 1 

REV. 2 



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C.U.P.

805 N MARIANNA AVE
LOS ANGELES CA 90063

JENARO

PROJECT:

ADDRESS:

OWNER:

SHEET CONTENTS:

PROPOSED ELEVATIONS

SCALE:

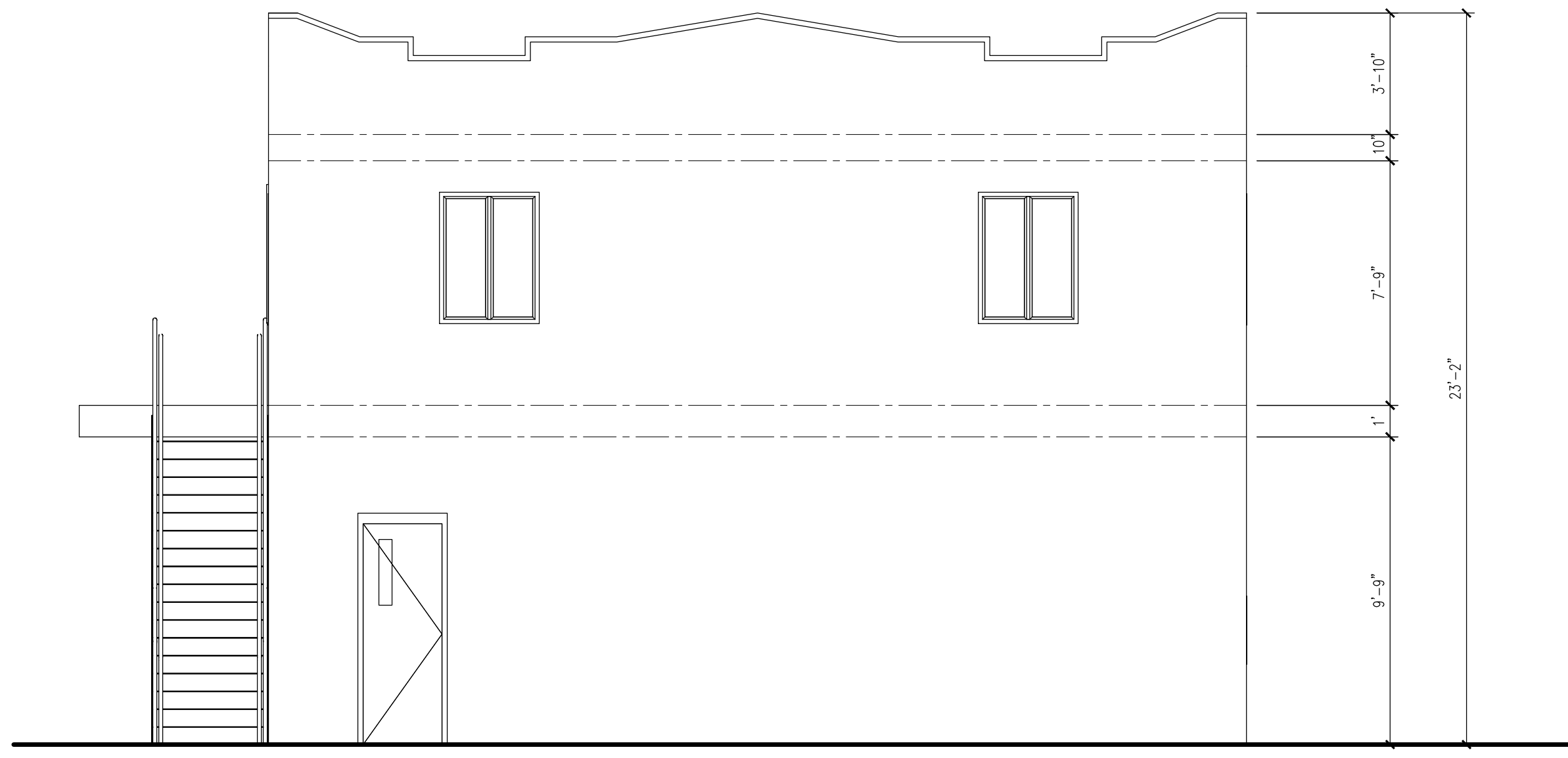
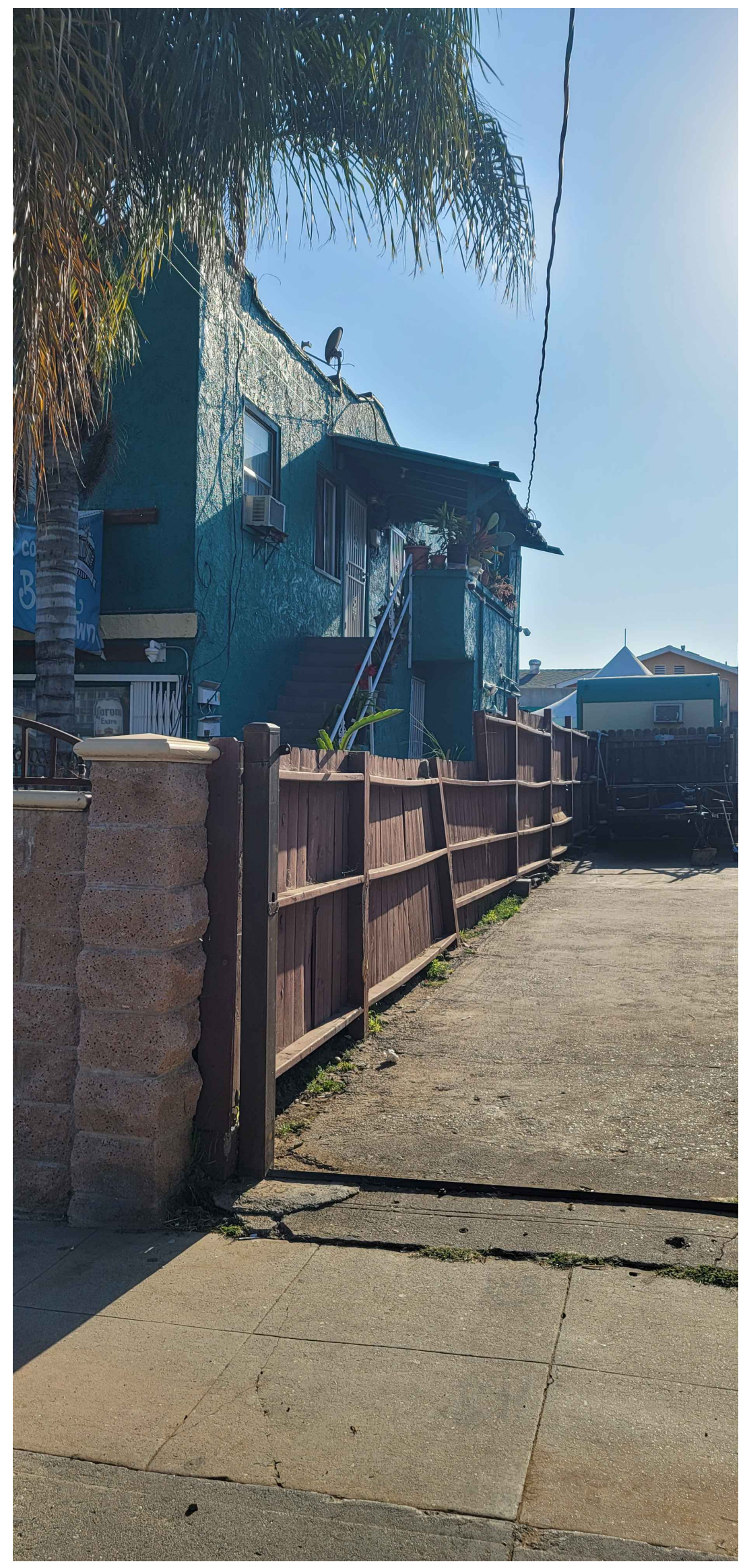
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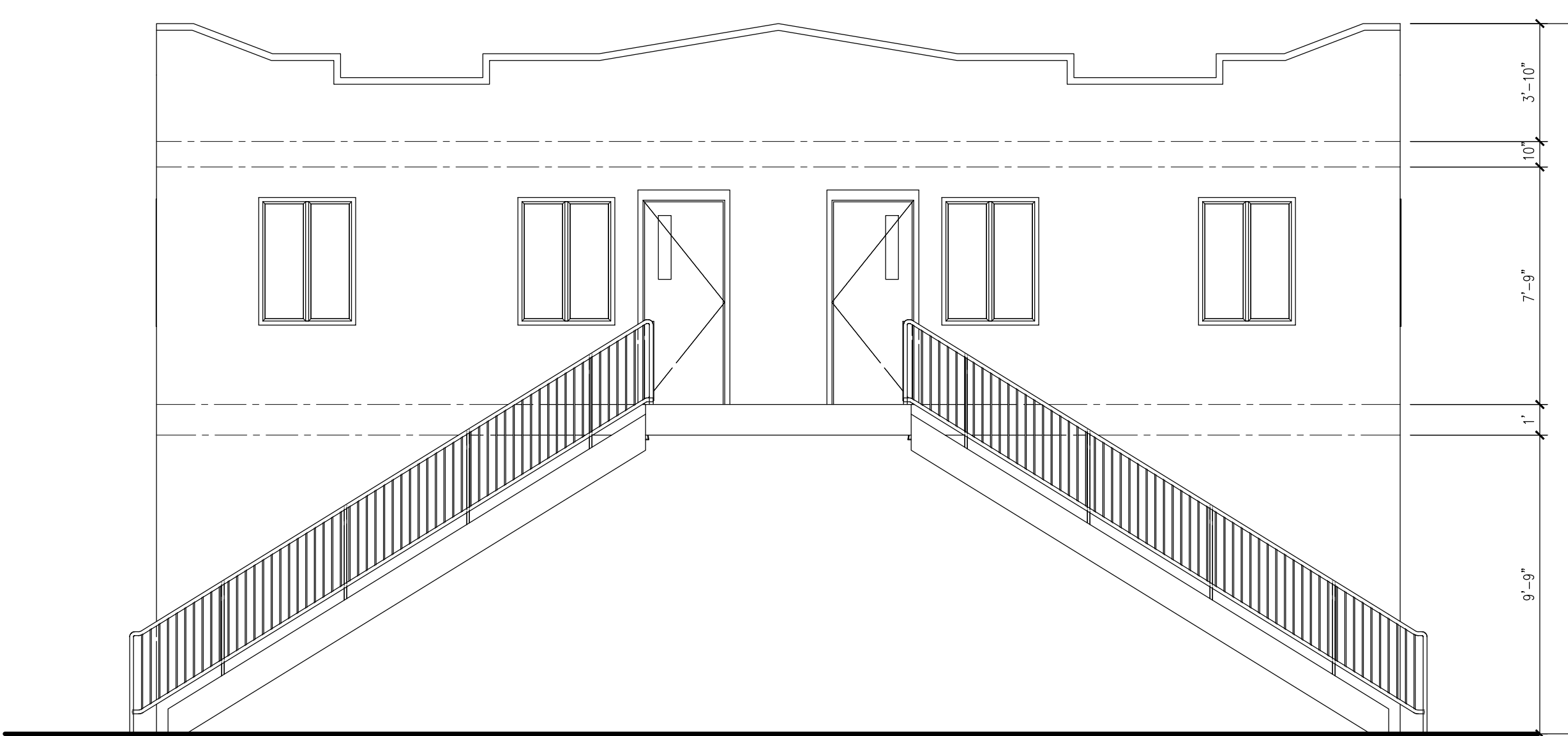
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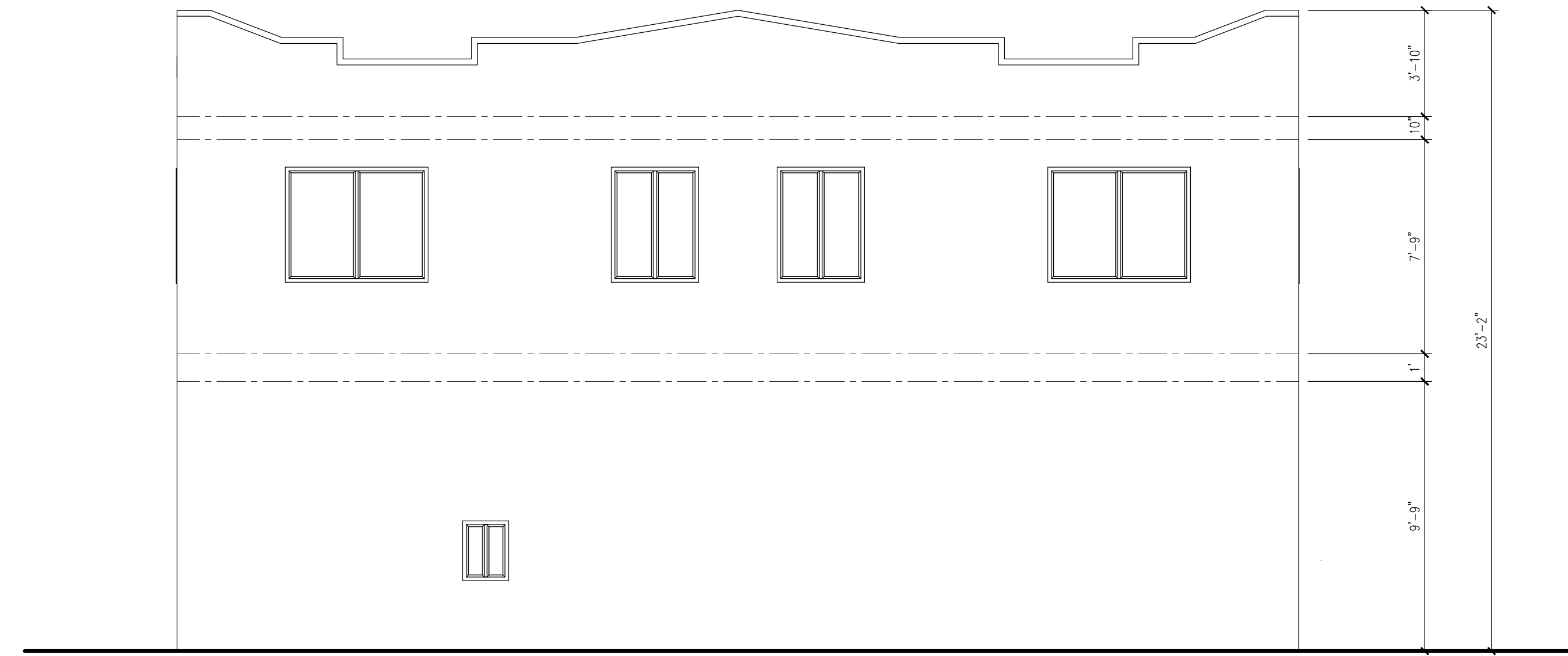
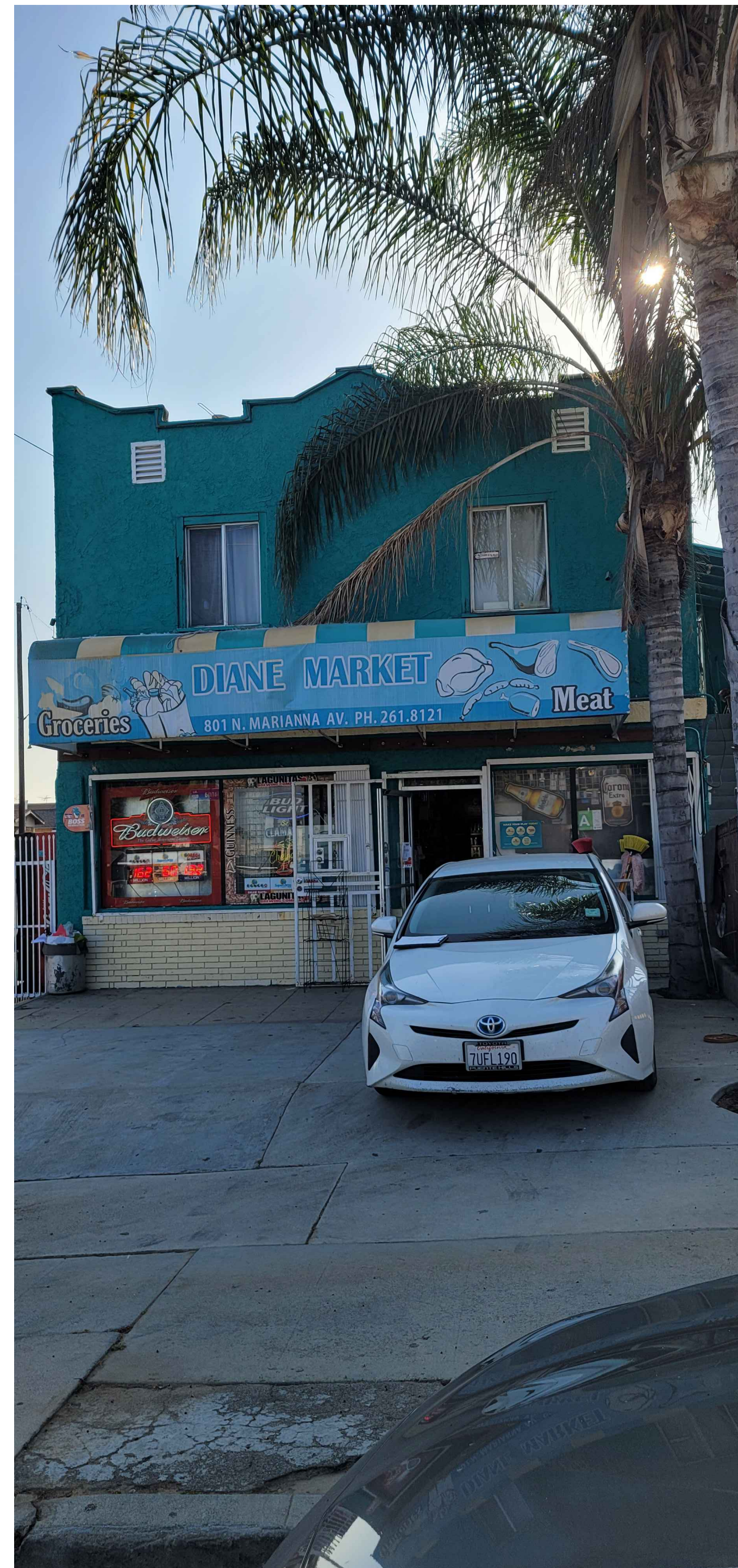
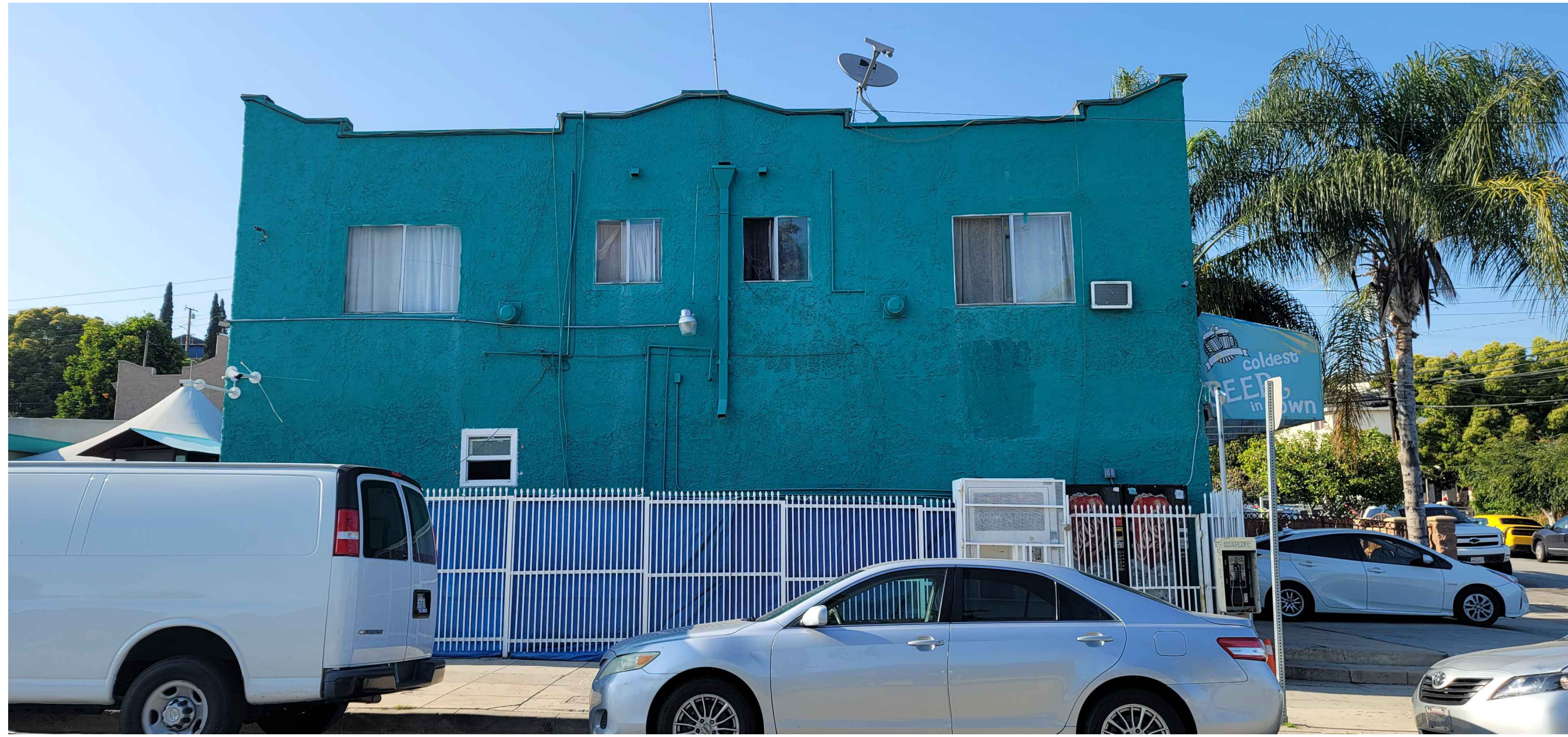
WEST ELEVATION

SCALE : 1/4" = 1'-0" 



NORTH ELEVATION

SCALE : 1/4" = 1'-0" 



SOUTH ELEVATION

SCALE : 1/4" = 1'-0" 0' 2' 4'



EAST ELEVATION

SCALE : 1/4" = 1'-0" 0' 2' 4'

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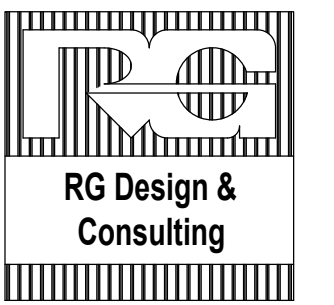
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PROJECT:

ADDRESS:

OWNER:

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PHOTOS

SCALE:

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PRINTED ON:

A3.2

PROJECT No.:

2023-024



PROJECT NUMBER PRJ2023-003701-(1) **HEARING DATE** September 16, 2025

REQUESTED ENTITLEMENT
Nonconforming Review (“NCR”) No.
RPPL2023005436

PROJECT SUMMARY

OWNER / APPLICANT

Maria D. Barranco, owner
Jenaro Espana, applicant

EXHIBIT DATE

November 4, 2024

PROJECT OVERVIEW

The Project is a request for the continued operation and maintenance of an existing nonconforming neighborhood market known as Diane Market (“Market”). The Market was established in 1924 prior to building permit requirements. The site includes an existing 1,258-square-foot nonconforming neighborhood market with residential units on the second floor and a 540-square-foot three car carport. The Market currently sells essential groceries and household items such as canned goods, dairy products, eggs, ice cream, fresh produce, personal care products, school supplies, cleaning supplies, and alcoholic beverages for off-site consumption. The requested hours of operation are 7:00 a.m. to 10:00 p.m. daily. There are no proposed changes, expansions, or improvements to the Project Site. The continued operation of the neighborhood market was previously authorized by NCR No. 204-(3) on June 23, 1982.

LOCATION

801 North Marianna Avenue, East Los Angeles

ACCESS

North Marianna Avenue and Folsom Street

ASSESSORS PARCEL NUMBER

5226-043-024

SITE AREA

0.11 Acres

GENERAL PLAN / LOCAL PLAN

East Los Angeles Community Plan

ZONED DISTRICT

East Los Angeles

PLANNING AREA

Metro

LAND USE DESIGNATION

LMD (Low/Medium-Density Residential)

ZONE

R-2 (Two-Family Residence)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

East Los Angeles

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following portions of Title 22 of the Los Angeles County Code:
 - Section 22.18.040 (Development Standards for R-2)
 - Chapter 22.110 (General Site Regulations)
 - Section 22.172.060.C.2 (Nonconforming Use Findings)
 - Chapter 22.316 (East Los Angeles Community Standards District)

CASE PLANNER:

Melissa Reyes

PHONE NUMBER:

(213) 204-9945

E-MAIL ADDRESS:

Mreyes2@planning.lacounty.gov

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2023-003701-(1)
NONCONFORMING REVIEW NO. RPPL2023005436

RECITALS

1. **HEARING DATE.** The Los Angeles County (“County”) Regional Planning Hearing Officer (“Hearing Officer”) conducted a duly-noticed public hearing in the matter of Nonconforming Review No. **RPPL2023005436** (“NCR”) on September 16, 2025.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **ENTITLEMENT REQUESTED.** The Permittee, Jenaro Espana ("Permittee"), requests the NCR to authorize the continued operation and maintenance of an existing neighborhood market known as Diane Market (“Project”), which is nonconforming due to use and development standards for required yards, fencing, signage, and landscaping on a property located at 801 North Marianna Avenue in the unincorporated community of East Los Angeles ("Project Site") in the R-2 (Two-Family Residence) Zone pursuant to Los Angeles County Code ("County Code") Section 22.172.060. A complete application was received prior to the adoption of the Metro Area Plan, which rescinded the East Los Angeles Community Plan, and changed the land use designation of the Project Site. Pursuant to Chapter 2 (Applicability) of the County General Plan and County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the Permittee chose to have the complete application be subject to the land use policies, zoning and regulations in effect at the time it was submitted.
4. **LOCATION.** The Project is located at 801 North Marianna Avenue within the East Los Angeles Zoned District and Metro Planning Area.
5. **PREVIOUS ENTITLEMENTS.**

CASE NO.	REQUEST	DATE OF ACTION
Business License Referral (“BLR”) No. RPPL2023006795	Referral for Food Establishment contingent on approval of an NCR	January 14, 2024
Zoning Conformance Review RZCR-R200600946	Detached carport	September 14, 2006
BLR No. RBUS-200500139	Referral for Food Establishment	March 31, 2005
NCR No. 204-(3)	Neighborhood market	June 23, 1982

6. **LAND USE DESIGNATION.** The Project Site is located within the LMD (Low/Medium Density Residential) land use category of the East Los Angeles Community Plan (“Community Plan”) Land Use Policy Map.
7. **ZONING.** The Project Site is located in the East Los Angeles Zoned District and is zoned R-2 (Two-Family Residence). Pursuant to County Code Section 22.172.060 (Review of Amortization Schedule or Substitution of Use), an NCR is required for the continued operation and maintenance of a legally established nonconforming market in the R-2 Zone.

8. SURROUNDING LAND USES AND ZONING.

LOCATION	EAST LOS ANGELES COMMUNITY PLAN LAND USE POLICY*	ZONING	EXISTING USES
NORTH	LMD (Low/Medium-Density Residential)	R-2 (Two-Family Residence)	Single-family residences (“SFR”) and multifamily residences (“MFR”)
EAST	LMD	R-2	SFR and MFR
SOUTH	MD (Medium-Density Residential)	R-2	SFR and MFR
WEST	LMD	R-2	SFR and MFR

* Note: The land use designation was changed to H18 (Residential 18) on May 21, 2024, in conjunction with the adoption of the Metro Area Plan. Pursuant to Chapter 2 (Applicability) of the County General Plan and County Code Section 22.246.020 (Applicability of Zone Changes and Ordinance Amendments), the Applicant chose to have the complete NCR application be subject to the zoning and regulations in effect at the time it was submitted. The application for the Project was deemed complete prior to the adoption of the Metro Area Plan.

9. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 0.11 gross acres (4,655 square feet) in size and consists of one lot. The Project Site is rectangular in shape with flat topography and is developed with an existing 1,920-square-foot building with the subject market on the first floor and residential units on the second floor.

B. Site Access

The Project Site is accessible to pedestrians via North Marianna Avenue to the east. The rear of the Project Site is accessible from Folsom Street.

C. Site Plan

The site plan depicts a 0.11-acre property developed with an existing 1,920-square-foot building with a market on the first floor, two residential units on the second floor, and a 580-square-foot detached carport. The front entrance and pedestrian access to the building is east facing. There is no existing landscaping on the project site except for two trees located by the frontage of the market. The Project Site has existing six-foot-tall wrought-iron and block wall fencing along the southern property line. The floor plan depicts a service area, shelves, market, and a refrigerator area.

D. Parking

The Project Site was developed in 1924, prior to the current parking requirements. The Project Site has a 580-square-foot carport with three standard parking spaces approved by Zoning Conformance Review No. RZCR-R200600946 on September 14, 2006.

10. 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 involves the continued operation and maintenance of an existing nonconforming neighborhood market, which does not include any expansion in floor area or intensification. There are no exceptions to the exemption because the Project is not located in an environmentally sensitive area, there are no historical resources onsite, and the Project Site is not listed in the Department of Toxic Substances Control's list of hazardous waste or cleanup sites.

11. COMMUNITY OUTREACH.

The Permittee conducted community outreach and collected 40 petition signatures. At the time of report preparation, the Permittee's community outreach did not result in any public comments.

12. PUBLIC COMMENTS.

No correspondence was received from the public prior to the public hearing.

13. AGENCY RECOMMENDATIONS.

- A. The Department of Public Works, in a letter dated June 11, 2024, had no comments and cleared the project for public hearing.
- B. The Fire Department did not require any review and cleared the project for public hearing.
- C. The Department of Public Health, in a letter dated July 30, 2024, cleared the project for public hearing.

D. The Sheriff's Department, in a letter dated August 8, 2024, did not advocate support or opposition to the request.

14. LEGAL NOTIFICATION. Pursuant to County Code Section 22.222.120 (Public Hearing Procedure), the community was properly notified of the public hearing by mail, newspaper Daily Journal, and property posting. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On August 4, 2025, a total of 156 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 12 notices to those on the courtesy mailing list for the East Los Angeles Zoned District and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

15. LAND USE POLICY. The Hearing Officer finds that the Project is consistent with the goals and policies of the East Los Angeles Community Plan because the LMD land use category is intended for single-family housing, duplex, and townhouse development on moderately sized lots with some low-rise garden apartments on consolidated lots, categories into which this Project falls. Although there are three existing single-family residences on the Project Site, the maximum density is 17 dwelling units per net acre. The maximum density for the Project site is two dwelling units, which is consistent with the LMD land use category. The existing market at the Project Site was built in 1924 and has served nearby residents for 100 years. The use was previously authorized to continue operating via NCR No. 204-(3) approved on June 23, 1982. The Hearing Officer finds that the Project promotes the continuance of a community-serving use that serves residents of the low to medium density character of the neighborhood.

16. 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: Encourage a diversity of commercial and retail services, and public facilities at various scales to meet regional and local needs.*

The continued operation of a market in a mostly residential area contributes to meeting the local shopping needs of the community on a neighborhood scale.

- *Policy LU 5.3: Support a mix of land uses that promote bicycle and walking and reduce Vehicle Miles Travelled (VMTs).*

The continued operation of a market in proximity to residential areas maintains an option for daily purchases for surrounding residents without relying on vehicles to purchase basic items.

The Hearing Officer finds that the Project is consistent with the goals and policies of the East Los Angeles Community Plan:

- *Land Use Policy: Maintain and enhance the quality of healthy and stable residential neighborhoods.*

The existing market has been in operation for over 100 years, providing the surrounding residents with stability in the services it provides.

ZONING CODE CONSISTENCY FINDINGS

17. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is not consistent with the R-2 zoning classification because a neighborhood market with deemed approved alcohol beverage sales is not permitted in such zone. However, as the use was legally established prior to the current zoning on the property, such use may be permitted to continue operating with an NCR pursuant to County Code Section 22.172.060.
18. **REQUIRED YARDS.** The Hearing Officer finds that the Project is not consistent with County Code Section 22.18.040 (Development Standards for Residential Zones), which requires a 10-foot side yard setback for a reverse corner lot. The Project is legal nonconforming with respect to this standard because the existing side yard setback is three feet.
19. **HEIGHT.** The Hearing Officer finds that the Project is consistent with County Code Section 22.18.040 (Development Standards for Residential Zones), which require that buildings and structures shall not exceed a height of 35 feet above ground. The building is 23 feet and two inches tall and does not exceed the height limit.
20. **PARKING.** The Hearing Officer finds that the Project is not consistent with County Code Section 22.112.070 (Required Parking Space), which requires one parking space per 250 square feet, or four parking spaces for commercial uses. The existing residential units require three covered and one uncovered parking spaces. The Project was developed prior to any parking minimum requirements and is legal nonconforming with respect to parking because three covered standard vehicle parking spaces are provided on site.
21. **SIGNS.** The Hearing Officer finds that Project is not consistent with County Code Section 22.114.110 (Wall Business Signs) as wall business signs are not allowed in the R-2 Zone. The Permittee removed an unpermitted sign and canopy and is proposing a new six-square-foot wall sign as allowed by current County Code Section 22.364.070 (Planning Area Standards Zone Specific Development Standards).
22. **FENCES.** The Hearing Officer finds that the Project is not consistent with County Code Section 22.110.070 (Fences and Walls), which requires that fences and walls within a corner lot side yard shall not exceed three and one-half feet in height. Per the East Los Angeles Community Standards District (“ELACSD”), any fencing above three feet six inches shall not exceed four feet in height and those portions of fences more than three and one-half feet high must be substantially open, except for pillars used in conjunction with wrought iron style fences and shall not cause a significant visual obstruction. There is an existing six-foot block wall and a six-foot wrought iron fence along Folsom Street. Therefore, the Project is legally nonconforming with respect to this standard.

23. **COMMUNITY STANDARDS DISTRICT.** The Hearing Officer finds that the Project is not consistent with County Code Section 22.316.070 (ELACSD Zone Specific Development Standards). Per the ELA CSD, the required front yard shall contain a minimum of 50 percent landscaping. The Project does not meet the 50 percent landscaping requirements and is legal nonconforming with respect to this standard.
24. **TREE PLANTING.** The Hearing Officer finds that the Project is not consistent with County Code Chapter 22.126 (Tree Planting Requirements), which requires a minimum of two trees. The Project is an existing commercial building that was established in 1924 prior to tree planting requirements, and no new buildings, building additions, or new parking areas are proposed. Therefore, this Project is legal nonconforming with respect to this standard.
25. **INCLUSIONARY UNITS.** The Hearing Officer finds that the Project is exempt from the Inclusionary Zoning Ordinance because the Project does not include any housing component.

NONCONFORMING REVIEW FINDINGS

26. **The Hearing Officer finds that to require cessation of such use, building or structure would impair the property rights of any person to such an extent as to be an unconstitutional taking of property.** Requiring the market to cease operations would cause a disproportionate burden to the Permittee. The market was legally established and has operated on the Project Site for 100 years. The 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. This use was previously approved with NCR No. 204-(3), which permitted the nonconforming market to continue operating. This NCR was approved on June 23, 1982. The Hearing Officer finds that allowing the continuance of this use is consistent with applicable goals and policies of the General Plan. A condition of Project Permits NCR approval will limit the hours of operation between the hours of 7:00 a.m. to 9:00 p.m. seven days a week.
27. **The Hearing Officer finds that such use, building or structure does not now and will not during the extension period requested: i. Adversely affect the health, peace or welfare of persons residing or working in the surrounding area, or ii. Be materially detrimental to the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or iii. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.** The Project is located within the LMD land use category of the East Los Angeles Community Plan, which is intended for residential uses. The market at the Project Site was built in 1924, predating the East Los Angeles Community Plan, and is a nonconforming use due to the zoning requirements. The building is compatible with the low and medium density residential character of the neighborhood. It is a local neighborhood serving use that integrates well with the surrounding land uses. The market has been well maintained over the years and there are no proposed changes,

expansions or improvements to the Project Site. Therefore, the Project will not increase traffic in a manner that could result in impacts to the surrounding community.

- 28. The Hearing Officer finds that it is not necessary to impose a grant term for the NCR.** The neighborhood market has operated on the Project Site since 1924 without any reported issues. A grant term is not necessary for the NCR given the compatibility between the Project and the surrounding land uses. Pursuant to NCR Condition No. 10, the Regional Planning Commission or a Hearing Officer, after conducting a public hearing, can subsequently revoke or modify the NCR 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.

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 consists of the continued operation and maintenance of an existing nonconforming neighborhood market. There are no exceptions to the exemption because the Project is not located in an environmentally sensitive area, there are no historical resources on site, and the Project Site is not listed in the Department of Toxic Substances Control's list of hazardous waste or clean up sites.

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 Metro Development Services Section, LA County Planning.

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. To require the cessation of the proposed use building or structure would impair the property rights of any person to such an extent as to be an unconstitutional taking of the property.
- C. 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.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the CEQA pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities Categorical Exemption); and
2. Approves **NONCONFORMING REVIEW NO. RPPL2023005436**, subject to the attached conditions.

ACTION DATE: September 16, 2025

EMR:MR

September 4, 2025

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

CONDITIONS OF APPROVAL
PROJECT NO. PRJ2023-003701-(1)
NONCONFORMING REVIEW NO. RPPL2023005436

PROJECT DESCRIPTION

The project is the continued operation and maintenance of an existing nonconforming neighborhood market (“Project”) subject to the following conditions of approval:

GENERAL CONDITIONS

1. **Permittee.** 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. **Affidavit of Acceptance.** 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. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 3, 4, and 10, shall be effective immediately upon the date of final approval of this grant by the County.
3. **Indemnification.** 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. **Litigation Deposit.** 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. **Invalidation.** 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. **Recordation.** 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. **Grant Term Expiration. This NCR does not have a grant term. However, this NCR may be revoked pursuant to Condition 12, below.**
8. **Accessory Commercial Unit – Other Permitted Uses.** The 1,258-square-foot nonconforming neighborhood market, which is located on the first floor of a two-story building with two residential units on the second floor, is functionally equivalent to an “Accessory Commercial Unit,” which is defined by County Code Section 22.14.010-A as “a commercial use that is subordinate to the principal use and contained within, attached to, or detached from a residential structure on a residential-zoned lot and is open to customers, clients, or patrons.” Therefore, the 1,258-square-foot tenant space may be occupied by any other permitted use listed in County Code Table 22.364.070-A with the approval of a Revised Exhibit “A” in accordance with County Code Chapter 22.184 (Revised Exhibit “A”s). Otherwise, entitlement to any other use in the 1,258-square-foot tenant space, and/or any expansion of the tenant space, shall be subject to the County Code regulations in effect at the time.

Notwithstanding the prohibition of alcoholic beverage sales in County Code Table 22.364.070-A, if the 1,258-square-foot tenant space is subsequently occupied by any other permitted use listed in that table, the other permitted use may continue to sell beer and wine pursuant to a Type 20 California Department of Alcoholic Beverage Control (“ABC”) License and the tenant space’s deemed-approved status in accordance with County Code Section 22.140.030.H (Alcoholic Beverage Sales – Deemed-Approved Uses) and Condition 9, below.

9. **Deemed-Approved Alcoholic Beverage Sales.** Although this NCR only authorizes the continued operation and maintenance of an existing nonconforming neighborhood market because the sale of beer and wine is allowed pursuant to the tenant space’s deemed-approved status, the sale of beer and wine is regulated by County Code Section 22.140.030.H (Alcoholic Beverage Sales – Deemed-Approved Uses). The deemed-approved status is subject to the performance standards in County Code Section 22.140.030.I (Alcoholic Beverage Sales – Performance

Standards for Deemed-Approved Uses) and may be revoked pursuant to County Code Section 22.140.030.J (Revocation of Deemed-Approved Status). In addition, the nonconforming neighborhood market, and any subsequent other permitted use allowed by Condition 8, above, may lose its deemed-approved status pursuant to County Code Section 22.140.030.H.2, and if that occurs, the sale of alcoholic beverages can only occur pursuant to the County Code regulations in effect at the time.

10. **Expiration of Approval.** 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 existing neighborhood market, and satisfaction of Condition No. 2, shall be considered use of this grant.
11. **Inspections.** 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. If inspections are required to ensure compliance with the conditions of this grant, the Permittee shall be financially responsible and shall reimburse LA County Planning for all enforcement efforts necessary to bring the subject property into compliance. The amount charged for inspections shall be **\$456.00** per inspection, or the current recovery cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

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.

12. **Revocation.** 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). Failure for the Permittee to cease any development or activity not in full compliance shall be in violation of these conditions and result in revocation.
13. **County Fire Code.** 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.

14. **County Public Works Requirements.** All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
15. **Exhibit "A."** 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").
16. **Property Maintenance.** 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.
17. **Graffiti.** 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.

18. **Revisions to the Exhibit "A."** 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, **an electronic copy** of a modified Exhibit "A" shall be submitted to LA County Planning by **November 16, 2025**.
19. **Subsequent Revisions to the Exhibit "A."** In the event that subsequent revisions to the approved Exhibit "A" are submitted, the Permittee shall submit **an electronic 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 applicable fee for such revision.
20. **Retention of Conditions on the Premises.** The conditions of this grant shall always be retained on the premises and shall be immediately produced upon request by any County Sheriff or LA County Planning staff member. 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).

PERMIT-SPECIFIC CONDITIONS – NONCONFORMING REVIEW

21. **Scope of Approval.** This grant shall authorize the continued operation of a nonconforming neighborhood market.
22. **Termination of Nonconforming Status.** The right to operate the existing nonconforming neighborhood-serving commercial use may be terminated pursuant to County Code Section 22.364.070.A.2.b if the Director determines that any of the circumstances provided in County Code Section 22.172.050.A (Termination by Discontinuance) apply.
23. **Alterations or Additions.** Approval of this grant does not permit construction, alteration, enlargement, or expansion of any structures, or any modification of use, except as may be permitted pursuant to County Code Chapter 22.172. Any alteration, enlargement, or expansion of any structures, or any modification of use, allowed by said Chapter 22.172 shall first be approved by the Director.
24. **Exterior Lighting.** All lighting provided shall be full cutoff. All lighting fixtures shall be fully shielded to confine light spread on-site. Lighting used on-site shall be hooded and not impact surrounding or neighboring properties. The type and location of site and building lighting shall preclude direct glare onto adjoining property, streets, or skyward.
25. **Address Number Sign.** 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.
26. **Signage.** One wall or projecting business sign, not to exceed six square feet in sign area, shall be permitted, provided no illumination is used. Roof and freestanding business signs are prohibited.
27. **Prohibited Signs.** Temporary signs or banners shall not be displayed on the exterior walls, windows, fascia of the building, or on any fence or wall. The placement of portable signs on the lot or in the public right-of-way is prohibited.
28. **Temporary Window Signs.** Temporary window signs shall comply with Title 22 and the view into the interior of the use from any parking lot, public street, or other right-of-way shall not be otherwise obstructed by refrigerator cases, promotional displays, equipment, or any other items.
29. **Loitering.** Loitering, including loitering by employees of the subject property, shall be prohibited on or within the immediate vicinity of the subject property, including adjacent public and private parking lots, public sidewalks, alleys, and other public rights-of-way. Signage in compliance with County Code Chapter 22.114 (Signs) shall be placed on the exterior of the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.

PROJECT SITE-SPECIFIC CONDITIONS

30. **Hours of Operation.** The hours of operations shall be limited to 7 a.m. to 10 p.m. seven days a week. Loading, unloading, and all maintenance activities shall be conducted within the hours of operation.
31. **Trash Collection.** Garbage and trash shall be stored in designated trash collection containers and enclosures which are not visible from the street.
32. **Outdoor Music.** No outdoor music shall be permitted at any time.
33. **Outdoor Activity.** No outdoor activity shall be permitted.
34. **Outside Storage.** Outside storage or display is not permitted on the subject property.
35. **Outdoor Structures.** The following outdoor structures are prohibited when they are clearly visible from the street.
 - a. Donation boxes or bins, such as those for, but not limited to, the collection of clothing or items for donation or recycling.
 - b. Structures or machines that are internally illuminated or have moving parts, flashing lights, or make noise, such as photo booths, fortune-telling machines, penny-crunching machines, video games, or the like.
 - c. Inanimate figures, such as statues or sculptures of animals or mannequins, cartoon figures, or human figures.
36. **Security Cameras.** On-site 24-hour security cameras shall be maintained in good operating condition and shall be in operation at all times. Footage from the security cameras shall be retained for at least 30 days, during which time it shall be made available to LA County Planning staff member and/or law enforcement upon request.

NONCONFORMING REVIEW STATEMENT OF FINDINGS

Pursuant to County Code Section [22.172.060.C](#): Findings and Conditions, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

2.a	To require cessation of such use, building or structure would impair the property rights of any person to such an extent as to be an unconstitutional taking of property.
2.b	Such use, building or structure does not now and will not during the extension period requested: <ul style="list-style-type: none"> i. Adversely affect the health, peace or welfare of persons residing or working in the surrounding area, or ii. Be materially detrimental to the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or iii. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE: August 14, 2025
PROJECT NUMBER: PRJ2023-003701-(1)
PERMIT NUMBER: Nonconforming Review (“NCR”) No. RPPL2023005436
SUPERVISORIAL DISTRICT: 1
PROJECT LOCATION: 801 N. Marianna Avenue, East Los Angeles
OWNER: Maria D. Barranco
APPLICANT: Maria D. Barranco and Jenaro Espana
CASE PLANNER: Melissa Reyes, Principal Planner
Mreyes2@planning.lacounty.gov

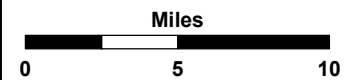
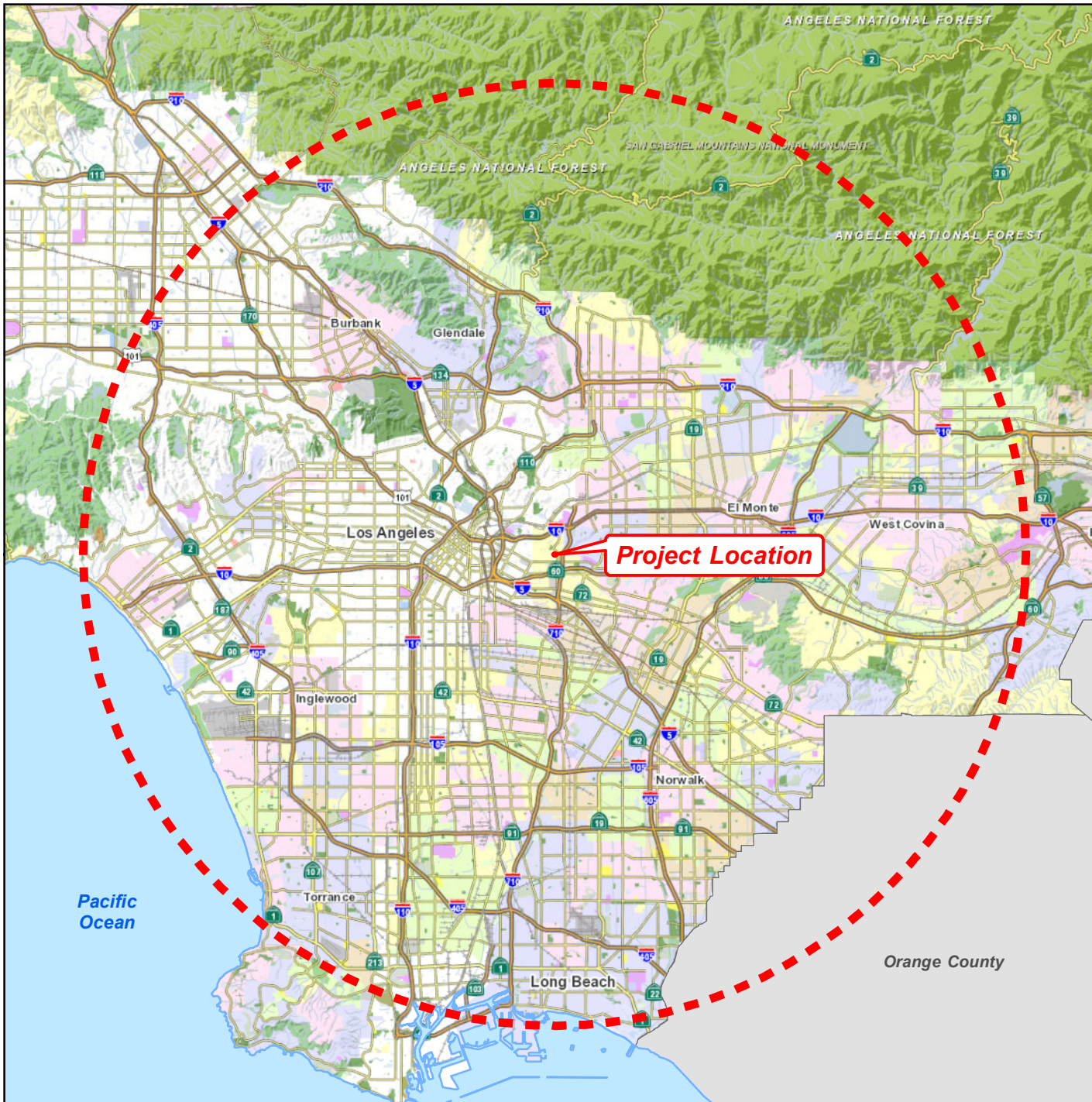
Los Angeles County (“County”) completed an initial review for the above-mentioned project. Based on examination of the project proposal and the supporting information included in the application, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act (CEQA). The project qualifies as a Class 1 Categorical Exemption under State CEQA Guidelines Section 15301 because the Project involves the continued operation and maintenance of an existing neighborhood market without any proposed changes, expansions, or improvements to the existing use. There are no exceptions to the exemption because the Project is not located in an environmentally sensitive area, there are no historical resources onsite, and the Project Site is not listed in the Department of Toxic Substances Control’s list of hazardous waste or clean up sites. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

20-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2023-003701

NCR RPPL2023005436



LA COUNTY
PLANNING

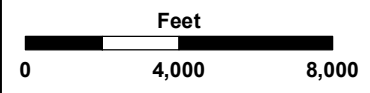
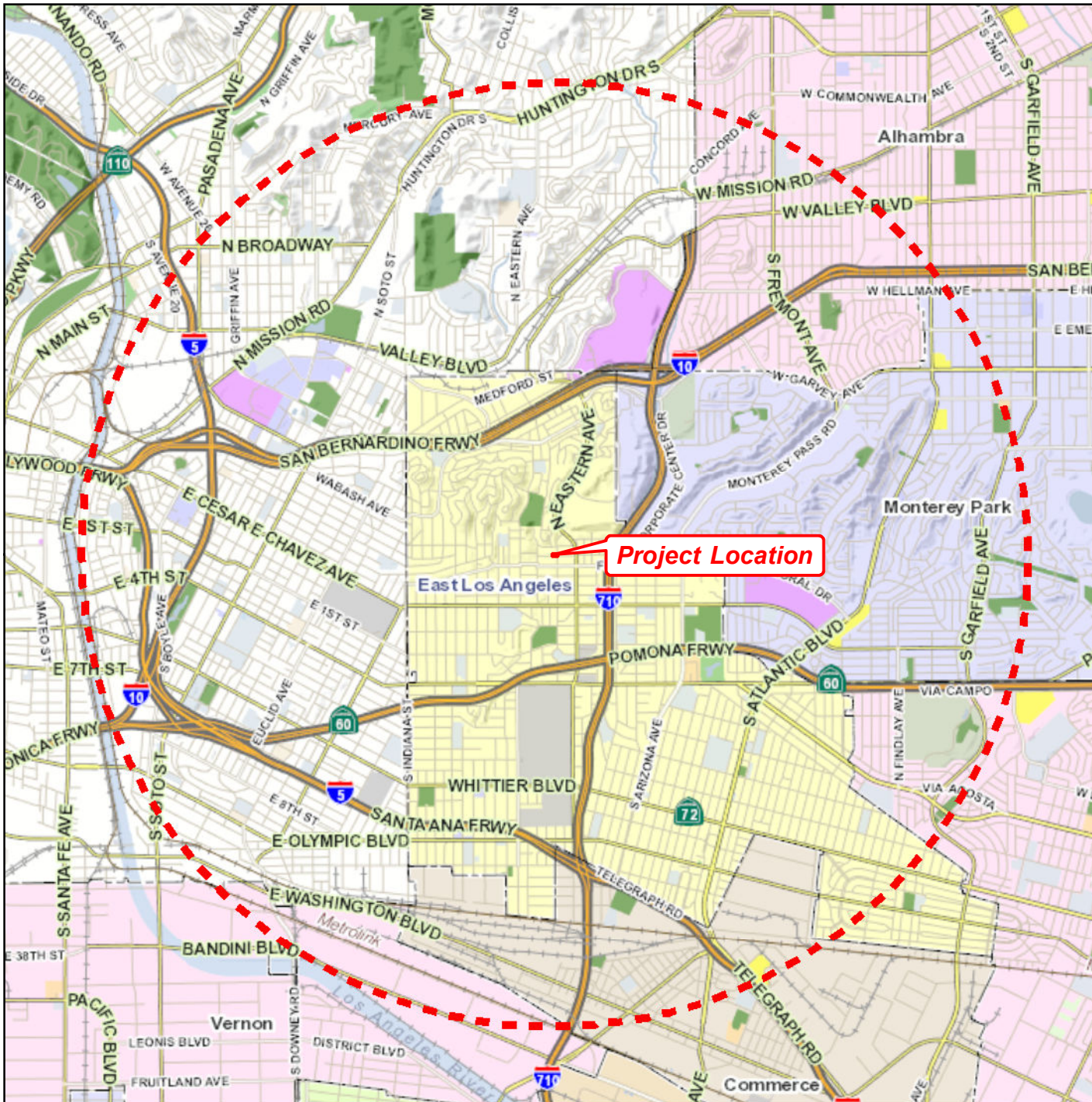
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

3-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2023-003701

NCR RPPL2023005436



LA COUNTY
PLANNING

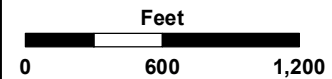
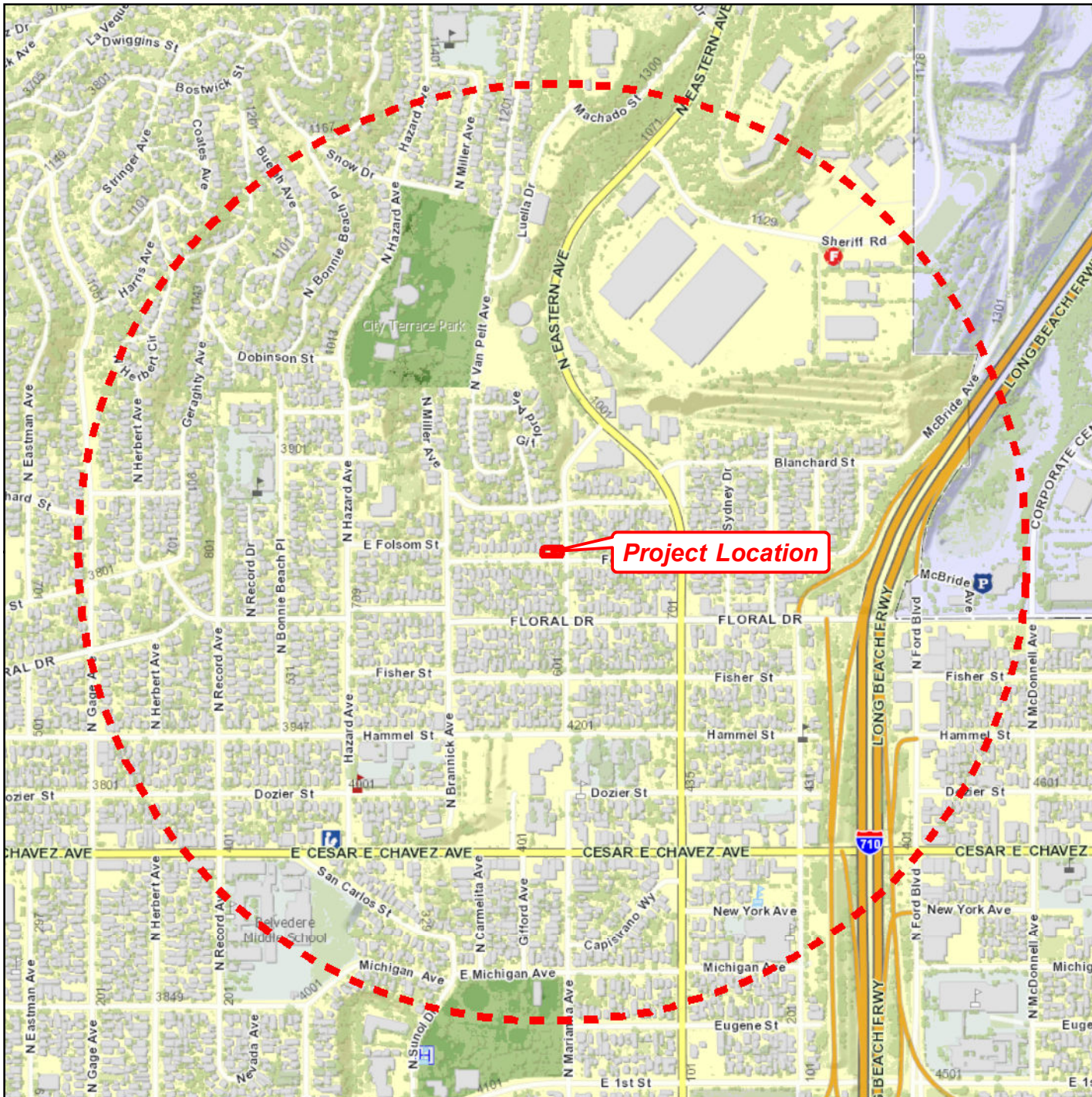
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

HALF-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2023-003701

NCR RPPL2023005436



LA COUNTY
PLANNING

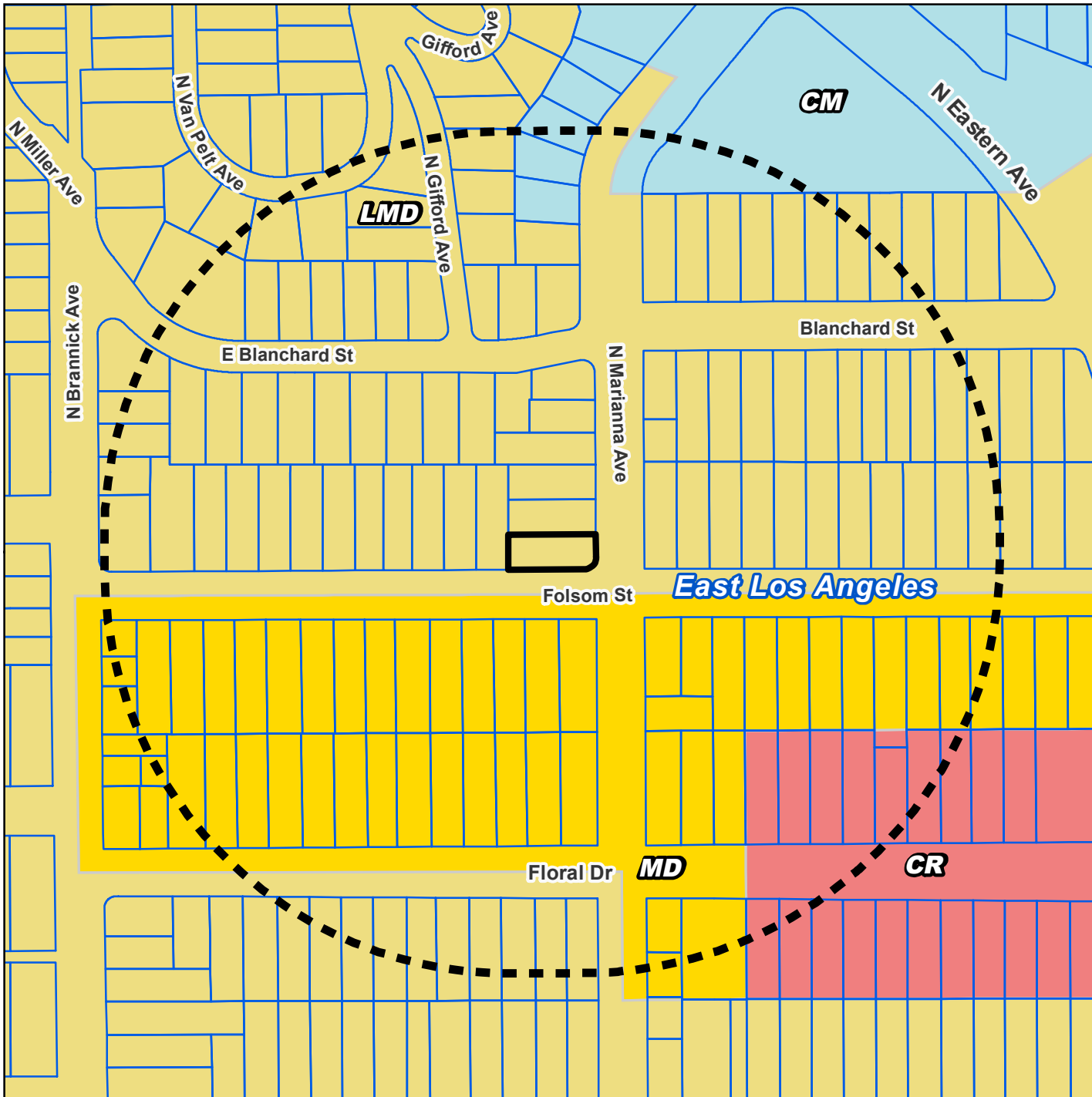
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012


LAND USE POLICY

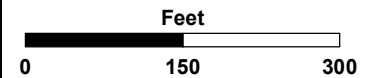
500-FOOT RADIUS MAP

PROJECT NO. PRJ2023-003701

NCR RPPL2023005436



-  LMD - Low/Medium Density Residential (17 du/ac)
-  MD - Medium Density Residential (30 du/ac)
-  CR - Commercial Residential (30 du/ac)
-  CM - Commercial Manufacturing



LA COUNTY
PLANNING

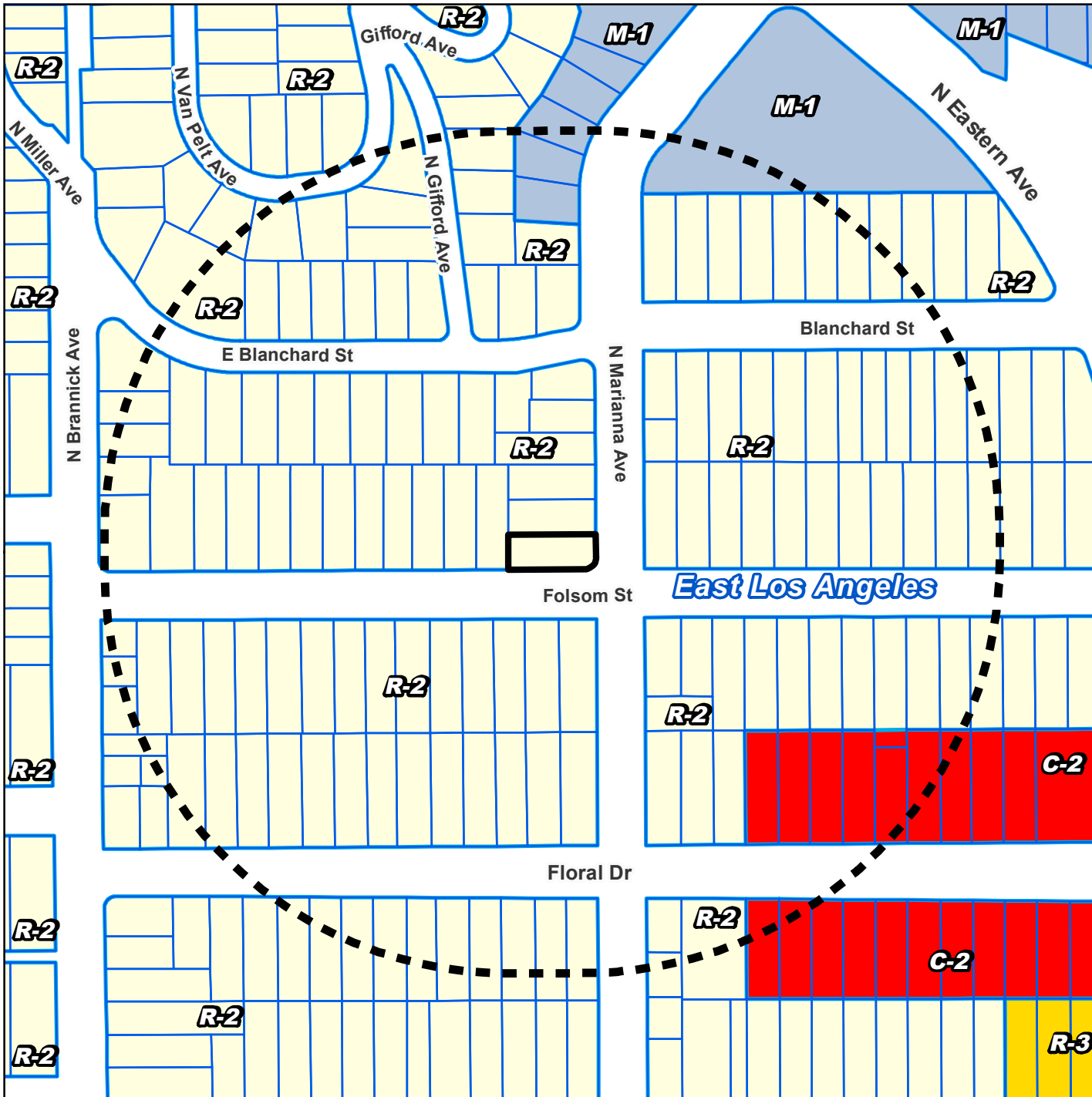
LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012





ZONING

500-FOOT RADIUS MAP

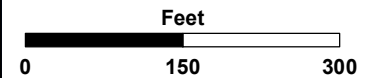
PROJECT NO. PRJ2023-003701

NCR RPPL2023005436



-  R-2 - Two-Family Residence
-  R-3-()U - Limited Density Multiple Residence
-  C-2 - Neighborhood Business
-  M-1 - Light Manufacturing

East Los Angeles



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

EXISTING LAND USE

500-FOOT RADIUS MAP

PROJECT NO. PRJ2023-003701

NCR RPPL2023005436

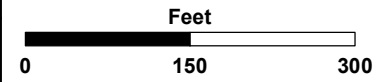


500-ft Standard Radius

Existing Land Use (Assessor Use Codes)

- Commercial
- Industrial
- Miscellaneous
- Residential - Single Unit*
- Residential - Two Units*
- Residential - Multi-Unit*
- Vacant

* Circles are generally applied to residential parcels. Empty circles indicate a single dwelling unit (DU), unless the parcel is symbolized as Vacant. Elsewhere, multi-unit residential parcels (where shown) are labeled with the number of DUs they contain.



LA COUNTY
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LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



AERIAL IMAGERY

SITE-SPECIFIC MAP

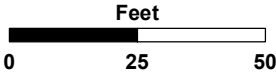
PROJECT NO. PRJ2023-003701

NCR RPPL2023005436

Digital Ortho Aerial Imagery:
Los Angeles Region Imagery
Acquisition Consortium (LARIAC)
2023

N Marianna Ave

Folsom St



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Groceries **DIANE MARKET** **Meat**
801 N. MARIANNA AV. PH. 261.8121

Budweiser
The Great American Lager
BOSS REVOLUTION

LAGUNITAS BREWING COMPANY
BUD LIGHT
GUINNESS
CLAMATO
Chelada

MAKE YOUR PLAY TODAY
A
Corona Extra



coldest
BEER
in town



coldest
BEER
in town









coldest
BEER
in town



Budweiser

The Great American Lager

152 MILLION	60 MILLION	132 MILLION
----------------	---------------	----------------

Budweiser







MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 11, 2024

IN REPLY PLEASE

REFER TO FILE: **LD-4**

TO: Carmen Sainz
Metro Development Services
Department of Regional Planning

Attention Melissa Reyes

FROM: James Chon 
Land Development Division

NON-CONFORMING USE – BUILDINGS AND STRUCTURES (RPPL2023005436)
801 NORTH MARIANNA AVENUE
ASSESSOR'S MAP BOOK 5226, PAGE 43, PARCEL 24
UNINCORPORATED EAST LOS ANGELES

As requested, Public Works reviewed the zoning permit application and site plan for the proposed project. The project proposes to operate a non-conforming grocery store in conjunction with a two-unit apartment on the second floor.

- Public Works has no comments, and this memo will serve as clearance for our review.
- Public Works has comments on the submitted documents; therefore, a Public Hearing shall NOT be scheduled until the comments have been addressed.

If you have any questions or require additional information, please contact Ed Gerlits of Public Works, Land Development Division, at (626) 458-4953 or egerlits@pw.lacounty.gov.

DK:la



BARBARA FERRER, Ph.D., M.P.H., M.Ed.
Director

MUNTU DAVIS, M.D., M.P.H.
County Health Officer

ANISH P. MAHAJAN, M.D., M.S., M.P.H.
Chief Deputy Director

NICHOLE QUICK, M.D., M.P.H.
Deputy Director for Health Protection

LIZA FRIAS, REHS
Director of Environmental Health

BRENDA LOPEZ, REHS
Assistant Director of Environmental Health

SCOTT ABBOTT, REHS, M.P.A.
Assistant Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5374 • FAX (626) 813-3000

www.publichealth.lacounty.gov/eh/

BOARD OF SUPERVISORS

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Janice Hahn
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Kathryn Barger
Fifth District

July 30, 2024

TO: Carmen Sainz
Supervising Regional Planner
Department of Regional Planning

Attention: Melissa Reyes

FROM: Charlene Contreras
Director, Community Protection Branch
Department of Public Health

**SUBJECT: NON-CONFORMING-BUILDING and STRUCTURES
CASE: RPPL2023005436
801 N. MARIANNA AVENUE LOS ANGELES CA 90063**

Thank you for the opportunity to review the application and project located at the subject property. The applicant requests to renew permit to operate a non-conforming grocery store in conjunction with a 2-unit apartment on the second floor.

- Public Health conditions for this project have been met as of the date of this letter. Public Health recommends clearance of the aforementioned project.
- Public Health requires that the conditions or information requested below are addressed prior to agency approval; therefore, the Department **DOES NOT** recommend clearance of this project until the following conditions are met:

1. Drinking Water Program: Potable Water

1.1 The applicant provided a water bill from California Water Service dated July 05, 2024.

For questions regarding drinking water, please contact Anhdao Truong, Drinking Water Program at (626) 430-5420 or atruong@ph.lacounty.gov.

2. Onsite Wastewater Treatment (OWT) Program: Wastewater

2.1 According to the most recent property tax bill direct assessment information, the Los Angeles County Sanitation Districts is currently service the project site and is connected to public sewer.

For questions regarding wastewater, please contact Tigran Khachatryan, Land Use Program at (626) 430-5380 or tkhachatryan@ph.lacounty.gov.

3. Community Protection Branch: Environmental Hygiene

Please Note: The following are general requirements for Noise and Air Quality recommendations for the proposed project.

The applicant shall abide by the requirements contained in Title 12, Section 12.08.390, 12.08.440 and 12.08.530, Noise Control Ordinance for the County of Los Angeles (reference available at municode.com).

3.1 Exterior Noise Ordinance:

Exterior Noise Standards (12.08.390)

No person shall operate or cause to be operated, any source of sound at any location within the unincorporated county, or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person which causes the noise level, when measured on any other property either incorporated or unincorporated, to exceed any of the following exterior noise standards (See Table 1):

Exterior Noise Standards, dBA						
Area	Duration	Std # 1	Std # 2	Std # 3	Std # 4	Std # 5
		30min/hr L50	15min/hr L25	5 min/hr L8.3	1 min/hr L1.7	At no time L0
Residential	7 am – 10 pm	50	55	60	65	70
	10 pm – 7 am	45	50	55	60	65
Commercial	7 am – 10 pm	60	65	70	75	80
	10 pm – 7 am	55	60	65	70	75
Industrial:	Anytime	70	75	80	85	90

Table 1. Std = Standard dB that may not exceed the cumulative period

3.2 Interior Noise

Ordinance:

Interior Noise Standards (12.08.400)

No person shall operate or cause to be operated within a dwelling unit, any source of sound, or allow the creation of any noise, which causes the noise level when measured inside a neighboring receiving dwelling unit to exceed the following standards: (See Table 2):

Interior Noise Standards, dBA				
Area	Duration	Std # 1	Std # 2	Std # 3
		5 min/hr L8.3	1 min/hr L1.7	At no time L0
Multifamily Residential	7 am – 10 pm	45	50	55
	10 pm – 7 am	40	45	50

Table 2. Std = Standard dB that may not exceed the cumulative period

3.3 Community Noise

Ordinance:

Residential air conditioning or refrigeration equipment (12.08.530)

Operating or permitting the operation of any air conditioning or refrigeration equipment in such a manner as to exceed any of the following sound levels is prohibited (See Table 3).

Measuring Location	Units Installed on or after January 1, 1980, dBA
Any point on neighboring property line, 5 feet above grade level, no closer than 3 feet from any wall.	55
Center of neighboring patio, 5 feet above level, no closer than 3 feet from any wall.	50
Outside the neighboring living area window nearest the equipment location, not more than 3 feet from the window opening, but at least 3 feet from any other surface.	50

Table 3: dBA levels not to be exceeded on the neighboring property.

For questions regarding above comments, please contact Makkaphoeum Em of Public Health, Environmental Hygiene Program at (626) 430-5201 or mem@ph.lacounty.gov.

If you have any other questions or require additional information, please contact Veronica Aranda of Public Health, Land Use Liaison at (626) 430-5201 or varanda@ph.lacounty.gov.

CC:va

DPH_CLEARED_801 N. MARIANNA AVENUE LOS ANGELES CA 90063_RPPL2023005436_07.30.2024



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



August 8, 2024

Pauline Monroy
Metro Development Services Section Regional Planning
320 West Temple Street, 13th Floor
Los Angeles, California 90012

Re: CUP Permit No: RPPL2023005436
Diane Market
801 North Marianna Avenue
Los Angeles, California 90063

Dear Ms. Monroy:

It is my understanding Diane Market located at 801 North Marianna Avenue Los Angeles, has requested a Conditional Use Permit for sales of alcohol for their business. While we are not advocating our support or opposition to their request, it is my responsibility to provide the necessary factual information for those who will make that decision.

A review of a five-year history of calls for service at the location was conducted and approximately four calls were generated. A review revealed two(2) of the calls were for burglary, one (1) call for illegal parking and one (1) call for a petty theft.

If the permit is granted, we request law enforcement be called by management and/or employees if problems arise, so they do not become more serious.

It would also be in the best interest for the business, and the employees, to have active and functional surveillance recording equipment with recordings retained for a minimum of thirty days to assist law enforcement. We would also request any graffiti be removed from the premises immediately upon discovery.

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —

Ms. Monroy

-2-

August 8, 2024

If you have any questions or wish to discuss this matter further, you may contact me, Sergeant Jesus Sandoval at (323) 264-4151.

Sincerely,

ROBERT G. LUNA, SHERIFF

A handwritten signature in black ink, appearing to read 'Chris Kusayanagi', with a stylized flourish at the end.

Chris Kusayanagi, Captain
East Los Angeles Station

Incident History Inquiry - RAPS

Incident #	Occurrence Date	Handling Unit	RD	1st Radio Code	Source	Street #	Location
ELA20082-0242	03/22/2020	20E3/P/03/22/2020	0272	924P	O-OBSERVATION	801	MARIANNA,AV,,CO,
ELA20198-0253	07/16/2020	22/P/07/16/2020	0273	909	O-OBSERVATION	801	MARIANNA,AV,,CO,
ELA20347-0258	12/12/2020	21/P/12/12/2020	0275	586D	C-CALL	801	MARIANNA,AV,,CO,
ELA22122-0174	05/02/2022	24PE1/D/05/02/2022	0275	503A	O-OBSERVATION	801	MARIANNA,AV,,CO,
ELA19316-0298	11/12/2019	22/P/11/12/2019	0273	488JO	C-CALL	801	MARIANNA,AV,,CO,"DALE MARKET"
ELA19226-0342	08/14/2019	21K1/P/08/14/2019	0273	459VR	C-CALL	801	MARIANNA,AV,,CO,"DIANE MARKET"
ELA19226-0367	08/14/2019	21/E/08/14/2019	0273	459VR	C-CALL	801	MARIANNA,AV,,CO,"DIANE MARKET"
ELA20082-0217	03/22/2020	20E2/P/03/22/2020	0280	924P	O-OBSERVATION	801	MARIANNA,AV,,CO,"DIANE MARKET"
ELA19192-0325	07/11/2019	20N3/P/07/11/2019	0273	909P	O-OBSERVATION	801	MARIANNA,AVE,,CO,

Conditions

Station: ELA-EAST LOS ANGELES

Occurrence Start Date: 06/24/2019

End Date: 06/24/2024

Tag:

First Radio Code:

Street #: 801

Street Direction: N

Street Name: MARIANNA

Street Type:

Report No:

City:

Business Name:

**PETITION TO SUPPORT A NONCONFORMING USE REVIEW FOR CONTINUED
USE OF THE PROPERTY AS A CONVENIENCE STORE AT
801 - 805 N. MARIANNA AVE**

We, the undersigned residents, property owners, and community members in the area surrounding 801 - 805 N. Marianna Ave., support the continued use of this property as a convenience store, a function it has fulfilled for over 40 years.

The property owners, Jenaro Leon and Maria Barranco, have ensured that the convenience store at this location has become an integral part of our community by providing accessible goods and services to the neighborhood. This property has operated as a retail space without interruption for decades, and its continued use aligns with the character and needs of our community.

This petition supports the application for a Nonconforming Use Permit, which is required every 20 years due to the property's location. The ongoing operation of the convenience store at this site benefits the community and does not detract from the neighborhood's character or quality of life.

We kindly urge the decision-making body to approve the Nonconforming Use Permit, ensuring that this valuable community resource remains available to residents for years to come.

Signature	Address	Phone
	803 N marianna ave.	213-254-8722
Violeta Mengual	4111 Folsom St	523 504-4459
Teodoro Rojas	4216 1/2 Folsom	323 314-19-52
Juanita Barranco	4148 FOLSOM	562 415-7737
Cindy Hernandez	4151 Folsom	323 3015163
Carolina Hernandez	661 544 6300	4151 Folsom
Antonio Hernandez	4151 Folsom	323 302 6715
Alberto Zabala	4151 Folsom	562 486 06 16
Enil Soto	4151 folsom	840 239 9591
Jassir Zabala	4153 Folsom	562 357 00 52
Cesar Cansino	4126 Blanchard	323-817-5996
Rocio Montiel	4216 folsom	323 594-0248

signature-Address phone

Edgardo B Palino	4220 Folsom St LOS ANGELES CA	(323) 392-3852	
Marisol Romero	4220 Folsom St	(323) 996-1527	
DAVID MOYA Jeremiah G.	1073 N ANTONIO 4105 Folsom St		
JOSE Garcia	4216 Folsom St		
ANTONIO Garcia	4216 Folsom St		
Emilia Campos Rivera	4224 Folsom St	323 922 9308	
Donna Rivera	"	"	
JUAN BUENOSTRO	958 N Easter AVE		323-690.85
Luis Moya	958 N Easter AVE		
Ernesto Moran	4228 Folsom St	(323) 943 8482	Ernesto Moran
Ernesto Moran	4228 Folsom St	(323) 628-9235	
Erick Garcia	4224 Folsom St	(909) 771-3743	
* CHRIS RIVERA	805 N Mariana	(323) 476 2311	
Fidel Ramirez	803 N Mariana	(323) 594-3771	
Catherine	514 S EASTERN	323 830 1548	
Martin Gonzalez	4228 Folsom St	(323) 805-7361	
Maria Garcia	4134 Folsom St	(323) 268-7767	
Javier Barbosa	818 Mariana	(323) 697-4809	
Maria Garcia	4224 Folsom St	323.413.4243	
Catherine Montel	4220 Folsom St	323-4343771	
Walter Ibarra	137 N Soto	323-861755	
WALTER IBARRA	941 N Eastern	(323) 3158638	
MARIO Palomino	4141 Folsom	(323) 326-4097	Walter Ibarra
GARMAN Palomino	4116 O Fisher St		
RICHARD Palomino	4160 Fisher St		
Maria Paredes	4112 Folsom	323-237-2833	maria Paredes
Magdalena Moya	809 N Mariana	323-405-2219	Magdalena Moya
Luis Sosa	4242 Folsom	323-283,5289	Luis Sosa
ANTONIO GARCIA	4216 Folsom		Antonio Garcia